

# Employment agency convicted of unlicensed operation

The Labour Department (LD) reminds any person who wish to operate an employment agency (EA) to be properly licensed before operation or he/she may face prosecution.

The above reminder follows the conviction of a company, which was fined \$20,000 at Fanling Magistrates' Courts today (June 4), for operating an EA without a valid licence (in Fanling under the business name Sincere Honest Employment Centre Limited).

In August 2018, the Employment Agencies Administration (EAA) of the LD received a complaint against the company concerned from an employer seeking to engage a foreign domestic helper. Since the investigation revealed sufficient evidence that the operator had operated an EA without a licence and that the complainant was willing to act as prosecution witness, the LD had taken out prosecution against the operator.

According to the law, any establishment or person operating a business in Hong Kong for the purpose of obtaining employment for another person or supplying personnel to an employer is subject to the regulation of Part XII of the Employment Ordinance (EO) and the Employment Agency Regulations. Irrespective of the modus operandi or the job types involved, all EAs must obtain a licence issued by the LD before undertaking any EA activities.

LD reminds EAs to operate in full compliance with the law as well as the Code of Practice for Employment Agencies at all times. Failure to do so may lead to prosecution and possible revocation of licences. The Employment (Amendment) Ordinance 2018 enacted on February 9, 2018 has raised the penalty for the offences of unlicensed operation of EAs and overcharging job-seekers commissions to a maximum fine of \$350,000 and imprisonment for three years.

For complaints about unlicensed operation or overcharging of commissions by EAs, please call EAA of the LD at 2115 3667 or visit its office on Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.