

## Employment Agency Activity Licence and Branch Licence

### Guidance Notes on Procedures for New Application and Addition of Branches

**I. The applicant is required to fill out the application form and submit the corresponding application documents as listed below. In addition, the Labour Affairs Bureau may request the applicant to submit other appropriate documents or information deemed to be useful for assessing application.**

List of application documents	
<b>New application – Natural person</b>	<ol style="list-style-type: none"> <li>1. Copy of Macao SAR resident identification document;</li> <li>2. Certificate of criminal record<sup>Note 1</sup>;</li> <li>3. Personal resume with educational background and work experience, and a copy of relevant supporting documents;</li> <li>4. Documents issued by the Financial Services Bureau to prove that the applicant has fulfilled or exempted from tax obligations;</li> <li>5. A written report on the real estate registry of business premise to be used;</li> <li>6. If the place of origin of the non-local resident to be recruited or provided job referral service is Mainland China or Vietnam, supporting documents showing the qualification in providing exportation of labour service recognized by the local authorities or a notarized copy of such documents must be provided.</li> </ol>
<b>New application– Company</b>	<ol style="list-style-type: none"> <li>1. Business registration certificate, including a copy of the company's establishment documents and its Articles of Association properly updated;</li> <li>2. A copy of the identification documents of all its administrators and shareholders; in the case that the shareholder is a legal person, a copy of the identification documents of all its administrators or the principal persons of the organ shall be required;</li> <li>3. The criminal record certificates of all its administrators and shareholders<sup>Note 1</sup>; in the case that the shareholder is a legal person, the criminal record certificates of all its administrators or the principal persons of the organ shall be required;</li> <li>4. Personal resume with educational background and work experience of any shareholder or administrator with technical and organizational capabilities and a copy of relevant supporting documents;</li> <li>5. Documents issued by the Financial Services Bureau to prove that the applicant has fulfilled or exempted from tax obligations;</li> <li>6. A written report on the real estate registry of business premise to be used;</li> <li>7. If the place of origin of the non-local resident to be recruited or provided job referral service is Mainland China or Vietnam, supporting documents showing the qualification in providing exportation of labour service recognized by the local authorities or a notarized copy of such documents must be provided.</li> </ol>

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<b>New application – Joint stock limited company</b>	<ol style="list-style-type: none"> <li>1. Business registration certificate, including a copy of the company’s establishment documents and its Articles of Association properly updated and a list of all shareholders holding 10% or more of the capital and relevant supporting documents;</li> <li>2. A copy of identification documents of all its administrators and the shareholders holding 10% or more of the capital; in the case that the shareholder is a legal person, a copy of the identification documents of all its administrators or the principal persons of the organ shall be required;</li> <li>3. The criminal record certificates of all its administrators and the shareholders holding 10% or more of the capital<sup>Note 1</sup> ; in the case that the shareholder is a legal person, the criminal record certificates of all its administrators or the principal persons of the organ shall be required;</li> <li>4. Personal resume with educational background and work experience of any shareholder or administrator with technical and organizational capabilities and a copy of relevant supporting documents;</li> <li>5. Documents issued by the Financial Services Bureau to prove that the applicant has fulfilled or exempted from tax obligations;</li> <li>6. A written report on the real estate registry of business premise to be used;</li> <li>7. If the place of origin of the non-local resident to be recruited or provided job referral service is Mainland China or Vietnam, supporting documents showing the qualification in providing exportation of labour service recognized by the local authorities or a notarized copy of such documents must be provided.</li> </ol>
<b>New application– Association or foundation</b>	<ol style="list-style-type: none"> <li>1. Certificate of registration and leadership structure issued by the Identification Services Bureau <sup>Note 2</sup>;</li> <li>2. A copy of the identification documents of its principal persons of the organ; in the case that the applicant is an association, according to the law or its articles of association, the designated person who is appointed by the competent authority through a resolution of the meeting to engage in the employment agency activity, a copy of identification documents of all its principal persons of the organ and the appointee shall be required;</li> <li>3. Criminal record certificates of all its principal persons of the organ<sup>Note 1</sup> ; in the case that the applicant is an association, according to the law or its articles of association, the designated person who is appointed by the competent authority through a resolution of the meeting to engage in the employment agency activity, criminal record certificates of all its principal persons of the organ and the appointee shall be required;</li> <li>4. Personal resume with educational background and work experience of any principal person of the organ or appointee with technical and organizational capabilities and a copy of relevant supporting documents;</li> </ol>

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	<ol style="list-style-type: none"> <li>5. Minutes of the meeting of the association at which the designated person is appointed by the competent authority through a resolution of the meeting to engage in the employment agency activity;</li> <li>6. Documents issued by the Financial Services Bureau to prove that the applicant has fulfilled or exempted from tax obligations;</li> <li>7. A written report on the real estate registry of business premise to be used;</li> <li>8. If the place of origin of the non-local resident to be recruited or provided job referral service is Mainland China or Vietnam, supporting documents showing the qualification in providing exportation of labour service recognized by the local authorities or a notarized copy of such documents must be provided.</li> </ol>
<b>Addition of branches</b>	<ol style="list-style-type: none"> <li>1. A written report on the real estate registry of business premise to be used.</li> </ol>

#### II. Service location and time:

**Address:** Avenida do Dr. Francisco Vieira Machado, nos. 221 a 279, Edifício Advance Plaza, 1<sup>st</sup> floor of the Labour Affairs Bureau, Macau

**Office hours :** Monday to Thursday: 9:00-13:00; 14:30-17:45

Friday: 9:00-13:00; 14:30-17:30

#### III. Processing time:

##### 1. Application for conducting fee-charging employment agency activity:

- Within 30 days from the date of receipt of the application, the Labour Affairs Bureau shall inform the applicant who fulfills the conditions for the issue of the licence of providing a guaranty of MOP300,000.00 issued by the bank operating in the Macao SAR and the beneficiary entity shall be the Labour Affairs Bureau;
- If the applicant is notified of remedying the defeats in the composition of the dossier, the aforesaid period shall be recalculated.
- The applicant shall submit the supporting documents of the relevant guaranty within 45 days from the date of receipt of the notice of provision of bank guaranty mentioned above; failure to submit the required documents prior to the expiration of the period will result in the rejection of the related application, unless there is a just cause accepted by the Labour Affairs Bureau.
- Processing shall be completed by the Labour Affairs Bureau within 15 days from the date of receipt of the supporting documents of the relevant guaranty and the applicant will be issued the licence after paying the relevant licence fee.

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### **2. Application for conducting non-fee-charging employment agency activity:**

- Within 30 days from the date of receipt of the application documents, the Labour Affairs Bureau shall issue the licence to the applicant who fulfills the conditions prescribed by law.
- If the applicant is notified of remedying the defeats in the composition of the dossier, the aforesaid period shall be recalculated.

### **3. Application for addition of branches:**

- Within 30 days from the date of receipt of the application documents, the Labour Affairs Bureau shall issue the licence to the applicant who fulfills the conditions prescribed by law. ( Only after the relevant licence fee is paid will the fee-charging employment agency be granted the licence. )
- If the applicant is notified of remedying the defeats in the composition of the dossier, the aforesaid period shall be recalculated.

## **IV. Requirements of business premises:**

1. The fee-charging employment agency shall be located in real estate used for commercial, service or office building purposes; the non-fee-charging employment agency shall be located in real estate used for commercial, service or office building, social and collective purposes;
2. Shall not be located in any other establishments engaged in the employment agency activity;
3. Have an independent space with independent entrance and exit, for conducting employment agency activity only;
4. Have a reception area for service users;
5. Have the appropriate conditions referred to in other laws and regulations on work health and safety in business premises.

## **V. Fees:**

1. The fee for the issue of the employment agency activity licence shall be \$30,000.00 (thirty thousand patacas).
2. The fee for the issue of employment agency activity branch licence shall be \$15,000.00 (fifteen thousand patacas).
3. The employment agency activity licence is valid for two consecutive calendar years from the issue date of the licence until December 31 of the following year; the validity period of a branch licence shall be identical to that of the employment agency activity licence. The fees for the issue of the said licences shall be calculated on a monthly basis, and one twenty-fourth shall be calculated every month or less than one month but full fifteen days.
4. Relevant fees must be paid in the form of bills; both a bank crossed cheque and a cashier's order are acceptable, which shall be

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payable to “Fundo de Segurança Social” (the Social Security Fund).

## **VI. Service result collection:**

1. **Methods of service result collection** : In person, by post or download the digital licence through the Common Access to Public Services of the Macao SAR (Entity) electronic platform.

## **2. The following documents must be submitted at the same time:**

The bank crossed cheque or cashier’s order for payment of relevant fee

Note 1 : The purpose of the Certificate of Criminal Record is to apply for the employment agency activity licence. In addition, the applicant may request the Identification Services Bureau to directly send the Certificate of Criminal Record to the Labour Affairs Bureau.

Note 2: The purpose of the certificate of registration and the certificate of leadership structure is to apply for the employment agency activity licence. In addition, the applicant may request the Identification Services Bureau to directly send the certificate of registration and the certificate of leadership structure to the Labour Affairs Bureau.