STATUTORY INSTRUMENTS

1976 No. 712

EMPLOYMENT AGENCIES, ETC.

The Employment Agencies and Employment Businesses (Applications for Licences) Regulations 1976

Made - - -	*5th May* 1976
Laid before Parliament	*20th May* 1976
Coming into Operation	*1st July* 1976

The Secretary of State, in exercise of the powers conferred on him by sections 2(1)(*c*) and 12(1) and (3) of the Employment Agencies Act 1973(**a**) and of all other powers enabling him in that behalf, and after consultation as required by section 12(2) of the said Act with bodies appearing to him to be representative of the interests concerned, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Employment Agencies and Employment Businesses (Applications for Licences) Regulations 1976 and shall come into operation on 1st July 1976.

Interpretation

2.—(1) In these Regulations—

"the Act" means the Employment Agencies Act 1973;

"current licence" means a licence granted under the Act which has not expired and which has not been revoked.

(2) Any reference in these Regulations to a form set out in a Schedule to these Regulations shall include a reference to a form to the like effect with such variations as the circumstances may require.

(3) The Interpretation Act 1889(**b**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Application for grant of licence

3. An application for a licence under the Act by a person who is not at the date of the application the holder of a current licence in respect of the premises referred to therein shall be made in the form set out in Schedule 1 to these Regulations and shall be accompanied by the particulars prescribed therein.

Application for renewal of licence

4. An application for a licence under the Act by a person who is at the date of the application the holder of a current licence in respect of the premises referred to therein shall be made in the form set out in Schedule 2 to these Regulations and shall be accompanied by the particulars prescribed therein.

(**a**) 1973 c. 35. (**b**) 1889 c. 63.

General

5. Applications shall be sent to the Department of Employment—

(*a*) in respect of premises in England, addressed to the nearest Regional Office of that Department;

(*b*) in respect of premises in Scotland, addressed to the Office for Scotland of that Department;

(*c*) in respect of premises in Wales, addressed to the Office for Wales of that Department.

Signed by order of the Secretary of State.
5th May 1976.

Harold Walker,
Minister of State,
Department of Employment.

Regulation 3

SCHEDULE 1

EMPLOYMENT AGENCIES ACT 1973

APPLICATION FOR GRANT OF LICENCE

To: The Secretary of State for Employment.

I/WE A B, C D etc. (insert names of all the partners in the case of a firm) [duly authorised in that behalf by (insert name of company)] HEREBY APPLY [for and on behalf of the said company] for a licence under the above-mentioned Act to carry on at (insert address of premises) under the name of (insert business name, if any) an employment agency*, an employment business* or an employment agency and an employment business* of the class or classes specified in the particulars which accompany this application AND I/WE DECLARE that the information contained in the said particulars is true to the best of my/our knowledge and belief and that I am/we are aware of the provisions of section 10 (fraudulent applications) of the above-mentioned Act.

Dated this day of 19 .

(Signed) A B, C D etc.

All the applicants should sign.

Insert description if application is made for and on behalf of a company.

*Delete if inappropriate.

The following particulars are to be provided—

1. The following particulars of—
   (1) in the case of an application by an individual or a firm, the signatory or signatories;
   (2) in the case of an application on behalf of a company, the director(s) and secretary of that company; and
   (3) in all cases, every person (other than a person falling under sub-paragraph (1) or (2) above) employed or to be employed in a managerial capacity in connection with the enployment agency and/or employment business carried on or to be carried on upon the premises to which the application relates, that is to say,
      (*a*) surname (Mr./Mrs./Miss);
      (*b*) any former surname;
      (*c*) other names;
      (*d*) capacity (here insert applicant, director, secretary etc. as the case may be);
      (*e*) private address and telephone number;
      (*f*) date of birth if under 21;
      (*g*) nationality and number of any current passport held.
2. The following particulars of—
   (1) every person falling under paragraph 1(3) above; and
   (2) every person falling under paragraph 1(1) or (2) above who is or is to be directly concerned in the carrying on of the said employment agency and/or employment business, that is to say,
      (*a*) nature of occupation(s) during the 10 years immediately preceding date of application, the duration thereof, the name and address of employer(s) and the position(s) held;
      (*b*) the name and address of any professional body to which he belongs and the nature of his qualification;

(*c*) the name and address of any trade association to which he belongs and his class of membership;

(*d*) the names and addresses of three suitable persons, who are neither related to nor currently employed by him and two at least of whom are normally resident in the United Kingdom, from whom references may be obtained as to his suitability to hold a licence in respect of or to be associated with, as the case may be, an agency or business of the class or classes in question.

3. In the case of an application on behalf of a company, the following particulars of that company and of any company of which that company is a subsidiary—

(1) name;

(2) registered number;

(3) date and place of registration;

(4) address of registered office.

4. The following particulars of—

(1) every person falling under paragraph 1 above; and

(2) in the case of an application by a company, that company, that is to say,

(*a*) the nature of any existing or previous interest in an employment agency or employment business wheresoever situated and whether or not required by law to be licensed, and the name and address of such employment agency or employment business;

(*b*) the date of any refusal or revocation of a licence or other permit required by law to enable that person or company to carry on an employment agency or an employment business wheresoever situated; and the name of the licensing or other authority concerned;

(*c*) any conviction or judgment against that person or company in relation to any matter involving fraud, or other dishonesty, or breach of a requirement imposed by law in relation to the conduct of employment agencies and employment businesses.

5. The part or parts of the premises specified in the application which are to be used for the purposes of the employment agency and/or employment business specified therein.

6. The date of registration and the number in the Register of Business Names of the business name, if any, specified in the application.

7. The class or classes of employment dealt with or to be dealt with by the employment agency and/or employment business specified in the application in accordance with the following list—

(1) professional, managerial and executive;

(2) medical, dental, persons without nursing qualifications providing nursing care;

(3) secretarial, clerical, computer staffs;

(4) draughtsmen;

(5) performers and other occupations in the entertainment industry;

(6) fashion and photographic models;

(7) au-pairs;

(8) hotel and catering workers;

(9) domestics and cleaners;

(10) construction industry workers;

(11) engineeering industry workers;

(12) other employment (to be specified by the applicant(s)).

8. In the case of an employment agency, whether it offers, or proposes to offer, services for—

(1) persons normally resident abroad seeking employment in the United Kingdom;

(2) persons seeking employment outside the United Kingdom.

9. In the case of an employment business, whether it sends or proposes to send persons in the employment of the person carrying on that business to work outside the United Kingdom.

10. The name, address and telephone number of the person who should be contacted in connection with the application.

Regulation 4

SCHEDULE 2

EMPLOYMENT AGENCIES ACT 1973

APPLICATION FOR RENEWAL OF LICENCE

To: The Secretary of State for Employment.

I /WE A B etc. (insert full names of current licence-holder(s))

[duly authorised in that behalf by (insert name of company)]

HEREBY APPLY [for and on behalf of the said company] for the renewal of the Licence Numbered granted (last renewed) on the day of 19

AND I/WE HEREBY DECLARE that:—

(1) to the best of my/our knowledge and belief all changes in the particulars which accompanied the application for the said Licence Numbered have been notified to you in writing.

(2) I am/we are aware of the provisions of section 10 (fraudulent applications) of the above-mentioned Act.

Dated this day of 19 .

Signed

All the current licence-holders should sign.

Insert description if application made for and on behalf of a company.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe the manner in which application is to be made for the grant or renewal of a licence under the Employment Agencies Act 1973, to carry on an employment agency or an employment business, and the particulars which must accompany that application.

SI 1976/712
ISBN 0-11-060712-0

