

WESTERN AUSTRALIA

**EMPLOYMENT AGENTS
REGULATIONS 1976**

REPRINTED AS AT 30 SEPTEMBER 1997

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at 30 September 1997

WESTERN AUSTRALIA

EMPLOYMENT AGENTS REGULATIONS 1976

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WESTERN AUSTRALIA

EMPLOYMENT AGENTS ACT 1976

**EMPLOYMENT AGENTS
REGULATIONS 1976**

Schedule

Citation

1. These regulations may be cited as the *Employment Agents Regulations 1976*¹.

Principal Act

2. In these regulations the *Employment Agents Act 1976* is referred to as “the Act”.

Forms set out in Schedule

3. The forms prescribed for the purposes of the Act are set out in the Schedule to these regulations.

Prescribed forms

4. (1) The application forms referred to in the first column hereunder shall be used for the purpose respectively specified in relation thereto in the second column.

Application Forms.

Form No.	Purpose.
1.	General licence.
2.	Restricted licence.
3.	Interim licence.
4.	Duplicate licence.
5.	Transfer licence.
6.	Renewal of a general or Restricted licence.

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(2) The form of licence referred to in the first column hereunder shall be used for the purposes respectively specified in relation thereto in the second column.

Licences.

7.	General licence.
8.	Restricted licence.
9.	Interim licence.

(3) Where the transfer of a licence is consented to or ordered under the Act the order to be endorsed on the original licence shall be in the form of Form 10.

Application to be made with prescribed fee

5. An application for the grant, renewal or transfer of a licence shall be made to the Chief Inspector of Factories and Shops and shall be accompanied by the prescribed fee.

Notice of application

6. The notice of application to be published pursuant to subsection (4) of section 18 of the Act shall be in the form of Form 11.

Notice of objection

7. A notice of objection to the grant, renewal or transfer of a licence is not required to be given in a prescribed form.

Form of Register

8. The Register to be kept for the purposes of section 27 of the Act shall be in the form of Form 12.

Certificate of appointment of inspector

9. The certificate of appointment of an inspector pursuant to section 11 of the Act shall be in the form of Form 13.

Prescribed fees

10. (1) The following fees shall be paid with respect to the several matters set out hereunder —

	\$
Grant of a general licence for a period not exceeding the prescribed period	430.00
Renewal of a general licence for a period not exceeding the prescribed period	125.00
Grant of a restricted licence for a period not exceeding the prescribed period	430.00
Renewal of a restricted licence for a period not exceeding the prescribed period	125.00
Transitional - Renewal of a general or a restricted licence for a period of one year	42.00
- Renewal of a general or a restricted licence for a period of two years	84.00
- Renewal of a general or a restricted licence for a period of three years	125.00
Application for an interim licence	13.00
Duplicate licence	21.00
Application for transfer of licence under section 19 (6)	23.00
The penalty prescribed under section 13 (2) of the Act for any late application for the renewal of a licence is 25% of the fee due for the granting of that renewal.	
Inspection of record under section 51 of the Act	5.00
Inspection of the Register	10.00

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Copy (certified or uncertified) of an individual registration in the Register —

first page	10
each subsequent page	2

Copy (certified or uncertified) of all registrations in the Register 122.00

(1a) For the purposes of section 13 of the Act, (and subject to the transitional provisions in section 15 of the *Business Licensing Amendment Act 1995*), the following periods are prescribed —

- (a) section 13 (1) — a licence should not exceed 3 years in duration;
- (b) section 13 (1b) — a licence may be renewed for 3 years.

(2) Where a licence is granted to a natural person on behalf of a firm or of a body corporate and an application for the transfer of the licence relates only to the change of the name of that person on the licence no fee is payable; in any other case the licensing officer may fix such fee not exceeding \$300 as he considers appropriate in the circumstances of the case as the fee for the application.

[Regulation 10 inserted in Gazette 4 November 1983 p.4467; amended in Gazette 30 May 1986 p.1815; 4 September 1987 p.3517; 22 July 1988 p.2520; 30 June 1989 p.1970; 1 August 1990 p.3655; 13 December 1991 pp.6164-5; 14 August 1992 p.4019-20; 30 November 1992 pp.6412-13; 29 December 1995 pp.6347-8; 12 March 1996 pp.893-4.]

Offence

11. A person shall not make a false or misleading statement in any application made for the purposes of the Act.

Form 1

Employment Agents Act 1976

APPLICATION FOR A GENERAL LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS:

1. *I/The trading as
of 'Phone
hereby *apply/applies on behalf of
.
for a general licence to act as and carry on business of an
employment agent.

2. †This application has been approved by the *firm/body corporate.

3. Business is proposed to be carried on at the following
addresses: —

.
.
.

4. State name and address of two persons resident in Western
Australia willing to act as character referees for the proposed
licensee.

(a) Full name
Residential
or
Business address
'Phone

(b) Full name
Residential
or
Business address
'Phone

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5. Attached is a page of the newspaper
.....
in which an advertisement of the notice of intention to apply for a
licence was published pursuant to section 18 of the Act.

6. Does a person, firm or body corporate mentioned in this
application hold a licence under the Act? If so, give particulars of
the licence.

Dated this day of 19

.....
Signature of applicant.

† The consents to this application.

* Seal of body corporate.

* Signature of person authorized
by firm.

* Delete whichever not applicable.

† Delete if not applicable.

Form 2

Employment Agents Act 1976

APPLICATION FOR A RESTRICTED LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS:

1. *I/The trading as
of. 'Phone
hereby *apply/applies on behalf of
.....
for a restricted licence to act as and carry on business of an
employment agent in the following parts of the State —
.....
.....
and in relation to the following class or classes of business
.....
.....

2. †This application has been approved of by the *firm/body
corporate.

3. Business is proposed to be carried on at the following
addresses —
.....
.....
.....

4. State name and address of two persons resident in Western
Australia willing to act as character referees for the proposed
licensee.
 - (a) Full name
Residential
or
business address
'Phone

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(b) Full name
Residential
or
business address
Phone

5. Attached is a page of the newspaper
.....
in which an advertisement of the intention to apply for a licence
was published pursuant to section 18 of the Act.
6. Does a person, firm or body corporate mentioned in this
application hold a licence under the Act? If so, give particulars of
the licence.

Dated this day of 19

.....
Signature of applicant.

† The consents to this application.

* Seal of body corporate.

* Signature of person authorized
by firm.

* Delete whichever inapplicable.

† Delete if not applicable.

Form 3

Employment Agents Act 1976

APPLICATION FOR AN INTERIM LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS:

1. *I/The trading as
of 'Phone
hereby *apply/applies on behalf of
.....
for an interim licence to act as and carry on the business of an
employment agent.

2. The circumstances to which this application relates are —
.....
.....

3. †This application has been approved by the *firm/body corporate.

4. Business is proposed to be carried on at the following
addresses —
.....
.....

5. State name and address of two persons resident in Western
Australia willing to act as referees for the proposed licensee —

(a) Full name
Residential
or
business address
'Phone

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(b) Full name
Residential
or
business address
Phone

6. Attached is a page of the newspaper
.....
in which an advertisement of the notice of intention to apply for a
licence was published pursuant to section 18 of the Act.

7. Does a person, firm or body corporate mentioned in this
application hold a licence under the Act? If so, give particulars of
the licence
.....

Dated this day of 19.

.....
Signature of applicant.

† The consents to this application.

* Seal of body corporate.

* Signature of person authorized
by firm.

* Delete whichever inapplicable.

† Delete if not applicable.

Form 4

Employment Agents Act 1976

APPLICATION FOR A DUPLICATE LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS:

1. *I/The trading as
of 'Phone
being the holder of a licence under the
Act hereby *apply/applies for the issue of a duplicate of that
licence.

2. The circumstances in which the licence was lost or destroyed are
as follows: —

.....

Dated this day of 19.

.....
Signature of applicant.

† The consents to this application.

* Seal of body corporate.

* Signature of person authorized
by firm.

* Delete whichever inapplicable.

† Delete if not applicable.

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Form 5

Employment Agents Act 1976

APPLICATION FOR TRANSFER OF LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS:

1. *I/The trading as
of Phone
being the holder of a licence under the
Act hereby *apply/applies for the transfer of the licence because of
the following circumstances: —
.....
.....

2. The licence is to be transferred to

3. †This application has been approved of by the *firm/body
corporate.

4. Business is to be carried on at the following addresses: —
.....
.....

5. State name and address of two persons resident in Western
Australia willing to act as referees of the proposed licensee.
 - (a) Full name
 - Residential
 - or
 - business address
 - Phone

(b) Full name
Residential
or
business address
Phone

6. Attached is a page of the newspaper
.....
in which an advertisement of the notice of intention to transfer
the licensee was published pursuant to section 18 of the Act.
7. Does a person, firm or body corporate mentioned in this
application hold a licence under the Act? If so, give particulars of
the licence.

Dated this day of 19.

.....
Signature of applicant.

† The consents to this application.

* Seal of body corporate.

* Signature of person authorized
by firm.

* Delete whichever inapplicable.

† Delete if not applicable.

Employment Agents Regulations 1976

Sch.

Form 6

Employment Agents Act 1976

APPLICATION FOR A RENEWAL OF LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS:

1. *I/The trading as
of 'Phone
being the holder of a licence under the
Act hereby *apply/applies for the renewal of the licence.

2. The business is proposed to be carried on at the following
addresses: —

.....
.....
.....

Dated this day of 19.

.....
Signature of applicant.

* Seal of body corporate.

* Signature of person authorized
by firm.

* Delete whichever not applicable.

Form 7

Employment Agents Act 1976

GENERAL LICENCE

This is to certify that trading as of is licensed to carry on the business of an employment agent († on behalf of) at the following places of business —

..... subject to the following conditions, limitations and restrictions: —

Date of issue:

Date of expiry:

..... CHIEF INSPECTOR OF FACTORIES AND SHOPS.

† Delete if not applicable.

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Form 8

Employment Agents Act 1976

RESTRICTED LICENCE

This is to certify that
..... trading as
of
is licensed to carry on business as an employment agent
(† on behalf of)
in the following parts of Western Australia: —
.....
and in relation to the following class or classes of business: —
.....
at the following places of business: —
.....
subject to the following conditions, limitations and restrictions: —
.....
.....

Date of issue:
Date of expiry:

.....
**CHIEF INSPECTOR OF FACTORIES
AND SHOPS.**

† Delete if not applicable.

Form 9

Employment Agents Act 1976

INTERIM LICENCE

This is to certify that
..... trading as
of
is licensed to carry on business as an employment agent on behalf of
.....
at the following places of business for a period of
..... subject to the conditions, limitations
and restrictions set out in the licence issued to
.....
and to the following conditions, limitations and restrictions:
.....
.....

Date of issue:
Date of expiry:

.....
CHIEF INSPECTOR OF FACTORIES
AND SHOPS.

Sch.

Form 10

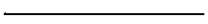
TRANSFER ENDORSEMENT

This licence is transferred to
..... trading as *who/which
shall henceforth have the sole right to use and exercise the same
subject to the Act.

Dated the day of 19.

.....
CHIEF INSPECTOR OF FACTORIES
AND SHOPS.

* Delete whichever is not applicable.



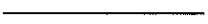
Form 11

EMPLOYMENT AGENTS ACT 1976

TAKE NOTICE THAT trading as
of
is to apply for a licence to carry
on business as an employment agent at

ANY PERSON who desires to object to the grant of a licence should
lodge a notice in writing with the Chief Inspector of Factories and
Shops, 600 Murray Street, West Perth, within 14 days of the date of
this publication stating in sufficient details the grounds of the objection
and is also required to serve a copy of such notice of objection on the
applicant or his authorized representative.

.....
Signature.



Form 12

Employment Agents Act 1976

REGISTER OF EMPLOYMENT AGENTS

Business Name
 Address of Principal Place of Business
 Address of Other Places of Business

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LICENCE							Suspension of Licence		Disqualification of Person, Firm or Body Corporate			Cancellation or Surrender		
No.	Date Granted or Renewed	Date Expires	Type—Gen. Rest. Int.	Name of Natural Person to whom Granted	Name of Firm or Body Corporate on behalf whom Granted	Particulars of Conditions, Limitations or Restrictions	From	To	Name	From	To	C	S	Date

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Sch.

Form 13

Employment Agents Act 1976

No.

CERTIFICATE OF APPOINTMENT AS AN INSPECTOR

This is to certify that
has been appointed an Inspector under the *Employment Agents Act 1976* and is authorized to exercise the powers of an Inspector assigned to him under that Act and the regulations in force thereunder.

Signature of Inspector appointed

Date

.....
MINISTER FOR LABOUR AND INDUSTRY.



Employment Agents Regulations 1976

NOTES

¹ This reprint is a compilation as at 30 September 1997 of the *Employment Agents Regulations 1976* and includes the amendments referred to in the following Table.

Table of Regulations

Regulation	Gazettal	Commencement	Miscellaneous
<i>Employment Agents Regulations 1976</i>	10 September 1976 pp.3386-93	10 September 1976	
Amending regulations	30 December 1977 p.4765	30 December 1977	
<i>Employment Agents Amendment Regulations 1980</i>	26 September 1980 p.3356	1 November 1980 (see regulation 2)	
<i>Employment Agents Amendment Regulations 1981</i>	23 October 1981 p.4428	1 December 1981 (see regulation 2)	
<i>Employment Agents Amendment Regulations 1983</i>	4 November 1983 p.4467	1 December 1983 (see regulation 2)	
<i>Employment Agents Amendment Regulations 1986</i>	30 May 1986 p.1815	1 July 1986 (see regulation 2)	
<i>Employment Agents Amendment Regulations 1987</i>	4 September 1987 p.3517	4 September 1987	
<i>Employment Agents Amendment Regulations 1988</i>	22 July 1988 p.2520	22 July 1988	
<i>Employment Agents Amendment Regulations 1989</i>	30 June 1989 pp.1969-70	1 July 1989 (see regulation 2)	

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Regulation	Gazettal	Commencement	Miscellaneous
<i>Employment Agents Amendment Regulations 1990</i>	1 August 1990 p.3655	1 August 1990	
<i>Employment Agents Amendment Regulations 1991</i>	13 December 1991 pp.6164-5	13 December 1991	
<i>Employment Agents Amendment Regulations 1992</i>	14 August 1992 pp.4019-20	14 August 1992	
<i>Employment Agents Amendment Regulations 1993</i>	30 November 1993 pp.6412-13	30 November 1993	
<i>Employment Agents Amendment Regulations 1995</i>	29 December 1995 pp.6347-8	1 January 1996 (see regulation 2)	
<i>Employment Agents Amendment Regulations 1996</i>	12 March 1996 pp.893-4	12 March 1996	

² Marginal notes have been omitted from this reprint.