

Appendix III

National definitions of recruitment fees, related costs and cost-sharing arrangements (26 countries, 1 proposed definition: United States)

| Source | Definition of recruitment fees | Provisions on recruitment fees and cost categories |
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| 1. Antigua and Barbuda Recruiting of Workers Act (Cap. 372 No. 41 of 1941) | | Regulated. Article 8. The expenses of the recruited workers and their families to the place of employment, including all expenses incurred for their protection during the journey, shall be borne, and necessities for the journey shall be provided, by the recruiter (not being a worker-recruiter) or employer. Article 9 stipulates employers should cover costs related to return |
| 2. Australia Pacific Seasonal Worker Pilot Scheme , 2006 | | Regulated. Employer pay for the full cost of each seasonal workers' return international airfare and domestic transfer arrangements up front, and can recoup from the combined cost any amount over \$500 from seasonal workers' pay over time. Employers are also required to conduct an on-arrival and an on-return briefing at no charge to Seasonal Workers. "Add-on" Skills Training is paid by the Australian Government. |
| 3. Canada Seasonal Agricultural Worker Program , 1966 | | Prohibited. Employers do not need to use the services of a third-party representative in order to hire a TFW; however if they choose to do so, they must pay for all the fees associated with this service. Employers cannot deduct or recover these fees from the wage of the worker. Employers must always arrange and pay for the round-trip transportation (for example plane, train, boat, car, bus) of the temporary foreign worker (TFW) to the location of work in Canada, and back to the TFW's country of residence. A portion of these costs can be recovered through payroll deductions in all provinces, except in British Columbia. The maximum amount that can be deducted is specified in the employment contract entitled "Agreement for the employment in Canada for SAWP". Employers must provide to the TFWs, where required, no-cost transportation to and from the on-site/off-site housing location to the work location. Employers must provide TFWs with adequate, suitable and affordable housing as defined by the Canadian Mortgage and Housing Corporation. Employers are responsible for any costs that may be associated to having the housing inspected. Under no circumstances can employers recover these costs from the TFW. The insurance coverage purchased by the employer must correspond with the TFW's first day of work in Canada and the costs must not be recovered from |

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| | | the TFWs. Seasonal agricultural workers who are anticipated to arrive in Canada on or after 1 January 2017 are responsible for paying their work permit fees directly to Immigration, Refugees and Citizenship Canada. |
| 4. Colombia Decree No. 722 , 2013. Resolution 1481 , 2013 | | Prohibited. Charging fees to workers is prohibited. Private employment agencies are allowed to charge service fees to employers once the contract has been signed. Art 4 (5) of Resolution 1481 (which covers only recruitment of Colombians abroad) stipulates that recruitment agencies rules and regulations must specify that no recruitment fees should be paid by workers, and that other costs, such as passport, visas and airport tax could be paid by workers but only upon signature of the employment contract. Art 10: Charges for basic services. Agencies authorized to recruit or place workers abroad shall not charge the migrant worker any sum for the provision of their services. Neither can they make additional service charges, such as: a) For the placement and collection of the jobseeker's or pre-selected worker's documentation; b) Specific skills tests; c) Medical examinations and vaccines; d) Passports and visas; e) Airport taxes.. |
| 5. El Salvador Decree 682 , 1996 | | Regulated. There is no explicit information about charging fees. Placement services will be provided by the National Employment Directorate. Hiring Salvadorians for working abroad is allowed and should be authorized by the Ministry of Labour. Travelling costs to and from the place of employment should be borne by the employer, including repatriation costs, if necessary. |
| 6. Ethiopia Overseas Employment Proclamation No. 923/2016 | | Regulated. Article 10: The employer shall cover the following expenses: (a) entry visa fee to the country of destination; (b) round-trip transport cost; (c) work permit fee; (d) residence permit fee; (e) insurance coverage; (f) costs associated with visa and document authentication paid to the embassy of country of destination which hosts in Ethiopia; (g) employment contract approval service fee. The worker shall cover the following expenses: (a) passport issuance fee; (b) costs associated with authentication of contract of employment received from overseas and certificate of clearance from crime; (c) medical examination fee; (d) vaccination fee; (e) birth certificate issuance fee; (f) expenses for certificate of occupational competence. |
| 7. Guyana Recruiting of Workers Act (Cap. 98:06) , 1943 | | Regulated. Article 7. The expenses of the recruited workers and their families to the place of employment, including all expenses incurred for their |

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| 8. Hong Kong Practical Guide For Employment of Foreign Domestic Helpers And Code of Practice for Employment Agencies, Labour Department And Employment Agency regulations (Cap.57, section 62) | “Prescribed commission”: means the maximum commission which may be charged and received by an EA as specified in regulation 10 and Part II of the Second Schedule of EAR, which is no more than 10% of the first-month’s wages received by the job-seeker after he/she has been placed in employment by EA. (Code of Practice for Employment Agencies, Section 2.1.1) | <p>protection during the journey, shall be borne, and necessities for the journey shall be provided, by the recruiter (not being a worker-recruiter) or employer. Article 8 stipulates employers should cover costs related to return</p> <p>Regulated. EAR, Section 10. Maximum fees and commissions (2) The maximum commission which may be charged and received by an employment agency in connexion with the employment of any person shall be that set out in Part II of the Second Schedule. (8 of 2018 s. 10) Part II. Second Schedule. Maximum Commission which may be Received by an Employment Agency The maximum commission which may be received by an employment agency shall be— (a) from each person applying to the employment agency for employment, work or contract or hire of his services, an amount not exceeding a sum equal to ten per cent of the first month’s wages received by such person after he has been placed in employment by the employment agency.</p> <p>Practical Guide For Employment of Foreign Domestic Helpers: Employers must reimburse costs to the workers:</p> <ul style="list-style-type: none"> – HKD100 daily food and travel allowance for his/her journey to Hong Kong, China; – free passage for return, usually an air ticket covering airport tax and a daily food and travelling allowance of HKD100 per day. <p>Reimbursable fees are not prescribed but the guide notes the following categories: mandatory insurance, medical examination fee, notarization fee, visa fee, government fee, others. The worker must produce receipts for each of these costs.</p> |

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| 9. Morocco: Book IV of the Labour Code, No. 5210, 2004 | | <p>Prohibited:</p> <p>Art. 379 : “In the establishments covered by arts 376 and 378 above, it is prohibited for the employer or his representative to demand of an employee, as a condition of his employment, either at the time his employment contract is concluded or during the course of its execution, any payment to cover fees, the reimbursement of costs or for any reason whatsoever.”</p> <p>Art. 476: “Employment intermediation is provided by services established for this purpose by the governmental authority responsible for labour issues. The facilities provided to jobseekers and employers by these services are free of charge.”</p> <p>Art. 480: “It is prohibited for private recruitment agencies to collect fees or costs from jobseekers, directly or indirectly, in part or in full.”</p> <p>Art. 490: “The private recruitment agency through which an employment contract has been concluded abroad is responsible for the cost of the return of the employee to his country and for all the costs incurred by him in the event of the non-fulfilment of the contract for reasons beyond his control.”</p> |
| 10. Indonesia Law No.18/2017 on the Protection of Indonesian Migrant Workers | | <p>Regulated. Under art. 30 of Law No. 18/2017 on the Protection of Indonesian Migrant Workers, migrant workers are not responsible for covering any costs associated with his/her placement overseas except for costs related to getting his/her own Indonesian National ID Card (e-KTP), passport, medical check-up and competency/certification exam.</p> |
| 11. Kenya Labour Institutions Act of 2007 Labour Institutions (Private Employment Agencies) Regulations, 2016 | | <p>Regulated. Kenya Labour Institutions Act of 2007</p> <p>Article 57.2: “No person shall charge or receive in respect of anything done or to be done at an employment agency— (a) any fee or other payment or reward at a rate higher than that which may, from time to time, be prescribed for any particular area and class of business; or (b) any fee or other payment or reward, unless provision has been made for the charging of such fee, payment or reward in regulations made under this Act</p> <p>Labour Institutions (Private Employment Agencies) Regulations, 2016 Article 7. Fees and Commission “Agencies shall charge their principals a service fee for the recruitment, documentation and placement of workers.” Article 8. Costs to be met by agents or employer: A foreign contract of employment shall specify the party responsible for the payment of the visa</p> |

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| | | <p>fee, airfare and medical examinations. Provided that reasonable administrative costs may be charged by the agent in respect of trade test, occupational test and the administrative fees shall not exceed the job seeker's proposed one month's salary.</p> |
| <p>12. Kingdom of Saudi Arabia Labour Law, 2005</p> | | <p>Prohibited. (Article 40). An employer shall incur the fees pertaining to recruitment of non-Saudi workers, the fees of the residence permit (<i>iqama</i>) and work permit together with their renewal and the fines resulting from their delay, as well as the fees pertaining to change of profession, exit and re-entry visas and return tickets to the worker's home country at the end of the work contract.</p> |
| <p>13. Nepal Foreign Employment Act, 2064 (2007) The Foreign Employment Rules, 2064 (2008) (implementing Rules for above Act).</p> | <p>Article 2.h. Service charge means as "a sum of money charged by a foreign employment entrepreneur for sending a worker abroad".</p> <p>Article 24.(2) "Promotional costs means the visa fee chargeable for sending a worker for employment and miscellaneous expenses made within and outside the country, in the course of receiving the quota of workers".</p> | <p>Regulated. Article 24 (1) "The Government of Nepal may, in relation to any specific country or company, specify the upper limit of amount, including the "service fee" and "promotional costs" that the institution can collect from each worker." Contribution to welfare fund is also required (Rules, Chapter 7 Article 24).</p> <p>As per "free visa, free ticket" policy (ministry level decision) workers going to Saudi Arabia, Qatar, United Arab Emirates, Kuwait, Oman, Bahrain and Malaysia need to pay maximum of Nepal rupee (NPR) 10,000 only as service charge to the recruitment agencies.</p> |
| <p>14. New Zealand Recognised Seasonal Employer scheme, 2007</p> | | <p>Regulated. Employers pay for half of the airfare from the workers' country of origin to New Zealand. Immigration costs include application cost, visa application centre service fee and courier fee borne by the worker.</p> |
| <p>15. Pakistan Emigration Rules, 1979 (updated 2012)</p> | | <p>Regulated. A recruitment agency can collect from the workers actual expenses for air ticket, medical, work permit, levy, visa and documentation. Employers bear the cost of the worker's return journey upon completion of contract. Costs are specifically for air ticket and visa. Fees charged depend on the monthly salary of the worker and length of employment contract. The maximum fee of PKR6,000 (e.g. approximately US\$50) for service charges is fixed by the Bureau of Emigration and Overseas Employment (BEOE). Three days after the emigrant's departure, the concerned Overseas Employment Promoter (OEP) submits a certificate to the office of the Protector of Emigrants requesting the release of the</p> |

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| | | <p>service charge. By law, an emigrant who has secured employment overseas through a licensed OEP is required to deposit a sum of PKR5,000 as a service charge (welfare fund PKR2,000, insurance premium PKR2,500, registration PKR500).</p> |
| <p>16. Philippines Revised Philippine Overseas Employment Administration Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Filipino Workers of 2016</p> | <p>Placement fee: Any and all amounts charged by a recruitment agency from a worker for its recruitment and placement services as prescribed by the Secretary of Labor and Employment.</p> | <p>Regulated. A placement fee may be charged against the overseas Filipino worker equivalent to one (1) month's basic salary specified in the Philippine Overseas Employment Administration approved contract, except for the following: (a) domestic workers; and (b) workers to be deployed to countries where the prevailing system, either by law, policy or practice, do not allow, directly or indirectly, the charging and collection of recruitment/placement fees.</p> <p>In addition, workers pay for documentation costs: passport; National Bureau of Investigation/Police/Barangay clearance; National Statistics Office-authenticated birth certificate; transcript of records and diploma; professional licence authenticated by the Department of Foreign Affairs; certificate of competency; Department of Health-prescribed health examination and membership with Philhealth, Pag-ibig and the social security system. Employer must pay for visa including stamping fee; work permit and residence permit; round-trip airfare; transportation from the airport to the job site; Philippine Overseas Employment Administration processing fee; Overseas Worker Welfare Administration membership fee and additional trade test/assessment if required.</p> |
| <p>17. Poland Act of 20 April 2004 on the promotion of employment and labour market institutions</p> | | <p>Regulated. Art. 19 d. 1(1) states that employment agencies (and other institutions mentioned in art. 18c) cannot charge (job seekers) other fees than those specified in art. 85.2.7. Art. 19d.1(2) further specifies that the agencies must inform job seekers of charging them any costs, fees and other dues associated with placement on the job and work, including those authorized by art. 85.2.7, in writing. According to art. 85.2.7, the four categories of costs that employment agency can charge for are:</p> <ol style="list-style-type: none"> a) Return transportation (international) b) Visa issuance c) Medical examinations d) Documents' translations. |
| <p>18. Qatar Labour Law No. 14 of the Year 2004 and</p> | <p>Workers' welfare standard: Placement Fees: Means any monies or fees paid to legalise employment in Qatar such as commissions, costs,</p> | <p>Prohibited. Art. 33, 2004: The person who is licensed to recruit workers from abroad for others shall be prohibited from doing the following:</p> |

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| <p>Workers Welfare Standards Qatar 2022 Edition 2 Supreme Committee for Delivery and Legacy, World Cup 2022</p> | <p>or expenses paid for travel to Qatar, medical tests in Qatar, applying for a work permit and a residence permit in Qatar Recruitment and Processing Fees: Means any fees, costs or expenses charged by a Recruitment Agent or a Contractor in respect of a proposed Worker obtaining employment in the State of Qatar including any fees, costs or expenses related to medical tests, police clearances, recruitment advertisements, interviews, insurance, government taxes in the country of origin, pre-departure orientations, airline tickets and airport taxes and any fees, costs or expenses charged by the Recruitment Agent to recuperate any Placement Fees.</p> | <ol style="list-style-type: none"> 1. To receive from the worker any sums representing recruitment fees or expenses or any other costs. 2. To carry out in the office any other business other than the recruitment of workers from abroad for others. <p>Workers Welfare Standards</p> <p>6.4 The contract between the Contractor and its Recruitment Agent must:</p> <ol style="list-style-type: none"> (a) stipulate that a Worker is not to be charged any Recruitment or Processing Fees including any upfront deposits or security-payments for the provision of recruitment services; <p>10.3. Any deductions from wages may only be made strictly in accordance with the requirements of Law. Specifically the contractor shall not make any deduction from wages for items provided prior to or during the term of the employment contract including:</p> <ol style="list-style-type: none"> (a) recruitment and processing fees; (b) relocation or visa costs; (c) accommodation; (d) bedding; (e) food; (f) transportation; (g) training and development; (h) recreation facilities at the accommodation site; or (i) medical insurance and prescribed health care |
| <p>19. Singapore Employment Agencies Act (Chapter 92); Ordinance 47 of 1958; revised edition 2012</p> | | <p>Regulated.</p> <p>Article 14. Fees for Services Rendered</p> <p>14(1) It shall be lawful for a licensee to charge and receive such fees as may be prescribed from time to time</p> <p>14 (2) No licensee shall charge or receive any form of fees, remuneration, profit or compensation otherwise than as provided in this Act.</p> |

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| | | <p>The law prohibits employment agencies (EAs) operating in Singapore from collecting more than two months' salary, and no more than one month for each year of service.</p> <p>Ministry of Manpower: Employers are responsible for paying administrative costs, including levies and fees for work pass applications and renewals, as they are part of the cost of employing a foreign worker. They are not allowed to recover the fees (directly or indirectly) from their foreign employees. Likewise, EAs should not be recovering such fees from workers. EAs that do so would be considered to be committing or abetting an offence. EAs are also not allowed to charge agency fees for work pass renewals.</p> |
| <p>20. Thailand Employment Agencies and Employment Seekers' Protection Act, 1985</p> | <p>Section 4. "Service charge" means money or other benefits paid as consideration in return of employment.</p> | <p>Regulated.</p> <p>Section 26. No domestic employment licensee shall demand or receive any money or property from a job-seeker other than service charge or expense. Service charge or expense under paragraph one shall be demanded or received not exceeding the rate as determined by the Minister.</p> <p>Section 38. No overseas employment licensee shall demand or accept service charge or expense from a job-seeker in advance for exceeding thirty days before departure date.</p> <p>Section 47 quinqué: No skill testing licensee shall demand or receive any money, property, or other benefits from a job seeker other than skills testing fee</p> |
| <p>21. Togo Act No. 2006-010 of 13 December 2006 concerning the Labour Code and http://www.ilo.org/legacy/english/inwork/cb-policy-guide/togoin2006portantcodedutravailart102.pdf</p> | | <p>Prohibited. The Code specifically prohibits the charging of fees or costs for workers by public and private employment agencies.</p> <p>Article 197. Article 197. Placement fees collected by fee-charging employment agencies shall be borne entirely by the employers without any payment being received from the workers.</p> <p>Article 198. The managers of fee charging employment agencies and their agents shall not collect or accept deposits of surety of any kind for their operation.</p> <p>Section II – Travel and transport – Art. 161: travel expenses of a worker recruited outside of Togo, the travel expenses shall be borne by the employer.</p> |
| <p>22. Uganda Rules and Regulations governing the Recruitment and Employment of Ugandan Migrant Workers Abroad</p> | | <p>Regulated.</p> <p>Rule IV Placement Fees and Contributions:</p> |

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| 23. United Kingdom Gangmasters and Labour Abuse Authority and Gangmasters and Labour Abuse GLA Brief Issue 38 – June 2014: Job-Finding Fees and Providing Additional Services | Fees for “work-finding services” which include services provided by a licence holder for seeking to find or finding a person work. | <p>Section 1. Fees Chargeable to Principals: Agencies shall charge from their principals a fee to cover services rendered in the recruitment and deployment of Ugandan migrant workers. However, recruitment agencies shall charge a nominal fee from the Ugandan migrant workers for their recruitment and deployment services as administration costs”.</p> <p>Rule VI elaborates on the issue as follows: Placement fees and documentation costs</p> <p>Section 1. Fees chargeable against principals: Agencies shall charge from their principals a service or recruitment fee to cover services rendered in documentation and placement of workers.</p> <p>Section 2. Fees/costs chargeable from workers:</p> <p>(a) Private employment agencies may charge placement fees as may be authorized by the Permanent Secretary from a hired worker to cover costs of placement and services such as trade or skill testing, medical examination, passport, visa, clearances, inoculation, airport terminal fees, notaries, among others.</p> <p>The above charge shall be collected from a hired worker only after he/she has signed the employment contract and shall be covered by receipts clearly showing it.</p> <p>(b) Recruitment agencies shall charge a minimal fee not exceeding Uganda shillings fifty thousand (UGX50,000/=) from Ugandan migrant workers for its recruitment and placement services.</p> <p>Section 3. No other charges shall be imposed on the worker.</p> |
| | | <p>Prohibited.</p> <p>Standard 7.1</p> <ul style="list-style-type: none"> • A licence holder must not charge fees to workers for recruitment services. • A licence holder must not make providing work-finding services conditional on the worker: <ul style="list-style-type: none"> ○ Using other services or hiring or purchasing goods provided by the licence holder or any person connected to them; or ○ Giving or not withdrawing consent to disclosing information about that worker |

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| 24. United States Federal Acquisition Regulation (proposed) | Recruitment fees include, but are not limited to, fees, charges, costs, assessments, or other financial obligations assessed against employees or potential employees, associated with the recruiting process, regardless of the manner of their imposition or collection. Any fee, charge, cost, or assessment may be a recruitment fee regardless of whether the payment is in property or money, deducted from wages, paid back in wage or benefit concessions, paid back as a kickback, bribe, in-kind payment, free | <p>Examples of charges for goods or services which breach Licensing Standard 7.1 include:</p> <ul style="list-style-type: none"> • Providing information, advice and guidance on vacancies and work placements • Checking documents required as part of the recruitment process, such as checking the authenticity of identity documents or medical certificates necessary for the work in question. This also includes any checks which are mandatory in the UK or country of origin • Conducting reference or criminal record checks (except where the check is a legal requirement in the UK or country of origin) • Interview and assessment • Completing documents required as part of the recruitment process which the licence holder would otherwise complete for free if the worker did not opt for the service • Charging each worker for translating a document which is non-specific to the individual worker. There should be no charge for translating a standard document used by all workers that has only needed to be translated once • Sending documents to the hiring employer that the licence holder would otherwise send if the worker did not opt for the service • Any fee associated with guaranteeing a placement or work for the following year • Providing information on details about the job. <p>It does not matter if these goods or services are optional. If the worker is charged for any of the above, then Licensing Standard 7.1 will be breached.</p> <p>Prohibited.</p> <p>...</p> <p>(i) for soliciting, identifying, considering, interviewing, referring, retaining, transferring, selecting, testing, training, providing new-hire orientation, recommending, or placing employees or potential employees;</p> <p>(ii) for covering the cost, in whole or in part, of advertising;</p> |

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| 25. Bolivarian Republic of Venezuela Labour Law, 2012, No. 6'076 | labour, tip, or tribute, remitted in connection with recruitment, or collected by an employer or a third party, including, but not limited to: agents, recruiters, staffing firms, subsidiaries/affiliates of the employer, any agent or employee of such entities and subcontractors at all tiers. | <ul style="list-style-type: none"> (iii) for any activity related to obtaining permanent or temporary labour certification; (iv) for processing petitions; (v) for visas and any fee that facilitates an employee obtaining a visa such as appointment and application fees; (vi) for government-mandated costs such as border-crossing fees; (vii) for procuring photographs and identity documentation, including any non-governmental passport fees; (viii) charged as a condition of access to the job opportunity, including procuring medical examinations and immunizations and obtaining background, reference and security clearance checks and examinations; additional certifications; (ix) for an employer's recruiters, agents or attorneys, or other notary or legal fees; and (x) for language interpreters or translators. (2) Any fee, charge, cost, or assessment may be a recruitment fee regardless of whether the payment is in property or money, deducted from wages, paid back in wage or benefit concessions, paid back as a kickback, bribe, in-kind payment, free labour, tip, or tribute, remitted in connection with recruitment, or collected by an employer or a third party, including, but not limited to – <ul style="list-style-type: none"> (i) agents; (ii) recruiters; (iii) staffing firms (including private employment and placement firms); (iv) subsidiaries/affiliates of the employer; (v) any agent or employee of such entities; and (vi) subcontractors at all tiers. <p>Prohibited. Art 65: A foreign employer willing to hire a worker should deposit in a Venezuelan bank a guarantee to cover cost of repatriation and of transportation to the place of residence, and should provide the worker with a contract of employment specifying that travel, food, and immigration-related costs are covered by the employer.</p> |

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| <p>26. Law on Vietnamese Workers Working Abroad under Contract, 2006</p> <p>Joint circular No. 16/2007/TTLT-BLDTBXH-BTC, specific regulation on brokerage and service fee in the operation of sending Vietnamese labourers to work abroad under contracts.2007</p> | <p>Art. 20 of the Law on Vietnamese Workers Working Abroad under Contract defines brokerage commission as an amount a licensed enterprise (i.e. recruitment agency) shall pay to the broker (in destination country) in order to sign and perform a labour supply contract.</p> <p>Art. 21 of the Law on Vietnamese Workers Working Abroad under Contract defines service charge as an amount paid by a worker to a licensed enterprise (i.e. recruitment agency) for the performance of contract for sending workers for overseas employment”.</p> <p>Art. 27 of the Law on Vietnamese Workers Working Abroad under Contract obliges recruitment agencies to directly recruit workers without collecting recruitment fees. Brokerage commission and service charge (which the law allow to be charged to migrant workers) are not considered to be a recruitment fee.</p> | <p>Regulated.</p> <p>Article 20.(1) Workers shall refund to the licensed enterprise a part or the whole of brokerage commission under regulations of the Ministry of Labour, War Invalids, and Social Affairs.</p> <p>Article 20 (3) The Ministry of Labour, War Invalids, and Social Affairs, with the Ministry of Finance, define the ceiling brokerage commission rates, the management and use of brokerage commission.</p> <p>Article 21 (2). Licensed enterprises shall reach agreement with workers on the one-off collection of service charge prior to the workers' emigration or by instalments during the time the workers work abroad.</p> <p>Joint Circular No. 16/2007/TTLT dated 4 Sep. 2007 sets the ceiling on the brokerage commission to be not higher than one month's net salary per worker per year (Section II. Article 2.a). The salary which (calculated by month) serves as a basis to determine the brokerage rate is the basic salary under the contract excluding overtime working, bonuses and other benefits. For the officers and crewmen of the sea carrier, the salary which, under the contract (calculated by month) to serve as a basis to determine the brokerage rate, is the salary including the basic salary and leave salary (Article 2d).</p> |
| <p>27. Zambia Employment Act, 2017</p> | | <p>Prohibited.</p> <p>Art. 59: (1) An employment agency shall charge a prospective employer such fees as may be agreed between them. (2) The employment agency shall not charge the prospective employee for any services rendered. (3) Any person who contravenes the provisions of subsection (2) shall be guilty of an offence.</p> <p>Art. 13.1: Whenever an employee has been brought from a place within Zambia to a place of employment by the employer, or by an employment agency acting on behalf of the employer, the employer shall pay the expenses of repatriating the employee to the place from which he was brought, in the following circumstances: Repatriation: (a) on the expiry of such period of service as may be specified in the contract of service; (b) on the termination of the contract of service by reason of the inability, refusal or neglect of the employer to comply with all or any of the provisions of such contract; (c) on the termination of the contract of service by agreement between the parties unless the contract otherwise provides; (d) on the</p> |

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| | | <p>termination of the contract of service by reason of the inability of the employee to comply with the provisions thereof by reason of illness or accident not occasioned through his own fault.</p> <p>Further detail on exceptions as well as what the expenses of repatriation include can be found in art. 13.2–13.4.</p> <p>Section 80-The Employment Regulations</p> <p>4. (1) Upon the attestation of any contract of foreign service, the employer, or his authorised agent, shall pay to the Government an attestation fee in respect of each person so engaged at the rate of one fee unit for every month, or part thereof, during which the said contract is to endure.</p> <p>Art. 15: “An employment agency shall not charge or receive fees in excess of the following scales: (a) where employers notify a vacancy: eight fee units in respect of each vacancy filled by an employee introduced by the agency; (b) in the case of applicants: two fee units initial registration fee and up to 5 per centum of the applicant’s first month’s earnings in the event of being placed in employment by the agency.”</p> |