



Australian Government  
Department of Home Affairs



**OMARA**  
OFFICE OF THE MIGRATION AGENTS  
REGISTRATION AUTHORITY

# Office of the Migration Agents Registration Authority (OMARA) Regulatory Framework

July 2026



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# Overview

## Purpose of the OMARA regulatory framework

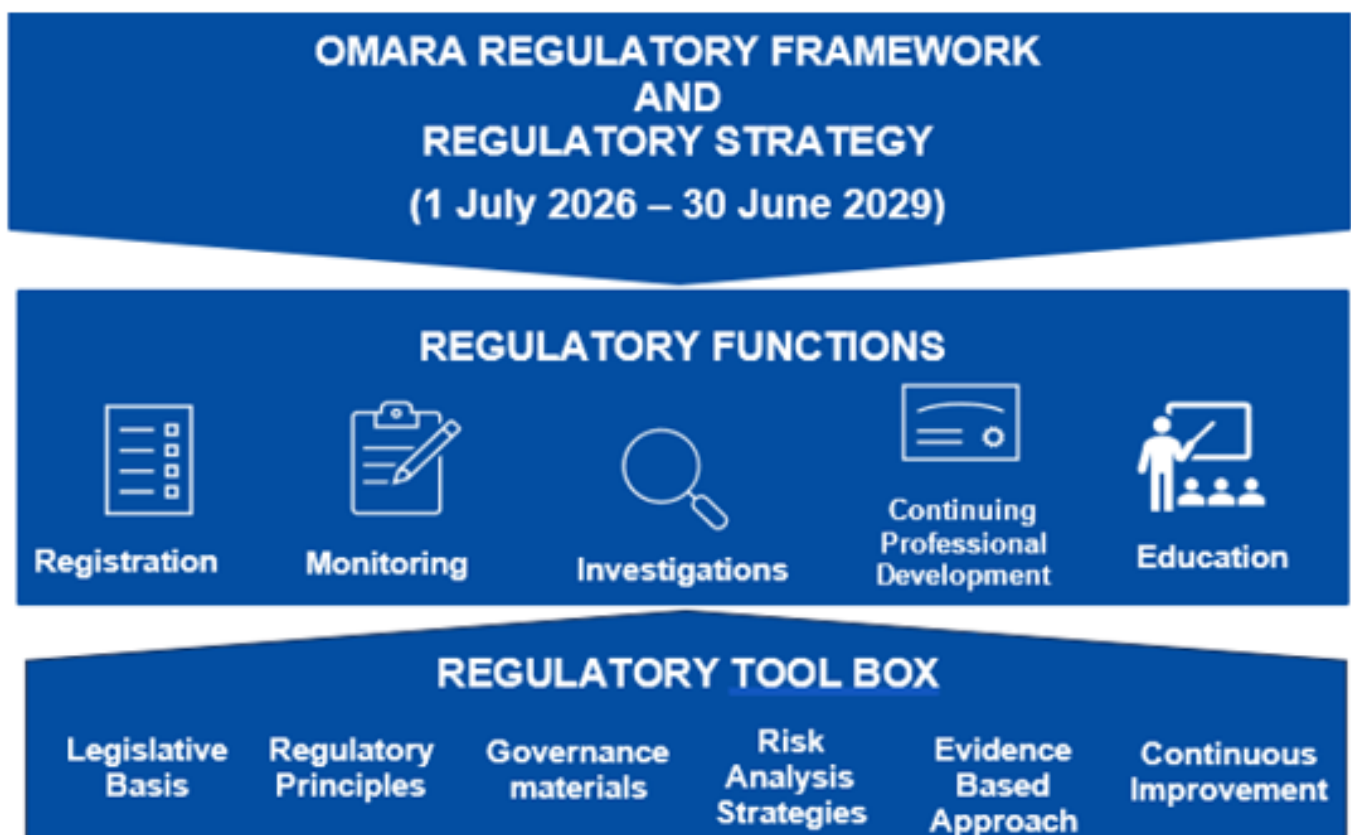
The purpose of this Regulatory Framework is to detail how the Office of the Migration Agents Registration Authority (OMARA) regulates registered migration agents (RMAs) in their provision of immigration assistance,<sup>1</sup> ensuring compliance with the OMARA's regulatory responsibilities.

The Framework describes the OMARA's:

- ✓ regulatory foundation
- ✓ regulatory environment
- ✓ regulatory principles and approach
- ✓ performance and evaluation of regulatory performance

The OMARA Regulatory Framework is supported by the Policy Statement of the Regulation of Registered Migration Agents (VM-7233) and the OMARA Regulatory Strategy. This Strategy outlines the OMARA's roadmap for regulatory priorities and actions from 1 July 2026 to 30 June 2029. Standard operating procedures and other documents, including training and support materials, developed separately, provide the practical day-to-day guidance for OMARA staff to administer the OMARA's regulatory responsibilities. Figure 1 provides a diagrammatic representation of the OMARA's regulatory structure.

Figure 1: OMARA's regulatory structure



<sup>1</sup> Registered migration agents can charge for their immigration assistance services. Exempt persons are generally family members, sponsors, or certain officials who can provide immigration assistance services however cannot charge for those services.

## Regulatory foundation

The Department of Home Affairs (the department) has responsibility for leading policy, program delivery and operations to safeguard Australia's interest and contribute to a prosperous, secure and united Australia, in particular to:

- deliver policy leadership and coordination in national security, cyber and infrastructure security
- deliver migration, citizenship and humanitarian and settlement programs.

The OMARA's regulatory responsibilities supports the delivery of the migration, citizenship and humanitarian and settlement programs.

The OMARA was established in 2009 under section 315 of the *Migration Act 1958* (the Migration Act), as a regulatory body within the department to administer Part 3 of the Migration Act. Section 316 of the Migration Act describes the OMARA's regulatory functions, which are the basis for the OMARA's regulatory responsibilities.

### **Section 316 – Functions of the Migration Agents Registration Authority**

*The functions of the OMARA are to:*

- *deal with registration applications*
- *monitor the conduct of registered migration agents in their provision of immigration assistance*
- *investigate complaints in relation to the provision of immigration assistance by RMAs take appropriate disciplinary action against RMAs or former RMAs*
- *inform the appropriate prosecuting authorities about apparent offences under Part 3 or Part 4*
- *monitor the adequacy of any Code of Conduct.*

As a regulator, the OMARA operates within a broader legislative and policy environment that applies to all regulators and/or Commonwealth entities. In delivering its functions and exercising its regulatory powers, the OMARA must adhere to the Migration Act and consider several other key legislative instruments and policy frameworks including:

- The *Public Governance, Performance and Accountability Act 2013* (PGPA Act), which establishes the governance, performance and accountability framework for Commonwealth entities. The PGPA Act outlines requirements for the management of public resources and sets standards for the effective operation of Commonwealth entities. The PGPA Act is supported by the *PGPA Rule 2014*, which provides the detailed procedures and requirements necessary to implement the provisions of the PGPA Act.
- Whole-of-government policies that apply to all Commonwealth regulators. These include the Department of Finance's resource management guides (RMG), specifically *Regulator Performance (RMG 128)*<sup>2</sup> and the *Commonwealth Regulatory Policy, Practice and Performance Framework*<sup>3</sup>. RMG 128 supports Commonwealth regulators, such as the OMARA, to define their roles, set performance standards and align to best practices.

<sup>2</sup> [Regulator Performance \(RMG 128\)](#)

<sup>3</sup> [Commonwealth Regulatory Policy, Practice and Performance Framework](#)

- The OMARA's regulatory approach is also directed by the Ministerial Statement of Expectations<sup>4</sup> – a statement issued by the responsible minister to provide greater clarity about the government's policies and objectives relevant to the regulator's responsibilities. The department responds to the Ministerial Statement of Expectations with its own Statement of Intent<sup>5</sup>, which describes, in part, how the OMARA intends to meet those expectations including how it will demonstrate progress against the expectations.
- The Commonwealth Regulatory Policy Practice and Performance Framework outlines the expectation that Commonwealth entities maintain effective and efficient regulatory systems throughout their entire lifecycle. The OMARA aligns with this framework by following the department's risk and performance frameworks, ensuring consistency with broader strategic goals.
- The OMARA's regulatory approach, operations and procedures are improved through evaluating and implementing review and performance audit recommendations (e.g. Rapid Review into the Exploitation of Australia's Visa System - Nixon Review, and the Australian National Audit Office performance review). Such reviews and audits focus on enhancing the effectiveness of RMA regulation and the regulation of providers of continuing professional development (CPD)<sup>6</sup>.

## Regulatory environment

The OMARA operates within a defined regulatory environment that includes the scope of its responsibilities, the profession it regulates, its functions, regulatory powers and its engagement with key stakeholders and beneficiaries.

### Professions regulated by OMARA

Only authorised individuals are lawfully permitted to give immigration assistance in Australia under section 280 of the Migration Act – specifically registered migration agents, legal practitioners and exempt persons. The OMARA only has responsibility for regulating the RMA profession in the provision of immigration assistance.

The OMARA also decides applications for approval as CPD providers, to deliver CPD activities to RMAs.

### Functions and regulatory powers

The OMARA derives its regulatory authority from Part 3 of the Migration Act with section 316 outlining its functions and additional details set out in related legislative instruments. As detailed above, the OMARA's legislative functions include assessing applications for registration as a migration agent; monitoring RMA conduct; investigating complaints about RMAs; and taking disciplinary action where appropriate.

The Migration Agents Code of Conduct (the Code) legislated through the Migration (Migration Agents Code of Conduct) Regulations 2021, sets the professional and ethical standards that RMAs must uphold.

In addition, the following four legislative instruments regulating the activities of RMAs and CPD providers commenced on 1 April 2026:

- *Migration Agents Regulations 2026*
- *Migration Agents Registration Application Charge Regulations 2026*
- *LIN 26/001 - Migration Agents (CPD Activities, Approval of CPD Providers and CPD Provider Standards) Instrument 2026*
- *LIN 26/002 - Migration (Specified Courses and Exams for Registration as a Migration Agent) Instrument 2026.*

<sup>4</sup> [Ministerial Statement of Expectations](#)

<sup>5</sup> [Statement of Intent](#)

<sup>6</sup> [Department of Home Affairs Regulation of Migration Agents, Auditor-General Performance Audit, 2023-24.](#)

## Regulatory outcomes

The OMARA aims to achieve two key regulatory outcomes in alignment with its regulatory obligations:

1. Contribute to upholding and maintaining the integrity of Australia's migration system; and
2. Protect consumers of immigration assistance provided by RMAs.

These regulatory outcomes are delivered through:

- effective registration and oversight of over 5,500 RMAs, ensuring only those applicants who meet the qualification and character standards are registered with the OMARA
- enforcement of the Code with a focus on protecting consumer rights by monitoring the conduct of RMAs; investigating complaints against RMAs and acting where standards are not met
- monitoring the provision of immigration assistance provided by RMAs to their clients
- monitoring CPD providers to ensure compliance with CPD Provider Standards
- undertaking proactive evidence-based monitoring, investigation and compliance activities, aimed at improving RMA professional standards
- regular review of regulatory activities to better assist consumers and contribute to the maintenance of the integrity of Australia's migration system
- strategic communications and stakeholder engagement, including through the OMARA's website, social media, traditional media and internal and external reporting.

## Stakeholders

The OMARA engages with a wide range of stakeholders to undertake its regulatory functions. This includes engagement with the regulated entities (i.e. RMAs and CPD providers). Engagement extends to other Australian government departments, consumers of immigration assistance, and the wider Australian community. Figure 2 outlines each of the OMARA's key stakeholder groups, why they are important and how they are engaged. This engagement with the regulated cohorts, other stakeholders, and the wider community aligns with the first and third best practice Regulatory Principles: (1) Continuous improvement and building trust; and (3) Collaboration and engagement.

**Figure 2: OMARA's key stakeholders**

### Registered Migration Agents

**Who:** RMAs have regulatory obligations and responsibilities.

**Why:** The OMARA has direct regulatory responsibility for RMAs to ensure the protection of consumers and contribute to the maintenance of the integrity of Australia's visa programs and the RMA profession.

**How:** The OMARA will engage with RMAs through a range of regulatory mechanisms, with the aim of providing relevant information and guidance, so that RMAs can competently undertake their legislative responsibilities.



### CPD providers

**Who:** Providers who deliver training and educational activities for RMAs to maintain their knowledge to meet ongoing registration requirements and to support the professional standards of RMAs.

**Why:** The OMARA approves CPD providers who meet specific criteria. Only CPD activities delivered by approved CPD providers are recognised for RMAs to meet their CPD requirements.

**How:** The OMARA will engage proactively with CPD providers to promote compliance with CPD Provider Standards in delivering CPD activities.



## Consumers of immigration assistance



**Who:** Individuals who use the services of RMAs.

**Why:** Individuals are directly impacted by the quality of immigration assistance and the integrity and accountability of RMAs providing the assistance.

**How:** By registering and monitoring the conduct of RMAs; providing consumer guidance material on how to choose an RMA; and investigating complaints and taking disciplinary action where necessary.

## Australian community



**Who:** Individuals living in the Australian community.

**Why:** The OMARA helps to maintain the integrity of Australia's migration program, as well as contributing to the successful settlement of migrants, enhancing Australia's economic growth, workforce diversity and social cohesion.

**How:** The OMARA engages with the Australian community through its regulatory program by protecting consumers of immigration assistance, publicly reporting RMA activity and the performance of the OMARA, and overseeing the conduct of RMAs. Engagement with the broader Australian community assists with building integrity and trust of the migration system and the people who use it.

## Australian Government and Commonwealth departments



**Who:** The Australian Government and Commonwealth entities.

**Why:** The OMARA supports the government's broader goals in immigration and public policy and will work with other government departments and regulators in undertaking its regulatory responsibilities and engaging with enforcement agencies.

**How:** The OMARA will actively engage in government forums that promote the broader achievement of immigration policy as it relates to the OMARA's remit, including a whole of government approach to regulatory compliance.

## Partners



**Who:** Includes other Commonwealth agencies, state/territory agencies that OMARA operates with as partners, for example, the Tax Practitioners Board, the Australian Competition and Consumer Commission, Australian Skills and Quality Authority etc.

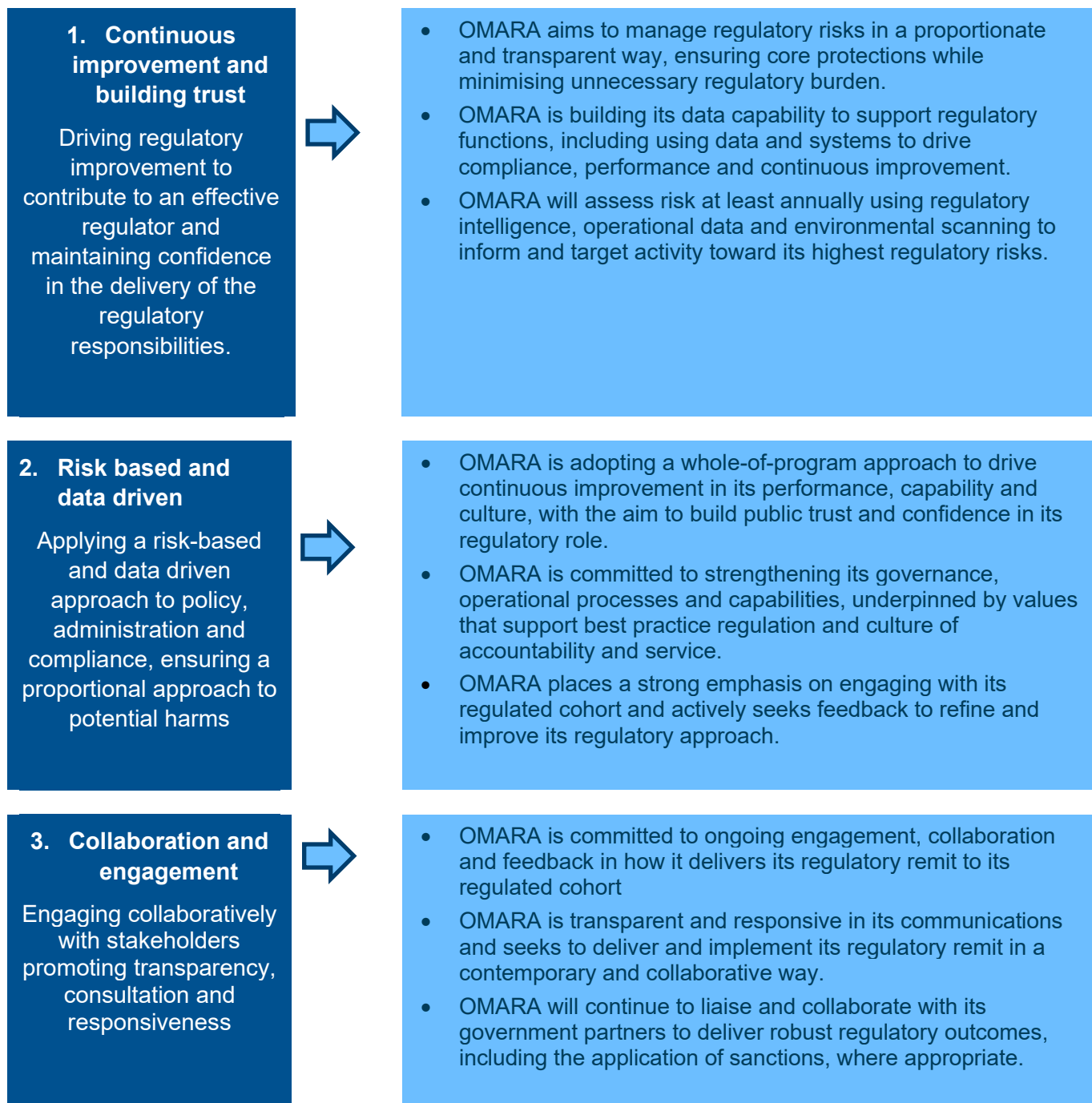
**Why:** The OMARA engages with a range of federal and state/territory partner agencies to fulfil its regulatory responsibilities.

**How:** The OMARA liaises with a variety of other regulatory and enforcement agencies to refer and progress allegations of misconduct beyond the OMARA's regulatory remit.

# OMARA's approach to applying regulatory principles

The OMARA's regulatory approach is guided by three principles of best practice for regulators, established in the Department of Finance's *Regulator Performance Guide* (RMG 128)<sup>7</sup>, which aligns with the Australian Government's broader regulatory reform agenda<sup>8</sup>. Figure 3 reflects how the OMARA incorporates these principles into its regulatory practice. The OMARA is required to report against these three principles through annual corporate plans and performance reports.

**Figure 3: OMARA's approach to applying best practice regulatory principles**



<sup>7</sup> Australian Government, Department of Finance, Resource Management Guide (RMG) Regulator Performance Guide

<sup>8</sup> <https://www.finance.gov.au/sites/default/files/2025-10/Regulatory-Policy-Practice-and-Performance-Framework.pdf> - Accessed 20 May 2026

# Regulatory approach

The OMARA's regulatory approach shapes how it carries out its legislative and policy responsibilities, exercises its authority, and interacts with the RMA profession. This approach is designed to achieve the OMARA's core regulatory outcomes.

The OMARA is committed to protecting consumers of immigration assistance provided by RMAs through regulation, monitoring and compliance, and promoting best practice principles. An explanation of how the OMARA's regulatory approach is implemented through the OMARA's regulatory posture is detailed in the OMARA Regulatory Strategy at [\*\*Attachment A\*\*](#).

**Figure 4: OMARA's regulatory approach**



## **Risk-based regulation to identify high-priority areas for regulatory action**

The OMARA uses a risk-based approach to direct regulatory efforts to where they have the greatest impact, which facilitates proportionate, efficient and outcome-driven actions.



## **Leveraging evidence-based information to support decision-making**

The OMARA uses evidence and forecasting to inform risk management, enabling the development of targeted compliance and monitoring activities to address established and emerging threats.



## **Promoting lawfulness, fairness, transparency and accountability**

The OMARA promotes lawful, fair and transparent regulation by operating within its powers, following best practice and departmental policies. The OMARA also promotes upholding ethical, timely and accountable decision-making.



## **Focusing on regulatory outcomes**

The OMARA's approach is outcome-driven, aligned with government priorities and adaptable to emerging risks. Activity is measured against performance targets where applicable, with effort and output regularly analysed to identify improvements in regulatory efficiency and effectiveness.



## **Fostering education, engagement and collaboration**

The OMARA uses education, engagement and collaboration with key stakeholders to strengthen regulatory processes and minimise unnecessary burden. It values strong industry partnerships and ensures responses are proportionate and avoid duplication.

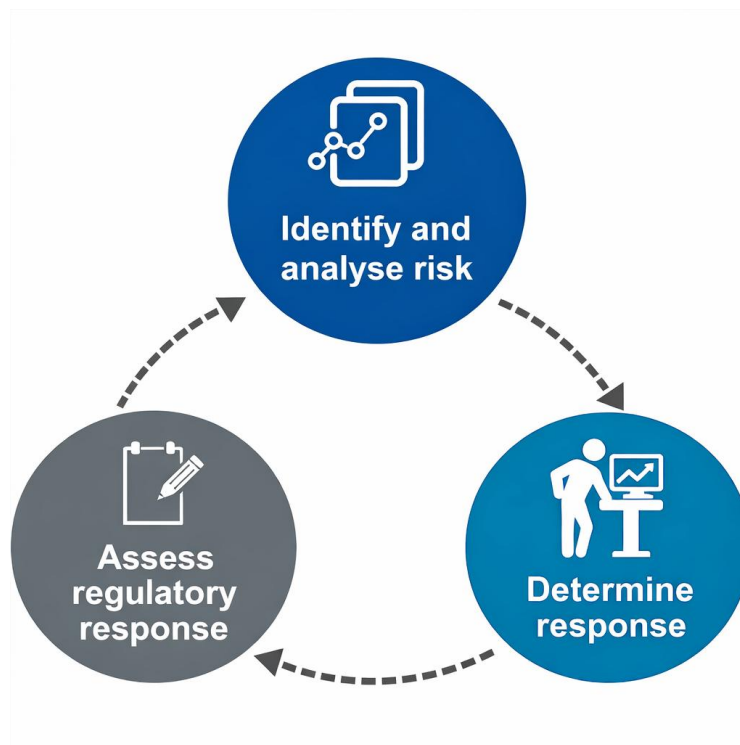
## Risk-based approach to regulation

The OMARA adopts a risk-based regulatory approach that enables it to prioritise regulatory activities based on the likelihood and potential impact of identified risks. This is the operationalisation of the first and second Regulators Principles of Best Practice (1) *Continuous improvement and building trust*; and (2) *Risk based and data driven*.

The OMARA's approach is guided by the international risk management standard ISO 31000 and the *Implementing the Commonwealth Risk Management Policy* (RMG 211), which outlines the Commonwealth's approach to effective risk management. Accordingly, the OMARA assesses and prioritises risks to ensure its resources are directed where they are most needed.

The OMARA addresses its risks through a structured and evolving risk management approach. Figure 5 illustrates the OMARA's risk-based approach to regulation:

**Figure 5: OMARA's risk-based approach to regulation**



### Identify and analyse risk

The OMARA uses evidence and data to manage risk through controls proportionate to risk threats. It does so through the deployment of its functional responsibilities. This approach ensures the OMARA's regulation is targeted, proportionate and responsive to emerging risks.



### Determine response

The OMARA's regulatory functions are underpinned by its legislative mandate, as set out in section 316 of the Migration Act. This mandate empowers the OMARA to manage the registration of migration agents, monitor their professional conduct, investigate complaints, and take disciplinary action where necessary. These functions are essential to maintaining public confidence in the RMA profession and ensuring that RMAs uphold high standards of professionalism and ethical conduct.

In fulfilling these responsibilities, the OMARA has a range of tools available including supportive and educational measures designed to encourage voluntary compliance and build capability within the profession. Where non-compliance exists or escalates, the OMARA applies proportionate actions, which may include escalating to an investigation and consideration of a sanction.



### Assess regulatory response

The OMARA's regulatory response should be proportionate, risk-based and data driven, to align with the second Regulator Principle of Best Practice: *(2) Risk based and data driven*.

The results of the performance levels of individual functions, program, and monitoring activities are integrated into the OMARA's risk management cycle, allowing the OMARA to reassess and respond to emerging risks and compliance trends.

Regular review of the data drawn from monitoring and compliance activities enables the OMARA to determine whether its response is effective and/or whether a change to the activity is required.

This cyclical process drives continuous improvement in regulatory practice. Lessons learned from any internal and / or external program and functional reviews are incorporated to improve regulatory responses and reduce compliance risks. This aligns to the first Best Practice Principle: *(1) Continuous improvement and building trust*.

## Regulatory cycle

The OMARA's regulatory remit is driven by its legislative and policy mandate. These mandates underpin the OMARA's Regulatory Framework. While the Regulatory Framework remains largely consistent year-on-year, reflecting the stability of the overarching legislative and policy settings, regular environmental scans of the regulatory environment are essential to ensure these settings remain appropriate and effective. Figure 6 reflects the overarching structure of the OMARA's regulatory cycle.

**Figure 6: Regulatory cycle schema**



The OMARA Regulatory Strategy functions as the primary mechanism for conducting these environmental scans. It is informed by evidence-based data, risk assessments, and on-the-ground lessons learnt. Through this strategy, the OMARA can assess the effectiveness of its regulatory approach and determine whether adjustments are needed to optimise regulatory outputs and achieve improved outcomes.

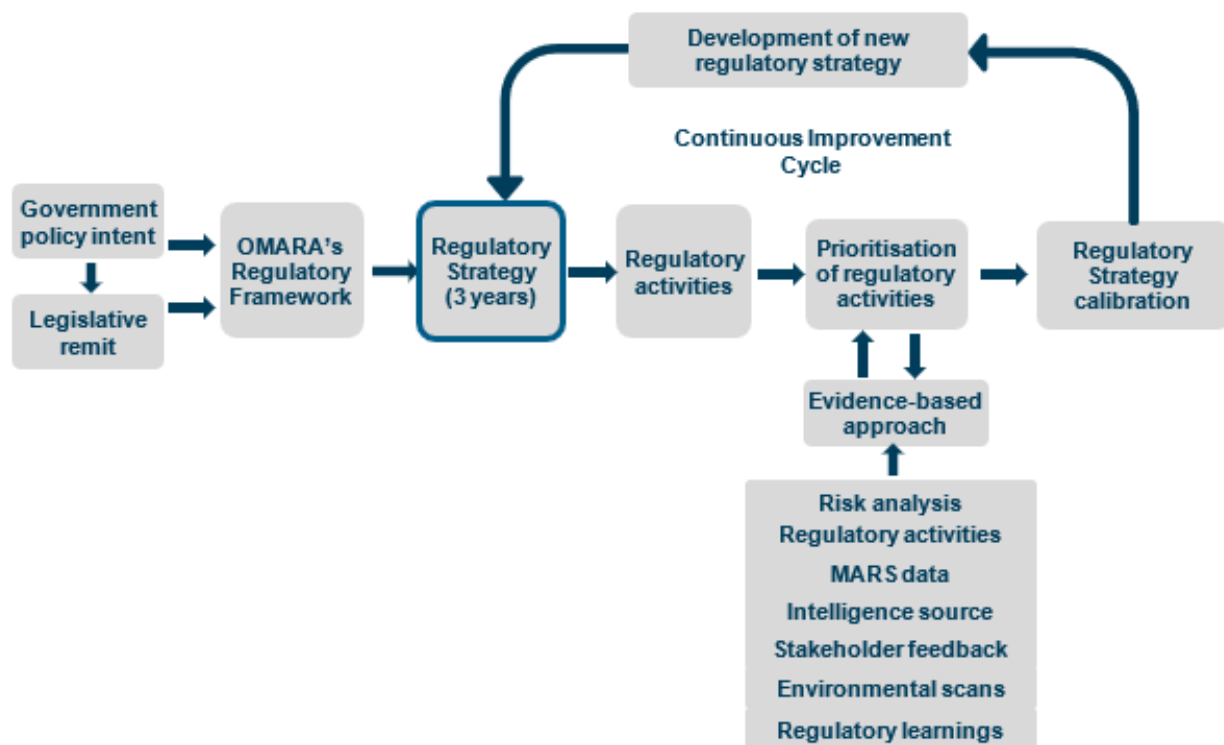
# OMARA Regulatory Strategy 2026-2029

The OMARA Regulatory Strategy 2026-2029 outlines the key focus areas the regulator will prioritise during this period. The Regulatory Strategy has been informed by three key factors:

1. the OMARA's legislative remit in the regulation of Registered Migration Agents (RMAs) and Continuing Professional Development (CPD) providers;
2. the Government's priorities and direction in regulating the provision of lawful immigration assistance by RMAs;
3. an evidence-based approach informed by risk analysis, intelligence and system data, collaboration with stakeholders, regulatory learnings and environmental scans.

The focus areas and priorities identified in this three-year strategy, and consequential monitoring plan, are subject to change based on the outcome of ongoing risk assessments. Emerging risks may result in updates or changes to the regulatory strategy and monitoring plan. Figure A reflects the development and refinement process of the OMARA's Regulatory Strategy.

**Figure A: OMARA's regulatory strategy cycle**



## The OMARA's role and purpose

The OMARA's role is to protect consumers of immigration assistance provided by RMAs by only registering those people who meet the registration requirements, including qualification and character standards. The OMARA investigates complaints about RMAs and takes disciplinary action where necessary, which also helps to protect consumers.

The OMARA's purpose is to protect consumers of immigration assistance and uphold the integrity of the Australian visa system. The OMARA registers and regulates more than 5,500 RMAs who give immigration assistance.

## How the OMARA regulates

Through its regulatory responsibilities the OMARA:

- helps people who need immigration assistance to understand their rights with RMAs
- seeks to ensure that RMAs understand their obligations and monitors their conduct in their provision of immigration assistance
- deals with registration applications
- ensures RMAs undertake CPD activities to maintain the knowledge they need to give clients accurate advice
- approves CPD providers who satisfy the relevant legislative requirements
- investigates complaints and takes appropriate disciplinary actions against RMAs or former RMAs.

## Australian Government expectations

The OMARA's regulatory approach is informed by the responsible Minister's expectations, articulated in the Ministerial Statement of Expectations (MSE). This statement provides greater clarity about government policies and objectives relevant to the OMARA's regulatory responsibilities.

The Department of Home Affairs (the department) responds to the MSE, on behalf of the OMARA, with a Statement of Intent (Sol). The Sol acknowledges and reinforces commitment to government priorities and details how the OMARA will meet government objectives and expectations.

## The OMARA's regulatory posture

The OMARA's regulatory posture is aligned to the OMARA's approach to regulation detailed in the Regulatory Framework. The OMARA is committed to protecting consumers of immigration assistance provided by RMAs through the regulation, monitoring, enforcement and promotion of best practice. The OMARA will deliver on its legislative and policy responsibilities identified in regulatory approach through:

### ***Posture 1: A risk-based approach to identifying high-priority areas for regulatory action.***

Risk-based regulation is important in ensuring the burden of regulation is appropriate. The assessment of compliance risk enables the OMARA to target regulatory activities towards areas of greatest impact, providing efficiency and the achievement of regulatory outcomes.

A risk-based approach enables the OMARA to monitor and assess improvements or decline in the conduct of RMAs, as well as possible causal factors contributing to breaches of the Code. This flows on to inform associated activities such as education and raising awareness.

### ***Posture 2: Collecting and utilising regulatory data to drive an evidence-based regulatory approach that uses a range of levers to address non-compliance.***

The OMARA makes informed and considered administrative decisions able to withstand scrutiny, based on the best available evidence.

Information and data are used to identify risk, inform the management of key compliance risks and develop targeted monitoring and compliance settings. Evidence must be accurate, credible, relevant and reliable. Collection of intelligence information will leverage capabilities across the department and whole-of-government to identify threats and vulnerabilities.

### ***Posture 3: Promoting lawfulness, fairness, transparency and accountability in its regulatory processes and decision-making.***

The OMARA will operate within its delegation of powers and within the context of best practice regulatory principles. The OMARA will act in accordance with departmental and Commonwealth

policies and processes including those relating to privacy, security and record keeping. Regulatory activities will be procedurally fair, impartial and ethical with timeliness a priority.

***Posture 4: Maintaining a clear focus on regulatory outcomes.***

The main driver of the OMARA's regulatory approach is the desire to achieve good regulatory outcomes supported by evidence. This requires knowledge and awareness of the industry, government priorities, and the ability to take actions early in response to changes in the risk environment. The OMARA measures and reports on performance, promoting transparency and accountability for the improvement of outcomes.

***Posture 5: Prioritising education, engagement and collaboration with RMAs, consumers, peak bodies and CPD providers to continuously improve regulatory processes and to minimise unnecessary regulatory burden.***

The OMARA values partnerships and collaboration with those who are invested in the migration advice industry's outcomes and acknowledges the importance of a collaborative approach. This extends to the migration advice industry, including the Migration Institute of Australia and the Migration Alliance, as well as CPD providers.

The OMARA does not seek to burden RMAs more than is reasonably necessary to achieve regulatory outcomes by reducing administrative burden and avoiding duplication. The OMARA ensures responses and treatments are proportionate to matters needing to be addressed.

## **OMARA focus areas - Three-year regulatory strategy**

Several focus areas, derived from risk assessment and analysis, inform the OMARA's three-year regulatory strategy. The focus areas respectively consider the greatest risks and identify priority activities to detect non-compliance among RMAs and CPD providers.

As such, the highest risks identified in the OMARA risk assessment, and that broadly inform monitoring activities, are captured as focus areas below.

The focus areas span across the five key regulatory functions:

1. Registration
2. Monitoring
3. Investigations
4. Education
5. CPD providers.

The output for each focus area and the key performance indicator (KPI) has been identified, as well as the associated targets for the relevant period. Tables A to E detail the focus areas for the next three years, their link to risk, and how the focus area risk can be mitigated. The risks are drawn from the OMARA Risk Register.

## Risk-driven focus areas

**Table A**

| 2026-2029 Key focus               | Key risks, causal factors and mitigations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus Area</b>                 | <b>Fraud and malpractice</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Risk description                  | The integrity of Australia's migration program is compromised due to RMAs' intentional exploitation of the visa system.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Causal factors                    | <p>Causes may include:</p> <ul style="list-style-type: none"> <li>• exploitation of clients including the provision of no, or poor service, and advice including the failure to comply with administrative obligations</li> <li>• failure to declare immigration assistance provided to clients</li> <li>• engaging in misleading advertising.</li> </ul>                                                                                                                                                                                                                        |
| Potential impacts or consequences | <p>Impacts or consequences may include:</p> <ul style="list-style-type: none"> <li>• increased processing times for the Department</li> <li>• delay outcomes for genuine applicants</li> <li>• reputational damage for the Department, including OMARA</li> <li>• damage to public confidence in Australia's migration system</li> <li>• cost to the Commonwealth to deal with unmeritorious applications from application to departure</li> <li>• a contribution to criminal enterprises in Australia</li> <li>• adversely affect applicant's future visa prospects.</li> </ul> |
| Potential OMARA interventions     | <p>Regulatory activities to address this risk may include:</p> <ul style="list-style-type: none"> <li>• enhance and mature monitoring functions to improve oversight and early detection of intentional misuse by RMAs</li> <li>• establish a dedicated monitoring team, responsible for ongoing compliance assessments and the identification of high-risk RMAs</li> <li>• develop a stakeholder engagement and communications plan to raise awareness of the consequences of non-compliance among RMAs and professional organisations.</li> </ul>                              |

| 2026-2029 Key focus | Key risks, causal factors and mitigations                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus Area</b>   | <b>Fraud and malpractice</b>                                                                                                                                                                                                                                                                                                                                                                                        |
|                     | <p>This plan should include stakeholder mapping and tailored communication strategies</p> <ul style="list-style-type: none"> <li>• develop and implement an education plan to support and inform RMAs</li> <li>• strengthen investigation capabilities by using data to identify RMAs with higher risk profiles and detect behavioural patterns indicative of potential breaches of the Code of Conduct.</li> </ul> |

**Table B**

| 2026-2029 Key focus               | Key risks, causal factors and mitigations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus area</b>                 | <b>Service delivery by Continuing Professional Development providers (CPD)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Risk description                  | The integrity of Australia's migration program is compromised due to CPD activities inadequately supporting the ongoing learning and development of RMAs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Causal factors                    | <p>Causes may include:</p> <ul style="list-style-type: none"> <li>• CPD providers delivering low quality education and not complying with standards such as maintaining accurate attendance records</li> <li>• CPD providers failing to keep updated of changes to migration legislative and policy environment</li> <li>• CPD activities being delivered by persons with integrity concerns.</li> </ul>                                                                                                                                                                                                                                |
| Potential impacts or consequences | <p>Impacts or consequences may include:</p> <ul style="list-style-type: none"> <li>• clients of RMAs may be adversely affected by gaps in RMA knowledge of migration law and procedure</li> <li>• reputational damage for the Department, including OMARA</li> <li>• damage to public confidence in Australia's migration system</li> <li>• reputational damage to the RMA profession.</li> </ul>                                                                                                                                                                                                                                       |
| Potential OMARA interventions     | <p>Regulatory activities to address this risk may include:</p> <ul style="list-style-type: none"> <li>• enhance and mature monitoring functions to ensure stronger oversight of CPD providers and the quality of CPD activities delivered</li> <li>• establish a dedicated monitoring team to conduct ongoing compliance assessments and identify risks associated with CPD providers</li> <li>• develop a stakeholder engagement and communications plan to raise awareness of the consequences of non-compliance among CPD providers</li> <li>• develop and implement an education plan to support and guide CPD providers</li> </ul> |

| 2026-2029 Key focus | Key risks, causal factors and mitigations                                                                                                                                                                           |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Focus area          | <b>Service delivery by Continuing Professional Development providers (CPD)</b>                                                                                                                                      |
|                     | <ul style="list-style-type: none"> <li>strengthen assessment of CPD Providers by using data to identify CPD providers with higher risk profiles and detect patterns indicative of poor service delivery.</li> </ul> |

**Table C**

| 2026-2029 Key focus               | Key risks, causal factors and mitigations                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus area</b>                 | <b>Information management</b>                                                                                                                                                                                                                                                                                                                                                                                                             |
| Risk description                  | The integrity of the migration and visa system is compromised due to the failure to protect information contained in a Commonwealth record from misuse, interference, loss, unauthorised access or disclosure.                                                                                                                                                                                                                            |
| Causal factors                    | <p>Causes may include:</p> <ul style="list-style-type: none"> <li>• cyber attack</li> <li>• data breach</li> <li>• non-compliant record keeping.</li> </ul>                                                                                                                                                                                                                                                                               |
| Potential impacts or consequences | <p>Impacts or consequences may include:</p> <ul style="list-style-type: none"> <li>• breach of obligations under Commonwealth law, including the Privacy Act</li> <li>• reputational damage for the Department, including OMARA</li> <li>• damage confidence of partner agencies to engage in information sharing</li> <li>• reputational damage to the RMA profession.</li> </ul>                                                        |
| Potential OMARA interventions     | <p>Regulatory activities to address this risk may include:</p> <ul style="list-style-type: none"> <li>• develop a comprehensive data strategy to guide the secure management, storage and use of sensitive information</li> <li>• continue collaboration with ICT teams to review and strengthen existing data protection measures</li> <li>• undertake a data and systems mapping exercise to identify data information gaps.</li> </ul> |

**Table D**

| 2026-2029 Key focus               | Key risks, causal factors and mitigations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus area</b>                 | <b>Fraud and malpractice</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Risk description                  | The protection of consumers of immigration assistance is compromised due to intentional misconduct in the provision of immigration assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Causal factors                    | <p>Causes may include:</p> <ul style="list-style-type: none"> <li>• not acting in the best interest of the client</li> <li>• failure to take corrective action to improve practices including failure to notify changes in circumstances.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Potential impacts or consequences | <p>Impacts and/or consequences may include:</p> <ul style="list-style-type: none"> <li>• adversely affects applicant's future visa or employment prospects</li> <li>• financial loss for applicant</li> <li>• reputational damage for the Department, including OMARA</li> <li>• reputational damage to the RMA profession</li> <li>• damage to public confidence in Australia's migration system</li> <li>• breaches of Code of Conduct or Migration Act.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Potential OMARA interventions     | <p>Regulatory activities to address this risk may include:</p> <ul style="list-style-type: none"> <li>• enhance and mature monitoring functions to improve oversight and early detection of intentional misuse by RMAs</li> <li>• establish a dedicated monitoring team, responsible for ongoing compliance assessments and the identification of high-risk RMAs</li> <li>• develop a stakeholder engagement and communications plan to raise awareness of the consequences of non-compliance among RMAs and professional organisations to include stakeholder mapping and tailored communication strategies</li> <li>• develop and implement an education plan to support and inform RMAs</li> <li>• strengthen investigation capabilities by using data to identify RMAs with higher risk profiles and detect behavioural patterns indicative of potential breaches of the Code of Conduct.</li> </ul> |

**Table E**

| 2026-2029 Key focus               | Key risks, causal factors and mitigations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus area</b>                 | <b>Service delivery</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Risk description                  | The protection of consumers of immigration assistance is compromised due to unintentional incompetence in the provision of immigration assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Causal factors                    | <p>Causes may include:</p> <ul style="list-style-type: none"> <li>• insufficient knowledge of migration law and procedure</li> <li>• overestimating abilities, or lack of support</li> <li>• failure to consider applicant's individual circumstances when providing advice.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Potential impacts or consequences | <p>Impacts and/or consequences may include:</p> <ul style="list-style-type: none"> <li>• adversely affects applicant's future visa or employment prospects</li> <li>• financial loss for applicant</li> <li>• reputational damage for the Department, including OMARA</li> <li>• reputational damage to the RMA profession</li> <li>• damage to public confidence in Australia's migration system</li> <li>• breaches of Code of Conduct or Migration Act.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Potential OMARA interventions     | <p>Regulatory activities to address this risk may include:</p> <ul style="list-style-type: none"> <li>• develop and implement an education plan to support the broader RMA cohort. This plan should ensure accessible, high-quality and up to date educational resources (such as legislation, policy changes), case studies, best practice guidance and include the development of practical tools such as guidance fact sheets</li> <li>• leverage data analytics to identify RMAs who have breached specific provisions of the Code of Conduct, enabling targeted education and compliance interventions</li> <li>• introduce a self-assessment checklist for RMAs prior to re-registration, encouraging self-reflection, accountability and reinforcing professional standards</li> <li>• strengthen investigation capabilities by using data to detect behavioural patterns that may indicate breaches of the Code of Conduct.</li> </ul> |

## Assessing OMARA's performance 2026-2029

The OMARA's performance is reported through the Department of Home Affairs Corporate Plan, Annual Performance Assessment Statements and Annual Report. This performance assessment enables the OMARA to measure how effectively it delivers its regulatory functions and contributes to its core regulatory outcomes. This includes how the OMARA delivers against the following three Regulator Best Practice Principles:

1. Continuous improvement and building trust
2. Risk based and data driven
3. Collaboration and engagement.

The previous section on the OMARA's focus areas outlines the key activities over the 2026-29 period, including the relevant KPI and targets for the three-year period. All of these activities are mapped to one or more of the Regulator Best Practice Principles.

In addition, the OMARA will report on the performance indicators (outlined in the Corporate Plan published annually) through its formal performance reporting processes<sup>9</sup>.

### **Performance Target 1**

| 2026-29 KPIs                | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Performance Target 1</b> | The median time taken to finalise Registered Migration Agent (RMA) investigations that result in regulatory outcomes was less than 210 days.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Rationale</b>            | <p>This target is an effectiveness measure of the department's role as a regulator, demonstrating performance against the core functions under section 316 of the <i>Migration Act 1958</i> and aligns to the department's immigration and migration responsibilities as outlined in the Administrative Arrangement Order.</p> <p>The 210 day target has been identified as an appropriate benchmark, taking into account legislative procedural fairness processes and requests from RMAs for extensions of time to meet information requirements, which can impact overall processing times.</p> <p>Supporting performance information for this target will include information on the department's complaints investigations strategy and efforts.</p> |
| <b>Data source</b>          | Internal regulatory management systems.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

<sup>9</sup> Additional information concerning OMARA's performance reporting can be found in the Home Affairs Corporate Plan and Annual Report.

## **Performance Target 2**

| 2026-29 KPIs                | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Performance Target 2</b> | 75% of all initial and repeat applications to become a Registered Migration Agent (RMA) are assessed within eight weeks of lodgement.                                                                                                                                                                                                                                                                                                                                                    |
| <b>Rationale</b>            | <p>This target is an effectiveness measure of the department's role as a regulator, demonstrating performance against one of its key functions under s316 of the <i>Migration Act 1958</i> and aligns to the department's immigration and migration responsibilities as outlined in the Administrative Arrangement Order.</p> <p>The 75% target has been identified as an appropriate benchmark considering procedural fairness processes which can impact overall processing times.</p> |
| <b>Data source</b>          | Internal regulatory management systems                                                                                                                                                                                                                                                                                                                                                                                                                                                   |