

Licence of employment agency revoked

The Labour Department (LD) today (May 3) 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 Hong Kong Maid Agency located in Tai Po. The EA failed to meet the requirements as set out in the Code, including failing to have reasonable knowledge of the requirements and standards set out in the Code; failing to include all required items in the service agreements signed with employers; failing to arrange for foreign domestic helpers (FDHs) to confirm in writing that they have been fully briefed about their rights and obligations; and failing to keep records relating to the dealings with FDHs, including their acknowledgement of the receipt of the sample Standard Employment Contract in their own mother language. In addition, the licensee of the EA was also considered not a fit and proper person to operate an EA.

Under sections 53(1)(c)(iva) and 53(1)(c)(v) of the Employment Ordinance (EO), the Commissioner for Labour may revoke the licence of an EA if he is satisfied that the licensee concerned has not complied with the Code, or the licensee concerned is not a fit and proper person to operate an EA.

"The Code sets out the salient legal requirements that EA operators must observe in operating their business, as well as the minimum standards which the Commissioner expects from EAs. The Employment (Amendment) Ordinance 2018, which came into effect on February 9, 2018, stipulates that the Commissioner may refuse to issue or renew a licence, or may revoke a licence, if he 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 EO, 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 EO," a spokesman for the LD said.

This is the first revocation of an EA licence in 2021. In 2020, there were three cases of revocation of EA licences.

For enquiries about matters related to EAs or complaints about their malpractices, please call the Employment Agencies Administration of the LD at 2115 3667, or visit its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.