



Western Australia

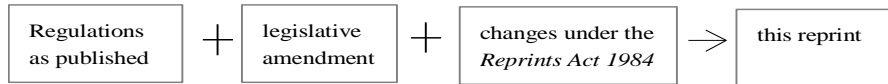
Employment Agents Act 1976

# **Employment Agents Regulations 1976**

**Reprint 2: The regulations as at 6 February 2004**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.





Reprinted under the  
*Reprints Act 1984* as  
at 6 February 2004

Western Australia

## Employment Agents Regulations 1976

---

### CONTENTS

---

1.	Citation	1
2.	Principal Act	1
3.	Forms set out in Schedule	1
4.	Prescribed forms	1
5.	Application to be made with prescribed fee	2
6.	Notice of application	2
7.	Notice of objection	2
8.	Form of Register	3
9.	Certificate of appointment of inspector	3
10.	Prescribed fees	3
11.	Offence	4
	<b>Schedule</b>	5
	<b>Notes</b>	
	Compilation table	22





Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 6 February 2004

Employment Agents Act 1976

## Employment Agents Regulations 1976

### 1. Citation

These regulations may be cited as the *Employment Agents Regulations 1976*<sup>1</sup>.

### 2. Principal Act

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

### 3. Forms set out in Schedule

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

### 4. Prescribed forms

- (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**

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

- (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.

**5. Application to be made with prescribed fee**

An application for the grant, renewal or transfer of a licence shall be made to the Chief Inspector of Factories and Shops<sup>2</sup> and shall be accompanied by the prescribed fee.

**6. Notice of application**

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

**7. Notice of objection**

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



**8. Form of Register**

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

**9. Certificate of appointment of inspector**

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

**10. Prescribed fees**

- (1) The fees set out in the Table to this subregulation shall be paid with respect to the matters set out opposite them in that Table.

**Table**

	\$
Grant of a general licence for a period not exceeding the prescribed period .....	761.00
Renewal of a general licence for a period not exceeding the prescribed period .....	221.00
Grant of a restricted licence for a period not exceeding the prescribed period .....	761.00
Renewal of a restricted licence for a period not exceeding the prescribed period .....	221.00
Renewal of a general or a restricted licence for a period of 3 years .....	221.00
Application for an interim licence .....	23.00
Duplicate licence .....	37.25
Application for transfer of licence under section 19(6) .....	40.50
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 .....	8.85
Inspection of the Register .....	17.70

r. 11

---

	\$
Copy (certified or uncertified) of an individual registration in the Register —	
first page .....	17.70
each subsequent page .....	3.60
Copy (certified or uncertified) of all registrations in the Register .....	215.00

(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 Nov 1983 p. 4467; amended in Gazette 30 May 1986 p. 1815; 4 Sep 1987 p. 3517; 22 Jul 1988 p. 2520; 30 Jun 1989 p. 1970; 1 Aug 1990 p. 3655; 13 Dec 1991 p. 6164-5; 14 Aug 1992 p. 4019-20; 30 Nov 1992 p. 6412-13; 29 Dec 1995 p. 6347-8; 12 Mar 1996 p. 893-4; 28 Jun 2002 p. 3055; 27 Jun 2003 p. 2548-9.]*

**11. Offence**

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

Schedule

Form 1

Employment Agents Act 1976

APPLICATION FOR A GENERAL LICENCE

TO
CHIEF INSPECTOR OF FACTORIES AND SHOPS 2:

- 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 2 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 ...
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.

**Schedule**

---

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 ..... 20.....

.....  
Signature of applicant.

† The ..... consents to this application.

\* Seal of body corporate.

\* Signature of person  
authorised 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 <sup>2</sup>:

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 2 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 .....

**Schedule**

---

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 ..... 20.....

.....  
Signature of applicant.

† The ..... consents to this application.

\* Seal of body corporate.

\* Signature of person  
authorised 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 <sup>2</sup>:

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 2 persons resident in Western Australia willing  
to act as referees for the proposed licensee —
  - (a) Full name .....  
Residential .....  
or  
business address .....  
'Phone .....
  - (b) Full name .....  
Residential .....  
or  
business address .....  
'Phone .....

**Schedule**

---

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 ..... 20.....

.....  
Signature of applicant.

† The ..... consents to this application.

\* Seal of body corporate.

\* Signature of person  
authorised 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 <sup>2</sup>:

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 ..... 20.....

.....  
Signature of applicant.

† The ..... consents to this application.

\* Seal of body corporate.

\* Signature of person  
authorised by firm.

\* Delete whichever inapplicable.

† Delete if not applicable.

**Schedule**

---

**Form 5**

*Employment Agents Act 1976*

**APPLICATION FOR TRANSFER OF LICENCE**

TO  
CHIEF INSPECTOR OF FACTORIES AND SHOPS <sup>2</sup>:

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 by the \*firm/body corporate.
4. Business is to be carried on at the following addresses: —  
.....  
.....
5. State name and address of 2 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 ..... 20.....

.....  
Signature of applicant.

† The ..... consents to this application.

\* Seal of body corporate.

\* Signature of person  
authorised by firm.

\* Delete whichever inapplicable.

† Delete if not applicable.

**Schedule**

---

**Form 6**

*Employment Agents Act 1976*

**APPLICATION FOR A RENEWAL OF LICENCE**

TO  
CHIEF INSPECTOR OF FACTORIES AND SHOPS <sup>2</sup>:

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 ..... 20.....

.....  
Signature of applicant.

\* Seal of body corporate.

\* Signature of person  
authorised 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 <sup>2</sup>.**

† Delete if not applicable.

**Schedule**

---

**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 <sup>2</sup>.**

† 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 <sup>2</sup>.

**Schedule**

---

**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 ..... 20.....

.....  
CHIEF INSPECTOR OF FACTORIES  
AND SHOPS <sup>2</sup>.

\* 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 <sup>2</sup>, 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 authorised representative.

.....  
Signature.

Schedule

Form 12

Employment Agents Act 1976

REGISTER OF EMPLOYMENT AGENTS

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

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

**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  
authorised 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<sup>3</sup>.

=====

**Notes**

<sup>1</sup> This reprint is a compilation as at 6 February 2004 of the *Employment Agents Regulations 1976* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Employment Agents Regulations 1976</i>	10 Sep 1976 p. 3386-93	1 Nov 1976 (see <i>Gazette</i> 24 Sep 1976 p. 3493)
Untitled regulations	30 Dec 1977 p. 4765	30 Dec 1977
<i>Employment Agents Amendment Regulations 1980</i>	26 Sep 1980 p. 3356	1 Nov 1980 (see r. 2)
<i>Employment Agents Amendment Regulations 1981</i>	23 Oct 1981 p. 4428	1 Dec 1981 (see r. 2)
<i>Employment Agents Amendment Regulations 1983</i>	4 Nov 1983 p. 4467	1 Dec 1983 (see r. 2)
<i>Employment Agents Amendment Regulations 1986</i>	30 May 1986 p. 1815-16	1 Jul 1986 (see r. 2)
<i>Employment Agents Amendment Regulations 1987</i>	4 Sep 1987 p. 3517	4 Sep 1987
<i>Employment Agents Amendment Regulations 1988</i>	22 Jul 1988 p. 2520	22 Jul 1988
<i>Employment Agents Amendment Regulations 1989</i>	30 Jun 1989 p. 1969-70	1 Jul 1989 (see r. 2)
<i>Employment Agents Amendment Regulations 1990</i>	1 Aug 1990 p. 3655	1 Aug 1990
<i>Employment Agents Amendment Regulations 1991</i>	13 Dec 1991 p. 6164-5	13 Dec 1991
<i>Employment Agents Amendment Regulations 1992</i>	14 Aug 1992 p. 4019-20	14 Aug 1992
<i>Employment Agents Amendment Regulations 1993</i>	30 Nov 1993 p. 6412-13	30 Nov 1993
<i>Employment Agents Amendment Regulations 1995</i>	29 Dec 1995 p. 6347-8	1 Jan 1996 (see r. 2)
<i>Employment Agents Amendment Regulations 1996</i>	12 Mar 1996 p. 893-4	12 Mar 1996

## Employment Agents Regulations 1976

---

Citation	Gazettal	Commencement
<b>Reprint of the <i>Employment Agents Regulations 1976</i> as at 30 Sep 1997</b> (includes amendments listed above)		
<i>Employment Agents Amendment Regulations 2002</i>	28 Jun 2002 p. 3054-5	1 Jul 2002 (see r. 2)
<i>Employment Agents Amendment Regulations 2003</i>	27 Jun 2003 p. 2548-9	1 Jul 2003 (see r. 2)
<b>Reprint 2: The <i>Employment Agents Regulations 1976</i> as at 6 Feb 2004</b> (includes amendments listed above)		

<sup>2</sup> This was a position under the Factories and Shops Act, which was repealed in 1995. The licensing officer is now the Commercial Registrar under the *Commercial Tribunal Act 1984* (see s. 11 of the *Employment Agents Act 1976*).

<sup>3</sup> Now the Minister for Consumer and Employment Protection.