

Particulars of Associate^(Note 1) of Employment Agency

I. Information and Declaration of Related Person^(Note 2)

- (1) I / We hereby undertake and warrant that I / we shall comply with section 57 of the Employment Ordinance which stipulates that an employment agency must not directly or indirectly receive from any person in connection with obtaining employment for him / her, any reward of any kind, or any payment or other advantage in respect of expenses or otherwise, except the prescribed commission. I / We understand that contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine of \$350,000 and to imprisonment for 3 years.
- (2) I / We declare that I / we have not, within the preceding 5 years, been convicted of an offence against the person of a child, young person or woman or of an offence involving membership of a triad society, fraud, dishonesty or extortion.
- (3) I / We understand that the Commissioner for Labour may refuse to issue / renew the employment agency licence, or may revoke the licence on grounds of my / our contraventions of Part XII of the Employment Ordinance, the Employment Agency Regulations, the Code of Practice for Employment Agencies or convictions of the offences listed in Part I (2) above.
- (4) I / We consent to the release of my / our records of contraventions of Part XII of the Employment Ordinance, the Employment Agency Regulations, the Code of Practice for Employment Agencies or conviction of the offences listed in Part I (2) above (if applicable) by the Employment Agencies Administration of the Labour Department to the employment agency I / we belong or am / are employed.

	Name of Related Person	HKID No. (Passport No. and Nationality for non-HK Resident)	Position	Date of Joining (dd / mm / yyyy)	If it is a change of position, please indicate by putting a '✓' in the box	Signature*
1.					<input type="checkbox"/>	
2.					<input type="checkbox"/>	
3.					<input type="checkbox"/>	

***All the related persons have to sign on the table above to confirm that the information provided therein is true and correct, and agree to the above declaration. Each related person has to sign the authorisation at Appendix to give consent to this department to check with the Hong Kong Police Force of his / her criminal conviction records listed in Part I (2) above. Applicant / licensee has to submit the original authorisation letter(s) to this department together with the application forms.**

(If there is insufficient space in the above table, please use the 'Particulars of Associate of Employment Agency (Supplementary Sheet- Related Person)')

Note 1 According to section 50(1) of the Employment Ordinance, an associate means –
 (a) if the employment agency is a company, it includes a related person^{Note 2} and an individual employed by the company;
 (b) if the employment agency is a partnership, it includes a related person^{Note 2} and an individual employed by the partnership; or
 (c) in any other case, an individual employed by the employment agency.

Note 2 According to section 50(1) of the Employment Ordinance, a related person means –
 (a) if the employment agency is a company, it includes any director, manager, secretary or other similar officer of the company; or
 (b) if the employment agency is a partnership, it includes any partner or another person concerned in the management of the partnership.

II. Information and Declaration of Employed Individual (Other than Related Person)

- (1) I / We hereby undertake and warrant that I / we shall comply with section 57 of the Employment Ordinance which stipulates that an employment agency must not directly or indirectly receive from any person in connection with obtaining employment for him / her, any reward of any kind, or any payment or other advantage in respect of expenses or otherwise, except the prescribed commission. I / We understand that contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine of \$350,000 and to imprisonment for 3 years.
- (2) I / We understand that the Commissioner for Labour may refuse to issue / renew the employment agency licence, or may revoke the licence on grounds of my / our contraventions of Part XII of the Employment Ordinance, the Employment Agency Regulations or the Code of Practice for Employment Agencies.
- (3) I / We consent to the release of my / our records of contraventions of Part XII of the Employment Ordinance, the Employment Agency Regulations or the Code of Practice for Employment Agencies (if applicable) by the Employment Agencies Administration of the Labour Department to the employment agency I / we belong or am / are employed.

To be completed by ALL employed individuals						Signature (applicable for person(s) who has (have) never signed this form for the below EA before)
Name of Employed Individual	HKID No. (Passport No. and Nationality for non-HK Resident)	Position	Date of Joining (dd / mm / yyyy)	If it is a change of position, please indicate by putting a '✓' in the box		
1.				<input type="checkbox"/>		
2.				<input type="checkbox"/>		
3.				<input type="checkbox"/>		

Note: All the employed individuals have to confirm that the information provided on the table above is true and correct, and they agree to the above declaration. When EA submits licence application(s), information of all employed individuals has to be provided in the above table. For employed individual who has submitted and signed to agree to the above declaration before, his / her declaration is still valid and there is no need to sign on the above table again. Nevertheless, employed individual who has not signed and submitted this form for the below EA before shall sign on the above table so as to confirm and agree to the above declaration.

(If there is insufficient space in the above table, please use the 'Particulars of Associate of Employment Agency (Supplementary Sheet- Employed Individual)')

III. Information of Outgoing Related Person / Employed Individual

I / My company confirm(s) that the following related person / employed individual will leave / has left my / our employment agency. Details are as follows:

	Name of Related Person / Employed Individual	HKID No. (Passport No. and Nationality for non-HK Resident)	Effective Date (dd / mm / yyyy)
1.			
2.			
3.			

Name of Employment Agency: _____

Name of Applicant / Licensee / Director: _____

Signature of Applicant / Licensee / Director: _____ Date: _____

(For limited company with more than 1 director, this form shall be signed by any 2 directors/ any 1 director and company secretary / any 1 director with company seal)

Important Note

1. Employment agency is required to notify this department **within 14 days** of any changes (including **joining, leaving or position change**) of the related person(s) or employed individual(s) by completing this form (EA-LOA). The completed form together with the authorisation at Appendix (if applicable), both in original should be submitted to the Employment Agencies Administration at Unit 906, 9 / F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon by post.
2. Please refer to Annex for the Personal Information Collection Statement.

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AUTHORISATION

I _____ hereby authorise the Commissioner of Police, or his representative, to release full particulars of any and all criminal convictions recorded against me to Employment Agencies Administration of the Labour Department. I also agree to my fingerprint impressions being taken by the Police in connection with this application, if required for the purpose of verifying my criminal record. My personal particulars are as follows: -

Name _____

Date of Birth _____

HK Identity Card No. _____

Passport No. _____

Chinese Commercial Code Nos. _____ / _____ / _____ / _____

(as recorded on the applicant's HK Identity Card – where applicable)

Place of Birth _____

(Signature of Applicant)

Date _____

Personal Information Collection Statement

Purpose of Collection

The personal data collected in this form is used by the Labour Department (LD) for the purposes of considering whether to issue/ renew an employment agency (EA) licence, a duplicate licence or certificate of exemption, and administering/ enforcing Part XII of the Employment Ordinance (EO), Employment Agency Regulations and Code of Practice for Employment Agencies. The relevant information may also be used to assist in the enforcement of relevant laws by other government bureaux/ departments.

2. The name of licensee of an EA/ the name of holder of a certificate of exemption and other relevant information will be published in the Gazette so that members of the public can ascertain whether a person or a company has been granted an EA licence/ certificate of exemption.

3. Where an EA or a person has been convicted of the offence of overcharging job-seekers under Section 57(1)(a) of EO or the offence of unlicensed operation under Section 51(1) of EO, or where an EA has its licence revoked or refused renewal or has been issued written warnings by the Employment Agencies Administration (EAA) of LD, the following information will be published on the website of the EA Portal of LD –

- the name and address of the EA concerned;
- the date and nature of conviction;
- the date and reason for revocation/ refusal of renewal of licence; and/ or
- the date and reason for issuing the written warning.

4. Furthermore, LD will publish information in the form of press release when an EA or a person has been convicted of overcharging job-seekers or unlicensed operation, or when an EA has its licence revoked or refused renewal.

5. The provision of personal data by means of this form is voluntary. If you do not provide sufficient information, we may not be able to process your application/ complaint.

Classes of Transferees

6. The personal data provided may be disclosed to other government bureaux/ departments for the purposes mentioned in paragraph 1 above.

Access to Personal Data

7. You have the right of access and correction with respect to your personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your right of access includes the right to obtain a copy of the personal data you have provided. You can make such requests by filling in the “Personal Data Access/ Correction Request Form” which is available at the office of EAA of LD.

Enquiries

8. For enquiries on the collection, access and correction of your personal data, please contact EAA at 2115 3667, or write to the Labour Officer of EAA of LD at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.