



# THE FEE-CHARGING EMPLOYMENT AGENCIES (REGULATION) ACT, 1976



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# THE FEE-CHARGING EMPLOYMENT AGENCIES (REGULATION) ACT, 1976.

<sup>1</sup>ACT NO. LXXVII OF 1976

[1st December, 1976]

## **An Act to regulate the working of fee-charging and other employment agencies conducted with a view to profit for placement of workers within Pakistan.**

WHEREAS it is expedient to regulate the working of fee-charging and other employment agencies conducted with a view to profit for placement of workers within Pakistan and for matters connected there with or ancillary thereto;

It is hereby enacted as follows:—

**1. Short title, extent and commencement.**—(1) This Act may be called the Fee-Charging Employment Agencies (Regulation) Act, 1976.

(2) It extends to the whole of Pakistan.

(3) It shall come into force in such areas and on such <sup>2</sup>dates as the Federal Government may, by notification in the official Gazette, specify in this behalf:

Provided that the Federal Government may, by notification in the official Gazette, exclude certain industries or establishments or classes of employment or employment agencies from the operation of all or any of the provisions of this Act.

**1. Definitions.** In this Act, unless there is anything repugnant in the subject or context,—

- (a) “competent authority” means an officer appointed to be the competent authority under section 4;
- (b) “employment agency” means a person, company, institution, agency, firm or other organization who or which acts as intermediary for the purpose of procuring employment for a worker, or supplying a worker for an employer, in Pakistan;
- (c) “establishment” means any office, firm, industrial unit, undertaking, shop or premises in which persons are employed;
- (d) “industry” means any business, trade, manufacture, calling, service employment or occupation;
- (e) “fee-charging employment agency” means—
  - (i) an employment agency conducted with a view to deriving either directly or indirectly any pecuniary or other material advantage from an employer or worker;

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<sup>1</sup>For Statement of Objects and Reasons, see Gaz. of P., 1976, Ext., Pt. 111. p. 1149.

<sup>2</sup>i.e. 8-1-2003, see (whole Pakistan) S.R.O. 5(1)/2003, dated 10-1-2003.

(ii) an employment agency though not conducted with a view to deriving any pecuniary or other material advantage, levies on the employer or worker for its services an entrance fee, a periodical contribution or any other charge;

(f) "licence" means a licence issued under section 5;

(g) "prescribed" means prescribed by rules;

(h) "public employment service" means any office, agency or service set up and maintained by the Federal Government or a Provincial Government to find or procure employment for workers, or to supply, or assist in the supply of, workers to employers;

(i) "rules" means rules made under this Act; and

(j) "worker" means a person seeking employment.

**3. Prohibition to act as fee-charging employment agency.** After the enforcement of this Act, no employment agency shall, save as hereinafter provided, act as a fee-charging employment agency in any area:

Provided that an employment agency acting immediately before the enforcement of this Act as a fee-charging employment agency may continue so to act for, and may apply for a licence within, a period of six months from such enforcement.

**4. Appointment and powers of competent authority.**—(1) The Federal Government may, by notification in the official Gazette, appoint an officer to be the competent authority for the purposes of this Act.

(2) The competent authority or an officer authorized by it in writing in this behalf may, with a view to securing compliance with the provisions of this Act or the rules, or any order or direction made or issued thereunder, or the terms or conditions of any licence,—

(a) require any person to give such information or produce such documents in his possession with respect to any business or service of the nature of employment agency carried on or rendered by such person or any person employed by him as the competent authority or such officer may demand;

(b) enter into and search any premises of an establishment or industry with such assistance as may be necessary and inspect any book or other document belonging to or under the control of any person acting or reasonably suspected to be acting as an employment agency; and

(c) take on the spot or otherwise such evidence of any person as the competent authority or such officer may deem necessary:

Provided that no one shall be required under this section to answer any question or give any evidence tending to incriminate himself.

**5. Issue, renewal, cancellation and suspension of licence.**—(1) The competent authority may issue a licence for operating a fee-charging employment agency to—