LETTER OF TRANSMITTAL

Australian Government
Department of Immigration and Citizenship

SECRETARY

20 October 2010

The Hon Chris Bowen MP
Minister for Immigration and Citizenship
Parliament House
Canberra ACT 2600

Dear Minister

Office of the MARA Annual Report for 2009–10

It is with pleasure that I present the Office of the Migration Agents Registration Authority Annual Report 2009–10, as required under section 322 of the Migration Act 1958.

The annual report was prepared in accordance with the Guidelines for the Presentation of Documents to the Parliament of June 2010.

This report provides additional information about the Office of the MARA to that contained in the Department of Immigration and Citizenship Annual Report 2009–10. That report complies with section 63 of the Public Service Act 1999 and the Requirements for Annual Reports approved by the Joint Committee of Public Accounts and Audit on 23 June 2010.

Yours sincerely

[Signature]

(Andrew Metcalfe)
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chairman’s report</td>
<td>1</td>
</tr>
<tr>
<td>Chief Executive Officer’s report</td>
<td>3</td>
</tr>
<tr>
<td>About the Office of the MARA</td>
<td>5</td>
</tr>
<tr>
<td>Organisational chart of the Office of the MARA</td>
<td>6</td>
</tr>
<tr>
<td>Office of the MARA sections</td>
<td>6</td>
</tr>
<tr>
<td>Advisory Board</td>
<td>7</td>
</tr>
<tr>
<td>Overview: Major achievements of 2009–10</td>
<td>8</td>
</tr>
<tr>
<td>Transition to the Office of the MARA</td>
<td>8</td>
</tr>
<tr>
<td>Probity</td>
<td>8</td>
</tr>
<tr>
<td>Governance</td>
<td>9</td>
</tr>
<tr>
<td>Staff</td>
<td>10</td>
</tr>
<tr>
<td>Stakeholder engagement</td>
<td>10</td>
</tr>
<tr>
<td>Reform agenda</td>
<td>10</td>
</tr>
<tr>
<td>Snapshot: 2009–10 year at a glance</td>
<td>11–13</td>
</tr>
<tr>
<td>Reform: Outcomes of the review recommendations</td>
<td>15</td>
</tr>
<tr>
<td>Measures to raise English language standards</td>
<td>15</td>
</tr>
<tr>
<td>Development of a comprehensive communications strategy</td>
<td>15</td>
</tr>
<tr>
<td>Improved complaints handling</td>
<td>16</td>
</tr>
<tr>
<td>Partnerships in complaints handling</td>
<td>17</td>
</tr>
<tr>
<td>Enhanced continuing professional development</td>
<td>17</td>
</tr>
<tr>
<td>Increasing knowledge requirements</td>
<td>18</td>
</tr>
<tr>
<td>Supervised practice</td>
<td>18</td>
</tr>
<tr>
<td>Client monies</td>
<td>18</td>
</tr>
<tr>
<td>Pro bono assistance</td>
<td>19</td>
</tr>
<tr>
<td>Code of Conduct</td>
<td>19</td>
</tr>
<tr>
<td>Recommendations requiring legislative change</td>
<td>19</td>
</tr>
<tr>
<td>Operational Reports</td>
<td>21</td>
</tr>
<tr>
<td>Registration and Client Services</td>
<td>21</td>
</tr>
<tr>
<td>Professional Standards and Integrity</td>
<td>29</td>
</tr>
<tr>
<td>Professional Development</td>
<td>39</td>
</tr>
<tr>
<td>Strategy and Business</td>
<td>43</td>
</tr>
<tr>
<td>Financial statements</td>
<td>49</td>
</tr>
<tr>
<td>Appendices</td>
<td>51</td>
</tr>
<tr>
<td>Index</td>
<td>66</td>
</tr>
</tbody>
</table>
**LIST OF TABLES AND FIGURES**

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 1:</td>
<td>Registration application fees during 2009–10</td>
<td>13</td>
</tr>
<tr>
<td>Table 2:</td>
<td>Number of initial and repeat registration applications</td>
<td>22</td>
</tr>
<tr>
<td>Table 3:</td>
<td>Number of complaints in 2009–10</td>
<td>31</td>
</tr>
<tr>
<td>Table 4:</td>
<td>Source of complaints</td>
<td>32</td>
</tr>
<tr>
<td>Table 5:</td>
<td>Types of issues raised in complaints</td>
<td>33</td>
</tr>
<tr>
<td>Table 6:</td>
<td>Complaints raised relating to Part 2 of the migration agents Code of Conduct</td>
<td>34</td>
</tr>
<tr>
<td>Table 7:</td>
<td>Finalised complaints</td>
<td>35</td>
</tr>
<tr>
<td>Table 8:</td>
<td>Complaints resulting in a sanction outcome</td>
<td>36</td>
</tr>
<tr>
<td>Table 9:</td>
<td>Continuing professional development activities approved and points claimed</td>
<td>41</td>
</tr>
<tr>
<td>Table 10:</td>
<td>Income statement for the Office of the MARA</td>
<td>50</td>
</tr>
<tr>
<td>Table 11:</td>
<td>Distribution of Office of the MARA staff</td>
<td>52</td>
</tr>
<tr>
<td>Table 12:</td>
<td>Distribution of senior executive staff</td>
<td>52</td>
</tr>
<tr>
<td>Table 13:</td>
<td>Consultancy services relating to advertising and market research</td>
<td>54</td>
</tr>
<tr>
<td>Table 14:</td>
<td>Consultancy services to the value of $10 000 or more</td>
<td>55</td>
</tr>
<tr>
<td>Table 15:</td>
<td>Office of the MARA publications</td>
<td>64–65</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1:</td>
<td>Organisational chart of the Office of the MARA</td>
<td>6</td>
</tr>
<tr>
<td>Figure 2:</td>
<td>Number of registered migration agents</td>
<td>11</td>
</tr>
<tr>
<td>Figure 3:</td>
<td>Agents holding legal practising certificates</td>
<td>12</td>
</tr>
<tr>
<td>Figure 4:</td>
<td>Continuous years of experience</td>
<td>12</td>
</tr>
<tr>
<td>Figure 5:</td>
<td>Geographic distribution of agents</td>
<td>13</td>
</tr>
<tr>
<td>Figure 6:</td>
<td>Geographic spread of not-for-profit registered migration agents</td>
<td>25</td>
</tr>
<tr>
<td>Figure 7:</td>
<td>Age of complaints on hand as at 30 June 2010</td>
<td>30</td>
</tr>
<tr>
<td>Figure 8:</td>
<td>Flowchart of Office of the MARA complaint handling process</td>
<td>56</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>AC</td>
<td>Companion of the Order of Australia</td>
<td></td>
</tr>
<tr>
<td>AO</td>
<td>Officer of the Order of Australia</td>
<td></td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
<td></td>
</tr>
<tr>
<td>CPD</td>
<td>Continuing professional development</td>
<td></td>
</tr>
<tr>
<td>DIAC</td>
<td>Department of Immigration and Citizenship</td>
<td></td>
</tr>
<tr>
<td>FOI</td>
<td>Freedom of Information</td>
<td></td>
</tr>
<tr>
<td>IELTS</td>
<td>International English Language Testing System</td>
<td></td>
</tr>
<tr>
<td>Office of the MARA</td>
<td>Office of the Migration Agents Registration Authority</td>
<td></td>
</tr>
<tr>
<td>MIA</td>
<td>Migration Institute of Australia Limited</td>
<td></td>
</tr>
<tr>
<td>New Zealand IAA</td>
<td>New Zealand Immigration Advisers Authority</td>
<td></td>
</tr>
<tr>
<td>PSI</td>
<td>Professional Service Integrity Asia Pacific Pty Ltd</td>
<td></td>
</tr>
<tr>
<td>Regulations</td>
<td>Migration Agents Regulations 1998 *</td>
<td></td>
</tr>
<tr>
<td>TTMRA</td>
<td>Trans-Tasman Mutual Recognition Act 1997 *</td>
<td></td>
</tr>
<tr>
<td>The Migration Act</td>
<td>The Migration Act 1958 *</td>
<td></td>
</tr>
<tr>
<td>The minister</td>
<td>The Minister for Immigration and Citizenship</td>
<td></td>
</tr>
<tr>
<td>The review</td>
<td>2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession</td>
<td></td>
</tr>
<tr>
<td>The secretary</td>
<td>The Secretary of the Department of Immigration and Citizenship</td>
<td></td>
</tr>
</tbody>
</table>

* Legislation and regulations may be viewed at www.comlaw.gov.au
Australia is now a nation in which nearly half of its population comprises people who were, or have a parent who was, born overseas.

Those new Australians have brought with them skills, resources and cultures which are now an integral part of the fabric of Australian society. They have greatly contributed to Australia’s productivity and economic growth.

At the inaugural address on Immigration and Citizenship delivered on 17 March 2010, Professor Ian Chubb AC, Vice-Chancellor of the Australian National University, described Australia’s well-managed and evolved immigration and settlement programs as the envy of the world.

Advisory board’s objective

Given the size and importance of our migration program, it is essential that migration advice is available from a competent, ethical and well-regulated profession of migration agents.

The objective of both the Office of the Migration Agents Registration Authority (Office of the MARA) and the advisory board has been neatly summarised by the Minister for Immigration and Citizenship, Senator Chris Evans, in these words:

‘The primary task of the Office and the Board is to ensure that consumers of migration advice services are provided with appropriate assurance and protection. Unsuitable individuals must be prevented from entering the profession and unsuitable agents removed from the profession.’
Establishment of the advisory board

The Office of the MARA advisory board was established early in the year under review.

It was set up in accordance with the recommendations made in the final report of the 2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession dated May 2008.

The Office of the MARA and the advisory board replaced the regulatory system previously administered by the Migration Institute of Australia. The purpose of the change is to remove any possible perception of conflict of interest which could result in a lack of consumer confidence.

The advisory board’s membership includes a community representative, nominees of the Law Council of Australia and the Migration Institute of Australia and members with extensive experience in the education and not-for-profit sectors.

Its function is to advise the CEO in relation to:

- the Office of the MARA’s procedures, policies and strategies
- setting organisational directions, priorities and plans
- any emerging issues within the sector of relevance to the registration of migration agents.

The advisory board is not responsible for the management and administration of the Office of the MARA.

Issues considered

The advisory board met five times during the year.

The diverse skills and experience of advisory board members provide the CEO with the opportunity to test and evaluate policy ideas and options in a way that cannot be achieved solely with the Office of the MARA staff.

Some of the significant matters considered include monitoring the implementation of the review, lifting the level of competence in English for registered migration agents to a score of seven in the academic version of the IELTS, moving from a graduate certificate to a graduate diploma as the required educational standard, opening admission to New Zealand licensed immigration advisers, commencing a review of the migration agents Code of Conduct and increasing the Office of the MARA’s involvement with the not-for-profit sector.

The advisory board has also commented on the detailed operational report tabled at each meeting.

Thanks

I thank each of the members for their contribution to the advisory board’s achievements in its first year of operation.

Mr Robert Cornall AO
Chairman
I am very proud of the efforts of all of the officers who ensured that the transition was smooth. Both former MARA personnel and new recruits to the Office of the MARA showed great teamwork in putting everything in place for a successful first year.

Probity

The prudence in ensuring that probity issues were dealt with through an independent and credible framework was extremely helpful. To have someone as eminent as Sir Laurence Street AC endorse our probity framework is very encouraging.

Strengthening the profession

The integrity of the migration agent profession is vitally important. Registered migration agents deal with clients who are often vulnerable, in complex situations and require expert advice.

As a regulator, we need to be responsive to the diversity of our client base. Registered migration agents vary, from those with a long history to those who are very new to the profession, and from sole operators to those in large firms.

We deal with those who are at the pinnacle of best practice and ethical behaviour as well as those who are providing inadequate services to their clients or engaging in unethical and, at times, unlawful behaviour.
Stakeholder engagement
We value the role that our key stakeholders play in working with us to lift the standard of the profession.

We had regular meetings with peak bodies, and welcomed the opportunity to speak at key conferences, including the Migration Institute of Australia’s National Conference and the Law Council of Australia’s 2010 Immigration Law Conference.

In all, we have had over 50 meetings with stakeholders, most of which the Deputy CEO or myself attended.

In my first weeks as the CEO, I wrote to all registered migration agents and have kept up a personal dialogue through the CEO’s newsletter and direct liaison.

Communications strategy
Our communications strategy provides relevant and consistent key messages for consumers and registered migration agents.

The YouTube video entitled Don’t Get Caught Out was a useful platform to promote the use of our website to verify that those purporting to give migration advice in Australia are registered agents.

Advisory Board
My deep thanks go to the Office of the MARA advisory board, which has provided me with wise advice throughout the year.

The Chairman, Mr Robert Cornall AO has set a high standard in leading the advisory board and establishing a solid forward program.

I have also appreciated the work of individual members such as Ms Sonia Caton, who took an invaluable role in the pro bono forum organised by the Office of the MARA.

I very much look forward to building on the solid framework we have established in the past year, to take forward a strong program of reform in co-operation with stakeholders.

Ms Christine Sykes
Chief Executive Officer
The Office of the MARA commenced operations on 1 July 2009. It contributes to the well managed entry and settlement of people through its regulation of migration agents under Part 3 of the *Migration Act 1958* (the Migration Act).

The objectives of the Office of the MARA are to ensure that:

- consumers understand their rights and agents understand their obligations under the regulatory framework
- only suitable persons are registered as migration agents and unsuitable persons are refused registration or re-registration
- registered agents maintain appropriate knowledge to enable them to provide accurate advice to consumers
- all complaints about the services of registered or formerly registered migration agents are appropriately addressed
- issues associated with previous regulatory arrangements are addressed.

The Office of the MARA works with the Department of Immigration and Citizenship (DIAC) and other bodies, such as, prosecuting or regulatory authorities, to address the activities of persons acting as agents outside its mandate.

On 30 June 2010, there were 4482 registered migration agents who provided immigration assistance (as defined in section 276 of the Migration Act) to visa applicants, nominators, sponsors, review applicants and/or applicants for ministerial intervention. This compares with 4097 on 1 July 2009, an increase of 9.4 per cent in 12 months.

The Office of the MARA continues to work with registered migration agents and stakeholders to improve standards of service to the consumer, increasing the knowledge of agents through continuing professional development (CPD) and ensuring that only suitable applicants can be registered as migration agents.

The following aspirational statement was adopted in June 2010:

**Ethical profession**
**Empowered consumers**
**Engaged stakeholders**

Chief Executive Officer, Ms Christine Sykes and Deputy Chief Executive Officer, Mr Stephen Wood
OFFICE OF THE MARA SECTIONS

Figure 1: Organisational chart of the Office of the MARA

Registration and Client Services Section

- Maintains the official register of migration agents and forms, including online application forms.
- Assesses and decides applications for registration as a migration agent.
- Audits registered agents’ compliance with the Code of Conduct during the re-registration process.
- Provides information to the public through responding to telephone and email inquiries, developing information for the website and including information with application forms.

Professional Standards and Integrity Section

- Addresses consumer queries and their concerns relating to registered migration agents.
- Investigates and decides actions on complaints and where appropriate issues warnings and sanctions.
- Monitors the conduct of registered migration agents.
- Monitors the adequacy of the migration agents Code of Conduct.

Professional Development Section

- Assesses and approves CPD activity applications.
- Monitors and evaluates CPD activities.
- Liaises with CPD providers.
- Contributes to the development and implementation of reviews of entry level standards for registered migration agents.

Strategy and Business Section

- Ensures responsible financial management, effective business planning and the implementation of probity arrangements.
- Develops and delivers support services to the Office of the MARA and the advisory board.
- Co-ordinates the implementation of the recommendations of the review.
- Develops and implements the communications strategy.
Composition of the advisory board

Chair
Mr Robert Cornall AO, lawyer and former secretary of the Attorney-General’s Department.

Deputy Chair
Ms Jenni Mack, representing the consumer group.

Members
Ms Sonia Caton, representing the not-for-profit immigration assistance sector.
Mr Glenn Ferguson, nominee of the Law Council of Australia.
Mr Stirling Henry, nominee of the Migration Institute of Australia.
Mr Andrew Holloway, representing the university sector.
Mr Jim McKiernan, former senator, representing the community sector.
Ms Christine Sykes, CEO of the Office of the MARA.
Ms Elizabeth Hoffmann, Assistant Secretary, Visa Deregulation and Support Branch, representing DIAC.

For the advisory board’s terms of reference and biographies, see Appendix 9 on page 57.
The Office of the MARA was established as an independent office attached to DIAC. It formally commenced operations on 1 July 2009.

In February 2009, the Minister for Immigration and Citizenship, Senator Chris Evans, announced changes to the arrangements for the regulation of migration agents.

This followed the 2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession (the review), which was released in December 2008. The review found consumer dissatisfaction and potential conflicts of interest with the Migration Institute of Australia Limited (MIA) operating the MARA function. A key finding was that the government should discontinue statutory self-regulation.

The Office of the MARA was established as an independent office attached to DIAC. It formally commenced operations on 1 July 2009. The Office of the MARA is headed by a CEO who reports directly to the Secretary of DIAC (the secretary).

Transition to the Office of the MARA

The Office of the MARA was fully operational on 1 July 2009 and the focus in the first months was to ensure continuity of its regulatory functions. Strategies were put in place to minimise disruption to consumers and registered migration agents.

This included ensuring that the database and communications channels were operational. A transitional Office of the MARA website was deployed to replace the previous MARA website, which was found to have significant security, privacy and accessibility issues. The transitional website was replaced on 21 December 2009 by an enhanced website which complies with government security standards, and has an increased amount of essential information for registered migration agents and consumers.

Some former MARA staff were employed on non-ongoing contracts and additional staff were seconded from DIAC. In the first weeks of operation, staff were provided with appropriate induction training.

Probity

In order to address any concerns about DIAC’s role in administering the MARA function, an independent probity advisor, Professional Service Integrity Asia Pacific Pty Ltd (PSI), undertook a comprehensive review of potential and perceived conflicts of interest. The strategies were endorsed by the former Chief Justice of NSW, Sir Laurence Street AC.
Considerable stakeholder engagement was undertaken to ensure that the role and functions of the Office of the MARA were widely communicated and to provide opportunities for feedback.

The strategies are outlined in the probity statement which is publicly available on the Office of the MARA website. In addition, a protocol document setting out the relationship between the Office of the MARA and DIAC was made available publicly. All of the recommended arrangements and strategies have been put in place. These include:

- the completion of conflict of interest declarations for all Office of the MARA staff and the advisory board
- the physical separation of the Office of the MARA from DIAC
- separation of business systems and processes
- separate policies and procedures, including complaints procedures, which are publicly available
- independence of the Office of the MARA advisory board.

Accountabilities and delegations for decision making are clearly defined and publicly available. The protocol document also makes it clear that none of the minister’s powers under Part 3 of the Migration Act or Regulations have been delegated to the secretary.

All Office of the MARA staff undertook training in probity and the Australian Public Service Code of Conduct in their first weeks of employment and completed conflict of interest declarations.

Refresher probity training has been provided to staff and they have reviewed and, if necessary, updated their conflict of interest declarations.

Conflict of interest declarations have also been completed by the secretary, the advisory board and staff in relevant areas of DIAC.

Independent probity audits were carried out by PSI quarterly. The fourth of the quarterly reviews was completed in June 2010 and found that all mitigation strategies had been successfully implemented. This was subsequently reviewed by Sir Laurence Street AC, who was satisfied that all relevant probity requirements for 2009–10 were met.

 Governance

Governance systems and controls were put in place, including a separate business plan, a risk management and fraud control plan.

A management initiated review of financial and governance controls in November 2009 assessed receipting and budgeting, business plans, risk and fraud plans, mail handling and filing. The review found that all key elements of a good governance framework were either in place or identified and being developed.
Staff
The Office of the MARA staffing profile was revised to reflect new priorities and workloads. Recruitment of staff to permanent positions was undertaken in the latter part of 2009. A range of support was provided to staff during this period. This included assistance to staff of the former MARA in applying for Australian Government positions, and all staff being offered training in job interview techniques. With assistance from an experienced Australian Public Service Commission officer, merit-based recruitment of new permanent personnel was carried out, based on competencies essential to the requirements of the Office of the MARA.

In addition, DIAC’s Employee Assistance Program was engaged to help staff through the process.

Stakeholder engagement
Considerable stakeholder engagement was undertaken to ensure that the role and functions of the Office of the MARA were widely communicated and to provide opportunities for feedback. Key personnel attended over 50 meetings, conferences and workshops with stakeholders such as registered migration agents, ethnic community representatives, universities and professional bodies including the Law Council of Australia, MIA and Migration Alliance.

Reform agenda
The establishment of the Office of the MARA and the advisory board implemented a number of recommendations of the review. The remainder provide the basis for a wide ranging reform agenda.

In consultation with DIAC, the Office of the MARA identified responsibility for each recommendation and significant progress has been made towards their implementation. The review listed 57 recommendations for reform. As at 30 June 2010:

- 21 recommendations were finalised or substantially completed
- 20 were in progress
- 16 were unable to be progressed as they depended on legislative change (14) or needed further research (two).

More detailed information on progress of the reform agenda is in the section on Reform: Outcomes of the review recommendations at pages 15–19.
Overview of the profession

The profession’s numbers increased during 2009–10 to 4482 registered migration agents, which is an increase from 4097 at the end of the previous program year. The profession has experienced growth across all sections with the number of commercial agents increasing by 9.5 per cent, not-for-profit agents increasing by 7.0 per cent and agents with legal practising certificates increasing by 5.4 per cent.

Profile of registered migration agents

- Approximately 77 per cent operate in a business as the only registered migration agent.
- 17.8 per cent of registered migration agents work in more than one business.
- Approximately 43 per cent are female and 57 per cent are male.
- The average age of a registered migration agent is 43.6 years.
- 1185 of the 4482 registered migration agents (26.4 per cent) hold a legal practising certificate.
- 246 agents are registered as not-for-profit, and 48.8 per cent of these hold a legal practising certificate.
- The majority of agents (77.1 per cent) have never had a complaint made against them.

Number of registered migration agents

![Figure 2: Number of registered migration agents](image-url)
Legal practising certificates

Figure 3: Agents holding legal practising certificates

Continuous years of experience

Figure 4: Continuous years of experience
Geographic distribution of agents

The number and percentage of registered migration agents in each state and territory in Australia, plus those overseas.

![Geographic distribution of agents map](image)

Figure 5: Geographic distribution of agents

Application fees 2009–10

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Initial</th>
<th>Repeat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-commercial (not-for-profit)</td>
<td>$160</td>
<td>$105</td>
</tr>
<tr>
<td>Commercial (for-profit)</td>
<td>$1760</td>
<td>$1595</td>
</tr>
</tbody>
</table>

Table 1: Registration application fees during 2009–10
The final report of the review provides a wide ranging reform agenda that continued to be rolled out throughout 2009–10, in consultation with the advisory board of the Office of the MARA. This section provides further detail on implementation of key recommendations.

Measures to raise English language standards

An important recommendation was made to improve the English language standards of the profession by requiring that those who apply for initial and repeat registration prove they have a prescribed level of English language proficiency. This follows concerns regarding the capacity of all registered migration agents to communicate with a standard of English that would result in a consistent high level of service for consumers. Registered migration agents deal with complex legislation and often present complex submissions when representing their clients.

On 1 January 2010 a higher standard of English proficiency was introduced for initial registration applicants. Significant notice had been provided by the former MARA that this provision would be introduced. The Office of the MARA re-affirmed that this provision would be implemented and provided additional information on equivalencies. The Office of the MARA wrote to stakeholders in September 2009 and updated the relevant information on the website in October 2009.

From 1 January 2010 all initial registration applicants needed to demonstrate a score of seven in the academic version of the IELTS, up from the previous standard of six.

Equivalent requirements were also determined that enable initial registration applicants to evidence their ability to meet the requirement.

The new policy has been administered fairly and flexibly, and where necessary applicants have been given additional opportunities to provide evidence of their English language proficiency. In 2009–10, 171 applicants were subject to the requirements, and none was refused due to the higher standard.

The Office of the MARA is aware that there is concern from some sectors in the profession about the recommendation to extend the higher English language standards to existing registered migration agents. An impact study on the increased English language requirement was commenced in June 2010. The information obtained through the study will be used to inform transition arrangements for the implementation of the recommendation.

Development of a comprehensive communications strategy

A comprehensive communications strategy with a focus on consumer protection was developed in consultation with the advisory board and other stakeholders. Specialist multicultural communications advice was received. As recommended by the review, the communications strategy has been published on the website.
While the communications strategy provides a program for the future, some elements were commenced in 2009–10.

The Office of the MARA’s communications emphasis is on more extensive user-friendly material for culturally and linguistically diverse consumers. Research conducted during development of the communications strategy found that the website was popular with consumers, who use it to find registered migration agents. Consumer needs are catered for on the website with brochures in 15 community languages, including a list of agents registered by the Office of the MARA, an explanation of fees and what to expect from an agent.

The Office of the MARA has enhanced the website with improved security and privacy features and provision for partial online re-registration for migration agents. The agents’ section of the website also includes a full set of fact sheets, the migration agents graphic, and other topics such as the requirements relating to the maintenance of a professional library by registered migration agents and available CPD activities.

A CEO’s newsletter is presented regularly on the Office of the MARA website and is emailed to registered migration agents to provide targeted client service. Some topics covered in 2009–10 were an update on the Office of the MARA Integrity Unit, Privacy Awareness Week, and registration of New Zealand licensed immigration advisers under the Trans-Tasman Mutual Recognition Act 1997.

Improved complaints handling

Submissions to the review expressed dissatisfaction with the handling of complaints against registered migration agents. Resulting recommendations were aimed at making the process of assessing complaints more transparent for both consumers and agents. During 2009–10 the Office of the MARA developed and implemented reforms to increase confidence in the integrity and transparency of complaint handling. These were published in the Policy and Procedures Manual in August 2009. The new procedures were implemented through staff induction and training.

Consumers who make complaints are provided with increased transparency. If the Office of the MARA decides not to go ahead with an investigation following a complaint, the complainant receives an explanation.
The Office of the MARA’s communications emphasis is on more extensive user-friendly material for culturally and linguistically diverse consumers.

Partnerships in complaints handling

Partnerships with external agencies in relation to complaints handling were progressed in 2009–10.

In relation to managing complaints about lawyer agents, the Office of the MARA has met with the NSW Office of the Legal Services Commissioner and the Law Institute of Victoria. Constructive discussions have also been held with the Law Council of Australia.

During the year, the Office of the MARA has also engaged with a number of agencies to achieve better consumer and regulatory outcomes. These include:

- the Department of Education, Employment and Workplace Relations, and DIAC in regard to the investigation of agents concerning possible fraud offences and integrity
- state fair trading agencies to refer clients who have not been able to resolve costs disputes with their registered migration agent
- the Insurance Council of Australia to progress discussions on sharing of information.

Enhanced continuing professional development

As an initial stage in enhancing CPD, measures were put in place to reduce the amount of unnecessary processes and paperwork.

Subsequently the Office of the MARA undertook a robust and rigorous evaluation of activities:

- ensuring that all approved CPD activities specify learning outcomes which will improve the participant’s professionalism and knowledge
- attending CPD seminars to evaluate the quality of the contents and delivery
- visiting CPD providers for ongoing quality assurance.

More rigour has been introduced into private study activities by increasing assessment requirements, with additional questions and a higher pass mark.

In May 2010, a project commenced to review the existing CPD scheme. This project incorporated a survey of all registered migration agents, seeking their views on various aspects of CPD. The survey had a response rate of 20 per cent, with 61 per cent of respondents indicating they were ‘really happy with the CPD (they had) completed’. The Office of the MARA will continue to work closely with CPD providers to enhance the current CPD framework and consider recommendations arising from this project.
Increasing knowledge requirements

A number of recommendations were made to increase the knowledge level of people entering the profession, including a higher level of qualification for entry to the profession and introducing supervised practice. Options to take these recommendations forward have been considered by the Office of the MARA in consultation with the advisory board.

In May 2010 a project was commenced to review entry level requirements and the prescribed course framework for entry into the migration advice profession. A set of competency standards was proposed which describes functional skills, attributes and knowledge which prospective agents need to demonstrate before being registered. The Office of the MARA and key stakeholders will work in consultation to finalise the set of competency standards and these will underpin curriculum development for the prescribed course. They will also be integrated into CPD activities.

Supervised practice

Another recommendation for improving the knowledge of registered migration agents was to introduce supervised practice for new migration agents. The Office of the MARA has explored options for implementing a form of supervised practice within the current legislative framework.

Alternative strategies, which take into account the resource intensive nature of supervised practice, as well as limitations on the availability of supervision, are being developed.

One strategy is for small group coaching which could operate as a pilot scheme. The Office of the MARA will work closely with providers to develop more training programs which achieve ‘practice-ready’ outcomes.

Client monies

The review recommended more stringent controls over client monies by requiring that registered migration agents hold funds in trust accounts that are managed according to trust accounting standards. Due to complexities in implementing this recommendation for non-lawyer agents, advice has been sought from the Institute of Chartered Accountants and other options are being explored.

In the meantime, agents who have client accounts are required to submit a sample of transactions for auditing at the time they apply for re-registration. Any anomalies are then followed up with the agent before the application for re-registration is finalised.
In progressing the review of the Code of Conduct, the Office of the MARA is focusing on strengthening existing provisions to provide clear rules of conduct.

Pro bono assistance

To provide support to the sector providing not-for-profit immigration advice, the Office of the MARA held a forum in June 2010 in Sydney for organisations involved in this sector.

This forum was chaired by advisory board member, Ms Sonia Caton, and it facilitated meaningful dialogue and discussion of the need for pro bono assistance. A total of 23 delegates attended including representatives of ACCES Services Inc, DIAC, Immigration Advice and Rights Centre, Law Council of Australia, MIA, Migration Alliance, Migrant Resource Centre of South Australia, Multicultural Development Association, Murdoch University, Refugee Advice and Casework Service, Refugee & Immigration Legal Centre, Refugee and Immigration Legal Service, the Salvation Army’s Courtyard Legal and the Settlement Council of Australia.

Ways to increase the number of registered migration agents working with not-for-profit organisations were discussed. Some actions from the meeting have been put in place, including the development of a kit by the Refugee and Immigration Legal Service to assist in completing ‘split family’ visa applications, and the provision of a link on the Office of the MARA website to information for, and about, pro bono agents.

Feedback from participants was extremely positive as it was the first time many of the organisations had been brought together.

Code of Conduct

The Code of Conduct for registered migration agents was considered during the review, which recommended that the code be re-written in simple English, strengthened and ethical issues dealt with separately.

In progressing the review of the Code of Conduct, the Office of the MARA is focusing on strengthening existing provisions to provide clear rules of conduct for enforcement. In addition, a separate statement of ethics containing broad guiding principles of professional behaviour that are in line with the Code of Conduct will be developed.

Recommendations requiring legislative change

Legislative or regulatory change will be required to finalise a number of review recommendations.

A regulatory change program is being developed by the Migration Agents Section of DIAC, in close consultation with the Office of the MARA.

Further information on the review is contained in Appendix 10 at page 63.
Performance standards for registration

The Office of the MARA’s target is to achieve the following performance standards for processing applications for registration:

- acknowledge receipt of the registration application by email and send the tax invoice to the applicant within two business days of receipt
- have 95 per cent of complete initial registration applications finalised within four weeks of the 30 day objection period lapsing
- have 95 per cent of complete repeat registration applications finalised within four weeks
- send the certificate of registration within two weeks of approval of the application.

Performance against standards

While the vast majority of registration applications are finalised within the stated timeframes for performance, the performance standards of 95 per cent finalised within these timeframes were not consistently met. This was due to a number of factors including an increased number of applications received, staff turnover and resolution of old cases.

- In 2009–10, 91.1 per cent of complete initial registration applications were finalised within four weeks of the 30 day objection period lapsing.
- In 2009–10, 91.6 per cent of complete repeat registration applications were finalised within four weeks.

2009–2010 in brief

- As at 30 June 2010, there were 4482 registered migration agents. Of these:
  - 857 were in their first year of registration
  - 3625 were re-registered migration agents.
- There were 246 not-for-profit agents.
- There were 1185 agents with a legal practising certificate.
- 564 agents left the profession during the year, compared with 462 in 2008–09.
REGISTRATION AND CLIENT SERVICES

Registration activity report

<table>
<thead>
<tr>
<th></th>
<th>Initial</th>
<th></th>
<th></th>
<th></th>
<th>Repeat</th>
<th></th>
<th></th>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Not-for-profit</td>
<td>Commercial</td>
<td>Total</td>
<td>Not-for-profit</td>
<td>Commercial</td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applications received</td>
<td>63</td>
<td>710</td>
<td>773</td>
<td>214</td>
<td>3543</td>
<td>3757</td>
<td>4530</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applications approved ¹</td>
<td>59</td>
<td>772</td>
<td>831</td>
<td>202</td>
<td>3524</td>
<td>3726</td>
<td>4557</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applications refused</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>2</td>
<td>6</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otherwise finalised ²</td>
<td>3</td>
<td>8</td>
<td>11</td>
<td>9</td>
<td>62</td>
<td>71</td>
<td>82</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes: ¹ The number of applications finalised includes a number of applications that were reported as received in the last program year. ² Otherwise finalised includes invalid applications and those that were withdrawn. An application might be invalid because the application fee was not paid or the information provided did not substantially comply with that required by the approved form.

Table 2: Number of initial and repeat registration applications

Initial registration

People wanting to register as a migration agent for the first time must satisfy a number of registration requirements to determine if the applicant is suitable for registration.

For initial registration, there are a number of specific requirements that must be met:

- Prove completion of the Graduate Certificate in Australian Migration Law and Practice. Alternatively, the applicant may hold a current legal practising certificate issued by a relevant Australian body.
- Have an acceptable level of English language competency. From 1 January 2010, the new standard is an academic IELTS band score of seven with a minimum of 6.5 for each component, or other educational qualifications showing proficiency in English.
- Complete and provide the results of a police criminal history check.

In addition, the names of applicants and their intention to apply for registration are published on the Office of the MARA website for a period of at least 30 days before the application can be decided. This provides members of the public with an opportunity to object, or make submissions about, the applicant’s intended registration.

Definitions for these terms and a full list of requirements are included in the Policy and Procedures Manual which is available on the website.
Since January 2010, partial online registration which involves the automated pre-population of significant agent information has simplified the re-registration process.

A total of 773 initial registration applications were received in 2009–10. Of these, 603 applications were lodged in the first six months. The high lodgement rate in the first half of the year was due in part to prospective agents lodging applications prior to the introduction of the higher English language requirements.

There were 831 initial applications approved, bringing the total of registered migration agents who are in their first year of registration to 857 at 30 June 2010.

Repeat registration

Registration must be renewed every year. The number of repeat registrations approved in 2009–10 was 3726, compared with 3312 in 2008–09. The number of re-registered migration agents at 30 June 2010 was 3625, which differs from those finalised due to the balancing effect of agents leaving the profession.

Specific requirements apply at re-registration, including:

- evidence of current professional indemnity insurance
- demonstrated completion of required CPD activities during the past 12 months
- provision of information on the average fees charged by commercial agents. This information is collated to illustrate the range of agent fees charged and is published on the Office of the MARA website as a guide to consumers.

Since January 2010, a streamlined process has been available to re-registering agents. Partial online registration which involves the automated pre-population of significant agent information has simplified the re-registration process.
The partial online registration process involves:

- a re-registration reminder email sent to registered migration agents eight weeks before the expiry of their registration
- the appearance of a reminder icon on the agent’s home page on the Office of the MARA website
- the agent going through a four-step re-registration process where they confirm or update relevant information online
- the agent downloading their one page personalised re-registration form and mailing or hand delivering to the Office of the MARA.

The new website has facilities for electronic payment by BPAY®, making the service more convenient for applicants. Work was undertaken during the year to expand BPAY® to include payments by credit card.

Refusal of registration applications

In 2009–10, nine applications were refused, compared with five in 2008–09. Of these:

- three were refused where the applicant is not a fit and proper person or not a person of integrity
- five were refused because the applicant would not provide evidence of holding professional indemnity insurance
- one was refused because the applicant did not hold the prescribed qualification.

Agents with a legal practising certificate

The number of agents with a legal practising certificate was 1185 on 30 June 2010, compared with 1124 at 30 June 2009. As at 30 June 2010, this is 26.4 per cent of all registered migration agents.

Details of agents with a legal practising certificate are maintained on the database, as the qualification is material to both initial and repeat registration as well as CPD requirements.

In response to the review recommendations and requests from the Law Council of Australia, the Office of the MARA explored whether those with legal practising certificates could be identified on the website. A technical solution has been identified and is scheduled to be implemented in 2010–11. This change will provide additional information to assist consumers.
Not-for-profit agents

The number of not-for-profit agents increased slightly during the year, from 230 in 2008–09 to 246 in 2009–10, an increase of approximately seven per cent. Approximately 48.8 per cent of not-for-profit agents hold legal practising certificates. Not-for-profit registered migration agents operate in every state and territory (see Figure 6). 47.2 per cent were born overseas in 41 countries across Asia, Europe, the Americas, the Middle East and Africa.

There are a number of concessions for registered migration agents who do not charge for their services, such as lower registration application fees. The Office of the MARA is working with stakeholders to identify additional measures to increase the availability for disadvantaged clients of pro bono services from both the not-for-profit and commercial sectors of the profession.

Geographic spread – not-for-profit registered migration agents

Figure 6: Geographic spread of not-for-profit registered migration agents
Trans-Tasman Mutual Recognition Act 1997

Immigration advisers who are licensed with the New Zealand Immigration Advisers Authority (IAA) come under the Trans-Tasman Mutual Recognition Act 1997 (TTMRA). The TTMRA recognises the regulatory standards adopted in New Zealand for equivalent registered occupations and enables the registration of New Zealand’s licensed immigration advisers in Australia. The New Zealand IAA licenses both New Zealand citizens and overseas advisers.

During 2009–10 the Office of the MARA worked with DIAC and the New Zealand IAA to put in place measures to deal with the practical implications of recognising New Zealand licensed immigration advisers under the TTMRA.

Arrangements were completed in May 2010 and information on the TTMRA registration process was made available on the Office of the MARA website.

As at 30 June 2010, no New Zealand licensed immigration advisers were registered in Australia under the TTMRA. The New Zealand IAA advised that as at 30 June 2010, 162 Australian registered migration agents were registered in New Zealand under the Trans-Tasman Mutual Recognition Arrangement.

Auditing compliance with the Code of Conduct

The Office of the MARA has continued to audit compliance with the migration agents Code of Conduct during the re-registration process.

Auditing may include the following:

- Agents provide a receipt proving they hold a current professional library.
- Re-registering agents who collect or intend to collect monies in advance for disbursements or in advance of providing immigration assistance are required to provide the Office of the MARA with a copy of their most recent clients’ account statement covering a minimum four week period. Agents with legal practising certificates who fall into this category may also provide a copy of their annual trust account auditing report.
- Similarly, re-registering agents who offer a ‘no win, no fee’ service or refunds based on certain conditions, are audited to ensure they have the capacity to honour these commitments, such as through sufficient bank account balances, insurance or bank guarantees.
- Agents with a clients’ account are also required to provide a bank statement detailing one month of transactions. This is to assess whether client funds are being managed in accordance with the migration agents Code of Conduct.

Full audits may be conducted on a case by case basis where issues of non-compliance become apparent.
The Office of the MARA has put in place processes to manage the registration applications of agents, both efficiently and with integrity.

Initiatives and enhancements

The Office of the MARA has put in place processes to manage the registration applications of agents, both efficiently and with integrity. Significant efforts were made to improve forms and to provide information to assist with the completion of registration applications.

A management initiated review of processes was undertaken in June 2010. The report supported a range of current practices and, where improvements were identified, acknowledged that the Office of the MARA was already taking action to address many of them.

Client services

A Client Service Charter detailing service standards was developed and made publicly available on the website.

A dedicated client service team was established, comprising staff from each section, to ensure that expertise across all functions of the office is available to clients. The team manages the front counter, general telephone inquiries and general email inquiries. Work was also undertaken to develop a client service survey which will be completed in 2010–11.

A dedicated phone line for registered migration agents was managed by the Registration and Client Services section. During the first six months of the year, a large number of calls to the agents’ phone line related to change of detail requests. Following the re-release of the website, which provided enhanced functionality, registered migration agents have been able to change some of their contact details online.

This additional functionality reduced the number of calls to the agents’ phone line during the second six months of the program year.

A study was undertaken of the top ten client inquiries to better understand and address client needs. This resulted in the development of a frequently asked questions list for client service staff and the creation of a frequently asked questions handout to assist students undertaking the Graduate Certificate in Australian Migration Law and Practice with the registration process. This frequently asked questions handout has been made available on the website.
A consumer was worried that the registered migration agent was not providing correct advice about a visa, and was too slow in responding to phone calls. After trying to resolve these problems with the agent, the consumer was told that the registered migration agent was still working on the matter and would not provide a refund of fees already paid.

After the consumer complained to the Office of the MARA, the agent reviewed both the electronic and hard copy files on the matter. After discussing the chain of events leading to the consumer’s formal complaint, it was agreed that the registered migration agent should have provided a more efficient service to the consumer.

The agent agreed to refund the fees paid and also to write a letter of apology. After establishing that the breaches of the Code of Conduct did not warrant disciplinary action against the agent, the Office of the MARA noted the complaint as ‘no further action required’. The registered migration agent was initially registered seven years earlier, and this was the first complaint about the agent by a consumer.
Performance standards for complaints
The Office of the MARA adopted the following performance standards for managing complaints about registered migration agents:

- acknowledge receipt of the complaint by letter within two business days of receipt
- finalise 99 per cent of complaints within 12 months from the date of receipt of a complete complaint
- finalise 100 per cent of complaints within 24 months from the date of receipt of a complete complaint
- write to tell the complainant of the Office of the MARA's decision on the complaint within a week of making a decision. The letter will include an explanation of the findings and the reasons for the decision by the Office of the MARA.

Performance against standards
The Office of the MARA focussed on finalising older and more complex complaints in 2009–10. As a result, the average processing time for complaints finalised increased from approximately four to five months. There was, however, a consequent reduction in the average age of complaints on hand from over nine months to approximately six months.

- In 2009–10, 70.0 per cent of complaints were finalised within 12 months from the date of receipt of a complete complaint.
- In 2009–10, 96.1 per cent of complaints were finalised within 24 months from the date of receipt of a complete complaint.

2009–10 in brief
- 499 matters were received in 2009–10 relating to 311 registered migration agents.
- Fourteen complaints resulted in eight agents being sanctioned, of which:
  - three agents had their registration suspended for periods up to three years
  - two agents were cautioned
  - three former agents were barred from re-applying for registration for a period of up to five years.
Complaints handling

The Policy and Procedures Manual guides Office of the MARA decision makers to ensure they consider relevant facts, applicable case law, the legislation and the migration agents Code of Conduct requirements.

To further strengthen its complaint management, the Office of the MARA engaged an experienced senior lawyer from the Australian Government Solicitor to provide guidance and training in relation to the establishment of procedures for decision making and the conduct of complaint investigations.

That senior lawyer also reviewed the Policy and Procedures Manual. Procedures implemented in December 2009 ensure that:

- before a complaint is finalised, the proposed approach is validated by another officer, based on the legislation and the Policy and Procedures Manual
- contentious and complex complaints are referred for independent legal advice
- quality control processes are followed including use of standard templates and correspondence.

In addition, training was provided to all staff in the Professional Standards and Integrity section on Part 3 of the Migration Act and Good Administrative Decision Making. Selected staff also attended the Interview Fundamentals course.

A flowchart outlining the complaints handling process can be found in Appendix 8 on page 56.
Data integrity

A comprehensive exercise was undertaken to identify and correct data integrity issues. This has provided greater confidence in the Office of the MARA’s ability to analyse and report on trends.

The way in which complaints are recorded was also reviewed and procedures put in place to record all complaints and their source in the one database. This change has been implemented to improve the integrity of performance information available for analysis and reporting.

An explanation is provided in the performance tables contained in this chapter, where the manner in which performance is represented is not directly comparable with previously reported figures.

Complaints received and finalised

| Unresolved complaints carried forward from 2008–09 | 205\(^1\) |
| Complaints received or re-opened                  | 499     |
| Complaints finalised 2009–10                      | 424     |
| Unresolved complaints carried forward to 2010–11  | 280     |

Table 3: Number of complaints in 2009–10

The number of complaints received in 2009–10 continued the pattern from the previous year of exceeding the number of complaints which were able to be finalised, resulting in an increase in complaints on hand.

Productivity has been impacted by the recruitment and training of new staff, implementation of new procedures, and quality assurance mechanisms. The investment in staff training and support in 2009–10 is expected to result in improved productivity in the next program year.

When comparable data is considered:

- 499 complaints were received and re-opened in 2009–10 relating to 311 registered migration agents, which is not a material change from the 490 complaints received and re-opened over the previous program year.
- 424 complaints were finalised compared with 411 in the previous year.
- As at 30 June 2010, there were 280 complaints under investigation compared with 205 in the previous year\(^1\).

---

\(^1\)As part of the implementation of measures to improve data integrity and the changes in the recording of complaints, the number of complaints on hand at 1 July 2009 was revised. At 1 July 2009, the 205 complaints that remained under investigation comprised of:

- 123 recorded complaints
- 34 complaints received prior to 1 July 2009 which had not been entered into the database until after 30 June 2009.
- nine own motion complaints
- 39 issues (complaints of a minor nature).
Source of complaints

There was a slight increase in the proportion of complaints received from registered migration agents and individuals. There was a decrease in the proportion of “own motion” complaints initiated by the Office of the MARA and an increase in the proportion of complaint referrals from DIAC, primarily as a result in the change to reporting.

The Office of the MARA conducted information sessions for DIAC’s staff to increase their understanding of an agent’s obligations under the Code of Conduct. A Memorandum of Understanding was also finalised with the Migration Agents Section in the Migration and Visa Policy Division of DIAC which, amongst other things, established improved guidelines for referral of complaints.

<table>
<thead>
<tr>
<th>Source of complaints</th>
<th>Proportion of complaints raised in 2008–09</th>
<th>Proportion of complaints raised in 2009–10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct from individuals</td>
<td>53.7%</td>
<td>54.7%</td>
</tr>
<tr>
<td>Referred by DIAC</td>
<td>19.8%</td>
<td>31.1%</td>
</tr>
<tr>
<td>Referred by another registered migration agent</td>
<td>2.4%</td>
<td>6.2%</td>
</tr>
<tr>
<td>Referred by the Office of the MARA (own motion)</td>
<td>19.0%</td>
<td>3.8%</td>
</tr>
<tr>
<td>Complaints re-opened</td>
<td>1.0%</td>
<td>1.6%</td>
</tr>
<tr>
<td>Referred by a tribunal or court</td>
<td>2.7%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Referred by another individual</td>
<td>1.0%</td>
<td>0.8%</td>
</tr>
<tr>
<td>Referred by other organisations</td>
<td>0.2%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Referred by a professional association</td>
<td>0.0%</td>
<td>0.2%</td>
</tr>
<tr>
<td>Referred by a Member of Parliament</td>
<td>0.2%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 4: Source of complaints
Issues raised in complaints

Issues raised in complaints in relation to the Code of Conduct showed an increase from the previous year in complaints concerning migration agents’ duties to their employees (Part 8), and a slight increase in Part 3 of the Code of Conduct relevant to obligations to clients.

There was also a relative increase in the proportion of issues raised in complaints in relation to an agent’s obligations to keep proper records and client files (Part 6) and to manage client monies (Part 7).

<table>
<thead>
<tr>
<th>Part of the Code of Conduct</th>
<th>Proportion of issues raised in 2008–09</th>
<th>Proportion of issues raised in 2009–10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standards of professional conduct (Part 2)</td>
<td>73.4%</td>
<td>70.7%</td>
</tr>
<tr>
<td>Obligations to clients (Part 3)</td>
<td>3.4%</td>
<td>3.8%</td>
</tr>
<tr>
<td>Relations between agents (Part 4)</td>
<td>0.7%</td>
<td>0.4%</td>
</tr>
<tr>
<td>Fees and charges (Part 5)</td>
<td>9.3%</td>
<td>7.3%</td>
</tr>
<tr>
<td>Record keeping and management (Part 6)</td>
<td>1.2%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Financial duties (Part 7)</td>
<td>2.0%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Duties of agents to employees (Part 8)</td>
<td>2.7%</td>
<td>6.6%</td>
</tr>
<tr>
<td>Complaints handling process (Part 9)</td>
<td>1.5%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Termination of services (Part 10)</td>
<td>3.6%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Client awareness of the Code (Part 11)</td>
<td>2.3%</td>
<td>0.4%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 5: Types of issues raised in complaints
Overall the proportion of issues raised in complaints relating to Part 2 of the migration agents Code of Conduct decreased.

There has been a shift in the area of concerns specifically relating to Part 2. The proportion of issues relating to an agent’s competence increased.

There was a reduction relating to advertising not to imply a relationship with DIAC or the Office of the MARA.

<table>
<thead>
<tr>
<th>Alleged breach – Complaints relating to Code of Conduct Part 2: Standards of professional conduct</th>
<th>Proportion of issues raised in 2008–09</th>
<th>Proportion of issues raised in 2009–10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competence</td>
<td>50.2%</td>
<td>55.9%</td>
</tr>
<tr>
<td>Integrity</td>
<td>16.0%</td>
<td>15.9%</td>
</tr>
<tr>
<td>Follow client’s instructions</td>
<td>8.9%</td>
<td>8.4%</td>
</tr>
<tr>
<td>Act in a timely manner</td>
<td>4.7%</td>
<td>4.0%</td>
</tr>
<tr>
<td>Prospects of success</td>
<td>2.9%</td>
<td>3.9%</td>
</tr>
<tr>
<td>Conflict of interest</td>
<td>2.6%</td>
<td>2.8%</td>
</tr>
<tr>
<td>Submit application without documents</td>
<td>2.0%</td>
<td>2.3%</td>
</tr>
<tr>
<td>Vexatious applications</td>
<td>1.2%</td>
<td>1.8%</td>
</tr>
<tr>
<td>Maintenance of a professional library</td>
<td>0.3%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Advertising is not to be false or misleading</td>
<td>1.3%</td>
<td>0.9%</td>
</tr>
<tr>
<td>Advertising included Migration Agents Registration Number</td>
<td>2.2%</td>
<td>0.8%</td>
</tr>
<tr>
<td>Advertising not to imply relationship with DIAC/Office of the MARA</td>
<td>5.9%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Not mislead or deceive the Office of the MARA</td>
<td>0.6%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Procure particular decision</td>
<td>0.2%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Not imply relationship with the minister or government</td>
<td>0.1%</td>
<td>0.4%</td>
</tr>
<tr>
<td>Notify change of registration details</td>
<td>0.4%</td>
<td>0.2%</td>
</tr>
<tr>
<td>Migration Agents Registration Number listed on translations</td>
<td>0.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 6: Complaints raised relating to Part 2 of the migration agents Code of Conduct
Finalised complaints

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints resolved and finalised without sanction</td>
<td>197</td>
</tr>
<tr>
<td>Discontinued or dismissed</td>
<td>168</td>
</tr>
<tr>
<td>Referred to DIAC or other agencies</td>
<td>45</td>
</tr>
<tr>
<td>Sanction decision</td>
<td>14</td>
</tr>
<tr>
<td>Total</td>
<td>424</td>
</tr>
</tbody>
</table>

Table 7: Finalised complaints

Complaints resolved and finalised without sanction

A large number of complaints (197) raised issues that are not sufficient to warrant a sanction. These cases may be able to be resolved by issuing a warning or corrective action letter to the registered migration agent.

A warning or corrective action letter may recommend that an agent undertake CPD activities in relation to issues addressed in the letter. In 2009–10, 67 warning or corrective action letters were issued to agents.

Of these:

- 53 complaints involving 47 agents led to requests for corrective action to be undertaken by agents.
- 11 complaints were resolved through informal mediation.
- A further three complaints in relation to misleading advertising were resolved informally.

In a number of complaints, the agents either waived all or part of their fees or made a full or partial refund to the complainant.

Discontinued or dismissed complaints

In 2009–10, 168 complaints were either:

- discontinued in cases where the complainant did not agree to a copy of the complaint being provided to the agent, where the agent’s registration was cancelled or barred prior to the complaint being investigated or the complaint was withdrawn, or
- dismissed because the Office of the MARA had no jurisdiction (for example, complaints about overseas agents), where no breach had occurred or there was insufficient evidence to pursue the complaint.
Complaints referred to DIAC

Complaints received against individuals who are not registered migration agents are referred to DIAC. In 2009–10 there were 40 cases referred, which is the same number as in 2008–09.

In 2009–10, five cases were also referred to DIAC for investigation of possible breaches of other sections of the Migration Act and fraud related matters.

Complaints about lawyer agents

In accordance with its jurisdiction, the Office of the MARA investigates complaints concerning lawyer agents if the complaint relates to the provision of immigration assistance. In 2009–10, the NSW Office of the Legal Services Commissioner referred three cases to the Office of the MARA.

Complaints about lawyer agents performing immigration legal assistance, for example, preparing for proceedings before a court, are referred to the relevant legal services regulator. In 2009–10 no complaints were received involving lawyer agents performing immigration legal work.

Complaints resulting in a sanction

Where warranted, strong disciplinary action was taken against agents. If the agent is not satisfied with the Office of the MARA’s decision to sanction, the agent may seek a merits review from the Administrative Appeals Tribunal.

In 2009–10, the Office of the MARA was satisfied that eight registered migration agents significantly breached the Code of Conduct, or that the agent was not a fit and proper person to be a registered migration agent or was not a person of integrity.

The following sanctions were applied:

- cautioned – two agents based on two complaints
- suspended – three agents based on five complaints
- former registered migration agents barred – three agents based on seven complaints.

The sanction decisions were published on the Office of the MARA website after the agents were notified.

Sanction outcomes

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Number of agents</th>
<th>Based on number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cautioned</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Registration suspended</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Registration cancelled</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Barred</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>14</td>
</tr>
</tbody>
</table>

Table 8: Complaints resulting in a sanction outcome
The Integrity Unit assists registered migration agents understand their obligations under the Code of Conduct. Site visits also deter, detect and address non-compliance.

Litigation

During 2009–10, there was one appeal to the Administrative Appeals Tribunal against a suspension decision made in the previous year. This appeal was subsequently withdrawn. As at 30 June 2010, no appeals were lodged against decisions made in 2009–10.

Integrity Unit

The Integrity Unit was set up in early 2010 to monitor and audit registered migration agents. Its primary focus is to help registered migration agents better understand their obligations under the Code of Conduct and identify opportunities to improve their business practices.

Visits can also deter, detect and address non-compliance. Registered migration agents were kept informed of the proposal to set up the Integrity Unit and the progress of the pilot through the CEO’s newsletters.

In May 2010, the Office of the MARA carried out pilot site visits in New South Wales, Victoria, Queensland and Western Australia. With the full co-operation of a number of experienced registered migration agents, the pilot visits were used to validate monitoring procedures.

Full operations commenced on 1 June 2010.

In 2009–10, 15 businesses were visited. Within the businesses, 19 registered migration agents were audited with minor breaches identified in three instances. In each case, the agent rectified the identified breach.
WORKING WITH AGENTS FOR AN ETHICAL PROFESSION

In June 2010 the Integrity Unit commenced its monitoring program aimed at educating and making agents aware of their responsibilities under the Code of Conduct. Where errors or oversights are noted during the conduct of an audit, integrity officers ask agents to rectify the omissions.

- On examination of one registered migration agent’s website, it was discovered that there was not a link to the Code of Conduct on the Office of the MARA website. At the monitoring audit, the agent was advised that this was a requirement of the code. The agent immediately rectified the omission.

- One agent was not aware of the Code of Conduct requirement to keep all records securely. The agent was advised of the code obligations to secure closed client files in locked cabinets and a follow up letter was issued. Within the required timeframe the agent provided a receipt for the purchase of a lockable filing cabinet.

- Another agent was regularly advertising in a foreign language newspaper and provided a copy of the advertisement to integrity officers. The advertisement made reference to a special relationship with DIAC. The agent removed the advertising content which was in breach of the Code of Conduct and continues to advertise with the remaining appropriate content.
Performance standards for professional development

- Finalise and decide on complete CPD activity applications within six weeks.
- Publish approved CPD activity applications in the next available Office of the MARA Notice.

Performance against standards

The section processed and published all CPD activity applications within service standards.

Continuing professional development requirements

Registered migration agents must complete CPD activities each year as part of re-registration requirements. CPD assists registered migration agents to upgrade their skills and knowledge, as well as to keep up to date with migration legislation changes.

For re-registration, agents have to complete 10 points of CPD, which in most cases is equivalent to 15 hours of training. Of the 10 points, at least six need to be core activities. Core activities relate to migration law or policy and procedure. There are also mandatory core activities which must be completed each year.

Agents in their first year after registration must complete all four mandatory subjects – Business Management, Accounts Management, File Management and Ethics and Professional Practice. Thereafter registered migration agents have to undertake only one mandatory CPD activity per year.

Practising lawyers or accountants are able to claim four elective points from professional development undertaken within their own profession. Elective activities relate to topics of a legal or business nature relevant to a migration agent’s practice. They are exempt from the mandatory requirements.

2009–2010 in brief

- 47 providers with 626 approved CPD activities as at 30 June 2010.
- 68 CPD evaluations were completed by the Office of the MARA, to ensure that the CPD activities improve the professionalism and knowledge of registered migration agents.
- 45 per cent of registered migration agents claimed more than the minimum CPD points required.
PROFESSIONAL DEVELOPMENT

During 2009–10 the Office of the MARA put in place measures to strengthen the standard of CPD activities, including robust evaluation to make sure training is of a requisite standard.

Continuing professional development activities

The Office of the MARA approves CPD activities. The Office of the MARA also assesses the learning outcomes and content for each activity, checking that they will improve the professionalism and knowledge of registered migration agents.

By far the most popular form of CPD activities were seminars, conferences, workshops and lectures, comprising 76.5 per cent of the total points claimed during 2009–10. This was followed by private study of audio, video or written material (10.3 per cent).

During 2009–10, CPD activities were offered by 21 of the 47 providers. Six of these CPD providers delivered 75 per cent of the activities. Two new organisations started delivering activities in this period.

Measures were put in place to strengthen the standard of CPD activities, including robust evaluation to make sure training is of a requisite standard. More rigour has been introduced into private study activities by increasing assessment requirements, with additional questions and a higher pass mark.

To ensure that appropriate quality assurance controls are in place, the Office of the MARA commenced a program of visits to CPD providers. A total of 20 provider visits were undertaken to 18 providers.

In addition, Office of the MARA staff have attended CPD activities to evaluate the quality of the material and presentation and also the level of interaction and involvement with attending agents. Staff evaluated 55 seminars and 13 private study activities in 2009–10. The quality of seminars varied among providers but was generally satisfactory. Following each evaluation, detailed feedback was offered to CPD providers and, where relevant, improvements were suggested.
Pro bono work

Registered migration agents can earn up to four elective CPD points during the year by providing pro bono advice (no fee charged) through an authorised voluntary organisation. Three hours of voluntary service are worth one CPD point.

Continuing professional development activities

<table>
<thead>
<tr>
<th>Type of activity</th>
<th>Number of approved activities as at 30 June 2010</th>
<th>Number of points claimed</th>
<th>Percentage of points claimed (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seminar, workshop, conference or lecture</td>
<td>368</td>
<td>34 197</td>
<td>76.5%</td>
</tr>
<tr>
<td>Private study</td>
<td>77</td>
<td>4 623</td>
<td>10.3%</td>
</tr>
<tr>
<td>Miscellaneous activities*</td>
<td>28</td>
<td>4 427</td>
<td>9.9%</td>
</tr>
<tr>
<td>Preparation or presentation of material</td>
<td>14</td>
<td>1 277</td>
<td>2.9%</td>
</tr>
<tr>
<td>Pro bono</td>
<td>26</td>
<td>140</td>
<td>0.3%</td>
</tr>
<tr>
<td>Program of education</td>
<td>17</td>
<td>60</td>
<td>0.1%</td>
</tr>
<tr>
<td>Authorship and publication of articles</td>
<td>96</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>626</td>
<td>44 724</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

* Additional assessments and CPD carried out with other professions.

Table 9: Continuing professional development activities approved and points claimed
Corporate governance arrangements

Governance arrangements were put in place in early 2009–10. These included a business planning framework, a regular internal meeting structure and a reporting structure to the secretary of DIAC and advisory board.

An experienced officer was seconded from the Refugee Review Tribunal and Migration Review Tribunal to assist with the establishment of sound financial systems. These included preparing and managing the budget and forecasts, maintaining financial records, preparing financial reports, analysing business performance information, and implementing and maintaining internal control procedures and proper governance. This was supplemented by training of staff in the legal and policy framework, systems and processes.

During the business planning session with all staff in June 2010, an aspirational statement was adopted as a simple and clear reminder of the outcomes that the Office of the MARA is aiming to achieve.

The aspirational statement embodies the vision of:

- **Ethical profession** – registered migration agents having a reputation for being knowledgeable and skilled professionals who operate ethically and with integrity.

- **Empowered consumers** – consumers understand what to expect from the profession, are able to make informed choices about the use of a registered migration agent, and know how to exercise their rights.

- **Engaged stakeholders** – stakeholders who are interested and involved in ensuring that migration advice is available from a competent, ethical and well regulated profession.

---

2009–10 in brief

- Co-ordinated development of the business plan for the Office of the MARA and reported on performance.
- Ensured responsible financial management.
- Developed and delivered support services, including phone systems, database services and office equipment and supplies.
- Provided secretariat services to five advisory board meetings.
- Co-ordinated the response to the reform agenda arising from the review including developing and implementing the communications strategy.
As a regulator it is the aim of the Office of the MARA to work collaboratively with registered migration agents, consumers and stakeholders to achieve this vision. It is important to the Office of the MARA that the governance arrangements it puts in place supports this collaborative approach and provides confidence that this aspiration is on its way to being reached.

In order to ensure that the financial and governance controls were adequate, the Office of the MARA initiated a management review. This was undertaken by independent auditors, Protiviti Pty Ltd, during November 2009.

The review found that all key elements of a good governance framework were in place or had been identified as required and were in the process of being developed. Elements include the business plan, section plans, Client Service Charter, the Australian Public Service Code of Conduct, communications plan, stakeholder management as well as fraud control, risk management and business continuity plans.

**Staff training and support**

A major focus during the year has been on building staff capacity and ensuring that staff have the skills and knowledge to undertake the functions of the Office of the MARA within the Australian Government framework.

All new staff of the Office of the MARA completed a thorough orientation program in the policies and procedures of the Office of the MARA and DIAC’s corporate policies and programs, such as guidelines on occupational health and safety and harassment prevention. All staff attended probity training and new staff were required to complete Australian Public Service Code of Conduct and security awareness training.

In addition, individual staff received specific training based on their performance development agreements and in accordance with their functions. This included:

- complaints handling
- interviewing techniques
- document examination
- occupational health and safety
- harassment in the workplace
- records management
- financial responsibilities
- cost centre manager training
- purchase order requisitions
- client service skills and lawful decision making
- leadership and supervision.
The enhanced Office of the MARA website provides more convenient services for consumers, registered migration agents and providers of CPD activities.

**Staffing levels**

A review of the structure and staffing levels was undertaken to ensure that the Office of the MARA had sufficient staff to carry out its functions, to manage the transition and to progress the large reform agenda. Areas of focus were:

- implementation of review recommendations
- additional professional standards officers to resolve complaints against registered migration agents
- establishing an integrity unit to enhance the monitoring of registered migration agents
- establishment of a communications unit.

At 30 June 2010 there were 33 permanent staff positions. There were also a temporary position and four part-time contracted staff. More information on staffing is contained in Appendix 3 on page 52.

**Enhanced Office of the MARA website**

The enhanced Office of the MARA website provides more convenient services for consumers, registered migration agents and providers of CPD activities.

Consumers now benefit from a daily refresh of a large number of pages of information. When consumers use the website to ‘Find An Agent’, for example, they can search for both commercial and not-for-profit agents and the details they are presented with are more comprehensive. Consumers can also be more confident of the currency of the information.

Consumers can contact the Office of the MARA online including lodging a complaint. The ease of use of the website has been improved and further work is being done to improve content and presentation.
As a result of the improvements to the website, the Office of the MARA is experiencing a more timely and even application rate.

Registered migration agents have also benefited from increased security and protection of their personal information as well as greater access to information at any time. Agents can login to view and update their details securely in real time and view the CPD activities that they have completed. Agents can also partially complete online a streamlined process for re-registration. The graphic containing their migration agent registration number can be easily downloaded for use in advertising and other material.

In addition, agents benefit from access to up to date information on upcoming CPD activities. Enhancements planned in the coming year include an interactive CPD planner and full online re-registration.

As a result of the improvements to the website, the Office of the MARA is experiencing a more timely and even application rate as agents can access pre-populated applications for re-registration. Agents are viewing their information and updating changes to contact details and other information online, reducing the need to contact the Office of the MARA by telephone, fax or mail.

CPD providers also enjoy significant benefits. Providers have their own secure login to view and update their contact information. They are able to publicise their planned activities for the benefit of agents and subsequently report online the agents who have completed their activities. This streamlines the process and increases the accuracy and currency of each agent’s CPD history. The amount of information available to providers to assist them has been significantly increased.

Statistics on website usage

Since the availability of partial online repeat registration in April 2010, 86.7 per cent of applicants for repeat registration used the online application process.

A new functionality to enable agents to update their details online was introduced in February 2010. Since then, 33.4 per cent of agents who have updated their details performed edits using this function.
Feedback – complaints about the Office of the MARA

Information on how to make a complaint about the Office of the MARA is available on the website. In establishing the mechanisms for managing such complaints, the Office of the MARA noted advice of the Commonwealth Ombudsman’s Office that best practice in complaints handling is to integrate it into the agency’s core business. Complaints are used to identify weaknesses in the Office of the MARA’s operations and to effect improvements.

In 2009–10, the Office of the MARA received 25 complaints, 35 general inquiries and three compliments via DIAC’s Global Feedback Unit. Almost all (24) complaints were received in the first three months of operation and most were about the transitional website.

The Commonwealth Ombudsman’s Office contacted the Office of the MARA in relation to one matter during the year. The information requested by the Ombudsman was provided that same day. The Ombudsman subsequently formally advised the Office of the MARA that no further investigation was warranted.
Summary of financial performance

From 1 July 2009 additional funding was provided to DIAC for the new operational arrangements for the Office of the MARA. This was reflected as a measure in the 2009–10 Budget.

The total appropriation for ordinary annual services for the Office of the MARA was $6.407 million in 2009–10.

Included in the allocation was a provision for one off transitional costs to establish the Office of the MARA in separate premises, with separate business systems.

The appropriation was supplemented by receipts of $21,000 from sale of goods and rendering services.

DIAC has prepared financial statements in accordance with the Finance Minister’s Orders made under the Financial Management and Accountability Act 1997, including the Australian Accounting Standards. The accounts have been audited by the Australian National Audit Office, and will be reported in the Department of Immigration and Citizenship Annual Report 2009–10. The financial transactions relating to the Office of the MARA has been included in the department’s financial results.

Whilst not reported separately for audit purposes, the revenue and expenditure data relating to the Office of the MARA has been separately monitored and an income statement for the year ended 30 June 2010 is provided at Table 10. As shown in the table the operating result was a surplus of $26,000.

Administered revenue

Administered revenues are revenues relating to the course of ordinary activities performed by the department on behalf of the Australian Government.

Administered revenue collections are transferred to the Official Public Account maintained by the Department of Finance and Deregulation.

The charge payable by an individual applying for registration as a migration agent is administered revenue. This fee is set in accordance with the Migration Agents Registration Charge Act 1997. Administered revenue generated from migration agent registration application fees amounted to $6.277 million for the financial year 2009–10.
Office of the Migration Agents Registration Authority

Income Statement

<table>
<thead>
<tr>
<th></th>
<th>2010 $'000</th>
<th>2009 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue from Government</td>
<td>6,407</td>
<td>5,814</td>
</tr>
<tr>
<td>Sale of goods and rendering of services</td>
<td>21</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>6,428</td>
<td>5,814</td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee expense</td>
<td>2,472</td>
<td>2,167</td>
</tr>
<tr>
<td>Depreciation and amortisation expense</td>
<td>13</td>
<td>432</td>
</tr>
<tr>
<td>Finance costs</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Supplier expense</td>
<td>3,917</td>
<td>2,990</td>
</tr>
<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td>6,402</td>
<td>5,597</td>
</tr>
<tr>
<td><strong>Operating Result (Deficit)/Surplus</strong></td>
<td>26</td>
<td>217</td>
</tr>
</tbody>
</table>

Table 10: Income statement for the Office of the MARA
Appendix 1: External scrutiny

During 2009–10, there were no judicial decisions or decisions of administrative tribunals with a significant impact on the operations of the Office of the MARA.

There were no reports on the operations of the Office of the MARA by the Auditor–General, any Parliamentary committee or the Commonwealth Ombudsman.

Appendix 2: Freedom of Information

The Freedom of Information Act 1982 (FOI Act) provides a general right of access to information held by Australian Government agencies (departments and authorities).

Information can be requested under the Privacy Act 1988 and the FOI Act. Details about how to make a request appear on the Office of the MARA website at www.mara.gov.au

Key public documents of the Office of the MARA are available free of charge on the website.

FOI requests for Office of the MARA documents are processed by DIAC in Melbourne and Sydney.

Generally, DIAC prefers to provide access to documents in the form of copies. These are available in either paper or electronic form. Private viewing of personal files may be done by appointment at state and regional offices.

People who live in Victoria, Western Australia, South Australia, the Northern Territory or Tasmania can send their requests to:

Parliamentary and Public Access
Department of Immigration and Citizenship
GPO Box 241
Melbourne VIC 3001

People who live in New South Wales, Queensland, Australian Capital Territory or overseas can send their requests to:

Privacy and Freedom of Information Section
Department of Immigration and Citizenship
GPO Box 9984
Sydney NSW 2001
Appendix 3: Managing people

Staffing levels

Staffing levels of the Office of the MARA were commensurate with the workload including progressing the large reform agenda based on recommendations from the review. As at 30 June 2010, the Office of the MARA had 38 positions – 33 permanent positions (two vacant) plus an additional temporary position to assist with the communications strategy. In addition there were four part time contracted staff.

The breakdown of sections is as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Female</th>
<th>Male</th>
<th>Vacant positions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration and Client Services</td>
<td>7</td>
<td>2</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Professional Standards and Integrity</td>
<td>7</td>
<td>2</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Professional Development</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Strategy and Business</td>
<td>6</td>
<td>2</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>(1 is a temporary staff member)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractors</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>10</td>
<td>2</td>
<td>36</td>
</tr>
</tbody>
</table>

Table 11: Distribution of Office of the MARA staff

Senior executive

The break-down of senior executives is as follows:

<table>
<thead>
<tr>
<th>Senior Executive Service Officers</th>
<th>Female</th>
<th>Male</th>
<th>Vacant positions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

Table 12: Distribution of senior executive staff
Diversified workforce

The Office of the MARA has a diversified staff of employees from various cultural and vocational backgrounds, and English and non-English speaking countries.

The Office of the MARA manages diversity in the workplace in accordance with DIAC’s Workplace Diversity Plan 2008–10. This aims to increase representation in DIAC’s workforce of people with disabilities, mature aged workers, Indigenous Australians and people who will contribute to its cultural and linguistic diversity.

Anti-harassment policy

The Office of the MARA complies with DIAC’s policies to prevent discrimination and harassment in the workplace. As at 30 June 2010, two Harassment Contact Officers, who have been trained in the appropriate policies and procedures, were available to support and assist staff.

Occupational Health and Safety

The Office of the MARA is committed to providing a safe and healthy work environment for staff, contractors and visitors. The Office of the MARA manages health and safety in accordance with DIAC’s Health and Safety Management arrangements. Health and Safety representatives are appointed as required under the Occupational Health and Safety Act 1991. Matters regarding insurance premiums and workplace injuries are covered in the Department of Immigration and Citizenship Annual Report 2009–10.

Appendix 4: Ecologically sustainable development and environmental performance

The Office of the MARA complies with DIAC’s National Environmental Policy, which recognises that all activities, products and services within its defined scope can cause an impact on the environment.
### Appendix 5: Purchasing

The purchasing policies of the Office of the MARA comply with core purchasing policies and principles as articulated in the Commonwealth Procurement Guidelines.

The internal processes of the Office of the MARA are based on these guidelines and comply with the practices of DIAC.

### Appendix 6: Advertising and market research

Contract prices listed in Table 13 are not additional to the prices of the contracts for consultancy services listed in the Table 14 of Appendix 7.

<table>
<thead>
<tr>
<th>Consultant name</th>
<th>Description</th>
<th>Contract price (incl GST)</th>
<th>Selection process</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multicultural Marketing &amp; Management (subcontractor to CPR Communications &amp; Public Relations Pty Ltd)(^1)</td>
<td>Focus group research as part of the development of a communications strategy for the Office of the MARA</td>
<td>$31,460</td>
<td>Select Tender</td>
<td>B</td>
</tr>
<tr>
<td>Australian Survey Research Group Pty Ltd</td>
<td>Client impact survey and report on the implementation of English language requirements for registered migration agents</td>
<td>$20,000</td>
<td>Select Tender</td>
<td>C</td>
</tr>
</tbody>
</table>

\(^1\)The focus group research was completed as part of a larger contract awarded to CPR Communications & Public Relations Pty Ltd, listed in Table 14.

Justification key:
- **A**—skills unavailable within the Office
- **B**—need for specialised or professional skills
- **C**—need for independent research or assessment

Table 13: Consultancy services relating to advertising and market research
## Appendix 7: Consultancy services to the value of $10 000 or more

<table>
<thead>
<tr>
<th>Consultant name</th>
<th>Description</th>
<th>Contract price (incl GST)</th>
<th>Selection process</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Survey Research Group Pty Ltd</td>
<td>Develop, conduct and analyse impact survey relating to English language requirements for agents</td>
<td>$20 000</td>
<td>Select Tender</td>
<td>C</td>
</tr>
<tr>
<td>CPR Communications &amp; Public Relations Pty Ltd</td>
<td>Development of a communications strategy for Office of the MARA</td>
<td>$66 294</td>
<td>Select Tender</td>
<td>B</td>
</tr>
<tr>
<td>Deakin University trading as DeakinPrime</td>
<td>Review of the continuing professional development framework for registered migration agents</td>
<td>$63 937</td>
<td>Select Tender</td>
<td>B, C</td>
</tr>
<tr>
<td>KPMG Australia</td>
<td>Management initiated review of migration agent registration application processes</td>
<td>$26 470</td>
<td>Open Tender</td>
<td>C</td>
</tr>
<tr>
<td>Professional Service Integrity Asia Pacific Pty Ltd</td>
<td>Review of probity arrangements of the Office of the MARA</td>
<td>$70 560</td>
<td>Direct Sourcing</td>
<td>C</td>
</tr>
<tr>
<td>Protiviti Pty Ltd</td>
<td>Management initiated review of governance processes of the Office of the MARA</td>
<td>$11 625</td>
<td>Open Tender</td>
<td>C</td>
</tr>
<tr>
<td>The Allen Consulting Group Pty Ltd</td>
<td>Review of the educational requirements for admission to the migration agent profession</td>
<td>$77 996</td>
<td>Select Tender</td>
<td>B, C</td>
</tr>
</tbody>
</table>

Justification key:
A – skills unavailable within the Office  |  B – need for specialised or professional skills  |  C – need for independent research or assessment

Table 14: Consultancy services to the value of $10 000 or more
Appendix 8: Flowchart of Office of the MARA complaint handling process

Figure 8: Flowchart of Office of the MARA complaint handling process
1. Functions

The Office of the MARA advisory board provides advice to the Office of the MARA’s CEO in relation to:

- Office of the MARA procedures, policies and strategies
- setting of organisational directions, priorities and plans
- any emerging issues within the sector of relevance to the regulation of migration agents.

The Office of the MARA advisory board can also provide advice on broad policy issues relating to the migration advice profession as appropriate, including for example, consumer protection issues.

2. Powers

The Office of the MARA advisory board operates in an advisory capacity to the Office of the MARA and has no legal status or decision making capacity in relation to the functions of the Office of the MARA.

3. Membership

The Chair of the Office of the MARA advisory board will be independent of the profession and DIAC and is appointed by the Minister for Immigration and Citizenship. The Chair will be supported by a Deputy Chair.

Membership of the Office of the MARA advisory board includes but is not limited to: a consumer representative, a community representative, a nominee from the Law Council of Australia and a nominee from the MIA. Members are appointed by the Minister for Immigration and Citizenship. Membership extends only to individuals, and proxies are not permitted to attend in the place of members.

The CEO of the Office of the MARA and a representative of DIAC will also be members of the advisory board.

4. Appointment terms

The Chair and members will be appointed for a period of two years, with an option for extension at the discretion of the minister.

5. Meetings

Meetings will be held at least quarterly, and organised by the secretariat. In the event less than 70 per cent of the members are able to attend, the meeting will be rescheduled.
6. Roles and responsibilities

6.1. The Chair

The Chair:
- may invite other people to attend meetings as necessary
- may hold special meetings as required
- will report to the minister on outcomes of the advisory board, with the first report in December 2009, and annually at the end of each program year
- will determine the agenda for each meeting in consultation with members prior to each advisory board meeting.

The Chair will ensure:
- the views of the advisory board are sought on relevant issues
- advisory board members are provided with relevant and timely information upon which to provide advice
- promotion of full participation by all members
- constructive questioning and strategic thinking
- appropriate management of conflicts of interest
- consideration of relevant strategic risks.

6.2. Members

Members are responsible for:
- ensuring appropriate confidentiality of papers and meeting discussions
- exercising due diligence and a good faith commitment to acting in the best interests of the regulatory function at all times
- declaring any real or potential conflicts of interest to the Chair prior to any discussion of the matter.

6.3. Chief Executive Officer of the Office of the MARA

The CEO of the Office of the MARA will provide relevant and timely information on the implementation of any key strategies, statistics relating to the operations of the Office of the MARA, work in key areas such as CPD, outcomes of decisions reviewed by the Administrative Appeals Tribunal and any significant current issues.

6.4. Department of Immigration and Citizenship representative

DIAC’s representative will provide relevant and timely information on departmental activities of relevance to the Office of the MARA’s regulatory functions, such as recent legislative or policy changes impacting on the Office of the MARA.
Mr Robert Cornall AO, Chair

Mr Robert Cornall AO has extensive experience at a high level in public administration and is a former Secretary of the Australian Government Attorney-General’s Department, a position he held from 2000 to 2008. Prior to his appointment as Secretary, he was the Managing Director of Victoria Legal Aid from 1995 to 2000 and Executive Director and Secretary of the Law Institute of Victoria from 1987 to 1995.

Mr Cornall AO was a partner at Middletons Oswald Burt Solicitors (now Middletons) from 1972 until 1987 and was a solicitor at the same firm from 1969 until 1972.

Mr Cornall AO was appointed an Officer of the Order of Australia in 2006 for service to the community through contributions to the development of public policy and through providing advice and governance across a diverse range of responsibilities within the civil justice system.

Ms Jenni Mack, Deputy Chair and Consumer Advocate

Ms Jenni Mack is a long time consumer advocate and has special expertise in consumer compensation schemes and good governance. Ms Mack chairs the Australian Securities and Investment Commission’s Consumer Advisory Panel and is a Director of the Financial Ombudsman Service, the Travel Compensation Fund and CHOICE Switch (CHOICE’s energy switching service). Ms Mack previously advised the Migration Agents Registration Authority (when administered by the MIA) on professional conduct complaints. Ms Mack also sits on the advisory board of the national agricultural chemicals and veterinary medicines regulator.

Ms Mack was the Deputy Legal Ombudsman in NSW in the mid-1990s and was a member of the NSW Judicial Commission for five years. She is a former Executive Director of the Consumers’ Federation of Australia, as well as a journalist and political adviser. Ms Mack holds a Bachelor of Arts and a Masters degree in Administrative Law and Policy.
Mr Glenn Ferguson, Law Council of Australia

Mr Glenn Ferguson is the President of the Law Council of Australia and represented the Law Council on the External Reference Group to the 2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession. He is also on the Australian Government Attorney-General’s International Pro Bono Advisory Council, a Founding Fellow of the Australian Academy of Law and a past President of the Queensland Law Society.

He is a former President of the Immigration Lawyers’ Association of Australasia and past President of LAWASIA. He is also an active member of a number of legal bodies, including the Queensland College of Law, the Queensland Law Foundation, the Australian Government Attorney-General’s International Legal Services Advisory Council and the International Law Section of the Law Council of Australia.

Mr Stirling Henry, Migration Institute of Australia

Mr Stirling Henry started his professional career as a high school teacher in Papua New Guinea. After extensive experience in educational administration and planning, and obtaining a Masters degree in Management from the London School of Economics, he took up a senior executive appointment as Assistant Secretary with the Australian Department of Immigration in Canberra (1981–86). During this time he served as secretary to the Committee of Review of Private Overseas Student Policy (Goldring Committee).

After leaving the government, Mr Henry was Price Waterhouse’s Senior Migration Consultant with responsibility for running the Migration Consultancy Division (1986–90). He helped to establish the Australian Migration Consultants Association which was later succeeded by the MIA. Mr Henry was the inaugural National President of the MIA.

In addition to his Master of Management degree, Mr Henry also holds a Diploma of Education and Bachelor degrees in Arts and Economics and Education. He also has post Graduate Diplomas in Law and Legal Practice.
Mr Andrew Holloway, Universities

Mr Andrew Holloway is the Vice-President (International) at Victoria University, providing policy advice to the Vice-Chancellor and responsible for strategic planning and co-ordination of the university’s operations. He has held the position of International Director at four universities in Australia: Murdoch University, the University of Western Australia, Edith Cowan University and the Australian National University, and more recently held the post of International Director at the University of Auckland.

He chaired the New Zealand Committee of International Directors and was appointed as a member of the Internationalisation Advisory Group to the New Zealand Ministry of Education, Wellington (2006–07). He established the Universitas 21 International Operations Group, involving collaborative activities among international offices in the network, including Australia, Europe, North America and Asia.

Mr Holloway holds the degrees of Bachelor of Arts (Honours) in South Asian History and a Master of Business Administration. Industry awards received include the New Zealand Trade and Enterprise/DHL New Zealand Exporter of the Year (Education Services) in 2007 and the Education New Zealand Award for Internationalisation (2007).

Ms Sonia Caton, Not-for-profit immigration assistance sector

Ms Sonia Caton has worked as a volunteer with the Refugee and Immigration Legal Service since 1991. She is the immediate past Director and Principal Solicitor of the Refugee and Immigration Legal Service and continues as a volunteer.

She is a registered migration agent and serves on a number of boards including International Education Services Limited as Chair of the corporate governance sub-committee and the complaints committee, the Refugee Council of Australia (the law and policy sub-committee) and the Education and Training Reference Committee of the MIA.

Ms Caton is also a former member of the Professional Standards Committee for the MARA (2004–06). Ms Caton also spent 11 years as a member of the Commonwealth Review Tribunals (formerly known as the Immigration Review Tribunal and the Social Security Appeals Tribunal).
Mr Jim McKiernan, Community Advocate

Mr Jim McKiernan was born in Ireland and migrated to Australia in 1969 where he worked as a machinist/fitter and turner until 1976 when he was appointed to the position of Education Officer with the Amalgamated Metal Workers Union.

Mr McKiernan was elected Senator for Western Australia in December 1984, a position he held at subsequent elections until his retirement in 2002. While he was a senator, Mr McKiernan was Chair of the Joint Standing Committee on Migration, the Joint Committee on Publications, the Joint Select Committee on the Family Law Act and the Senate’s Legal and Constitutional References Committee.

Since his retirement from the Senate, Mr McKiernan has served as a Sessional Member of the WA State Administrative Tribunal and the Equal Opportunity Commission, Deputy Chair of the Board of the Disability Services Commission, Chair of the Integrated Fisheries Allocation Advisory Committee and as a member of the WA Carers Advisory Council.

Mr McKiernan is a Justice of the Peace.

Ms Christine Sykes, Chief Executive Officer

Ms Christine Sykes has had considerable experience in providing service to the public, in community organisations, local government and the Commonwealth. This has included 12 years in DIAC, including as a State Director in Queensland and a Regional Director of the North Asia Region.

Prior to working in DIAC, Ms Sykes was a senior officer in the Department of the Prime Minister and Cabinet, where she provided high level policy advice on a range of social policy matters including social justice, status of women, multicultural affairs and Commonwealth-State relations.

Ms Sykes holds a Bachelor of Arts and a Masters degree in Legal Studies (Public Administration).

Ms Elizabeth Hoffmann, Department of Immigration and Citizenship

Ms Elizabeth Hoffmann has been in DIAC since 1984, and has experience working in policy, program delivery and client service areas in state and territory offices (Sydney, Parramatta, Newcastle and Perth among others), overseas posts (Bonn, Manila and Auckland) and national office.

In her current role as Assistant Secretary, Visa Deregulation and Support Branch, Ms Hoffmann is responsible for the visa deregulation and simplification project, policy advice relating to the regulations of the migration advice industry, liaison between Migration and Visa Policy Division policy sections, systems and client services areas, and policy relating to some bridging visa subclasses.
Appendix 10: Findings of 2007–08 Review of Self-Regulation of the Migration Advice Profession

The review was carried out by an external reference group under the guidance of the Hon. John Hodges, a former Federal Minister for Immigration and Ethnic Affairs who had previously worked as a registered migration agent.

The reference group assisted the government to assess the effectiveness of the regulatory scheme, the state of the profession, and if it was ready to move from statutory self-regulation to self-regulation. However, the review found that statutory self-regulation of the migration advice profession led to dissatisfaction among consumers and potential conflicts of interest.

The key findings were:

- There was overwhelming opposition to the profession moving to self-regulation.
- There was dissatisfaction amongst stakeholders regarding the handling of complaints against migration agents.
- The arrangement whereby the MIA operated the MARA created perceived and potential conflicts of interest resulting in a lack of consumer confidence, and the government should consider establishing a regulatory body separate from the MIA.
- Legislation relating to migration agents needed to be substantially revised to remove confusion.
- To minimise consumer confusion, lawyer agents should continue to be included in the regulatory scheme, although revisions to the regulatory scheme would provide further concessions to lawyer agents.
- The CPD requirements needed to be simplified and streamlined – especially for experienced migration agents with good track records.
- Priority processing should be provided to decision-ready visa applications – whether they were submitted by a migration agent or an applicant directly.

The final report of the review was published in December 2008, and listed 57 recommendations for reform.
Appendix 11: Office of the MARA publications

These publications were cited in the body of this annual report.

<table>
<thead>
<tr>
<th>Title of publication</th>
<th>Website location</th>
</tr>
</thead>
</table>
Appendix 11: Continued

These publications were cited in the body of this annual report.

<table>
<thead>
<tr>
<th>Title of publication</th>
<th>Website location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanctioned agents: Search function to find details of registration as migration agents who were subject to sanction decisions</td>
<td><a href="http://www.mara.gov.au/AgentSanctioned/ASSearch.aspx?FolderID=395">www.mara.gov.au/AgentSanctioned/ASSearch.aspx?FolderID=395</a></td>
</tr>
</tbody>
</table>

Table 15: Office of the MARA publications

Appendix 12: Correction of material errors

Prior to 1 July 2009 the Migration Agents Registration Authority was administered by the MIA under a statutory self-regulation scheme from March 1998 to June 2009. The MARA Annual Report 2008–09 was published by the MIA which detailed information regarding the activities during the 2008–09 program year.

During 2009–10 the Office of the MARA made changes in the recording of complaints in order to improve data integrity. This impacted on the number of complaints and the associated percentages reported in 2008–09.

For more information on data integrity and the how the change affects the comparison of previously reported figures, refer to Data integrity on page 31.
### INDEX

2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession  2, 8, 60, 63  

**A**  
ACCES Services Inc  19  
Administrative Appeals Tribunal (AAT)  36, 37, 58  
Advisory board  1–4, 6–7, 9–10, 15, 18–19, 43, 57–62  
Application fees, registration  13, 25, 49  

**B**  
Barring former registered migration agents  29, 35–36  

**C**  
Cancellation of migration agent’s registration  35–36  
Caton, Sonia  4, 7, 19, 61  
Cautioning of registered migration agents  29, 36  
CEO’s newsletter  4, 16, 37  
Chief Executive Officer  3–4, 6, 58, 62  
Chubb AC, Professor Ian  1  
Client monies  18, 26, 33  
Client Service Charter  27, 44, 65  
Client service  6, 16, 27  
Code of Conduct (Australian Public Service)  9, 44  
Code of Conduct (migration agents)  2, 16, 19, 23, 26, 30, 32–34, 37, 65  
Code of Conduct (review)  19  
Commercial registered migration agents  11, 13, 22–23  
Communications strategy  4, 6, 15–16, 43, 64  
Complaints about the Office of the MARA  47  
Complaints about registered migration agents  5, 16–17, 29–36  
Complaints handling  16, 17, 30  
Conflict of interest  2, 9, 34  
Continuing professional development (CPD)  5, 17, 23, 39–41  
Cornall AO, Robert  2, 4, 7, 59  
Corporate governance  43–44  

**D**  
Demographics of the migration advice profession  11–13  
Department of Immigration and Citizenship (DIAC)  5, 8–10, 32, 36, 43, 47, 49, 58, 62  

**E**  
Employee Assistance Program  10  
English language standards  15  
Entry level standards  6, 18  
Environmental performance  53  
Evans, Senator Chris  1, 8  

**F**  
Ferguson, Glenn  7, 60  
Financial statements  49–50  
For-profit registered migration agents (see Commercial registered migration agents)  
Forum for not-for-profit agents  19  
Fraud control plan  9, 44  
Freedom of Information (FOI)  51  

**G**  
Governance  43–44  
Graduate Certificate in Australian Migration Law and Practice  22, 27  

**H**  
Henry, Stirling  7, 60  
Hoffmann, Elizabeth  7, 62  
Holloway, Andrew  7, 61  

**I**  
Immigration Advice and Rights Centre (IARC)  19  
Information on the Regulation of the Migration Advice Profession (IRMAP)  23  
International English Language Testing System (IELTS)  2, 15, 22  
Income statement  49, 50  
Integrity Unit  16, 37, 38, 45  
Internet (see Website)  8–9, 15–16, 22, 24, 27, 45–46  

**L**  
Law Council of Australia (LCA)  10, 17, 19, 24, 57, 60, 63  
Legal practising certificate  11, 12, 21, 22, 24–26
INDEX

M
Mack, Jenni 7, 59
Management initiated review 9, 27
Material errors, correction of 65
McKiernan, Jim 7, 62
Mediation 35
Metcalfe, Andrew (see Secretary of DIAC) i, 6, 8–9, 43
Migration Act 1958 5, 9, 30, 36
Migration agents Code of Conduct (see Code of Conduct (migration agents))
Migration agents graphic 16, 46
Migration Agents Section (MAS) 19, 32
Migration Alliance (MA) 10, 19
Migration Institute of Australia (MIA) 2, 4, 8, 10, 19, 63
Minister for Immigration and Citizenship 1, 6, 8, 57
Multicultural communications 15

N
Newsletter (see CEO’s newsletter)
New Zealand Immigration Advisers Authority (New Zealand IAA) 26
Not-for-profit immigration advice 19, 41
Not-for-profit registered migration agents 19, 25

O
Objectives of the Office of the MARA 5
Occupational health and safety 44, 53
Ombudsman, Commonwealth 47, 51
Online registration 23, 24, 27
Organisational chart 6
Own motion complaints 32

P
Partial online registration 23, 24, 27
Partnerships in complaints handling 17
Policy and Procedures Manual (PPM) 16, 22, 30, 64
Practising certificate (see Legal practising certificate)
Privacy Act 1988 51
Probity 3, 8, 9, 44, 64
Pro bono advice 19, 41
Professional conduct 33, 34
Professional Development Section 6, 39–41
Professional indemnity insurance 23, 24
Professional Standards and Integrity Section 6, 29–38
Professional Service Integrity Asia Pacific Pty Ltd (PSI) 8, 9
Publications of the Office of the MARA 64

R
Reform agenda 10, 15–19, 43, 45, 63
Refugee & Immigration Legal Centre (RILC) 19
Refugee and Immigration Legal Service (RAILS) 19, 61
Register of migration agents 6
Registration and Client Services Section 6, 21–27
Re-registration 5, 6, 16, 18, 22–24, 26, 39, 46
Risk management 9, 44
Sanctions against registered migration agents 35–36
Secretary of DIAC i, 6, 8–9, 43
Small group coaching 18
Staff of the Office of the MARA 8–10, 44–45, 52
Stakeholders 4, 5, 10, 15, 18, 25, 43, 44, 63
Strategy and Business Section 6, 43–47
Street AC, Sir Laurence 3, 8, 9
Supervised practice 18, 63
Suspending of migration agent’s registration 29, 36
Sykes, Christine 4, 7, 62

T
Telephone services 6, 27, 46
Training 8, 9, 10, 16, 18, 30, 31, 39, 40, 43, 44
Trans-Tasman Mutual Recognition Act 1997 (TTMRA) 16, 26

U
Unregistered practice 36, 56

V
Visits to CPD providers 17, 40

W
Website, Office of the MARA 8–9, 15–16, 22, 24, 27, 45–47

Y
YouTube video 4