STATUTORY INSTRUMENTS

1978 No. 805

EMPLOYMENT AGENCIES, ETC.

The Employment Agencies Act 1973 (Charging Fees to Au Pairs) Regulations 1978

Made - - - -	1*st June* 1978
Laid before Parliament	13*th June* 1978
Coming into Operation	10*th July* 1978

The Secretary of State, in exercise of the powers conferred on him by sections 5(1), 6(1) 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 that 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 Act 1973 (Charging Fees to Au Pairs) Regulations 1978 and shall come into operation on 10th July 1978.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

"the Act" means the Employment Agencies Act 1973;

"agent" means a person carrying on an employment agency;

"au pair" means a person who is received or is to be received into a private household under an arrangement whereby that person is to assist in the domestic work of the household in consideration of receiving hospitality and pocket money.

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

Exception from restriction on charging fees to au pairs

3.—(1) Subject to the provisions of paragraphs (2) and (3) below, an agent providing the service of finding a person employment as an au pair in a place outside the United Kingdom, in circumstances where the agent uses a person acting from premises situated outside the United Kingdom to act for him in that connection, is hereby excepted in respect of that service from the provisions of section 6(1) of the Act (which imposes restrictions on the charging of fees to any person for finding him employment).

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

(2) Paragraph (1) above shall not apply where the agent receives directly or indirectly a fee from the employer or the person who has acted for him under paragraph (1) above.

(3) The fee permitted to be charged to the au pair under paragraph (1) above shall not—

(*a*) be payable before the au pair notifies the agent in writing of his acceptance of an offer of employment;

(*b*) exceed the amount of one week's pocket money payable to the au pair by the employer.

Signed by order of the Secretary of State.
1st June 1978.

Harold Walker,

Minister of State,
Department of Employment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that an employment agency may charge a fee to a person for finding that person employment as an au pair in a place outside the United Kingdom where the agency—

(*a*) uses a person acting from premises situated outside the United Kingdom to act for it in that connection; and

(*b*) receives no fee from the person so acting or the employer.

The fee is not to exceed the amount of one week's pocket money payable to the au pair by the employer.

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