

Dear Key Appointment Holder and EA Personnel,

The Ministry of Manpower (MOM) is aware that some Employment Agencies (EA) currently employ work pass holders and deploy them to client companies to supplement the latter's workforce.

MOM wishes to remind you that such supply of labour services is only allowed under certain conditions for the construction and process sectors, or if your EA has been given express approval to do so.

The supply of labour services outside of these circumstances contravenes the Employment of Foreign Manpower Act (EFMA) and Employment of Foreign Manpower (Work Passes) Regulations (EFMR).

If your EA has been engaging in such an unauthorised practice, you must take the necessary steps to terminate or rectify any contractual and on-ground arrangements with your client companies immediately. MOM will be conducting checks in the coming months to ensure compliance. If any EAs are found to be providing such labour supply services illegally, enforcement actions*, ranging from demerit points to prosecution in egregious cases, may be taken against the EAs.

For more information, please refer to the following MOM [webpage](#).

If you have any queries, you may write to mom_fmmd@mom.gov.sg or call us at 6438 5122.

Thank you.

Adrian Quek
Commissioner for Employment Agencies
Ministry of Manpower

* Under section 5(1) EFMA, anyone who employs a foreigner without a valid work pass can be fined up to \$30,000, or imprisoned up to 2 years, or both. EAs who abet the offence by supplying their foreign employees to work illegally for other companies may face the same penalties.

Under Conditions 1 and 2 to Part IV of the 4th Schedule and Part II of the 5th Schedule of the EFMR, the employer shall control and supervise the foreign employee and not permit the employee to be employed by or contracted to any other person or business to do work for that person or business. Employers who fail to do so can be fined up to \$10,000.