

REGISTRATION, LICENSING AND OTHER
LEGAL REQUIREMENTS FOR
CONSULTANTS/RECRUITING AGENCIES OF OVERSEAS
EMPLOYMENT



PREPARED BY:
LEGAL SERVICES CELL, BDS

June 1, 2008

**Small and Medium Enterprise Development Authority
Government of Pakistan**

www.smeda.org.pk

HEAD OFFICE

6th Floor, LDA Plaza, Egerton Road, Lahore
Tel: (042) 111-111-456, Fax(042) 6304926-7

legal@smeda.org.pk

**HEAD OFFICE
LAHORE**

6th Floor, L.D.A Plaza,
Egerton Road
Lahore-54792
Tel: (042) 111-111-456
Fax: (042) 6304926
helpdesk@smeda.org.pk

**REGIONAL OFFICE
SINDH**

5th Floor, Baharia Complex-II,
M.T. Khan Road,
Karachi
Tel: (021) 111-111-456
Fax: (021) 5610572
helpdesk-khi@smeda.org.pk

**REGIONAL OFFICE
NWFP**

Ground floor
State Life Building
The Mall, Peshawar
Tel: (091) 9213046-47
Fax: (091) 286908
helpdesk-pew@smeda.org.pk

**REGIONAL OFFICE
BALOCHISTAN**

Bungalow No. 15-A
Chaman Housing Scheme
Airport Road, Quetta
Tel: (081) 2831702/2831623
Fax: (081) 2831922
helpdesk-qta@smeda.org.pk



ROLE OF SMEDA LEGAL SERVICES CELL

The Legal Services Cell [LSC] is a part of Business Development Division of SMEDA and plays a key role in providing an overall facilitation and support to SMEs. The LSC provides guidance based on field realities pertaining to SMEs in Pakistan and other parts of the world.

LSC believes that information dissemination among the SMEs on the existing regulatory environment is of paramount importance and it can play a pivotal role in their sustainable development.

In order to facilitate SMEs at the Micro Level LSC has developed user-friendly systems, which provide them detail description of the Laws, and Regulations including the process and steps required for compliance.

The purpose of this document is to provide SMEs with information pertaining to a registration / licensing and legal requirements for consultants/recruiting agencies of overseas employment. Entrepreneurs interested in enhancing their understanding about the procedures can also use the document and documentation required to comply with registration / licensing procedure. For convenience of the readers' sample of various forms and important addresses are also included.

DISCLAIMER

Information in this document is provided only for general information purpose and on an "as is" basis without any warranties of any kind. Use of this information is at the user's sole risk. SMEDA assume no responsibility for the accuracy or completeness of this information and shall not be liable for any damages arising from its uses."

INDEX

1)	Relevant Law	4
2)	Requirement to Establish a Consultancy/Recruiting Agency	4
3)	Procedure for Registration	4
4)	Documents Required For Registration	4
5)	Grant of License	6
6)	Renewal of License	6
7)	Important Contacts	8
8)	Form	10



1. Relevant Law

The Emigration Ordinance, 1979 is a law which deals with the registration and licensing of consultants/recruiting agencies of overseas employment.

2. Requirement to Establish a Consultancy/Recruiting Agency

Section 12 of the said ordinance requires that whoever desires to engage, or to assist or to recruit any person for the purpose , or with the intention, of working for hire or engaging in any trade, profession or calling in any country beyond the limits of Pakistan, shall apply for a license to the Federal Government.

3. Procedure for Registration

An application for the grant of a license shall be made to the Federal Government through the Director General Bureau of Emigration and Overseas Employment in triplicate in Form "2" (annexed herewith), together with a certificate of character from the District Magistrate or any other person authorized by the Federal Government in this behalf, and non-refundable application fee of Rs. 1000/-. Upon receipt of application, the Director General may require the applicant to change its name suitably in case the license has already been granted bearing the same name or similar name as that of the applicant.

4. Documents Required For Registration

Below is the list of complete documents which have to be submitted along with the application (Form 2) for the grant of license:

- a) As described above application fee of Rs. 1000/- should be deposited in the government treasury. This fee should be deposited in the shape of bank challan in the name/benefit of Director General, Bureau of Emigration and Overseas Employment in Head of Account No. 1253600(Registration & Other Fee (99-A) Application fee for New OEP's licence under Rule-8 (original and two photocopies duly attested) National Bank of Pakistan F-8 Markaz Branch, Islamabad.
- b) If the application is submitted on behalf of a limited company three attested copies of Article and Memorandum of Association or Certificate of Registration from Registrar, Joint Stock Company.
- c) If the application is submitted on behalf of a partnership firm three attested copies of Partnership Deed and Certificate of Registration.

- d) Application should also accompany with three attested copies of National Identity Card (N.I.C) of Applicant/All Partners/All Directors. These copies should be attested from both sides.
- e) Certificate of Character from the District Magistrate or any other person authorized by the Federal Government in this behalf in respect of Applicant/All Partners/All Directors.
- f) National Tax Number Certificate (N.T.N) in respect of Applicant/All Partners/All Directors.
- g) Applicant/All Partners/All Directors should also submit three duly attested copies of their Bio-Data and their Father's/Husband's Bio-Data showing date of birth, place of birth, occupation, educational qualifications, phone number, permanent and present address.
- h) Name and address of the applicant/Partner/Managing Director who will sign Foreign Service Agreement and other documents on behalf of the firm. His three specimen signatures duly attested may be also be provided in triplicate.
- i) Applicant should also provide (in triplicate) name, address and telephone number of two referenced persons. These references should be some renowned persons and know the applicant for at least five years.
- j) Banker's Certificate in triplicate on their letter Head testifying the financial soundness of the applicant.
- k) Five Passport size photographs of the applicant/each director/each partner (duly attested) two on front and three on backside respectively.
- l) Undertaking on Stamp Paper value of Rs.20/- duly attested by the Notary Public/Oath Commissioner in triplicate (one in original and two copies thereof duly attested).
- m) Bank Accounts Transaction Statement of the account in the name of applicant/each director/each partner for the last three (03) years.

- n) Apart from above documents Director General may also require some other documents as he deems fit for granting of license under the ordinance.

On being satisfied that the applicant has complied with all the requirements, the Director General shall forward the application alongwith the relevant documents to the Federal Government for consideration.

The Federal Government may, on being satisfied that the applicant has complied with all the requirements and after such inquiry as it may deem fit, approve the grant of license and direct the applicant to deposit license fee of ten thousand rupees and a security of three hundred thousand rupees for good conduct, in the following manner, namely: --

- (i) a sum one hundred thousand rupees in cash in a branch of a bank nominated by the Federal Government; and
- (ii) two hundred thousand rupees in shape of the Defence Saving Certificates pledged in the name of Joint Secretary, Labour, Manpower and Overseas Pakistanis.

5. Grant of License

After depositing of license fee and security, as described above, the Federal Government may grant a non-transferable license to the applicant in the form as set out in Form 1 (annexed herewith). A license so granted shall be valid for three consecutive calendar years and may be further renewed by the Director General Bureau of Emigration and Overseas Employment.

6. Renewal of License

Application to renew a license shall be made to the Director General in Form 3, through the Protector of Emigrants appointed by the Federal Government, at least one month before the expiry of license. The applicant shall pay renewal fee of ten thousand rupees per annum, after a demand notice has been issued by the Director General. In the case of submission of license renewal application after the expiry of the said period, an additional fee of one thousand rupees shall be charged by the applicant.

If at the time of renewal of license the Director General is satisfied that the applicant has been guilty of misconduct or his performance has been unsatisfactory or he has committed breach of the provisions of the Ordinance, he may, by written order, refuse to renew the license after giving the applicant an

opportunity of being heard. In the case of rejection of renewal of license by the Director General, applicant may file appeal to the Federal Government.

IMPORTANT CONTACTS

Head Office

Bureau of Emigration & Overseas Employment
14-C, F-8 Markaz Ayub Market Islamabad
92-051-9260623-24
Fax: 92-0519261014
www.beoe.gov.pk

Regional Offices

Punjab

Mr. Muhammad Qasim Bhutta
Protector of Emigrants
117-G, Model Town,
Lahore
Tel: 041-9230338, 9230487, 5847991, 9230487
Fax: 042-9230492

Mr. Akhtar Anwar Seddeqi
Protector of Emigrants
House No. 200 Street No. 3,
Gulraiz Colony Allah Shafi Chowk MDA Road
Multan
Phone: 061-9201177
Fax: 061-9201356

Mr. Rizwan Ahmed
Protector of Emigrants
20-1/B, Samar Plaza, Chandni Chowk,
Satellite Town,
Rawalpindi
Tel: 051-9290439, 9290440, 9290543
Fax: 051-9290442

Balochistan

Mir Ghulam Hussain Talpur
Protector of Emigrants,
Query Road, Quetta
Tel: 081-9202436
Fax: 081-9202436

Sindh

Mr. Ghulam Hyder Khaskheli
Protector of Emigrants
Zeeshan Center 7 & 8 Block, KCHS,
Union Area Shaheed-e-Millat Road,
Karachi
Tel: 021- 4531941, 4538990, 4538090
Fax: 021-4531940

NWFP

Mr. Ahmed Jan
Protector of Emigrants
9th Floor, State Life Corporation Building
34-The Mall, Peshawar Cantt
Tel: 091-9212204, 9212287
Fax: 091- 9212287

Mr. Ghulam Rabbani Ch.
Protector of Emigrants
Bahadar Khan Plaza, Main Bathkela,
Bazar Malakand Agency,
Tel: 0932- 412483
Fax 0932-412221

FORM 2
(See rule 8 (1))

The Federal Government
Through
The Director General,
Bureau of Emigration and Overseas Employment,
Government of Pakistan

APPLICATION FOR OVERSEAS EMPLOYMENT PROMOTER'S LICENSE

(To be submitted in triplicate)

Sir,

I/We wish to obtain an Overseas Employment Promoter's License for the purpose of assisting citizens of Pakistan with employment in foreign countries and furnish my/our particulars and qualifications as under: --

1. Name of Applicant (in capital letters) _____
2. Father's name (in capital letters) _____
3. Name and father's name of Partner(s) if any _____
4. Address _____
5. Domicile of the applicant _____
6. Previous experience in handling and supply of artisans/labour to construction/business firms/contractors, either at home or abroad (give details and attach documentary proof). _____
7. Business contract, if any with firms in foreign countries (give details and attach documentary proof). _____
8. Financial status and ability to meet initial expenses in exploring foreign labour markets (Banker's certificate to be enclosed) _____
9. Additional information, if any, in support of application _____

10. Declaration

- (a) I/We have read the Emigration Ordinance, 1979, and undertake to abide by the provisions of the Ordinance, the Rules and instructions issued or to be issued by the Government or the Bureau of Emigration from time to time.
- (b) I/We undertake to deposit a security of three hundred thousand rupees in the following manner, namely: --
 - (i) a sum of one hundred thousand rupees in cash in a branch of a bank nominated by the Federal Government; and
 - (ii) two hundred thousand rupees in shape of the Defence Saving Certificates pledged in the name of Joint Secretary, Labour Manpower and Overseas Pakistan.
- (c) I/We enclose the following: --
 - (i) Character Certificate
 - (ii) Banker's Certificate
 - (iii) Treasury challan of one thousand rupees as application fee.

Signature 1. _____
2. _____
3. _____

(To be signed by all the partners in case of unregistered firm).

Form 1
(See rules 7 and 8 (4))
OVERSEAS EMPLOYMENT PROMOTER'S LICENCE
(Non-transferable)

Space for Photograph
of proprietor

No

Mr./Miss/Mrs. whose
photograph is affixed above, is hereby authorized to engage in assisting persons
to emigrate for the purpose of employment by obtaining, or helping to obtain, for
them the necessary passages from Pakistan, subject to the provisions of the
Emigration Ordinance, 1979 (XVIII of 1979), and the Emigration Rules, 1979.

This license expires on theday of.....20.....

ISLAMABAD:
Dated the.....

SECRETARY
to the Government of Pakistan

