

EMPLOYMENT AGENCY ACT, 1971 – APPLICATION FOR NEW LICENCE

If you wish to establish an employment agency, you should complete and return the enclosed application form for a licence.

From receipt of an application it takes, on average, two weeks to issue a licence. Our turn-around time in processing applications is dependent on the length of time that elapses before we receive the necessary report from the National Vetting Bureau of An Garda Síochána, so some applicants may experience delays beyond the two week guideline.

Every application must include the following nine items:

1. Two-Page Application Form completed and signed.

This is a ‘Statutory Form’ that must be completed under the Employment Agency Act 1971.

2. Newspaper Notice/Advert.

Proof that you have inserted a statutory Notice in a *national daily* Irish Newspaper of your intention to apply for a licence. An outline of the wording to be used in the newspaper notice is included with these forms.

1. Place the Notice/Advert with a daily Irish Newspaper.
2. After publication, cut out the page containing the Notice (or photocopy Notice) and enclose with this application. (The date of the newspaper should be visible).

You may use the following newspapers: Irish Independent, Irish Times, Irish Examiner, Irish Sun, Irish Star, Irish Mirror, Irish Mail or Evening Herald.

3. €500 Fee.

Please note that payment may be made by Electronic Fund Transfer Only.

Electronic Fund Transfer (EFT) payments should be made to: DETE Danske EFT Receipts Public B/A

Address: Danske Bank, International House, 3 Harbourmaster Place, IFSC, Dublin 1

Account: **IBAN:** IE24DABA95199030010413

BIC: DABAIE2D

NOTE: Please ensure that the reference EA XXXX and the name of the employment agency is included in the payment details by the Bank making the EFT Payment. Please enclose a copy of your bank EFT transaction details with this application.

4. Garda Vetting.

Please complete and sign the Vetting Invitation Form and *return it to us with the rest of your application*. Do **not** send this form directly to the Vetting Bureau. This one page form provides us with sufficient information to create an invitation for you to complete an E-vetting application. Once we enter the data from the invitation form you will receive an e-mail from the Garda e-vetting Portal (**evetting.do not reply@garda.ie**) will then need to complete the vetting process logging in using your email address and date of birth. If the applicant is not resident in Ireland, then the Garda Vetting Process

does not apply, the applicant should forward a recent (within the past six months) Police Clearance Certificate from their country of residence.

5. Photo ID.

We require a copy of current photo id (e.g. passport, driving licence) in order to do the Garda Vetting Process.

If you were born outside of the EEA*, you should send with your application a photocopy of either your passport (if an EU passport), or a photocopy of your Irish residency card. This is to confirm to us that you do not need 'Business Permission' from the Department of Justice to establish a business in Ireland. *EEA = European Union plus Iceland, Liechtenstein & Norway

6. Two Independent Referee Forms.

Persons to whom the applicant is well known but not related should complete these forms. The person completing the form does not need to hold any particular position (i.e. they don't have to be a Bank Manager, Solicitor etc). These two forms should accompany your application.

7. Health & Safety Requirements Statement.

Your business premises must comply with the Safety, Health and Welfare at Work Act 2005. For more information on health and safety in the workplace contact the Health and Safety Authority (tel 0818 289 389, www.hsa.ie).

8. Proof that you have registered your business with the Companies Registration Office.

Send us a copy of your Business Name Registration issued by the C.R.O. and, if your company is incorporated, a copy of your Certificate of Incorporation. Contact the **Companies Registration Office** for information on registering a business name (tel 01 8045200, www.cro.ie).

9. Statement of Fees.

A 'Statement of Fees' is a statement outlining the fees that you intend to charge clients (i.e. your 'Terms & Conditions'). We seek a copy of your fee structure to ensure that you do not charge the candidate/job-seeker a fee. *It is illegal to charge the candidate/job-seeker a fee solely for agreeing to seek employment under The Employment Agency Act, 1971.* You can, of course, structure your client fees at any rate you choose.

If you intend to charge variable fees on a negotiated contract-by-contract basis, you can submit an estimated Statement of Fees. You could state, for example, "We intend to charge clients between 10% and 20% of first year salary. We will never charge a job candidate a fee".

Please email your application to licensing@workplacerelations.ie together with the necessary attachments.

Or alternatively you can post it to:

**Employment Agency Licensing
Workplace Relations Commission
Department of Enterprise, Tourism & Employment
O'Brien Road
Carlow
R93 E920**

Employment Agency Licence - "Application Form"

Schedule 2

Article 5

Employment Agency Act 1971

Application for a licence under the above Act and for approval of fees under that Act.

1. I (Full Name) _____
of (Home Address) _____

having inserted a notice in the _____ (Name Of
Newspaper) of the _____ day of _____ 20____ (a copy of which is attached
hereto) of my intention to make this application, hereby apply to the Minister for Enterprise,
Tourism and Employment for a licence to carry on the business of an employment agency at
(Agency Address)

2. If applying as the nominee of a body (whether incorporated or unincorporated) please state:

(a) Name of body: **(Company Name)** _____
(Trading Name)

(b) Name(s) of Directors:

3. I declare that:

(i) The premises at which I/we* propose to carry on the business of an employment agency are suitable for the purpose, having regard to Article 7 of the Employment Agency Regulations, 1971 (S.I. No. 255 of 1972):

(ii) I am/We are* the owner(s) or tenant(s) of the said premises;

(iii) I am/We are suitable person(s)* to carry on the business of an employment agency, having regard to the provisions of Article 8 of the Employment Agency Regulations, 1972.

* Strike out whatever does not apply.

4. The **following persons are prepared to furnish references** to support my application:

(Note: these should be persons resident in the State to whom the applicant is well known but not related).

Signature: _____

Phone No: _____

Fax No: _____

E-Mail: _____

Date _____

Wording for Newspaper Notice/Advertisement

“Employment Agency Act, 1971

We _____ (*company name*) hereby give notice of our intention to apply for a licence under the above Act to carry on the business of an employment agency at the premises specified below:

**address of agency*

*if multiple agency offices, list all agency addresses

(Sample Wording)

“We Gallagher Executive Search Ltd hereby give notice of our intention to apply for a licence under the above Act to carry on the business of an employment agency at the premises specified below:

579 Dame Street
Dublin 2

Health and Safety Requirements Statement

In order to obtain an employment agency licence an applicant must have a premises in the State, which conforms to standards of accommodation prescribed by Regulations made under the Employment Agency Act, 1971.

Please tick (✓) boxes, sign and date, and return with your application forms.

1. I confirm that the means of access and egress of the premises is adequate in light of the anticipated volume of business.
2. I confirm that the premises are kept in a clean and tidy condition equipped with adequate heating, lighting and ventilation and that they do not constitute a danger to persons using them.
3. I confirm that, if I intend to interview persons on the premises, that the said premises contain accommodation enabling persons to be interviewed in private.
4. I confirm that the premises are equipped with adequate seating for the number of persons likely to attend at the premises.
5. I confirm that I have a current Safety Assessment. (Under the Safety, Health and Welfare at Work, Act 2005)

I confirm that my/our business premises are in compliance with the above listed standards:

Signature of applicant: _____ **Date:** _____ / _____ / _____

Print Name of Signatory: _____
(Block Capitals) _____

Print Name of Agency: _____
(Block Capitals) _____

Print Agency Address: _____
(Block Capitals) _____

Independent Referee (Number 1)

1 (i) Name of Applicant for Licence: _____

(ii) Name of Employment Agency: _____

2. (a) Are you well acquainted with the applicant? and (a) _____

(b) if so, for how long? (b) _____

3. Are you aware of any circumstances which, in your view, should disqualify the applicant from receiving a licence to carry on the business of an Employment Agency?

To the best of my belief, the above answers are correct.

Name: (Block Capitals): _____

Signature: _____

Occupation: _____

Address _____

Tel. No. _____

Date: _____

Independent Referee (Number 2)

1 (i) Name of Applicant for Licence: _____

(ii) Name of Employment Agency: _____

2. (a) Are you well acquainted with the applicant? and (a) _____

(b) if so, for how long? (b) _____

3. Are you aware of any circumstances which in your view should disqualify the applicant from receiving a licence to carry on the business of an Employment Agency?

To the best of my belief, the above answers are correct.

Name: (Block Capitals): _____

Signature: _____

Occupation: _____

Address _____

Tel. No. _____

Date: _____

Guidelines for completing Vetting Invitation Form (NVB 1a)

Please read the following guidelines before completing this form.

Miscellaneous

The Form must be completed in full using **BLOCK CAPITALS** and writing must be clear and legible.

The Form should be completed in ball point pen.

Photocopies will not be accepted.

All applicants will be required to provide documents to validate their identity. (A copy of passport, or Driving licence or other documentation that contains Name, Address and photo graphic identification).

Personal Details

Insert details for each field, allowing one block letter per box.

For Date of Birth field, allow one digit per box.

Please fill in your Email Address, allowing one character/symbol per box. This is required as the **invitation to the e-vetting website** will be sent to this address.

Please allow one digit per box for your contact number.

The Current Address means the address you are now living at.

The address fields should be completed in full, including Eircode/Postcode. No abbreviations.

Declaration of Application

The applicant must confirm their understanding and acceptance of the two statements by **signing** the application form at Section 2 **and ticking the box** provided.

Criminal record is defined as

“criminal record”, in relation to a person, means—

- (a) a record of the person’s convictions, whether within or outside the State, for any criminal offences, together with any ancillary or consequential orders made pursuant to the convictions concerned, or
- (b) a record of any prosecutions pending against the person, whether within or outside the State, for any criminal offence,

“criminal offence” includes an offence under the law of a state other than the State that corresponds to an offence under the law of the State, where the act or omission constituting the offence under the law of the other state would, if committed in the State, constitute an offence under the law of the State;

Workplace Relations
Commission
Department of Enterprise,
Tourism and Employment
O'Brien Road,
Carlow



Your Ref:

Form NVB 1

Vetting Invitation

Section 1 – Personal Information

Forename(s):																								
Middle Name:																								
Surname:																								
Date Of Birth:	D	D	/	M	M	/	Y	Y	Y	Y														
Email Address:																								
Contact Number:																								
Role Being Vetted For:	E	M	P	L	O	Y	M	E	N	T	A	G	E	N	C	Y		L	I	C	E	N	C	
	E																							

Current Address:

Line 1:																								
Line 2:																								
Line 3:																								
Line 4:																								
Line 5:																								

Section 2 – Additional Information

Name Of Organisation: **Workplace Relations Commission/Department of Enterprise, Tourism and Employment**

I have provided documentation to validate my identity as required *and*
I hereby authorise the National Vetting Bureau of An Garda Síochána to furnish the above Organisation a statement
that there is no criminal record information to disclose in respect of me in Ireland or elsewhere, or a statement of

criminal record information in Ireland or elsewhere as the case may be. Please tick box

Applicant's
Signature:

Date: **D D / M M / Y Y Y Y**

Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.