

## MEMORANDUM OF UNDERSTANDING ("MOU")

### BETWEEN

LEGAL SERVICES BOARD ABN 82 518 945 610 ("LSB");  
LEGAL SERVICES COMMISSIONER ABN 66 489 344 310 ("LSC"); and  
THE OFFICE OF THE MIGRATION AGENTS REGISTRATION AUTHORITY ABN 33 380 054 835  
("Office of the MARA")

### Purpose

The parties intend to share information in respect of the *Migration Act 1958* ("MA") and the *Legal Profession Act 2004* ("LPA") on an ongoing basis.

The purpose of this MOU is to establish processes to share information between the LSB, LSC, and Office of the MARA and facilitate timely communication and advice on regulatory matters for which each is responsible.

The parties will each nominate a contact officer for the purposes of this MOU.

### Consultation

- The LSB and LSC will respond promptly to all requests for information from Office of the MARA.
- The LSB and LSC will liaise with Office of the MARA if either receives information which it believes may be of relevance to Office of the MARA in the discharge of their responsibilities. Examples of such information include:
  - conduct by registered migration agents who are legal practitioners (lawyer agents) in their provision of *immigration assistance*;
  - conduct by lawyer agents in relation to their provision of *immigration legal assistance*; and
  - information about current or former registered migration agents obtained during LSB and LSC investigations and enforcement actions.
- Office of the MARA will liaise with the LSB and the LSC if it receives information it believes may be of relevance to the LSB and the LSC in its discharge of its responsibilities. Examples of such information include:
  - conduct by lawyer agents which raises concerns about their compliance with the LPA;
  - information about current or former Australian lawyers and Australian legal practitioners obtained during Office of the MARA investigations and enforcement actions; and
  - conduct by lawyer agents which results in a decision to sanction.
- The parties will respond promptly to requests for information.

**Co-ordination of investigation and enforcement action**

- The parties may agree to co-operate in joint investigations. If that occurs, the parties may provide advice on their respective statutory and regulatory frameworks to assist in any investigation being undertaken.
- The parties will keep each other informed of the progress, proposed actions or concluded actions arising from a joint investigation or enforcement action.

**Privacy**

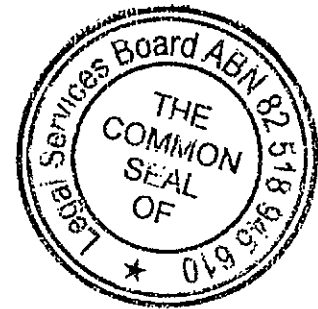
- The parties will comply with their respective obligations in relation to privacy.

**Legal Status**

- This MOU is not a contract and does not create any legally binding obligations.
- The parties may vary the MOU by agreement in writing.

**EXECUTED AS A MEMORANDUM:**

THE COMMON SEAL of the LEGAL SERVICES BOARD  
was affixed pursuant to the authority of the LSB  
on the 10th day of October 2011



*[Handwritten signature]*

Colin Neave  
Chairperson, Legal Services Board

*[Handwritten signature]*

Russell Daily  
Acting Legal Services Commissioner and LSB CEO

SIGNED for and on behalf of the Commonwealth of  
Australia as represented by the Migration Agents  
Registration Authority

*[Handwritten signature]*

Christine Sykes  
CEO, Migration Agents Registration Authority