

Man convicted of operating unlicensed employment agency

A man was prosecuted by the Labour Department (LD) for operating an employment agency (EA) without a valid licence in violation of the requirements under Part XII of the Employment Ordinance (EO). The man was convicted at Eastern Magistrates' Courts today (June 21) and was fined \$12,000. The court also ordered the man to refund the service fee of \$1,795 to the employer concerned.

In March 2023, the LD received a complaint against a man from an employer seeking to hire a foreign domestic helper. As a subsequent investigation indicated sufficient evidence that the man was operating an EA without a valid licence, the LD took out prosecution against him.

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 EO and the Employment Agency Regulations. Irrespective of the mode of operation or the types of jobs involved, all EAs must obtain a licence issued by the LD before undertaking any EA activities. Except for the EA licence holder or his/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 penalty for the offences of unlicensed operation of an EA or overcharging commissions from job seekers is a fine of \$350,000 and imprisonment for three years.

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).