

Hong Kong Arts Development Council

Venue Subsidy Scheme (Pilot Scheme) Application Guidelines

Applicable for applications submitted between 1 January 2021 and 31 December 2021

1. Preamble

The Venue Subsidy Scheme (Pilot Scheme) (the “Scheme”) by the Hong Kong Arts Development Council (“HKADC”) aims to subsidise arts groups and independent artists in hiring venues for arts activities and rehearsals in order to create and publicly present their art works. The Scheme covers a wider range of venue choices for hirers so as to promote more arts venues that meets the needs of the art sector.

2. Eligibility

- 2.1 Applicants have to read carefully the “Information for Project Grant Applicants” to understand the general information such as eligibility, deadline, etc. before completing the application form. The terms and conditions set out in the “Information for Project Grant Applicants” is also applicable to the applicants of the Scheme. In the event of discrepancy between the “Information for Project Grant Applicants” and this Application Guidelines, “Information for Project Grant Applicants” shall prevail over this Application Guidelines for all purposes.
- 2.2 Applicants have to be either arts organisation registered in Hong Kong or independent artists, and shall be the applicants of HKADC “Project Grant” within the same year and application period.
- 2.3 Applications must be submitted in the same name of and by an individual or organisation.
- 2.4 The Scheme is not applicable to arts organisations currently receiving “Year Grant” and “Eminent Arts Group Scheme” from HKADC (except for “Cultural Exchange Projects”) and major performing arts groups which are receiving funding from the Home Affairs Bureau, namely the “nine major performing arts groups” of Hong Kong, and the Hong Kong Arts Festival Society Limited.

3. Scope of Subsidy

The subsidy under this Scheme includes: 1) hiring venue(s) for Performances, Exhibitions or Activities; and 2) hiring venue(s) for Rehearsals.

3.1 Hiring Venue(s) for Performances, Exhibitions or Activities

Applicants shall be the applicants of HKADC “Project Grant” within the same year and application period, who plan to hire local lawful venues for performances, exhibitions or activities, in order to publicly present artistic creations.

Venues that applicants intend to hire for performances, exhibitions or activities shall either be managed by the government or other legally eligible local venues not being managed by the government (meaning already in possession of and entitled under or able to successfully apply for necessary associated licences, or equipped with relevant documents) for public performances, exhibitions, or other arts activities that are in compliance with all applicable laws and regulations.

Applicants shall confirm and ensure at their own expenses that the venue(s) that he/she intends to hire for performance, exhibitions or activities is/are local venue(s) that comply(ies) with all applicable laws and regulations for public performance, exhibitions or other art activities. The associated licence(s) and relevant document(s) (such as the Places of Public Entertainment

Licence) should be submitted together with the application to ensure that the venues are proper arts venues suitable for public performances, exhibitions or activities in compliance with all applicable laws and regulations.

3.2 Hiring Venue(s) for Rehearsals

Applicants shall be the applicants of HKADC “Project Grant” within the same year and application period. Local rehearsal venues that applicants intend to hire shall be restricted for rehearsal purposes only. The concerned programmes must be **performance-based activities**.

4. Application Guidelines

- 4.1 The maximum subsidy under this Scheme is \$95,000. Generally, the maximum subsidy for performances, exhibitions or activities venue hiring is \$80,000 and the maximum subsidy for rehearsals venue hiring is \$15,000.
- 4.2 Applications **must be** submitted together with “Project Grant” applications.
- 4.3 The Scheme does not apply to applicant’s own venues. The subsidy for hiring rehearsal venue under the Scheme also does not apply to rehearsal venue which the person-in-charge/ head of organisation of the rehearsal venue is a relative of the applicant.
- 4.4 The Scheme shall only be used for payment of the basic rental fees and other basic costs and expenses in renting the venues¹, for presentation and rehearsal of art works. **Under no circumstances can the subsidy provided under the Scheme be transferred to expenditure items within the Project Grant.**
- 4.5 Successful applicants should use the subsidy reasonably on the expenditure items specified by HKADC. Upon the project’s completion, the actual costs of all expenditure items should be reported to HKADC, and the subsidy will be disbursed on a reimbursement basis.
- 4.6 HKADC will not be responsible to refund any unsuccessful applicant who has already paid a venue hiring deposit before the application result is announced.
- 4.7 If the information provided is insufficient or if the requisite supporting documents are missing, HKADC reserves the right not to process the application.
- 4.8 All monetary figures quoted in this set of Assessment Guidelines are in Hong Kong dollars.
- 4.9 Application forms are available at HKADC Administration Office or can be downloaded from HKADC’s website (www.hkadc.org.hk). For submissions in person, applicants should deposit **two identical copies of the completed “Venue Subsidy Scheme (Pilot Scheme)” and “Project Grant” application forms, together with all required supporting documents,** into the application collection box placed at HKADC office, 10/F, 1063 King’s Road, Quarry Bay, Hong Kong, **before 6:00pm** on the application deadlines. Postal submissions postmarked on or before the application deadlines will be acceptable. Submission by courier is also acceptable if the pickup date shown on the bill issued by the courier service provider is on or before the application deadline. Late applications or applications by fax, e-mail, other digital form, or postal applications with insufficient postage shall not be processed by HKADC.
- 4.10 **The Scheme is a pilot scheme and should not be considered as recurrent. HKADC may determine the final result based on the applications received and availability of resources.**

¹ Such as basic rental fees and water, and electricity charges, etc. which must be paid for short-term lease of vacant units / open space at the Cattle Depot through the Commissioner for Heritage's Office under the Development Bureau. The Scheme does NOT include the costs for hiring appliances/equipment. HKADC reserves the final discretion to determine the use of the subsidy under the Scheme.

5. Application Process

- 5.1 Applicants should complete the application form for the “Venue Subsidy Scheme (Pilot Scheme)” and submit the same together with “Project Grant” application form and proofs of relevant venues hiring. If the applicants wish to hire performances, exhibitions or activities venues not being managed by the government, the venue’s associated licence(s) or relevant proof(s) (such as Places of Public Entertainment Licence) should be provided to ensure that the venue is a proper arts venue suitable for public performances, exhibitions or activities in compliance with all applicable laws and regulations.
- 5.2 HKADC will make reference to the application results of “Project Grant” to determine the final result of the Scheme. If the applicant’s “Project Grant” application is successful, the subsidy under the Scheme will be approved concurrently in general in the case of sufficient and available resources. In addition, **HKADC may determine the final result and grant amount** based on the assessment and comments of the assessment panel, subsidy policy and availability of resources. Application results will be submitted to the mid-level committee of HKADC to seek endorsement.
- 5.3 HKADC reserves the right in its absolute discretion not to accept/consider applications that fail to meet the above criteria.
- 5.4 Depending on the competition, HKADC reserves the right in its absolute discretion to set additional assessment criterion(a) which are objective and not contradicting existing ones to facilitate the processing of numerous applications. Applicants shall not be entitled to review such additional objective criterion(a).

6. Disbursement of Grant by Installment

- 6.1 HKADC will disburse the subsidy in installments by cheque.
- 6.2 The subsidy will be disbursed by the following method :-

Submission of supporting documents of venue hiring confirmation and signing of the subsidy Agreement 80%
Completion of Project together with the submission of Project completion proof and Project Report 20%

7. Additional Terms and Conditions

By agreeing to receive and/or by responding to this Application Guidelines, the applicant accepts and undertakes to comply with all applicable terms set out in the “Information for Project Grant Applicants” and the following terms and conditions :

- 7.1 Nothing in this Application Guidelines or any communications made by HKADC or any of its representatives, agents, employees, or advisers shall constitute an offer of a contract or a binding contract between HKADC and any prospective applicant nor shall it be taken as constituting any representation that a grant will be made in accordance with this Application Guidelines.
- 7.2 HKADC reserves the right at any time during the selection procedure to change any aspect of this Application Guidelines, to issue an amended Application Guidelines, or to refuse to consider any applicant (or prospective applicant). All applicants acknowledge that HKADC may decide to organise the Scheme on its own or without officially appointing any third party.
- 7.3 This Application Guidelines is provided by way of explanation of the requirements of HKADC in relation to the Scheme and neither HKADC nor any of its representatives, agents, employees or advisers make any representation or warranty or accept any responsibility for the accuracy or

completeness of the information contained in this Application Guidelines nor shall they be liable for any loss or damage suffered by any prospective applicant, the applicant and/or any third party in reliance on this Application Guidelines or any subsequent communication with HKADC.

- 7.4 No prospective applicant or applicant is entitled to making any announcement relating directly or indirectly to this Application Guidelines and, in particular, to its proposal. Each applicant acknowledges and agrees that HKADC shall have the sole right to make any announcement in relation to this Application Guidelines and/or the selection of the successful applicant.
- 7.5 Each applicant is responsible for all costs, expenses and liabilities incurred by the preparation of its proposal, any responses to request for further information by HKADC, and any negotiations with HKADC following receipt by HKADC of the proposal of the applicant (whether or not an Agreement is entered into with such applicant) and irrevocably and unconditionally waives any rights it may have to bring a claim in any court of competent jurisdiction in relation to the appointment or manner of appointment of any applicant, the selection procedure or otherwise in relation to the proposal or this Application Guidelines.
- 7.6 All documents and related materials submitted shall be retained by HKADC for such period as it may in its entire discretion decide and shall not be returned to any applicant and may, in the like discretion of HKADC, be destroyed.

8. Declaration

By submission of the application form of the Scheme, the applicant declares and warrants the following:

- 8.1 The applicant has obtained, read, and understood this Application Guidelines and confirms that the applicant fully understands, will comply with and be bound by them.
- 8.2 The applicant has list out, among others, all current Council Members, Arts Advisors, Examiners, and staff who will be involved in this application (if any) in the Project Grant application form.
- 8.3 HKADC shall not be liable for any personal injury(ies) or damages to property(ies) suffered by the grantee whatsoever and howsoever relating to the subsidised venue being hired. The grantee shall indemnify HKADC against all claims, demands, loss, damage, actions or proceedings, and costs (legal or otherwise) on a full indemnity basis brought against or suffered by HKADC in relation thereto.
- 8.4 The applicant understands and confirms that he/she shall ensure at his/her own expenses that the subsidised venues are local venues that complies with all applicable laws and regulations for public performance, exhibitions or other art activities. The applicant further represents and warrants that all of the venue(s) for which the application for venue subsidy is/are being made is/are either be managed by the government or other legally eligible local venues not being managed by the government (meaning already in possession of and entitled under or able to successfully apply for necessary associated licences, or equipped with relevant documents) for public performances, exhibitions, or other arts activities that are in compliance with all applicable laws and regulations. If the applicant and/or HKADC has/have incurred or suffered any losses, damages, claims, liabilities, actions, demands, fees, costs and expenses (including but not limited to legal fees, costs and expenses), HKADC shall not be liable for any person(s) (including but not limited to the applicant and his/her/its associated person(s) or organisation(s)) for such losses, damages, claims, liabilities, actions, demands, fees, costs and expenses (including but not limited to legal fees, costs and expenses). However, the applicant shall indemnify and keep indemnified HKADC, on a full indemnity basis, from and against such losses, damages, claims, liabilities, actions, demands, fees, costs and expenses (including but not limited to legal fees, costs and expenses).

The Hong Kong Arts Development Council reserves the right in its absolute discretion not to accept any Application submitted for the Scheme. HKADC also reserves the right to amend or to supplement or to cancel the Scheme at any time without further notice before entry into a full Agreement with the applicant. HKADC will not be liable for any losses, damages, claims, liabilities, actions, demands, fees, costs and expenses (including but not limited to legal fees, costs and expenses) which might be incurred or suffered by the applicants/grantee in connection therewith.

Hong Kong Arts Development Council
Updated in July 2021

In case of discrepancy between the Chinese and English versions, the Chinese version shall prevail.