

# Kenneth Sit Solicitors

薛海華律師行

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Your Ref:

Our Ref: KS/1336

20<sup>th</sup> August 2014

Pui Ching Academy  
42 Gascoigne Road  
Kowloon  
Hong Kong

BY POST & BY EMAIL  
[info@pca.edu.hk](mailto:info@pca.edu.hk)

Dear Sirs,

Re: Mr. Koo Ming Kown

We act for Mr. Koo Ming Kown, an alumnus of Pui Ching Primary School (“the School”).

We are instructed that during a meeting with our client on 3<sup>rd</sup> July 2014, Mr. Young Kwok Hung Clement, the Chairman of your Board of Governors, your Supervisor and a former Supervisor and current manager of the unincorporated management committee of the School, and Mr. Yip Chee Tim, your Director of Development, solicited on your behalf from our client his donation towards your fundraising drive (“the Campaign”), in the process producing to him a pamphlet about the Campaign (“the Pamphlet”), a copy of which is enclosed. In soliciting a donation from our client, Messrs. Young and Yip acted as your agents.

We are instructed that the Pamphlet contained the following mistakes and grave factual errors:

1. That our client was a member of your Advisory Committee, when he was not in such position.
2. The suggestion (by identifying our client as a member of your Advisory Committee) that he supported the Campaign and the publication of the Pamphlet, when in fact he never did so;
3. That you had lawful arrangements to move into the new teaching building of the School and to occupy 8<sup>th</sup> to 15<sup>th</sup> Floors there, when in fact no lease, tenancy agreement, licence or other similar arrangements had ever been made in relation to those premises;
4. That you required funding in the building cost, when the School had already paid or lawfully committed to the payment for its new teaching building; and

Partners : Kenneth Sit 薛海華律師 LL.B (Hons.) FCIArb FHKI Arb Notary Public  
Patrick Hui 許文傑律師 LL.B (Hons.) FHKI Arb MCI Arb China-Appointed Attesting Officer Accredited Mediator (HKIAC & HKMAAL)

Consultants: Charles Chu 朱嘉楨律師 LL.B (Hons.) China-Appointed Attesting Officer  
Heidi Sheung 商可欣律師 LL.B (Hons.) LL.M HKIAC Accredited Mediator The Law Society of HK Accredited Mediator

Registered Foreign Lawyers: Neil Sampson and Hugo Muller  
In association with: Charles Chu & Kenneth Sit (Hong Kong) and Rosenblatt (UK)

5. That you could have various premises in 8<sup>th</sup> to 15<sup>th</sup> Floors of the new teaching building of the School named after the donors, when in fact no lease, tenancy agreement, licence or other similar arrangements had been made for you to occupy or name those premises

("the Errors"). Because of the Errors, the Pamphlet and your solicitation for donations on the basis of it are deceptive hence must stop and be rectified and made good.

We are instructed that, as an alumnus of the School, our client feels compelled to stop your misdeeds in using the Pamphlet and the Errors in the Campaign and is prepared to assist all those who have been exposed to the Pamphlet, the Errors and your solicitations of donations to be apprised of the fallacies and deceptions in the Errors and to recover their donations and damage from you and other responsible parties. We are therefore instructed to demand you to immediately:

- a. Cease all further retention, distribution and circulation of the Pamphlet and its contents, in print, electronic, audio and any other forms and manners.
- b. Deliver up to our client through us for destruction all copies of the Pamphlet.
- c. Cease all further publication and repetition of the Errors.
- d. Identify and particularise to our client through us each person, company and organisation who/which has been given the Pamphlet and exposed to the Errors and the Campaign.
- e. Arrange to offer to all your donors full refund of their donations if they feel they have made such donations in reliance of the Pamphlet or the Errors.
- f. Arrange to publish in Chinese in the Hong Kong news section of Apple Daily and Oriental Daily News of at least 1/8 page in size, in English in the Hong Kong news section of South China Morning Post and The Standard of at least 1/8 page in size, and notices in both Chinese and English posted up in your website and those of the School, Pui Ching Middle School and The Baptist Convention of Hong Kong, your open withdrawal and apology for your wrongful acts in the Campaign in terms as set out in the Schedule.
- g. Undertake in writing not to take any further action in the Campaign or the furtherance of it.

Please be advised if the actions mentioned in the last paragraph are not completely taken by the close of business on 27<sup>th</sup> August 2014, legal proceedings will be instituted against you without further notice.

We are instructed to reserve our client's remedies on the matter.

Yours faithfully,

Kenneth Sit  
Solicitors

cc The Baptist Convention of Hong Kong

Schedule

We undertook our fundraising drive in the past few years, in the process attempting to mislead potential donors that we had made arrangements to move into and occupy the new teaching building of Pui Ching Primary School at Waterloo Road, Kowloon. In fact, no such arrangements had been finalised and made. We apologise to all potential and actual donors for such mistake.

Pui Ching Academy

我們在近幾年間進行籌款活動，過程中誤導有意捐款的人士，以為我們已作出安排使用香港培正小學位於九龍窩打老道新教學大樓。事實上，該安排從未落實而並不存在。就上述的錯誤，我們對各有意捐助的人士及已進行捐款的人士道歉。

培正專業書院



培正專業書院  
Pui Ching Academy

新校舍籌款  
Fundraising for the New Campus



新校舍仰視圖 (建築工程將於二零一二年完成)  
The elevation of the new campus  
(The construction work will be completed in 2012)

培正專業書院致力發展成為一所  
提供優質專上教育的基督教學院，  
為培育品學俱優的學生作出貢獻。

Pui Ching Academy aspires to be a Christian institution of  
higher education offering quality post-secondary programmes,  
where **students grow unto academic excellence**  
and exemplary character.



## 背景

### 校董會

主席  
楊國雄博士  
羅志強先生  
林耀華先生  
葉惠康博士  
陳之望博士  
何鏡煒博士  
張志儉博士  
曾啟文先生  
鍾鴻鈞教授  
何顯雄博士

### 顧問委員會

謝志偉博士  
GBS, CBE, JP  
吳家璋教授  
GBS, JP  
吳清輝教授  
G.B.S.  
王世榮博士  
JP  
顧明均先生  
何建宗教授  
梁偉賢教授

### 校監

楊國雄博士  
發展總監  
葉賜添博士  
校長  
岑錦康博士

培正專業書院是培正發展大專教育新增的成員，隸屬香港浸信會聯會。一九九九年，校董會成立培正教育中心，校址設於香港培正中學，提供資訊科技應用於教與學的專業培訓課程。為配合中心迅速發展，二零零二年遷往加士居道42號，即前葛量洪教育學院舊址。為了更準確地反映中心不斷發展及提供大專教育的方向，中心於二零零九年獲教育局批准易名為培正專業書院。

過往十年，積極提供多元化課程，範圍涵蓋在職培訓和學術培訓。有見「三三四」新高中學制推行後將出現對專上教育需求的激增，書院現正計劃開辦文憑課程、高級文憑課程及學位課程，以及在不久將來升格為培正學院。

二零一二年新校舍將會正式啟用，我們正着力籌募校舍建築、內部裝修、教學設施和成立大專所需的經費。

培正專業書院期待你們的支持，讓莘莘學子可以在一個優良的環境追尋他們的理想。你們的捐助無論多少均對本院的發展有着長足的貢獻。





## 培正專業書院新校舍

位於培正校址的新校舍即將於二零一二年竣工，培正專業書院將成為培正道上培正教育的新成員，培育資訊及通訊科技、創意媒體、體藝和商界的專才。

新校舍預計可容納近千名全日制學生，為入讀培正專業書院大專課程的學生提供一個理想的學習環境。新校舍的設計如下：

- 多功能演講廳 (八樓)
- 圖書館及行政中心 (九至十樓)
- 創意媒體中心 (十一樓)
- 課室及導修室 (十二至十三樓)
- 學生活動中心 (十四樓)
- 多功能活動廳 (十五樓)

除了新校舍外，本院與培正中學合作共用課室及特別室，包括劇場和數碼音樂教室等進行教學活動。



## 籌款

本院致力提供優質的教育服務，因此我們會在新校舍配置優質的設施。這次籌得的款項主要運用在四方面，包括新校舍建築、內部裝修、購買教學設備和成立大專的經費。

因此，本院希望獲得支持教育發展的各界人士或企業的捐助。你的一分一毫，都是對我們極大的支持。



#### Board of Governors

Chairman  
Dr. Clement K.H. YOUNG,  
Mr. Johnny C.K. LAW  
Mr. LAM Yiu Wah  
Dr. YIP Wai Hong  
Dr. Hopkins C.M. CHAN  
Dr. Eddie K.W. HO  
Dr. CHEUNG Chi Kim  
Mr. TSANG Kai Man  
Prof. Barnabas H.K. CHUNG  
Dr. HO Hin Hung

#### Advisory Committee

Dr. Daniel C.W. TSE,  
GBS, CBE, JP  
Prof. WOO Chia Wei,  
GBS, JP  
Prof. NG Ching Fai,  
G.B.S.  
Dr. James S.W. WONG,  
JP  
Mr. KOO Ming Kown  
Prof. HO Kin Chung  
Prof. Kenneth W. Y. LEUNG

#### Supervisor

Dr. Clement K.H. YOUNG

Director of Development  
Dr. YIP Chee Tim

Director  
Dr. SHUM Kam Hong


## Background

Being a new member of Pui Ching and under the auspices of the Baptist Convention of Hong Kong, Pui Ching Academy (PCA) aims at providing quality higher education in Hong Kong. With the support of the School Board of Pui Ching in 1999, Pui Ching Education Centre was established at the venue of Pui Ching Middle School. The Centre has been growing rapidly since then and was relocated to 42 Gascoigne Road in 2002. To better reflect the School's current scope of operation and direction of post-secondary education development, the name of the school at Gascoigne Road changed to Pui Ching Academy with the endorsement of the Education Bureau in 2009.

For the past decade, PCA has been serving not only teachers in Hong Kong for applying IT in education, but also the community through multifarious programmes, ranging from on-the-job training to academic programmes. To meet the surge of demand for post-secondary education by the graduates of the new "334" senior secondary education, PCA is planning to deliver diploma, higher diploma and degree programmes and to develop into a self-financed tertiary education institution in the near future.

To start making use of the new premise in 2012, we are urgently raising funds for the expenses of the construction works, interior renovation, teaching and learning facilities and setting up of higher education programmes.

We look to your support that will allow our students the chance to realize their aspiration. A gift (of whatever size) will allow PCA to make a long-lasting impact to the development of PCA.





## **New Campus of Pui Ching Academy**

PCA will celebrate a significant milestone in 2012 - the completion of our new campus at Pui Ching Road. We are seizing the opportunity to develop our campus for tertiary education in the Pui Ching Education Building and to become a new member of the education establishment of Pui Ching at Pui Ching Road. The new campus will underpin the training of talents in the areas of ICT, creative media, performing arts and business studies.

The new campus building will provide a high quality learning environment in time to the future cohort in 2012. Included in its design are:

- Multi-purpose Lecture Hall (8th Floor)
- Library & Administration Offices (9th–10th Floors)
- Creative Media Laboratories (11th Floor)
- Classrooms & Tutorial Rooms (12th–13th Floors)
- Student Activity Centre (14th Floor)
- Multi-purpose Activity Hall (15th Floor)


The School will also enjoy greater flexibility for more teaching and activity space because of its proximity to Pui Ching Middle School. In cooperation with Pui Ching Middle School, academic activities can be delivered at the special rooms of the Middle School, including the performance hall and digital music lab.



## **Fundraising**

PCA strives for delivering high quality education to the local community and therefore we will equip our new campus with quality facilities. PCA requires funding in four areas, namely the building cost of the new campus, the construction work of interior renovation, the purchase of teaching and learning facilities and the expenses in setting up post-secondary programmes.

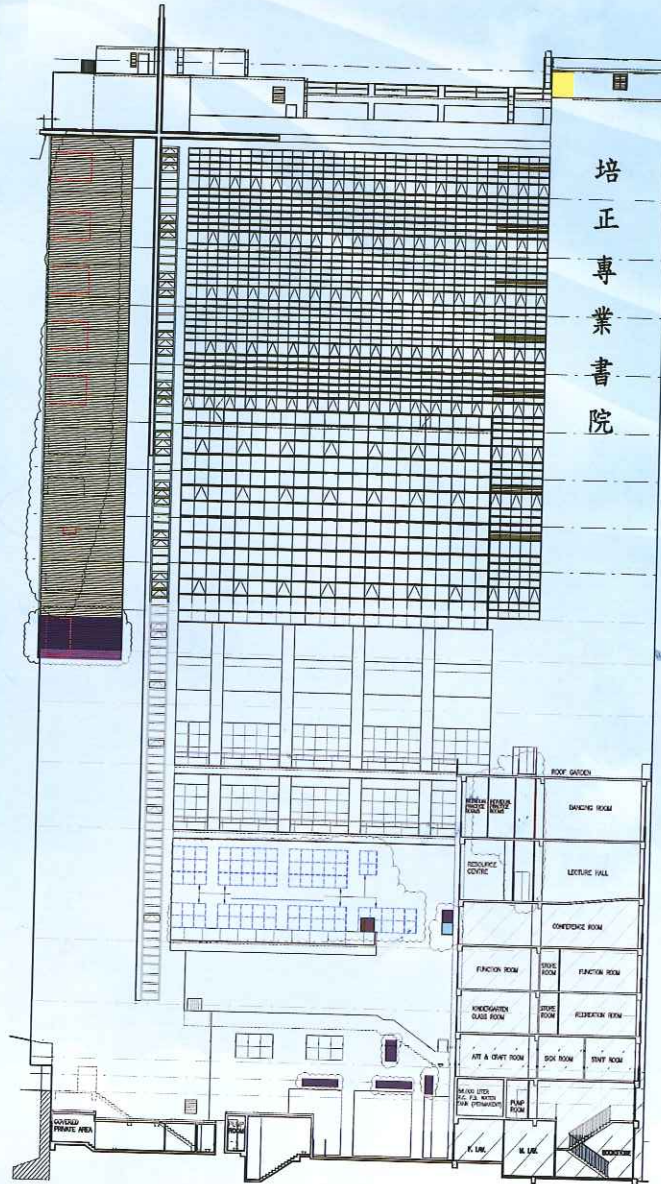
As such, PCA will need financial donation from individuals or enterprises who are supportive to the development of local education in Hong Kong. Any gift from you will help PCA tremendously.



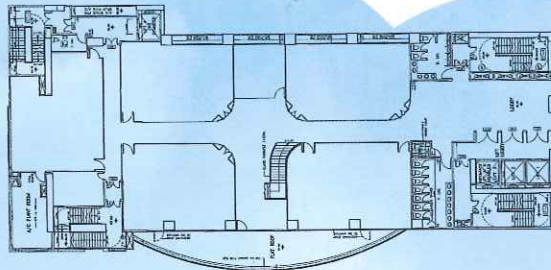


培正專業書院 (八樓至十五樓)  
Pui Ching Academy (8/F-15/F)

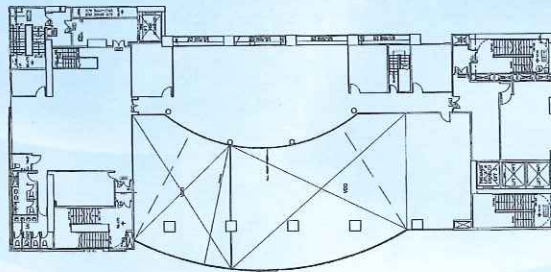
新校舍平面圖  
Floor Plans of the New Campus



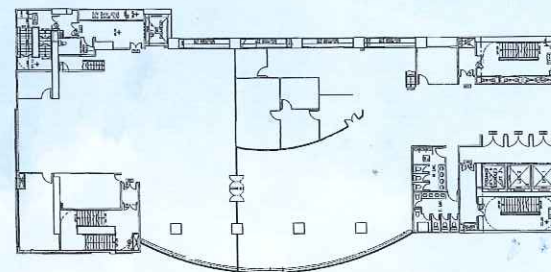
➤➤ 11/F 創意媒體中心 Creative Media Laboratories



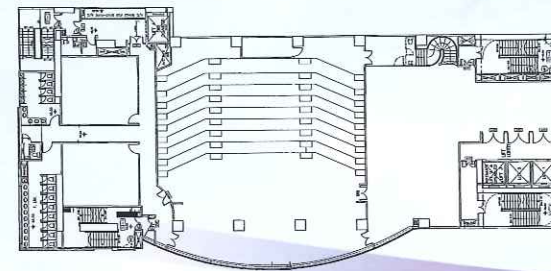
➤➤ 10/F 圖書館及行政中心 Library & Admin. Offices



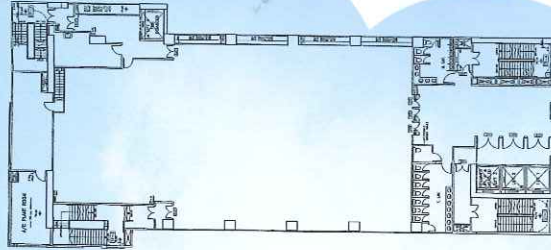
➤➤ 9/F 圖書館 Library



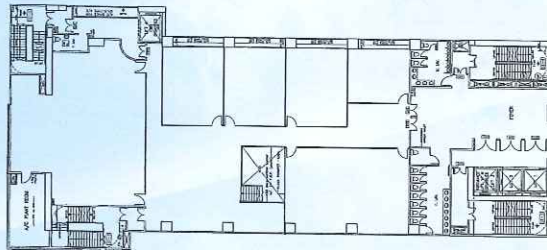
➤➤ 8/F 多功能演講廳 Multi-purpose Lecture Hall



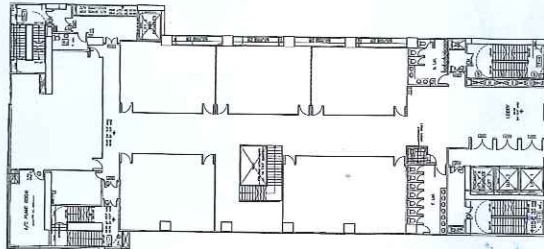
▶ 15/F 多功能活動廳 Multi-purpose Activity Hall



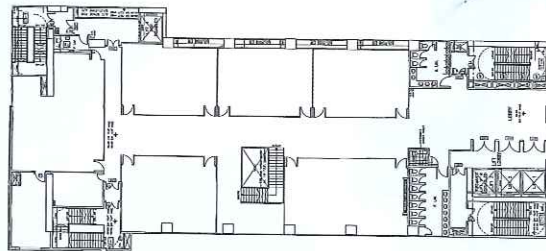
▶ 14/F 學生活動中心 Student Activity Centre



▶ 13/F 課室及導修室 Classrooms & Tutorial Rooms



▶ 12/F 課室及導修室 Classrooms & Tutorial Rooms





## 認捐項目及命名地點

### Donation for the New Campus

樓層 Floors	用途 Purpose	建議認捐 (以作參考) Proposed Amount of Donation (for reference only)
8/F	多功能演講廳 Multi-purpose Lecture Hall	HKD 12,000,000
9/F & 10/F (10/F 為閣樓mezz floor)	圖書館及行政中心 Library & Admin. Offices	HKD 12,000,000
11/F	創意媒體中心 Creative Media Laboratories	HKD 12,000,000
12/F & 13/F	課室 Classrooms 導修室 Tutorial Rooms	HKD 600,000@ HKD 150,000@
14/F	學生活動中心 Student Activity Centre	HKD 6,000,000
15/F	多功能活動廳 Multi-purpose Activity Hall	HKD 12,000,000
	刻名留念 Engraved name for commemoration	HKD 5,000 或以上 or more
	演講廳座椅留名紀念 Naming for each Lecture Hall's chair	HKD 3,000 或以上 or more



2015/10/07 2:05:55/28

## 培正專業書院新校舍認捐回條

### Reply slip of the donation for the new campus of PCA

懇請大力支持，踴躍捐輸。請填妥以下回條連同劃線支票，郵寄香港九龍培正道20號香港培正中學收。We look to your support through donation. Please complete the following reply slip with a crossed cheque and post them to Pui Ching Middle School, 20 Pui Ching Road, Kowloon, Hong Kong.

姓名(博士/先生/女士/小姐) Name (Dr. / Mr. / Mrs. / Miss):

通訊地址 Address:

聯絡電話 Phone:

電郵 Email:

#### 捐贈方法 Donation Methods:

(請在適用項目前的空格內加上“√”號 Please tick the appropriate boxes “√”)

#### 1. 認捐命名 Facilities for Naming :

捐款額 Donation	認捐命名地點 Facilities for Naming
<input type="checkbox"/> HK\$ 12,000,000	8樓 多功能演講廳 8/F Multi-purpose Lecture Hall
<input type="checkbox"/> HK\$ 12,000,000	9樓及10樓 圖書館及行政中心 9/F & 10/F Library & Admin. Offices
<input type="checkbox"/> HK\$ 12,000,000	11樓 創意媒體中心 11/F Creative Media Laboratories
<input type="checkbox"/> HK\$ 12,000,000	15樓 多功能活動廳 15/F Multi-purpose Activity Hall
<input type="checkbox"/> HK\$ 6,000,000	14樓 學生活動中心 14/F Student Activity Centre
<input type="checkbox"/> HK\$ 600,000@	12樓及13樓 課室 12/F & 13/F Classrooms
<input type="checkbox"/> HK\$ 150,000@	12樓及13樓 導修室 12/F & 13/F Tutorial Rooms
<input type="checkbox"/> HK\$ _____ (HK\$ 5,000 或以上 or above)	刻名紀念 Engraved name for commemoration
<input type="checkbox"/> HK\$ _____ (HK\$ 3,000 或以上 or above)	演講廳座椅留名紀念 Naming for each Lecture Hall's chair
<input type="checkbox"/> HK\$ 1,000	
<input type="checkbox"/> HK\$ 500	

捐款總額 Total Amount :

#### 2. 本人樂意經常性捐助培正專業書院發展

I am willing to donate on a regular basis

贈捐期間

Donation Interval  每月 Monthly  每季 Quarterly  每半年 Half Yearly  每年 Yearly

捐贈金額(港幣)

Donation Amt.(HKD)  \$500  \$1,000  \$5,000  \$10,000

其他金額 Other Amount: \_\_\_\_\_

副線支票 Crossed cheque

發票銀行 Bank: \_\_\_\_\_

支票號碼 Cheque Number: \_\_\_\_\_

日期 Date: \_\_\_\_\_

簽署 Signature: \_\_\_\_\_

備註:

- 海外捐款方法：校友可直接把支票寄往「香港培正中學」或「培正專業書院」。如需申請免稅，則可請直接聯絡香港培正中學行政主任方文英小姐，以便透過 Give2Asia 捐款。(電話：852-2767-3303 電郵：pc-eo1@puiching.edu.hk)
- 捐款如用支票，抬頭請寫「香港培正中學」或「培正專業書院」。
- 捐款港幣一百元或以上可憑正式收據申請扣減稅項。

Remarks:

- Overseas Donation: You are cordially invited to donate by sending your cheque directly to "Pui Ching Middle School" or "Pui Ching Academy". If you want to apply for tax deduction through "Give2Asia", please contact Ms. Almond Fong, Executive Officer of Pui Ching Middle School for details. (Phone: 852-2767-3033 Email: pc-eo1@puiching.edu.hk)
- Please make your cheque payable to "Pui Ching Middle School" or "Pui Ching Academy".
- A receipt will be issued for donation greater than HK\$100.

WEBSITE: [www.pca.edu.hk](http://www.pca.edu.hk) | TEL: (852) 2332 6611