



Hong Kong Federation of Asian Domestic Workers Unions (Affiliated to HKCTU)

香港亞洲家務工工會聯會 (職工盟屬會)

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FADWU 屬會包括不同國籍的本地家務助理和外籍：香港家務助理總工會、印尼移工工會、泰國移工工會、香港尼泊爾家務工工會、菲律賓家務工工會、海外家務工工會、菲律賓移工工會 FADWU includes LOCAL and MIGRANT domestic workers with different nationalities: Hong Kong Domestic Workers General Union, Indonesian Migrant Workers Union, Thai Migrant Workers Union, Union of Nepalese Domestic Workers in Hong Kong, Filipino Domestic Workers General Union, Overseas Domestic Workers Union, Filipino Migrant Workers Union.

Position Paper on Illegal Agency Fee Overcharges of Migrant Domestic Workers

Background

According to the Annual Statistics of Hong Kong in 2012, there are approximately 300,000 migrant domestic workers in Hong Kong, while the majority of them came from the Philippines and Indonesia (144,553 Filipinos and 148,153 Indonesians). During the process of job referral, domestic workers are required to hire employment agencies to look for employers in Hong Kong. More than often, agencies on both sides tend to charge enormous agency fees during the process and such illegal overcharges prompt serious issues to many migrant domestic workers.

As a matter of fact, migrant domestic workers are not the only victims of the overcharges of agency fees, many employers are forced to pay hefty expenses to the agencies due to a lack of transparency. As a result, both employers and employees fall prey to the unscrupulous practices of employment agencies.

However, due to various reasons, the Government has never been able to adequately address the seriousness of the problem, which allowing employment agencies continue to make illegal profits.

Related Legislation and Convention

According to the Employment Agency Regulations in Hong Kong : “ 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.” (Appendix I)

International Labour Organization C189 (Appendix II), suggests to provide a range of protections to domestic workers, such as regulating employment agency, prohibition of charging agency fees by withholding domestic worker's salary.

However, migrant domestic workers in Hong Kong often have to pay far more than 10% of their monthly salary (ie, HKD 394) as agency fee, not only are these practices violate the laws of Hong Kong; many of them also have their first six months of salaries withheld by the agencies as installments.

Illegal Agency Fee

According to the laws in the Philippines and Indonesia, domestic workers who work abroad are obliged to arrange overseas employment (such as the application of working visas) through employment agencies both in their countries of origin and employment. Thus, agencies are able to use different means to force migrant domestic workers to accept hefty agency fees; these include collaborating with moneylenders and force domestic workers to take loans from them. Subsequently, many domestic workers have to borrow large sum of loan from these lenders even before their work commence abroad. Meanwhile, other migrant domestic workers would be brought to moneylenders in Hong Kong to borrow money to cover their agency fees. The following are the outlines of various issues faced by domestic workers in accordance to their countries of origin:

Circumstances of Filipino Domestic Workers

Although the Filipino Government has ratified the International Labour Organization's (ILO) C189 Convention in August 2012, which requires the implementation of "Zero Agency Fee" and "Zero Internship Fees", agencies in Hong Kong and the Philippines continue to charge domestic workers hefty expenses with different approaches.

According to a survey conducted by Advanced Philippines Labour (APL) and Philippine Labour Union–Hong Kong (PLU-HK) that interviewed 1,500 Filipino domestic workers from November to December 2012, Filipino domestic workers in Hong Kong need to pay an average of HKD 15,378 agency fee, which is equivalent to nearly four months of salaries. 90% of respondents had to pay agency fees which have far exceeded the laws of Hong Kong allowed (10% of the first month salary). Over two-thirds (68%) of them had to borrow money (from banks, finance companies, friends / family or agency) to cover the agency fees. In fact, these agencies have already violated the laws both in Hong Kong and the Philippines.

Circumstances of Indonesian Domestic Workers

The Indonesian Domestic Workers Union (IMWU) has done a similar survey in 2012 which interviewed 989 Indonesian domestic workers. The survey found that 78% of respondents had to pay HKD 21,000 agency fees. Regardless of the maximum agency fee allowed by the Indonesian government is set at HKD 15,000, meanwhile the maximum agency fee allowed by the laws of Hong Kong may not exceed 10% of the first month salary, agencies are still taking illegal overcharges.

In order to coerce domestic workers to pay up, agencies would confiscate travel documents from migrant domestic workers just to prohibit them from filing any formal complaint. 73.8% respondents from the survey experienced such incidents before.

Circumstances of Thai Domestic Workers

Although the laws in Thailand do not require domestic workers to arrange overseas employment

through employment agencies, it requires their relatives in Hong Kong to sign for their applications. Otherwise, they would also need to be referred by the employment agency before being hired, such agency fees ranged from HKD 5,000 to HKD 6,000. The problem of agency fee overcharges is equally serious.

Employees and Employers are Both Victims Alike

Many employers are misled into believing that migrant domestic workers are beneficiaries of agency fees overcharges, however, such conception is misleading. Migrant domestic workers, whether in their countries of origin and employment required to pay agency fee that cost from a few months up to ten months of their salaries. In addition to their already abundant revenue, employment agencies still charge employers from HKD 3,000 to HKD 8,000, or sometimes even over HKD 10,000 of agency fees. Therefore, migrant domestic workers as well as their employers are both victims of such overcharges in agency fees.

The Government Should Penalize Illegal Practices by Agencies

Illegal overcharges in agency fees are exploitation toward migrant domestic workers. Meanwhile, confiscation of travel documents and receipts after payment make it difficult for them to launch any formal appeal. In addition to that, many agencies persuade migrant domestic workers with less working experiences to accept salary that is lower than the statutory minimum wage as required by the laws of Hong Kong. Regretfully, such issues have never been addressed by the government seriously. Therefore, we urge the government to carry out formal investigations into these violations and implement stringent enforcements against these unscrupulous businesses.

Meanwhile, the Labour Department should also carry out inspections on employment agencies in order to correct any misconduct; and provide adequate assistance to those migrant domestic workers in needed.

Our Demands:

- 1) The Labour Department to step up inspections and law-enforcement, prosecute and penalize employment agencies that overcharge agency fees;
- 2) To provide adequate assistance for migrant domestic workers who are overcharged by employment agencies.
- 3) Report related problems to exporting countries of domestic workers.

Hong Kong Federation of Asian Domestic Workers Unions

Chapter:	57A	EMPLOYMENT AGENCY REGULATIONS	Gazette Number	Version Date
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		Empowering section		30/06/1997
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(Cap 57, section 62)

[1 January 1974]

(Originally L.N. 101 of 1973)

Regulation:	1	Citation		30/06/1997
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These regulations may be cited as the Employment Agency Regulations.

Regulation:	2	Applications for the issue or renewal of licences		30/06/1997
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- (1) An application for the issue or renewal of a licence under section 52 of the Ordinance shall-
 - (a) be in writing in such form as the Commissioner may determine;
 - (b) specify-
 - (i) (Repealed L.N. 159 of 1992)
 - (ii) the place, or intended place, of business of the employment agency;
 - (iii) such other particulars of the applicant and the employment agency as the Commissioner may require to be furnished to him; and
 - (c) be submitted to the Commissioner at such place and during such business hours as the Commissioner may determine.

(2) An application for the issue of a licence shall be submitted to the Commissioner, together with two recent identical photographs of the applicant, not later than one month before the applicant intends to commence business.

(3) An application for the renewal of a licence shall be submitted to the Commissioner not later than two months before the expiration thereof.

Regulation:	3	Licence fees		30/06/1997
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(1) The fees specified in the Fifth Schedule shall be payable in respect of a licence issued or renewed under section 52 of the Ordinance. (L.N. 379 of 1992)

(2) No refund of a fee paid under paragraph (1) shall be made by the Government if the licence in respect of which it is paid is revoked by the Commissioner. (L.N. 379 of 1992)

Regulation:	4	(Repealed L.N. 159 of 1992)		30/06/1997
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(Repealed L.N. 159 of 1992)

Regulation:	5	(Repealed L.N. 159 of 1992)		30/06/1997
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(Repealed L.N. 159 of 1992)

Regulation:	6	Prohibited use of licences		30/06/1997
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- (1) No person other than the licensee shall use or make use of, directly or indirectly, a licence.
- (2) A licensee shall not lend, transfer or assign his licence to another person.

Regulation:	7	Company as licensee		30/06/1997
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(1) A company to which a licence is issued shall notify the Commissioner in writing of the name of the person appointed by the company to operate, manage, or assist in the management of, the employment agency to which the

licence relates.

(2) A company to which a licence is issued shall, within fourteen days after any change in the management of its employment agency, notify the Commissioner in writing full particulars of the change.

Regulation:	8	Notification of cessation of business of employment agency	30/06/1997
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- (1) When an employment agency ceases to operate as a business the licensee shall, within seven days-
 - (a) notify the Commissioner in writing that the employment agency has ceased to operate as a business; and
 - (b) deliver his licence to the Commissioner.
- (2) On receipt of a notification and licence under paragraph (1) the Commissioner shall cancel the licence.

Regulation:	9	Notification of change of place of business of employment agency	30/06/1997
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- (1) If a licensee wishes to change the place of business of his employment agency he shall, not less than fourteen days before the change-
 - (a) notify the Commissioner in writing full particulars of the change; and
 - (b) submit his licence to the Commissioner.
- (2) On receipt of a notification and licence under paragraph (1) the Commissioner shall-
 - (a) endorse the change of address of the employment agency on the licence; and
 - (b) return the licence to the licensee.

Regulation:	10	Maximum fees and commission	30/06/1997
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- (1) (Repealed L.N. 159 of 1992)
- (2) The maximum commission which may be charged and received by a licensee in connexion with the employment of any person shall be that set out in Part II of the Second Schedule.
- (3) A licensee shall cause Part II of the Second Schedule, written both in English and in Chinese characters, to be displayed at all times in a conspicuous position at the place of business of his employment agency. (L.N. 159 of 1992)

Regulation:	11	(Repealed L.N. 159 of 1992)	30/06/1997
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(Repealed L.N. 159 of 1992)

Regulation:	12	(Repealed L.N. 159 of 1992)	30/06/1997
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(Repealed L.N. 159 of 1992)

Regulation:	13	Application for exemption	30/06/1997
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An application for the exemption of an employment agency from the provisions of Part XII of the Ordinance shall-

- (a) be in writing in such form as the Commissioner may determine;
- (b) specify-
 - (i) the place, or intended place, of business of the employment agency; and
 - (ii) such other particulars of the applicant and the employment agency as the Commissioner may require to be furnished to him; and
- (c) be submitted to the Commissioner at such place and during such business hours as the Commissioner may determine.

Regulation:	14	(Repealed L.N. 159 of 1992)		30/06/1997
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(Repealed L.N. 159 of 1992)

Regulation:	15	Application of regulations 6, 7, 8 and 9 to holders of certificates of exemption		30/06/1997
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Regulations 6, 7, 8 and 9 shall apply in the case of a person to whom the Commissioner grants exemption under section 54 of the Ordinance as if any reference in these regulations- (L.N. 159 of 1992)

- (a) to a licence were to a certificate of exemption;
- (b) to a licensee were to a holder of certificate of exemption; and
- (c) to a licensed employment agency were to an employment agency exempted under section 54 of the Ordinance.

Regulation:	16	Publication of particulars		30/06/1997
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The Commissioner shall at least once a year publish in the Gazette-

- (a) the name of each person to whom a licence or a certificate of exemption has been issued;
- (b) particulars of all licences which the Commissioner has revoked or has refused to renew; and
- (c) such other particulars as the Commissioner may determine.

Regulation:	17	Offences		30/06/1997
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(1) Any licensee who contravenes regulation 10(3) shall be guilty of an offence and shall be liable on conviction to a fine at level 3. (L.N. 159 of 1992)

(2) Any person who contravenes regulation 6(1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine at level 3.

(3) Any licensee who contravenes regulation 7(1) or (2), 8(1) or 9(1) shall be guilty of an offence and shall be liable on conviction to a fine at level 3.

(24 of 1988 s. 3; 103 of 1995 s. 27)

Schedule:	1	(Repealed L.N. 159 of 1992)		30/06/1997
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(Repealed L.N. 159 of 1992)

Schedule:	2			30/06/1997
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[regulation 10]

PART I

(Repealed L.N. 159 of 1992)

PART II

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.
- (b) (Repealed L.N. 159 of 1992)

(L.N. 159 of 1992; L.N. 139 of 1995)

Schedule:	3	(Repealed L.N. 159 of 1992)		30/06/1997
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(Repealed L.N. 159 of 1992)

Schedule:	4	(Repealed L.N. 159 of 1992)		30/06/1997
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(Repealed L.N. 159 of 1992)

Schedule:	5	FEES	L.N. 576 of 1997	17/01/1998
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[regulation 3]

Item	Particulars	Fee \$
1.	For the issue of a licence	2000
2.	For the renewal of a licence	2000
3.	For the issue of a duplicate licence	385
	(L.N. 379 of 1992; L.N. 439 of 1993; L.N. 542 of 1994; L.N. 509 of 1996; L.N. 576 of 1997)	

C189 - Domestic Workers Convention, 2011 (No. 189)

Convention concerning decent work for domestic workers (Entry into force: 05 Sep 2013)

Preamble

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 100th Session on 1 June 2011, and

Mindful of the commitment of the International Labour Organization to promote decent work for all through the achievement of the goals of the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Declaration on Social Justice for a Fair Globalization, and

Recognizing the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries, and

Considering that domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights, and

Considering also that in developing countries with historically scarce opportunities for formal employment, domestic workers constitute a significant proportion of the national workforce and remain among the most marginalized, and

Recalling that international labour Conventions and Recommendations apply to all workers, including domestic workers, unless otherwise provided, and

Noting the particular relevance for domestic workers of the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Workers with Family Responsibilities Convention, 1981 (No. 156), the Private Employment Agencies Convention, 1997 (No. 181), and the Employment Relationship Recommendation, 2006 (No. 198), as well as of the ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration (2006), and

Recognizing the special conditions under which domestic work is carried out that make it desirable to supplement the general standards with standards specific to domestic workers so as to enable them to enjoy their rights fully, and

Recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Transnational Organized Crime, and in particular its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and its Protocol against the Smuggling of Migrants by Land, Sea and Air, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and

Having decided upon the adoption of certain proposals concerning decent work for domestic workers, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this sixteenth day of June of the year two thousand and eleven the following Convention, which may be cited as the Domestic Workers Convention, 2011..

Article 1

For the purpose of this Convention:

- (a) the term ***domestic work*** means work performed in or for a household or households;
- (b) the term ***domestic worker*** means any person engaged in domestic work within an employment relationship;
- (c) a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

Article 2

- 1. The Convention applies to all domestic workers.
- 2. A Member which ratifies this Convention may, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, exclude wholly or partly from its scope:
 - (a) categories of workers who are otherwise provided with at least equivalent protection;
 - (b) limited categories of workers in respect of which special problems of a substantial nature arise.

- 3. Each Member which avails itself of the possibility afforded in the preceding paragraph shall, in its first report on the application of the Convention under article 22 of the Constitution of the International Labour Organisation, indicate any particular category of workers thus excluded and the reasons for such exclusion and, in subsequent reports, specify any measures that may have been taken with a view to extending the application of the Convention to the workers concerned.

Article 3

- 1. Each Member shall take measures to ensure the effective promotion and protection of the human rights of all domestic workers, as set out in this Convention.
- 2. Each Member shall, in relation to domestic workers, take the measures set out in this Convention to respect, promote and realize the fundamental principles and rights at work, namely:
 - (a) freedom of association and the effective recognition of the right to collective bargaining;
 - (b) the elimination of all forms of forced or compulsory labour;
 - (c) the effective abolition of child labour; and
 - (d) the elimination of discrimination in respect of employment and occupation.
- 3. In taking measures to ensure that domestic workers and employers of domestic workers enjoy freedom of association and the effective recognition of the right to collective bargaining, Members shall protect the right of domestic workers and employers of domestic workers to establish and, subject to the rules of the organization concerned, to join organizations, federations and confederations of their own choosing.

Article 4

- 1. Each Member shall set a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and not lower than that established by national laws and regulations for workers generally.
- 2. Each Member shall take measures to ensure that work performed by domestic workers who are under the age of 18 and above the minimum age of employment does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training.

Article 5

Each Member shall take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence.

Article 6

Each Member shall take measures to ensure that domestic workers, like workers generally, enjoy fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy.

Article 7

Each Member shall take measures to ensure that domestic workers are informed of their terms and conditions of employment in an appropriate, verifiable and easily understandable manner and preferably, where possible, through written contracts in accordance with national laws, regulations or collective agreements, in particular:

- (a) the name and address of the employer and of the worker;
- (b) the address of the usual workplace or workplaces;
- (c) the starting date and, where the contract is for a specified period of time, its duration;
- (d) the type of work to be performed;
- (e) the remuneration, method of calculation and periodicity of payments;
- (f) the normal hours of work;
- (g) paid annual leave, and daily and weekly rest periods;
- (h) the provision of food and accommodation, if applicable;
- (i) the period of probation or trial period, if applicable;
- (j) the terms of repatriation, if applicable; and
- (k) terms and conditions relating to the termination of employment, including any period of notice by either the domestic worker or the employer.

Article 8

- 1. National laws and regulations shall require that migrant domestic workers who are recruited in one country for domestic work in another receive a written job offer, or contract of employment that is enforceable in the country in which the work is to be performed, addressing the terms and conditions of employment referred to in Article 7, prior to crossing national borders for the purpose of taking up the domestic work to which the offer or contract applies.
- 2. The preceding paragraph shall not apply to workers who enjoy freedom of movement for the purpose of employment under bilateral, regional or multilateral agreements, or within the framework of regional economic integration areas.

- 3. Members shall take measures to cooperate with each other to ensure the effective application of the provisions of this Convention to migrant domestic workers.
- 4. Each Member shall specify, by means of laws, regulations or other measures, the conditions under which migrant domestic workers are entitled to repatriation on the expiry or termination of the employment contract for which they were recruited.

Article 9

Each Member shall take measures to ensure that domestic workers:

- (a) are free to reach agreement with their employer or potential employer on whether to reside in the household;
- (b) who reside in the household are not obliged to remain in the household or with household members during periods of daily and weekly rest or annual leave; and
- (c) are entitled to keep in their possession their travel and identity documents.

Article 10

- 1. Each Member shall take measures towards ensuring equal treatment between domestic workers and workers generally in relation to normal hours of work, overtime compensation, periods of daily and weekly rest and paid annual leave in accordance with national laws, regulations or collective agreements, taking into account the special characteristics of domestic work.
- 2. Weekly rest shall be at least 24 consecutive hours.
- 3. Periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls shall be regarded as hours of work to the extent determined by national laws, regulations or collective agreements, or any other means consistent with national practice.

Article 11

Each Member shall take measures to ensure that domestic workers enjoy minimum wage coverage, where such coverage exists, and that remuneration is established without discrimination based on sex.

Article 12

- 1. Domestic workers shall be paid directly in cash at regular intervals at least once a month. Unless provided for by national laws, regulations or collective agreements, payment may be made by bank transfer, bank cheque, postal cheque, money order or other lawful means of monetary payment, with the consent of the worker concerned.

- 2. National laws, regulations, collective agreements or arbitration awards may provide for the payment of a limited proportion of the remuneration of domestic workers in the form of payments in kind that are not less favourable than those generally applicable to other categories of workers, provided that measures are taken to ensure that such payments in kind are agreed to by the worker, are for the personal use and benefit of the worker, and that the monetary value attributed to them is fair and reasonable.

Article 13

- 1. Every domestic worker has the right to a safe and healthy working environment. Each Member shall take, in accordance with national laws, regulations and practice, effective measures, with due regard for the specific characteristics of domestic work, to ensure the occupational safety and health of domestic workers.
- 2. The measures referred to in the preceding paragraph may be applied progressively, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

Article 14

- 1. Each Member shall take appropriate measures, in accordance with national laws and regulations and with due regard for the specific characteristics of domestic work, to ensure that domestic workers enjoy conditions that are not less favourable than those applicable to workers generally in respect of social security protection, including with respect to maternity.
- 2. The measures referred to in the preceding paragraph may be applied progressively, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

Article 15

- 1. To effectively protect domestic workers, including migrant domestic workers, recruited or placed by private employment agencies, against abusive practices, each Member shall:
 - (a) determine the conditions governing the operation of private employment agencies recruiting or placing domestic workers, in accordance with national laws, regulations and practice;
 - (b) ensure that adequate machinery and procedures exist for the investigation of complaints, alleged abuses and fraudulent practices concerning the activities of private employment agencies in relation to domestic workers;

- (c) adopt all necessary and appropriate measures, within its jurisdiction and, where appropriate, in collaboration with other Members, to provide adequate protection for and prevent abuses of domestic workers recruited or placed in its territory by private employment agencies. These shall include laws or regulations that specify the respective obligations of the private employment agency and the household towards the domestic worker and provide for penalties, including prohibition of those private employment agencies that engage in fraudulent practices and abuses;
 - (d) consider, where domestic workers are recruited in one country for work in another, concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment; and
 - (e) take measures to ensure that fees charged by private employment agencies are not deducted from the remuneration of domestic workers.
- 2. In giving effect to each of the provisions of this Article, each Member shall consult with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

Article 16

Each Member shall take measures to ensure, in accordance with national laws, regulations and practice, that all domestic workers, either by themselves or through a representative, have effective access to courts, tribunals or other dispute resolution mechanisms under conditions that are not less favourable than those available to workers generally.

Article 17

- 1. Each Member shall establish effective and accessible complaint mechanisms and means of ensuring compliance with national laws and regulations for the protection of domestic workers.
- 2. Each Member shall develop and implement measures for labour inspection, enforcement and penalties with due regard for the special characteristics of domestic work, in accordance with national laws and regulations.
- 3. In so far as compatible with national laws and regulations, such measures shall specify the conditions under which access to household premises may be granted, having due respect for privacy.

Article 18

Each Member shall implement the provisions of this Convention, in consultation with the most representative employers and workers organizations, through laws and regulations, as well as through collective agreements or additional measures consistent with national practice, by extending or adapting existing measures to cover domestic workers or by developing specific measures for them, as appropriate.

Article 19

This Convention does not affect more favourable provisions applicable to domestic workers under other international labour Conventions.

Article 20

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 21

- 1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
- 2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director- General.
- 3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification is registered.

Article 22

- 1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
- 2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

Article 23

- 1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and denunciations that have been communicated by the Members of the Organization.
- 2. When notifying the Members of the Organization of the registration of the second ratification that has been communicated, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 24

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and denunciations that have been registered.

Article 25

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 26

- 1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:
 - (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 22, if and when the new revising Convention shall have come into force;
 - (b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.
- 2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 27

The English and French versions of the text of this Convention are equally authoritative.