

Man convicted of operating unlicensed employment agency

The Labour Department (LD) today (January 9) reminded members of the public to obtain a licence before operating an employment agency (EA), or else they may face prosecution.

The reminder was issued after a man was convicted of operating an unlicensed EA and was fined \$10,000 at West Kowloon Magistrates' Courts today.

In May 2022, the LD received a complaint against a man from an employer seeking to hire a foreign domestic helper. As the investigation revealed sufficient evidence that the man was operating an unlicensed EA, the LD decided to take out prosecution.

All establishments or persons operating a business in Hong Kong for the purpose of obtaining employment for another person or supplying personnel to an employer are governed by Part XII of the Employment Ordinance and the Employment Agency Regulations. Irrespective of the modus operandi or the types of jobs referred, all EAs must obtain a licence issued by the LD before undertaking any EA activities. Except for the EA licence holder or his or her associates, no one shall operate, manage or assist in the management of an EA. Offenders may face prosecution.

The LD reminds EAs to operate in full compliance with the law as well as the Code of Practice for EAs at all times. Failure to do so may lead to prosecution and/or revocation of licence. The maximum penalties for the offences of unlicensed operation of an EA or overcharging commission from job-seekers are a fine of \$350,000 and imprisonment for three years.

Should there be enquiries about matters related to EAs or complaints about malpractices of EAs, please contact the Employment Agencies Administration of the LD by calling 2115 3667, e-mailing ea-ee@labour.gov.hk, or visiting its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.