



# Regulation of Registered Migration Agents

## COST RECOVERY IMPLEMENTATION STATEMENT

*June 2025*

Charging for regulatory activity involves government entities charging individuals or organisations in the non-government sector some or all of the minimum efficient costs of a specific government activity. The Government's Charging Policy consists of the Australian Government Charging Framework (the Charging Framework) and the Cost Recovery Guidelines (the CRGs) and sets out the policy under which government entities design, implement and review charging for regulatory activities. The CRIS is the public document to ensure the transparency and accountability for the level of the charging and to demonstrate that the purpose for charging, as decided by the Australian Government is being achieved.

## Table of Contents

<b>1. INTRODUCTION</b>	3
1.1. Purpose of the CRIS	3
1.2. Description of Regulatory Activity	3
<b>2. POLICY AND STATUTORY AUTHORITY TO CHARGE (COST RECOVER)</b>	4
2.1. Government Policy Approval	4
2.2. Statutory Authority to Charge	4
<b>3. CHARGING MODEL</b>	5
The key driver for regulatory activity is the number of Migration Agent Registrations and Continuing Professional Development Providers.	5
3.1. Activities, Outputs and Business Processes	5
3.2. Cost of Activities, Outputs and Business Processes	6
3.3. Design of Cost Recovery Charges	8
<b>4. RISK ASSESSMENT</b>	8
4.1. Charging Risk Assessment	8
<b>5. STAKEHOLDER ENGAGEMENT</b>	9
5.1. Stakeholder Engagement Strategy	9
5.2. Summary of Engagements	9
5.3. Stakeholder Views	10
<b>6. FINANCIAL DATA - HISTORICAL</b>	12
6.1. Historical Revenue and Expense data	12
6.2. Balance Management Strategy Explained	12
6.3. Variances Explained	13
<b>7. FINANCIAL PERFORMANCE</b>	14
7.1. Variances Explained	14
<b>8. NON-FINANCIAL PERFORMANCE</b>	15
8.1. Metrics for Non-Financial Performance	15
8.2. Date Metrics Were Last Reviewed	15
<b>9. KEY FORWARD DATES AND EVENTS</b>	15
9.1. Schedule for Updates to the CRIS	15
9.2. Portfolio Charging Review and Other Key Dates	16
<b>10. CRIS APPROVAL AND CHANGE REGISTER</b>	16
10.1. CRIS Approved by Accountable Authority	16

# 1. INTRODUCTION

## 1.1. Purpose of the CRIS

This Cost Recovery Implementation Statement (CRIS) provides information on how the Department of Home Affairs (the Department) through the Office of the Migration Agents Registration Authority (OMARA) implements cost recovery charging for the regulation of registered migration agents. It reports actual financial and non-financial performance information for the regulation of registered migration agents.

## 1.2. Description of Regulatory Activity

The OMARA is responsible for regulating Registered Migration Agents. OMARA ensures that only individuals who meet specific qualifications and character standards are registered as migration agents. It also investigates complaints about registered migration agents (RMAs) to safeguard consumer interests. OMARA currently regulates over 5000 RMAs.

As part of its regulatory responsibilities, OMARA will:

- ensure that RMAs are aware of their obligations
- maintain a Register of RMAs
- ensure that RMAs undertake continuing professional development before being re-registered
- handle complaints about RMAs
- take appropriate disciplinary action against RMAs who fail to meet the required Code of Conduct standards<sup>1</sup>.

OMARA's regulatory functions include:

- processing registration applications for individuals seeking to become registered migration agents
- monitoring RMAs' conduct in providing immigration assistance
- investigating complaints related to RMAs' provision of immigration assistance
- taking appropriate disciplinary action against RMAs or former RMAs
- reporting apparent offences related to registered migration agents and/or immigration assistance to the appropriate prosecuting authorities
- monitoring the adequacy of the Migration Agents Code of Conduct
- ensuring only those RMAs who meet the continuing professional development (CPD) requirements are re-registered.

Additionally, OMARA plays a role in overseeing CPD entities. OMARA assesses and decides applications from people applying to become CPD providers and deliver CPD courses to RMAs.

---

<sup>1</sup> <https://www.mara.gov.au/tools-for-registered-agents/code-of-conduct>

## 2. POLICY AND STATUTORY AUTHORITY TO CHARGE (COST RECOVER)

### 2.1. Government Policy Approval

The decision to impose regulatory charges for OMARA was first announced as part of the Australian Government's 2009-10 Budget<sup>2</sup>. This policy decision aimed to make OMARA's operations financially self-sustaining through full cost recovery.

The policy decision was part of the 2009-10 Budget process and announced that OMARA would move to a full cost recovery model. This meant that all costs associated with OMARA's regulatory activities, including the registration and oversight of migration agents, would be covered by fees charged to RMAs.

OMARA implemented a structured fee schedule beginning in the 2009-10 financial year, designed to fully recover the costs associated with its regulatory activities. The actual registration fees for migration agents have remained unchanged since before OMARA's establishment in 2009.

### 2.2. Statutory Authority to Charge

An individual seeking to become a Registered Migration Agent must submit an application along with the prescribed application fee. The authority to charge for an initial registration application or the annual renewal of registrations is established by the following legislation:

- **Migration Act 1958**<sup>3</sup>: Serves as the primary legislation governing migration agent regulation in Australia;
- **Migration Agents Registration Application Charge Act 1997**<sup>4</sup>: Authorises the imposition of charges for migration agent registration applications.
- **Migration Agents Registration Application Charge Regulations 1998**<sup>5</sup>: Specifies the amounts for fees related to migration agent registration applications.
- **Migration Agents Registration Application Charge Amendment (Rates of Charge) Act 2020**<sup>6</sup>: Amends the *Migration Agents Registration Application Charge Act 1997* to provide that migration agents who paid the non-commercial charge in relation to their current registration but subsequently give commercial advice are liable to pay an adjusted charge.
- **Migration Amendment (Regulation of Migration Agents) Act 2020**<sup>7</sup>: Updates provisions for adjusted fees for migration agents registered on a non-commercial basis who subsequently provide commercial immigration assistance.
- **Migration Agents Instrument 2017**<sup>8</sup>: Establishes the fees for Continuing Professional Development (CPD) provider applications.

**Fee History:** Fees for initial and repeat migration agent registrations have remained unchanged since before the establishment of the OMARA in 2009. The last recorded adjustments to registration fees occurred in 2005.

---

<sup>2</sup> <https://archive.budget.gov.au/2009-10/index.htm>

<sup>3</sup> [https://classic.austlii.edu.au/au/legis/cth/consol\\_act/ma1958118/](https://classic.austlii.edu.au/au/legis/cth/consol_act/ma1958118/)

<sup>4</sup> <https://www.aph.gov.au/binaries/library/pubs/explanmem/docs/emmigrationagentsregistrationapplicationchargeact1997.pdf>

<sup>5</sup> [https://classic.austlii.edu.au/au/legis/cth/consol\\_reg/maracr1998571/](https://classic.austlii.edu.au/au/legis/cth/consol_reg/maracr1998571/)

<sup>6</sup> [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Bills\\_Search\\_Results/Result?bld=r6446](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bld=r6446)

<sup>7</sup> [https://classic.austlii.edu.au/au/legis/cth/num\\_act/maomaa2020486/](https://classic.austlii.edu.au/au/legis/cth/num_act/maomaa2020486/)

<sup>8</sup> [https://www.mara.gov.au/about-omara-subsite/Files/OMARA\\_Instrument\\_CPD\\_17\\_047.pdf](https://www.mara.gov.au/about-omara-subsite/Files/OMARA_Instrument_CPD_17_047.pdf)

## 3. CHARGING MODEL

This section details the charges associated with regulatory activities. Activities involved include the registration of migration agents, compliance monitoring, continuing professional development, and related processes.

The key driver for regulatory activity is the number of Migration Agent Registrations and Continuing Professional Development Providers.

### 3.1. Activities, Outputs and Business Processes

#### 3.1.1 Key Business Processes:

##### Registration Process:

- **Application Assessment:** Assessing and deciding applications for new registrations and renewals.
- **Fee Collection:** Processing fees associated with registration. This charge includes two components—a registration fee and a regulatory levy—which are collected as a single payment to simplify the transaction for registrants while ensuring both regulatory and operational costs are covered.

##### Professional Development:

- **Processing applications for CPD Provider status:** Assessing and deciding applications for providers of continuing professional development activities.

##### Compliance and Monitoring:

- **Audits and Inspections:** Conducting checks to ensure compliance with regulatory standards.
- **Compliance Actions:** Managing cases of non-compliance identified through monitoring activities.

##### Complaints Processing:

- Triaging and assessing all complaints received and finalising those that do not progress to investigation.

##### Investigations:

- **Enforcement Actions:** Undertaking investigations of alleged misconduct.
- **Disciplinary Action:** Undertaking processes to issue a sanction for misconduct.

##### Example Output:

- **Fee-type Output:** Registration of a new migration agent.

#### 3.1.2 Charging Structure Factors

Charging for Migration Agent regulation is based on three key factors:

##### Type of Application:

- **Registration as a Migration Agent:** The applicant is seeking registration as a migration agent; or
- **Approved Provider of Continuing Professional Development (CPD):** The applicant is seeking approval as a CPD provider for registered migration agents.

### **Nature of Registration:**

- **New Registration or a Repeat:** The application may be for initial registration or the renewal of their registration.

### **Basis of Service Provision:**

- **Commercial or Non-Commercial Basis:** Determining whether the applicant intends to offer migration services on a commercial or non-commercial basis.

## **3.2. Cost of Activities, Outputs and Business Processes**

This section focuses on detailing the direct and indirect costs of the OMARA program, cost drivers, and assumptions in respect of OMARA regulatory outputs and functions.

### **3.2.1 Identifying Direct and Indirect Costs**

#### **Direct Costs**

For OMARA, the direct costs associated with the regulatory activities include:

#### **Registration Process Costs:**

- Staff salaries (including salary on costs) directly involved in the processing of initial registration and renewal applications for migration agents.
- Costs associated with reviewing documentation, IT system usage specific to processing applications, and communications with applicants.

#### **Complaint Processing Costs:**

- Costs related to triaging and assessing all complaints

#### **Compliance Monitoring Costs:**

- Expenses related to audits, investigations, enforcement actions, and inspections to ensure that registered migration agents comply with regulatory standards.
- Costs of IT systems and tools used in tracking and reporting compliance issues.

#### **Continuing Professional Development (CPD) Oversight Costs:**

- Costs related to assessing and deciding applications for CPD provider status and monitoring activities to ensure that providers continue to meet the provider standards.

#### **Investigations Costs:**

- Costs related to investigations of alleged misconduct by registered and formerly registered migration agents.

### **3.2.3 Indirect Costs**

Indirect costs for OMARA's operations include:

- **Administrative Overheads:** General administrative expenses such as office space, utilities, and supplies that support the overall functioning of OMARA.
- **IT Infrastructure and Support:** Shared IT resources that support multiple regulatory activities, including application processing and compliance monitoring.
- **Corporate Support Services:** Shared services, such as finance, human resources, and legal support that are necessary for OMARA's operations but not directly linked to a specific output.

- **Program Management:** Costs associated with overseeing the implementation and management of various programs and initiatives within OMARA, ensuring alignment with regulatory objectives.
- **Communications:** Expenses related to communicating with stakeholders, including outreach, information dissemination, and managing public relations that support OMARA's mission.
- **Stakeholder Engagement:** Costs incurred in engaging with stakeholders, such as consultation processes, workshops, and meetings to gather feedback and foster relationships with the migration agent community and other relevant parties.

### 3.2.4 Identifying Cost Drivers

The primary cost drivers for OMARA's regulatory activities include:

- **Number of Registration Applications:** The volume of applications for both initial registration and renewals directly impacts the processing costs.
- **Investigations and disciplinary action:** The volume of complaints and referrals received directly impacts the complaints investigations and disciplinary decision processing costs.
- **Compliance and Monitoring Requirements:** The frequency and scope of compliance and monitoring activities, including audits and investigations, drive the costs associated with compliance and monitoring.
- **CPD Provider Applications:** The number of applications received for CPD provider status influences the costs of CPD oversight.

### 3.2.5 Assumptions about Expected Quantity of Outputs

To estimate the cost per output and the total annual cost, the following assumptions are made:

- **Expected Volume of Applications:** It is assumed that OMARA will process a certain number of new and renewal registration applications each year.
- **Expected Volume of Complaints:** Assumptions about the number of complaints to be processed is based on historical data and expected trends.
- **Investigations and Disciplinary Action:** Assumptions about the number of investigations and the number of agents to be subject to disciplinary action is based on historical data and expected trends.
- **Compliance Activities:** Assumptions about the number of compliance and monitoring actions, such as audits or investigations, are made based on historical data and expected trends.
- **CPD Oversight:** The expected number of CPD provider applications and the ongoing monitoring activities are also estimated based on previous years.

### 3.2.6 Costing Each Output

#### **Registration Applications (Initial and Renewal):**

- The cost per application is determined by dividing the total costs associated with the registration process by the expected number of applications.
- The total annual cost for this output is calculated by multiplying the cost per application by the total number of applications processed.

### 3.2.7 Total Cost for the Year

The total annual cost of OMARA's regulatory activities is the sum of the costs for registration processing, complaints processing, compliance and monitoring, and CPD oversight.

## 3.3. Design of Cost Recovery Charges

### 3.3.1 Rationale for Charging Mechanism

OMARA's cost recovery charges are currently designed to ensure that the costs of regulatory activities are allocated between those individual users who create the regulatory demand. Table 1 reflects application costs, demand and estimated revenue for the different groups.

**Table 1: Current Fee with Current Volume**

Application Type	Expenses per Application - Potential Fee	Estimated volume base on the model	Total Estimated Revenue from Application Type
<b>General – initial application</b> (Initial Migration Agent Registration Application)	\$1,760	350	\$616,000
<b>Non-commercial – initial application</b> (Initial Registration of Non-Commercial Migration Agent)	\$160	11	\$1,760
<b>General – repeat application</b> (Annual Re-Registration of Migration Agent Application)	\$1,595	4,650	\$7,416,750
<b>Non-commercial – repeat application</b> (Re-Registration of Non-Commercial Migration Agent)	\$105	140	\$14,700
<b>Continuing Professional Development Provider Application</b>	\$1,240	10	\$12,400
<b>Total Fee for Service Revenue from All Application Types</b>			<b>\$8,061,610</b>

### 3.3.2 Fees for Service Arrangements:

- **Initial Registration and Renewal:** These services directly benefit individual migration agents by enabling them to legally practise as registered migration agents. The fees are set at full cost recovery, meaning the cost of processing these applications is fully borne by the applicants.
- **CPD Provider Approval:** This fee is linked to CPD providers who directly benefit from the approval process. The cost of evaluating and approving these providers is recovered through the fees charged to applicants.

## 4. RISK ASSESSMENT

### 4.1. Charging Risk Assessment

OMARA has undertaken a risk assessment consistent with the requirements<sup>9</sup> set out by the Department of Finance in assessing regulatory charging arrangements.

The regulatory charging risk assessment had an outcome of 'Low Risk'.

<sup>9</sup> [Department of Finance Charging Risk Assessment requirements](#)

## 5. STAKEHOLDER ENGAGEMENT

### 5.1. Stakeholder Engagement Strategy

OMARA's stakeholder engagement strategy aims to foster transparent communication and collaboration with registered migration agents, their clients, and the public. This strategy includes regular consultations, feedback mechanisms, and ongoing support to address the needs and concerns of all stakeholders involved in migration agent regulation.

### 5.2. Summary of Engagements

#### 5.2.1 Reviews of OMARA Regulation

The OMARA and its predecessors have an extensive engagement and review history, leading to various recommendations. Key reviews include:

- **1997** – Review of the Migration Agents Registration Scheme: Found that full regulation had achieved mixed results.
- **1999** – Review of Statutory Self-Regulation of the Migration Advice Industry by the Department of Immigration and Multicultural Affairs (DIMA): Concluded that while statutory self-regulation had achieved its initial objectives, the industry was not yet ready to move to full self-regulation and needed more time to establish itself.
- **2000** – Ernst and Young Review of the Migration Agents Registration Authority: Recommended operational improvements within the authority.
- **2000-01** – Review of Entry Level Knowledge Requirements by the MARA: Resulted in implemented changes to requirements.
- **2001-02** – Review of Statutory Self-Regulation of the Migration Advice Industry: Found the industry was not yet ready for voluntary self-regulation.
- **2007/2008** – Review of Statutory Self-Regulation of the Migration Advice Profession by John Hodges: Recommended establishing an independent statutory authority with greater powers to protect consumers and strengthen the regulatory framework.
- **2010** – Annual Review of Regulatory Burdens on Business: Recommended removing lawyers from OMARA regulation.
- **2014** – Kendall Review conducted by Dr Christopher Kendall: Focused on various aspects of migration agent regulation, including associated charges.
- **2019** – Joint Standing Committee on Migration (JSCOM) Inquiry: Recommended the Australian Government undertake a review of current registration requirements for migration agents.
- **2021** – Migration Agents Instrument Review (Internal Review).
- **2023** – The Nixon Review (Rapid Review): Made several recommendations regarding the regulator, including strengthening background checking processes during registration and capability uplift in compliance and investigative functions.
- **2023/24** – Australian National Audit Office Review: Found that the OMARA could improve its regulatory practices.

The most recent reviews include the Nixon Review conducted in 2023 and the Australian National Audit Office (ANAO) audit conducted on the OMARA during late 2023 and early 2024. Both reviews made recommendations that the Department has agreed with and is working to implement.

### 5.2.2 OMARA Consultative Forums

The OMARA meets quarterly with the two professional associations representing registered migration agents in Australia—the Migration Institute of Australia and the Migration Alliance—to discuss matters relevant to the regulation of the profession. The OMARA has also benefited from quarterly engagement with the Administrative Review Tribunal (ART), previously known as the Administrative Appeals Tribunal (AAT).

Additionally, the OMARA engages with international regulatory counterparts from Canada, the United Kingdom, and New Zealand to share information and regulatory learnings.

On a day-to-day basis, OMARA actively engages with stakeholders by receiving and addressing enquiries and feedback through multiple channels. These include:

- **Phone:** Direct verbal interactions with registered migration agents, their clients, and the general public.
- **Email:** Written correspondence for detailed inquiries and feedback.
- **In-Person:** Face-to-face meetings and discussions to gather insights and address concerns.
- **OMARA Website:** The OMARA website acts as a communication conduit between agents and the regulator.

This ongoing engagement helps ensure that OMARA remains responsive to the needs and concerns of its stakeholders, continuously improving its services and regulatory practices.

## 5.3. Stakeholder Views

Effective communication with stakeholders is crucial, and a structured feedback loop is essential for ensuring that their views are acknowledged and addressed. This section outlines how stakeholder feedback is managed and communicated:

- **Feedback Loop:**
  - **Timeliness:** Professional associations receive structured quarterly updates to keep them informed about how their feedback is being considered. Other stakeholders receive focused communications on the status of their feedback.
  - **Clarity:** Feedback is communicated in clear and straightforward language to ensure stakeholders understand how their views have influenced decisions.

- **Key Themes:**
  - **Identification:** Common concerns or suggestions raised by multiple stakeholders will be highlighted to identify key areas for improvement.
  - **Reflection:** These themes are communicated back to stakeholders, ensuring transparency in the process.
- **Department's Position:**
  - **Acceptance:** Views or suggestions that have been accepted will be integrated into decision-making processes, with updates provided on implementation.
  - **Noting:** Suggestions that have been noted but not acted upon will be specified, along with rationale where applicable.
- **Communication of Outcomes:**
  - **Reporting:** Stakeholders will receive updates on how their feedback has influenced decisions, including summarised reports posted on the OMARA website where appropriate.
  - **Engagement:** Ongoing engagement will keep stakeholders informed about progress and any further actions, with opportunities for follow-up discussions.

This approach ensures that stakeholder feedback is not only collected but also actively used to shape outcomes, fostering a transparent and responsive relationship.

Under agreed Terms of Reference between the OMARA and the two professional associations, the structured quarterly meetings have three broad objectives:

- **Information Sharing:** Identify and share key issues and data on the regulation of registered migration agents
- **Feedback Mechanism:** Provide an opportunity to share feedback and canvass perspectives on the regulation of migration agents and the migration advice industry.
- **Networking:** Build trusted relationships between the government and professional associations.

These meetings serve as a valuable tool for ensuring two-way feedback on matters crucial to the effective regulation of the profession.

## 6. FINANCIAL DATA - HISTORICAL

### 6.1. Historical Revenue and Expense data

Table 2 outlines historical financial data regarding the provision of registration services and expenses incurred by OMARA.

Registration services include both initial and repeat registration as a migration agent every 12 months, and Continuing Professional Development provider registration and reregistration fees, every 24 months.

**Table 2: Historical Revenue and Expenses**

Financial Item	2020-21	2021-22	2022-23	2023-24	Total
Revenue	\$9,302,159	\$7,741,905	\$7,813,376	\$8,110,305	<b>\$32,967,745</b>
Expenses	\$6,115,708	\$7,303,636	\$8,669,955	\$12,243,968	<b>\$34,333,267</b>
Balance	\$3,186,451	\$438,269	-\$856,579	-\$4,133,663	<b>-\$1,365,522</b>

### 6.2. Balance Management Strategy Explained

#### Strategy Overview:

- **Management Approach:** The strategy for managing the balance involves regular monitoring of expenses and revenue to ensure that any surpluses or deficits are promptly identified and addressed.
- **Financial Controls:** Financial controls will include budget reviews, expenditure approvals, and variance analyses to effectively manage the balance.

#### Actions for Surpluses:

- **Monitoring and Assessment:** The Cost Centre Manager (CCM) conducts monthly financial reviews to monitor surpluses or deficits. This ongoing evaluation is crucial for maintaining financial health and guiding any strategic decisions.
- **Use and Reallocation:** Any potential surplus is reviewed in collaboration with the Business, Internal Budgets, and Revenue Management teams. As OMARA is funded through departmental appropriation, surpluses would generally revert to the department's budget rather than being retained for OMARA-specific projects.

#### Actions for Deficits:

- **Mitigation Measures:** Any overspend will prompt the CCM to take targeted actions to identify and address underlying causes. In line with practices in other departmental cost centres, OMARA may consider reprioritising budget allocations and offsetting expenditures to remain within the departmental appropriation.
- **Cost Management:** As OMARA relies on the Department of Home Affairs' departmental appropriation rather than external revenue, the Department will perform a thorough assessment of any budget shortfall. This will include aligning staffing levels and supplier contracts with OMARA's strategic objectives, optimising expenditures to adhere to allocated funding.
- **Resource Reallocation:** Since OMARA's funding is exclusively through the Department of Home Affairs, traditional revenue-generation options are not feasible. Instead, the CCM can

focus on enhancing internal efficiencies and reallocating existing resources to counterbalance potential deficits, thereby supporting OMARA's objectives within the confines of appropriated funds.

#### **Monitoring and Reporting:**

- **Regular Reviews:** Financial status and expenditure forecasts are reviewed monthly, allowing for timely adjustments and informed decision-making. Revenue reporting is managed by the Business and Revenue Management teams, ensuring transparency and accountability.
- **Reporting Mechanisms:** Financial status is systematically tracked and reported through internal system reporting, providing a reliable framework for monitoring financial performance and facilitating effective communication of financial information to stakeholders.

### **6.3. Variances Explained**

#### **Explanation of Variances:**

To ensure transparency in financial reporting, OMARA maintains detailed records to explain variances between projected and actual financials. These variances may arise from operational demand changes, policy adjustments, market-driven costs, and unforeseen expenses.

#### **Variance Categories**

OMARA's financial team will categorise variances as follows:

- **Controllable:** Factors within OMARA's influence, such as staffing adjustments and discretionary spending. For example, variations in staffing levels or internal process improvements may impact expenses.
- **Uncontrollable:** External factors like inflation, policy changes, or economic fluctuations that impact costs. For instance, higher inflation or currency fluctuations can lead to unexpected increases in supplier costs.

#### **Revenue and Expense Variance**

Revenue may fall short of projections due to lower engagement with OMARA's services, driven by reduced demand, economic conditions, or policy implementation delays. Conversely, unexpected operational costs can arise from wage increases, new compliance requirements, or shifts in service delivery, leading to budget variances.

#### **Policy and Compliance Adjustments**

Changes in policy or compliance standards can necessitate budget reallocations and increase costs, such as those associated with training or audits required by new regulations.

#### **Unforeseen External Factors**

External economic conditions, including inflation and economic downturns, can impact both revenue and expenditures. For example, higher-than-anticipated inflation can increase costs for essential materials and services.

#### **Threshold for Action**

A significant variance—defined as a deviation of 10-15% or more from budgeted values—will prompt a review to identify root causes and whether existing mitigation strategies are addressing those underlying drivers or whether a more forensic assessment is required.

#### **Mitigation and Adjustment**

For significant variances, OMARA may take immediate actions such as postponing non-critical projects or adjusting discretionary spending. For ongoing variances, adjustments to resource allocations or project reprioritisation may be necessary, or if the situation warrants an increase in charges.

## Trend Analysis and Continuous Improvement

Recurring variance trends will drive refinements to forecasting methods, enhancing the accuracy of future projections and contributing to effective fiscal management.

# 7. FINANCIAL PERFORMANCE

## 7.1. Variances Explained

### Revenue Variances:

- **2020-21:** The estimated revenue of \$11.8 million exceeded the actual revenue of \$9.3 million by \$2.5 million. This actual shortfall was due to lower-than-expected migration agent registrations because lawyers were removed from the OMARAs regulatory remit in March 2021. COVID-19-related restrictions and uncertainty also impacted agent registration numbers, while also deterring clients from engaging in migration activities.
- **2021-22:** Actual revenue further decreased to \$7.7 million, reflecting ongoing disruptions from the pandemic. The decrease can be attributed to persistent border closures and changes in immigration policies, which resulted in fewer applications and reduced revenue from fees.
- **2022-23 and 2023-24:** Revenue estimates of \$9.3 million were higher than the actual revenue of \$7.8 million and \$8.1 million, respectively. These figures indicate a slower-than-expected recovery in migration agent activities, as the industry grappled with ongoing challenges such as market fluctuations, regulatory changes, and public sentiment regarding migration.

### Expense Variances:

- **Overall Trends:** Actual expenses have consistently exceeded estimates. This trend suggests that OMARA faced increased regulatory and operational demands, which likely included heightened staffing costs, compliance measures, and operational enhancements to meet evolving regulatory standards.
- **Staffing Costs:** The staffing footprint of the OMARA has been steadily rising over recent years in direct response to the 2023 Rapid Review into the Exploitation of Australia's Visa System and the 2024 Australian National Audit Office Report.

### Expenditure Growth:

- Compared to FY2022, total expenditure for FY2023 rose, primarily driven by employee expenses. Additionally, increases were observed in travel and Information and Communication Technology (ICT) consumables, which were necessary for efficient operations.
- FY2023-24 saw a marked increase in OMARA's spending, with an increase of \$3.5 million from FY2022-23 total expenditure. Key drivers included:
  - **Employee Expenses:** An increase of \$1.1 million from FY23, resulting from expanded staffing levels. This staffing boost is essential for improving service delivery and operational efficiency.
  - **Suppliers:** A continued contract with DIALOG for cloud computing and software licenses of \$1.1 million. This investment reflects OMARA's ongoing commitment to modernising its technological infrastructure and enhancing service delivery.
  - **Nixon Review Implementation:** Increased investment aimed at implementing the recommendations of the Nixon review, which seeks to enhance OMARA's investigative capabilities and ensure robust regulatory oversight.

## 8. NON-FINANCIAL PERFORMANCE

### 8.1. Metrics for Non-Financial Performance

OMARA's non-financial performance metrics are focused on its regulatory responsibilities, aiming to ensure the registered migration agent profession operates ethically and in compliance with Australian law. These metrics measure the success of OMARA's role in undertaking its legislative functions, upholding professional standards and protecting consumers. Key performance metrics include:

- **Processing Times for Initial and Repeat Registrations:** Measures the time taken to process applications for new and returning migration agents.
- **Agent Compliance with the Code of Conduct:** Tracks how well registered migration agents adhere to the Migration Agents Code of Conduct.
- **Complaints Management:** Monitors the number of complaints received about registered migration agents, the resolution time, and the outcomes of investigations.

These metrics ensure that OMARA's regulatory framework remains transparent, efficient, and aligned with the policy objectives of protecting the integrity of the registered migration agent profession.

### 8.2. Date Metrics Were Last Reviewed

The performance metrics were last reviewed in **2024** as part of OMARA's ongoing efforts to align its regulatory activities with industry needs and government policy objectives. This review ensured the metrics remain relevant and reflective of the evolving regulatory environment. The next scheduled review is in **2025** ensuring continuous improvement and responsiveness to emerging challenges.

OMARA's ongoing review of its metrics ensures a robust regulatory framework that can adapt to shifts in the migration advice landscape. The **2025** review is expected to incorporate data on emerging issues and risks so as to inform effectiveness and efficiency of the regulatory activities.

Regular consultations with agents, consumers, and government stakeholders will further enhance the relevance and effectiveness of OMARA's non-financial performance metrics, keeping them aligned with both regulatory demands and public expectations.

## 9. KEY FORWARD DATES AND EVENTS

### 9.1. Schedule for Updates to the CRIS

Table 3 and 4 includes key dates related to the updating and approval of the CRIS, which are essential for ensuring ongoing compliance and operational effectiveness.

**Table 3: Updates to the OMARA CRIS**

Date of change	Event	Description
2025	Next Scheduled Update of Financial Outcomes	Review of OMARA's financial performance against budget projections to identify variances ahead of new FY.
2026	CRIS Publication	Revised regular publication of up to date CRIS

## 9.2. Portfolio Charging Review and Other Key Dates

This section outlines the timeline for the upcoming portfolio charging review, which is crucial for assessing OMARA's cost-recovery framework and other significant dates and events, including stakeholder engagement activities, and potential changes to fees or levies, which may impact OMARA's operations.

**Table 4: Portfolio Charging Review and Other Key Dates**

Date of change	Event	Description
2025	Next Scheduled Portfolio Charging Review	Comprehensive assessment of OMARA's cost-recovery framework for compliance and sustainability.
2026	Next Scheduled Stakeholder Engagement Round	Consultations with RMAs and stakeholders to discuss potential updates to the CRIS and gather feedback.
2026	Remade Legislative Instruments come into force	The Four Legislative Instruments that govern the regulation of migration advice in Australia are due to Sunset on 1 April 2026. Work is underway to remake these instruments, ensuring they are fit for purpose. The remade instruments will be finalised and implemented prior to the sun setting date, ensuring continuity of law.

## 10. CRIS APPROVAL AND CHANGE REGISTER

### 10.1. CRIS Approved by Accountable Authority

This section documents the initial approval of the CRIS by OMARA's Accountable Authority, which ensures compliance with government cost-recovery policy and alignment with OMARA's strategic objectives.

**Table 5: Approval and Change Register**

Date of initial approval	Accountable authority	Comments
2025	Chief Financial Officer - Department of Home Affairs	Initial approval granted for the CRIS, confirming compliance with government cost-recovery policy and alignment with OMARA's strategic objectives.

