

Licence of employment agency revoked

The Labour Department (LD) today (September 30) reminded operators of employment agencies (EAs) to conduct their business in compliance with the law and the requirements of the Code of Practice for EAs (the Code) at all times.

The LD has revoked the EA licence of JB Employment Agency (JB) located in Kwun Tong. The licence of JB was revoked due to its failure to meet the requirements set out in the Code in various aspects, including failing to draw up service agreements with employers during provision of services; failing to provide employers with receipts for service fees charged; failing to brief employers on the laws relevant to employment of foreign domestic helpers (FDHs) and their rights and obligations; failing to provide employers with guidebooks, leaflets, information pamphlets and sample forms on the rights and benefits of FDHs; and failing to ask employers to confirm in writing that they have received the signed originals of standard employment contracts.

Under section 53(1)(c)(iva) of the Employment Ordinance (Cap. 57) (E0), the Commissioner for Labour (the Commissioner) may revoke the licence of an EA if she is satisfied that the licensee concerned has not complied with the Code.

"The Code sets out the salient legal requirements that EA operators must observe in operating their business, as well as the standards which the Commissioner expects from EAs. The E0 stipulates that the Commissioner may refuse to issue or renew a licence, or may revoke a licence, if she is satisfied on reasonable grounds that the licensee or the person intending to be the licensee of an EA, or a related person of or an individual employed by the licensee or the person intending to be the licensee, has contravened any provision of Part XII or any regulation made under section 62 of the E0, such as overcharging job seekers or operating an EA without a licence, or has not complied with the Code issued under section 62A(1) of the E0," a spokesman for the LD said.

This is the first case of revocation of an EA licence in 2024.

Should there be enquiries about matters related to EAs or complaints about suspected violations of EAs, please contact the Employment Agencies Administration of the LD (telephone: 2115 3667; email: ea-ee@labour.gov.hk; address: Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon).