



Annual Report 2013–14





Australian Government
Department of Immigration and Border Protection

SECRETARY

// August 2014

The Hon Scott Morrison MP
Minister for Immigration and Border Protection
Parliament House
Canberra ACT 2600

Dear Minister

Office of the Migration Agents Registration Authority Annual Report for 2013–14

It is with pleasure that I present the *Office of the Migration Agents Registration Authority Annual Report 2013–14*. Section 322 of the *Migration Act 1958* provides that you must cause this report to be tabled before each House of the Parliament.

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

This report provides additional information about the Office of the Migration Agents Registration Authority to that contained in the *Department of Immigration and Border Protection Annual Report 2013–14*. 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 29 May 2014. As such it provides reporting against the key performance indicators in the Portfolio Budget Statements.

Yours sincerely



Martin Bowles PSM

people our business

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CHAIR'S REPORT



The past year has marked a change of focus for the advisory board from implementing the remainder of the recommendations of the 2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession to looking forward to new initiatives.

In particular, the advisory board has been considering ways to reduce the regulatory burden and increase the effectiveness of its provisions while maintaining and enhancing the professionalism of registered migration agents who play such an important part in facilitating a fair and ethical migration process.

Migration advice

Last year I commented on the crucial importance of achieving a high professional standard of migration advice, focusing in particular on the level of knowledge and ethical framework that this involves. I also noted the significant level of reliance that clients place on registered migration agents and the importance of providing low-cost services that they can trust. These issues remain of high importance, not only for the migration advice profession but also for Australia's migration system as a whole.

The advisory board

The advisory board met four times during 2013–14 to consider and provide advice on ongoing and emerging issues that affect the profession. In doing so, the board was particularly conscious of the Authority's aim of focusing its regulatory effort on ensuring that its resources are concentrated in areas of greatest risk and on enhancing consumer protection.

The matters on which the advisory board provided advice over the year included:

- proposed improvements to the Practice Ready Program with the aim of increasing the professionalism of newly registered agents
- a review of probity, risk and mitigation strategies for the Authority
- the development of a communications strategy with a focus on enhancing contact with the clients and potential clients of migration agents as a consumer protection mechanism
- ways to relieve the regulatory burden while maintaining consumer protection through the development of a risk tiering model and monitoring framework
- opportunities for regulatory reform while maintaining or increasing the professionalism of migration agents

- strategies for recovering client files when an agent's practice unexpectedly ceases
- ways to encourage agents to prepare business continuity plans and to incorporate them into client service agreements
- assessing the impact of the Trans-Tasman Mutual Recognition Agreement on the migration advice profession in Australia
- emerging trends in the not-for-profit sector
- the Authority's strategic direction, operational performance and internal governance.

Thank you

The members of the advisory board continued to work well and collaboratively, drawing on their considerable skills and individual areas of expertise and experience, to provide a high standard of advice to the Authority. I thank all members for the significant contribution they have made over the year.

In addition, on behalf of the advisory board, I would like to recognise and thank Mr Stephen Wood, who left the Authority during the year, for the considerable contribution he has made to its work, including while CEO. The board welcomed Mr Steve Ingram as the new CEO and looks forward to working with him on emerging issues relating to the migration advice profession.

Helen Williams AO
Chair

ADVISORY BOARD



Members of the advisory board (L to R): Mr Ray Brown, Ms Sonia Caton, Mr Steve Ingram, Ms Helen Williams AO, Mr Andrew Holloway, Ms Jenni Mack, and Dr Richard Johnson. Absent: Mr Glenn Ferguson and Mr Jim McKiernan

An advisory board, appointed by the Minister for Immigration and Border Protection, advises the CEO on:

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

The terms of reference for the advisory board are provided at Appendix 1.

Composition of the advisory board

Independent Chair

Ms Helen Williams AO, former Departmental Secretary and Public Service Commissioner

Deputy Chair

Ms Jenni Mack, representing consumers

Members

Ms Sonia Caton, representing the not-for-profit sector
 Mr Glenn Ferguson, nominee of the Law Council of Australia
 Mr Ray Brown, nominee of the Migration Institute of Australia
 Mr Andrew Holloway, representing the university sector
 Mr Jim McKiernan, former senator, representing the community sector
 Mr Steve Ingram, CEO of the Authority
 Dr Richard Johnson, Assistant Secretary, Visa Framework and Family Policy, representing the Department of Immigration and Border Protection

CHIEF EXECUTIVE OFFICER'S REPORT



There was strong growth in the number of people interested in joining the ranks of registered migration agents in 2013–14. For this reason, the Office of the Migration Agents Registration Authority has needed to continually review and update its practices to remain efficient.

The Authority farewelled Stephen Wood as CEO in early February 2014 and I stepped into the role to continue the work that Stephen was undertaking in his time here. I thank Helen Williams and the members of the advisory board for their guidance in my new role and the staff for their continued effort in a time of change.

One of the major projects that Stephen initiated was the update to the Authority's website—its face to the world—and the processing systems that sit behind it. The Authority thanks agents and consumers for their perseverance during the changeover in late 2013. While the Authority is still making improvements, it has been encouraged by feedback from agents who find the new online registration system more convenient than the old paper-based process.

The Authority has been considering a greater use of risk tiering, which will provide increased focus on consumer protection activities and help to raise standards within the registered migration agent community. Risk tiering will reduce the monitoring and compliance burden on compliant agents and allow the Authority to direct more resources to activity that contravenes the code of conduct for migration agents set out in the *Migration Agents Regulations 1998* and affects consumers. The Authority has been comparing the approaches used by other regulators both within Australia and overseas and will be engaging with practitioners and other stakeholders before full implementation.

In 2013–14 the Authority gathered data from monitoring and consumer complaints to provide feedback to agents on both best practice and areas where they might consider improvements. For example, the Authority sampled agent websites to assess levels of compliance with the code of conduct. The data that was gathered showed a high level of compliance with the code but suggested agents needed to be aware that some of their information and links were dated. This feedback was circulated to all agents and many indicated that they found it a useful exercise.

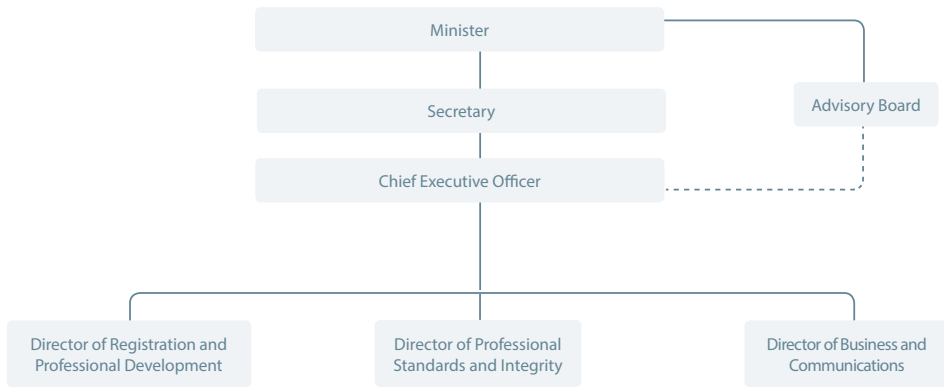
Outlook for 2014–15

The Government's deregulation agenda will guide much of the Authority's activity over the next year. The Authority's focus will be on reducing the regulatory burden on registered migration agents while maintaining its charter on consumer protection. The review of the Authority announced on 24 June 2014 by the Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, will provide important guidance in that area and set the future direction for regulatory activity around the migration advice profession. I look forward to working with practitioners, service providers and other key stakeholders in the year ahead.

Chief Executive Officer

STRUCTURE AND FUNCTIONS OF THE AUTHORITY

Figure 1: Organisational chart of the Authority



Registration and Professional Development Section

- Assesses the suitability of applicants to be registered as migration agents
- Maintains the official register of migration agents
- Monitors registered migration agents' compliance with the code of conduct
- Assesses continuing professional development (CPD) provider and activity applications
- Applies quality assurance to CPD providers and activities
- Reviews the CPD activity framework to address emerging needs
- Contributes to the development of entry-level standards

Professional Standards and Integrity Section

- Addresses consumer concerns about registered migration agents
- Investigates complaints and, where appropriate, issues warnings and sanctions
- Advises registered migration agents on their compliance with the code of conduct and makes recommendations to improve business practices

Business and Communications Section

- Ensures responsible financial management, business planning and implementation of probity arrangements; and provides other corporate governance functions
- Provides support services to the executive and secretariat support to the advisory board
- Develops and implements the communications strategy
- Manages and maintains the Authority's information technology system and website

KEY PERFORMANCE INFORMATION AND OUTCOMES

The Authority reports against Immigration and Border Protection portfolio programme 1.1.3: Visa and Migration—Office of the Migration Agents Registration Authority, Regulation of Migration Agents. The objectives of the Authority 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 migration agents maintain appropriate knowledge and skills to enable them to provide accurate and timely advice to consumers
- registered migration agents are monitored to ensure the integrity of their conduct and the quality of the immigration assistance provided to consumers
- consumers of the services of registered, or formerly registered, migration agents are provided with an efficient and effective complaints handling service.

Performance information relating to the Authority's deliverables and key performance indicators is reported in the Department of Immigration and Border Protection's annual report. For convenience, this information is also reported at Appendix 2.



SNAPSHOT: 2013—14 YEAR AT A GLANCE

Overview of the profession

On 30 June 2014, there were 5212 persons registered as migration agents. This compares with 4899 on 30 June 2013 and represents an increase of 6.4 per cent in 12 months.

Profile of registered migration agents

- 45.1 per cent are female and 54.9 per cent are male
- 44.4 years is the average age
- 1673 (32.1 per cent) have a legal practising certificate; of the 367 agents who are registered as not for profit, 48.2 per cent hold a legal practising certificate
- 74 per cent have never had a complaint made against them
- 44 per cent report operating in a business as a sole trader.

Figure 2: Number of registered migration agents by category, 1997–98 to 2013–14

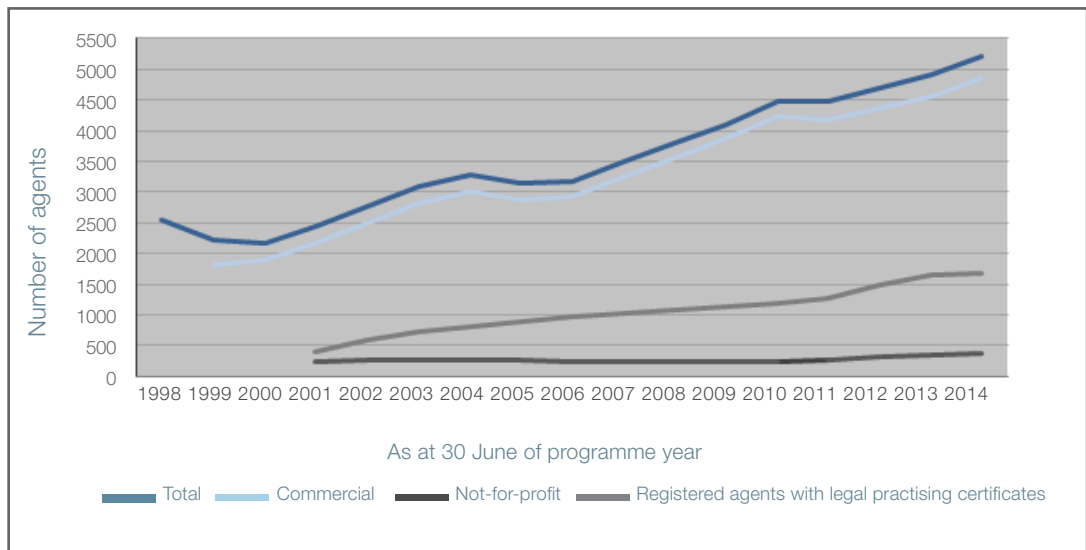


Figure 3: Number of registered migration agents with legal practising certificates, 2001–02 to 2013–14

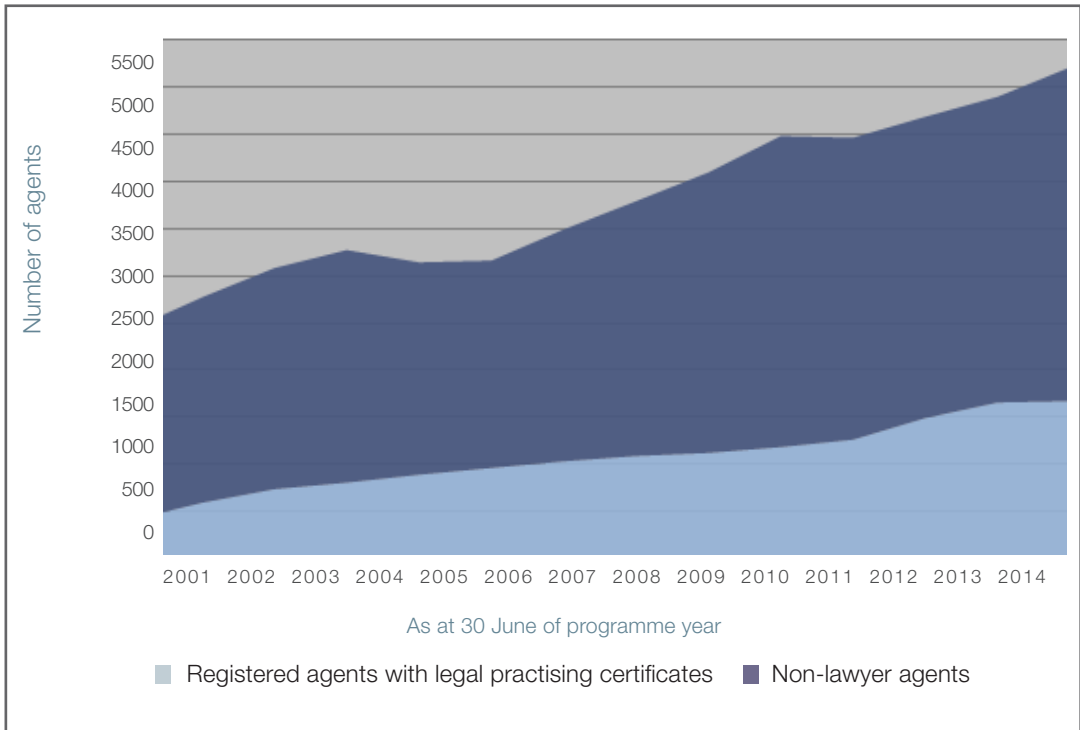


Figure 4: Experience of registered migration agents, as at 30 June 2014

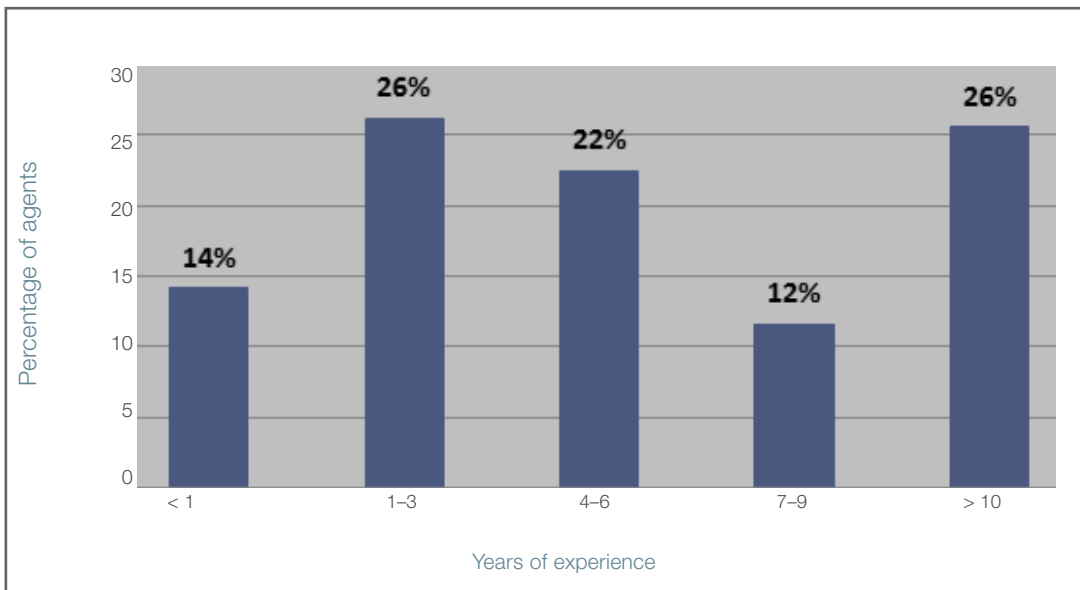
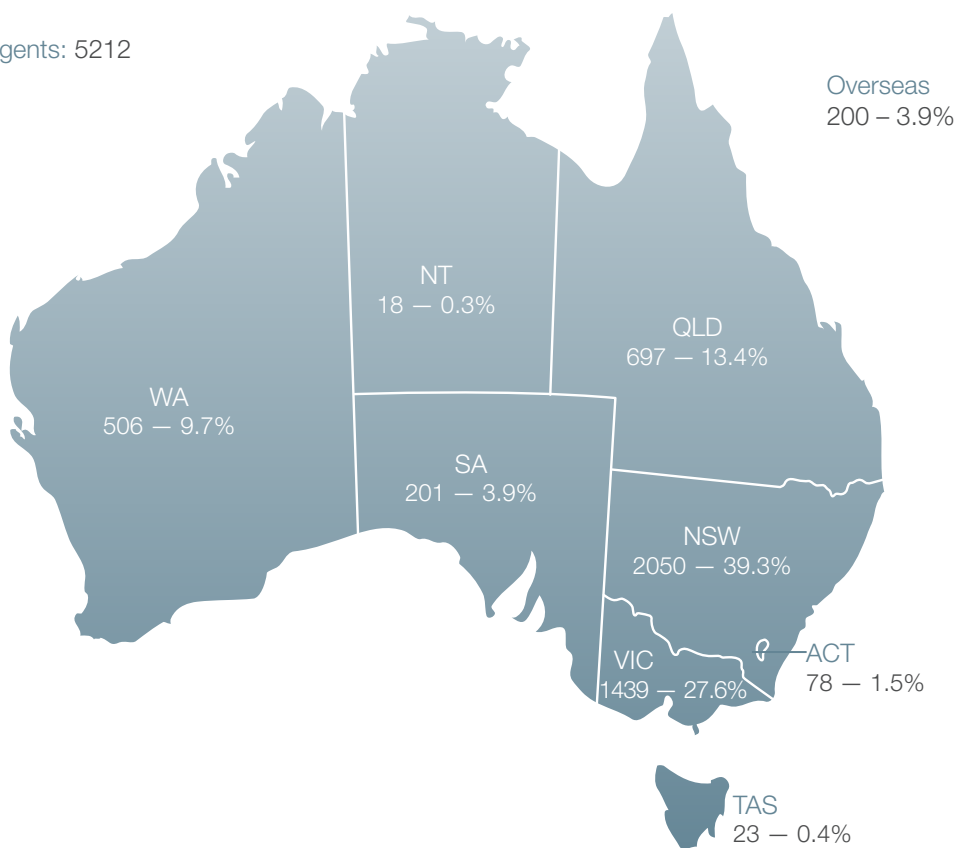


Figure 5: Geographic distribution of registered migration agents, as at 30 June 2014

Note: by residential address

Total agents: 5212



Registration application fees

Table 1: Application fees for migration agent registration, 2013–14

Requirements	Initial (\$)	Repeat (\$)
Not-for-profit	160 ^(a)	105 ^(b)
Commercial	1760 ^(c)	1595 ^(d)

Note: Registration application fees are limited to a maximum of \$2440 under s 7 of the *Migration Agents Registration Charge Act 1997*. Application fees specified in the table above last varied on (a) 1 July 2000, (b) 1 July 2003, (c) 1 July 2000, (d) 1 July 2005.

OPERATIONAL REPORTS

Registration and Professional Development

2013–14 in brief

As at 30 June 2014 there were:

- 5212 registered migration agents.
- 367 not-for-profit agents.
- 1673 agents (32.1 per cent) who held a legal practising certificate.
- 474 agents who left the profession, compared with 503 in 2012–13.
- 736 new agents who entered the profession, compared with 599 in 2012–13.
- 4464* agents who continued their registration from the previous year.
- 27 approved continuing professional development (CPD) providers and 411 approved activities.

The Authority approved 210 new CPD activities and evaluated 147 CPD activities.

*This figure does not include agents who reapplied after their registration had expired.

Performance standards

Under the Authority's performance standards for processing applications for registration:

- 95 per cent of complete initial registration applications must be finalised within four weeks of the 30-day objection period lapsing
- 95 per cent of complete repeat registration applications must be finalised within four weeks.

Performance standards for processing CPD activity applications require the Authority to:

- acknowledge receipt of CPD applications within two business days
- process complete CPD applications within 42 business days
- publish approved CPD applications in the next available Authority Notice of Approved Activities.

The target key performance indicator for the Registration and Professional Development Section in 2013–14 was to achieve 97 per cent compliance with these standards.

Performance against standards

In 2013–14, as a result of the introduction of a new information technology (IT) system and website in November 2013, the Authority fell below the performance standards for finalising complete applications for repeat registration:

- 93 per cent of complete initial registration applications were finalised within four weeks of the 30-day objection period lapsing
- 85.6 per cent of complete repeat registration applications were finalised within four weeks
- 91.6 per cent of complete CPD applications were processed within 42 business days
- 100 per cent of all other service standards were met throughout the year.

Snapshot of registration activity

Table 2 shows the number of initial and repeat registration applications received, approved, refused or otherwise finalised in 2013–14.

Table 2: Number of initial and repeat registration applications, 2013–14

	Initial			Repeat			Total
	Not-for-profit	Commercial	Total	Not-for-profit	Commercial	Total	
Applications received	96	625	721	305	4233	4538	5259 ^(b)
Applications approved	103	633	736	307	4309	4616	5352
Applications refused	0	9	9	0	4	4	13
Applications withdrawn ^(a)	9	10	19	5	7	13	32

(a) 'Applications withdrawn' refers to instances where an application was lodged but the applicant decided not to proceed with the application.

(b) The total number of applications does not equal the total number of agents because applications may be processed across financial years.

English language requirements

Initial registration applicants

On 1 July 2012, as a result of amendments to the *Migration Agents Regulations 1998*, a legislative English language requirement was introduced for all initial applicants.

The requirement is the achievement of an International English Language Testing System (IELTS) academic overall score of 7.0 with minimum scores of 6.5 in each module (reading, listening, speaking and writing) or a Test of English as a Foreign Language (TOEFL) overall score of 100 with a minimum score of 22 in each module.

Applicants who hold an Australian legal practising certificate are exempt from this requirement, as are those who meet the defined educational pathways.

Of the initial applicants who lodged an application in 2013–14:

- 52.6 per cent were exempt from the requirement on the basis that they held an Australian legal practising certificate
- 19.7 per cent were exempt as they met one of the educational pathways
- 26.2 per cent achieved the required IELTS or TOEFL score
- 1.5 per cent were approved under *Trans-Tasman Mutual Recognition Act 1997* (TTMR Act).

In addition:

- the Authority refused eight applications because the applicant failed to meet the English language requirement
- 13 applications were withdrawn because the applicants were unable to meet the English language requirement.

Repeat registration applicants

On 5 December 2013 the Assistant Minister for Immigration and Border Protection removed the English language proficiency requirement for re-registering migration agents that was to come into effect on 1 January 2014. The removal of this requirement has resulted in considerable savings for many registered migration agents.

Refusal of registration

In 2013–14, 13 applications for registration were refused compared with 10 in 2012–13. Nine of these were initial registration applications and four were repeat registration applications. Of the 13 refused applications:

- two were refused because the applicant's registration had been cancelled in the past five years
- three were refused on the basis of the applicant 'not being a fit and proper person' — reasons included criminal offences, provision of false or fraudulent information, and breach of the code of conduct
- eight were refused because the applicant did not meet the English language requirement.

Litigation relating to refusal decisions

During 2013–14 two applicants whose registrations were refused sought review by the Administrative Appeals Tribunal. In both cases the applications were refused because the applicant did not meet the English language requirement for initial registration. The Administrative Appeals Tribunal finalised one case with dismissal by consent. The other application for review remained before the tribunal as at 30 June 2014.

In addition, the Administrative Appeals Tribunal finalised a case that resulted from a refusal decision made in the previous financial year. The refusal decision was initially made as the applicant was not considered a fit and proper person to provide immigration assistance. The tribunal affirmed the initial decision. The applicant has lodged an appeal to the Federal Court.

Trans-Tasman Mutual Recognition Act 1997

Under the TTMR Act, immigration advisers who hold full or limited licences with the New Zealand Immigration Advisers Authority (NZIAA) are recognised by the Authority. Similarly, Australian-registered migration agents are recognised by the NZIAA.

As at 30 June 2014, 18 New Zealand licensed immigration advisers were registered in Australia under the TTMR Act. The NZIAA advised that, as at 30 June 2014, 121 Australian-registered migration agents were registered in New Zealand under the Trans-Tasman Mutual Recognition Act 1997 (NZ).

Monitoring compliance with the code of conduct

The Authority is authorised under s. 316(b) of the Migration Act to ‘monitor the conduct of registered migration agents in their provision of immigration assistance and of lawyers in their provision of immigration legal assistance’ and under s. 316(g) of the Act to ‘monitor the adequacy of any Code of Conduct’.

In 2013–14 the Authority conducted a number of activities to monitor the conduct of registered migration agents. These activities included:

- a review of 164 agent websites for compliance with the advertising provisions of the code of conduct for registered migration agents
- a review of all 56 IELTS documents submitted by initial applicants for verification against the IELTS website—this became necessary after two fraudulently produced IELTS certificates were identified
- a random review (80 agents) of the LEGENDCom professional library subscriptions provided by agents approved since December 2013
- a review of the clients’ account documentation provided by 100 agents in support of their applications for repeat registration.

The Authority contacted agents who were found to have serious deficiencies in their practices and instructed them to rectify issues of concern. Practice guides have also been developed so that all registered migration agents can benefit from the knowledge gained.

Continuing professional development activities

When approving CPD activities the Authority takes into consideration how each activity will contribute to enhancing the professionalism of migration agents with regard to their knowledge, skills and ethical values.

In 2013–14, seminars remained the most popular CPD activity type, comprising 38 per cent of all CPD points reported. Distance learning was the next most popular CPD activity type, comprising 19.8 per cent of all points reported.

During 2013–14, the Authority approved seven new CPD providers and 210 new CPD activities.

Table 3: Continuing professional development activities, 2013–14

	Number of approved activities as at 30 June 2014	Number of points reported	Proportion of points reported (%)
Programme of education	20	90	0.2
Distance learning	132	10 651	19.8
without a facilitator (private study)	65	7 320	13.6
without a facilitator (additional assessment)	7	254	0.5
with a facilitator	60	3 077	5.7
Seminars	168	20 468	38
Conferences	1	4 062	7.5
Workshops	20	10 206	18.9
Pro bono work	37	439	0.8
Miscellaneous activities, including those completed with other professions (legal and accounting)	33	8 011	14.8
Total	411	53 927	100.0

Quality assurance

The Authority's CPD quality assurance framework aims to ensure that CPD activities provided to registered migration agents remain at a high standard. Approved providers must abide by the CPD Approved Provider Standard Conditions, including the requirement to obtain and analyse feedback from participants on whether the objectives of that activity were met.

The Authority evaluated 147 CPD activities throughout 2013–14. Evaluations comprised attendance at CPD events by the Authority and direct feedback from participants. Each evaluation attended by the Authority entailed giving written feedback to the relevant provider, with a focus on maintaining and enhancing the high standard of approved activities. Participant feedback surveys provided insight to the Authority on agent preferences and experiences within a range of CPD activity subjects and delivery modes.

The Authority conducted reviews of four CPD providers to assess their observance of the CPD Approved Provider Standard Conditions.

OPERATIONAL REPORTS

Professional Standards and Integrity

2013–14 in brief

- The Authority received 433 complaints.
- The Authority finalised 398 complaints.
- As a result of 11 complaints, six registered migration agents were sanctioned.

Performance standards

The published standards for managing complaints about registered migration agents require the Authority to:

- acknowledge receipt of the complaint in writing within two business days of receipt
- finalise 75 per cent of complaints within six months from the date of receipt of a complete complaint
- finalise 90 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, unless exceptional circumstances exist
- give the complainant and the agent the Authority's decision on the complaint on the same day the decision is finalised and provide the reasons for the decision.

Performance against standards

In 2013–14 the Authority continued to focus on streamlining processes for the management of less serious professional conduct complaints by using informal resolution processes.

Of the 398 complaints finalised in 2013–14, 90.2 per cent were finalised within the published standards. This comprised:

- 77.8 per cent finalised within six months from the date of receipt of a complete complaint
- 94.3 per cent finalised within 12 months from the date of receipt of a complete complaint
- 98.5 per cent finalised within 24 months from the date of receipt of a complete complaint.

A senior officer manages the receipt and allocation of complaints. Unless exceptional circumstances arise, the complaints are acknowledged within two business days of being received. With the introduction of a new website, most complaints are now received online and are automatically acknowledged.

The practice of the Authority is to notify both the complainant and the registered migration agent of its decision, giving an explanation of the reasons for the decision, on the same day the complaint is finalised.

Complaints received, finalised and on hand

Table 4: Complaints received, finalised and on hand, as at 30 June 2013 and 30 June 2014

Type of complaint	2012–13	2013–14	Change (%)
Unresolved complaints carried forward from preceding programme year	278	158	-43.2
Complaints received or re-opened	407	433	+6.4
Subtotal	685	591	-13.7
Complaints finalised in same programme year	527	398	-24.5
Unresolved complaints carried forward to subsequent programme year	158	*212	+34.2

* Please note that, due to data migration issues, there are minor discrepancies in complaints activity figures for 2013–14.

Sources of complaints

Approximately 91.4 per cent of the complaints received or re-opened in 2013–14 were received directly from individuals or on behalf of individuals. This represents an increase of approximately 6.8 per cent compared with the previous programme year. The primary reason for this increase is that the number of referrals from the Department of Immigration and Border Protection has fallen as a result of an internal restructure of responsibilities within the department.

As part of the restructure, the department has re-established referral processes through its National Allegation Assessment Team. In the next financial year the department will continue to refer to the Authority any allegations that require assessment and investigation.

The proportion of complaints referred from all other sources varied only slightly from the previous year. These referrals constitute a relatively small proportion of the total number of complaints received.

Table 5 compares the sources of complaints received in 2012–13 and 2013–14.

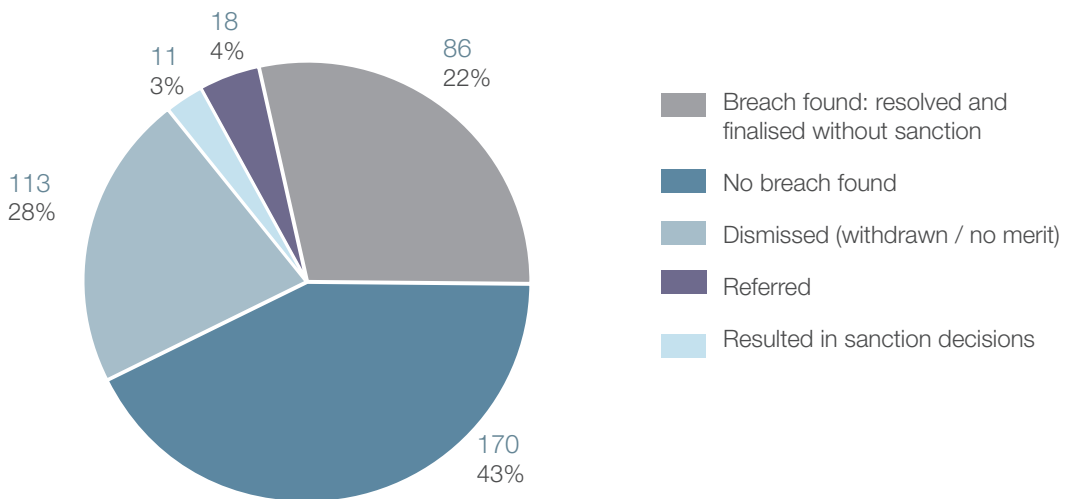
Table 5: Sources of complaints, 2012–13 and 2013–14

Source of complaints	Proportion of complaints 2012–13 (%)	Proportion of complaints 2013–14 (%)
Direct from individuals	84.6	91.4
Referred by the Department of Immigration and Border Protection	4.4	1.4
Referred by the Authority (own motion)	4.4	4.0
Referred by another registered migration agent	0.7	0.7
Referred by a tribunal or court	0.7	0.7
Referred by other organisations (regulators / professional associations)	2.0	0.9
Re-opened	3.2	0.9
Total	100.0	100.0

Outcomes of complaints

Figure 6 shows the outcomes of complaints finalised in 2013–14.

Figure 6: Outcomes of finalised complaints, 2013–14



Complaints resolved and finalised without sanction

Complaints that are resolved and finalised without sanction include:

- matters where conduct is found to breach the code of conduct for migration agents but serious disciplinary action is not warranted
- matters that are closed after informal action or an investigation finds that the registered migration agent has not breached the code of conduct.

These complaints are managed with a focus on achieving more timely outcomes in the interests of better consumer protection, resolving complaints by conciliation where possible, and addressing and improving standards of professional practice.

Consistent with the government's deregulation agenda, this informal process places less burden on registered migration agents by relying less on statutory declarations (unless required by the circumstances of the complaint) and making targeted requests for information from agents.

In 2013–14, 387 complaints were finalised without a sanction. Of these, 86 were finalised with a finding that a breach of the code of conduct had occurred and 170 were finalised with a finding that no breach had occurred. In these cases outcomes may involve:

- **Corrective action:** recommendation to the registered migration agent to correct or improve their practices in accordance with the minimum standards of practice set out in the code of conduct
- **Negotiated fee outcome:** negotiated outcome for disputes about fees charged by the registered migration agent for immigration services. While the Authority does not have the power to formally assess costs or to make a costs order, officers will try to resolve fee disputes by helping the parties to reach an agreed outcome
- **Corrective advertising:** recommendation to the registered migration agent regarding compliance with the advertising provisions of the code of conduct only
- **Warning letter:** in the case of a finding of breach of the code, advice to the registered migration agent that failure to correct or improve conduct could result in disciplinary action. This is the most serious informal outcome.

Case study—Omission of secondary applicant: business practices improved

A consumer made a complaint to the Authority about the conduct of a registered migration agent who was retained to assist the consumer with a Higher Education Sector (subclass 573) visa application. The consumer was the secondary applicant for the visa; his spouse was the primary visa applicant.

The main allegation made in the complaint was that the registered migration agent failed to include the consumer as a secondary visa applicant on the visa application form. As a consequence, the consumer became unlawful after his existing student visa expired.

In resolving the dispute, the professional standards officer sent the complaint to the registered migration agent and asked for his response. In his response, the agent admitted that he had mistakenly omitted to include the consumer as a secondary visa applicant on the visa application form. The agent admitted that he had selected 'No' rather than 'Yes' on the online form in response to a question about whether the consumer was included in the visa application, and that this was an oversight.

The professional standards officer identified that the agent had failed to meet the code of conduct standards by failing to act for his client competently, diligently and fairly when the details of the consumer were omitted from the visa application.

The complaint was resolved without a disciplinary decision, as the registered migration agent acknowledged deficiencies in his practice had caused the mistake and cooperated with the Authority to amend his business practices to prevent a re-occurrence. The agent has implemented a process whereby, before each visa application is lodged, his clients verify who is included in the visa application and are shown the online visa application form that is to be submitted. The agent also paid the consumer's professional and visa application fees for a new visa application as a secondary visa applicant. The consumer was subsequently granted a subclass 573 visa.

Discontinued or dismissed complaints

In 2013–14, 113 complaints were closed as a result of being discontinued or dismissed. Complaints may be discontinued or dismissed for a variety of reasons, including where:

- the complainant failed to provide an authority to advise the registered migration agent of the complaint
- the migration agent's registration was suspended, cancelled or barred before the complaint was investigated
- the Authority was unable to investigate the complaint pending a departmental investigation of possible criminal offences under the *Migration Act 1958*
- the complaint was withdrawn
- the Authority had no jurisdiction to investigate the complaint (for example, where the complaint is about an overseas migration agent who is not registered)
- there was insufficient evidence to investigate the complaint.

Complaints referred

Complaints about immigration assistance by an individual not registered as a migration agent are within the jurisdiction of the Department of Immigration and Border Protection and are referred to the department for investigation.

In 2013–14, 18 complaints were referred to the department or other agencies with authority to investigate the conduct. Complaints referred in this manner included allegations of immigration assistance by individuals not registered as migration agents.

Where the primary issue in the complaint is a fee dispute, professional standards officers try to resolve the complaint by assisting the parties to reach a conciliated outcome. However, if the matter cannot be resolved, the officer may refer the complainant to a state or territory consumer tribunal or court that is empowered to make a refund order under Australian consumer law.

Complaints resulting in a sanction outcome

The Authority takes strong disciplinary action against registered migration agents where this is warranted in the interests of consumer protection.

Depending on the individual case circumstances, and taking into account any aggravating and/or mitigating circumstances, the Authority may:

- caution the registered migration agent, with or without imposing conditions
- suspend the registered migration agent's registration for up to five years, with or without imposing conditions
- cancel the migration agent's registration
- bar the migration agent from practising for up to five years.

Where a complaint is received within 12 months of an agent ceasing to be registered, the Authority may bar the former agent from being a registered migration agent for up to five years.

In 2013–14 the Authority sanctioned six registered migration agents (involving a total of 11 complaints) on grounds of significant and serious breaches of the code of conduct or not being a fit and proper person to be registered or otherwise not a person of integrity.

None of the six sanction decisions involved a registered migration agent who held a legal practising certificate.

Table 6: Complaints resulting in a sanction outcome, 2013–14

Outcome	Number of agents	Number of complaints
Cautioned	4	6
Suspended	0	0
Cancelled	1	2
Barred	1	3
Total	6	11

Litigation relating to sanction decisions

During 2013–14 there was one new appeal to the Administrative Appeals Tribunal arising from a disciplinary decision made by the Authority in that year. Five appeals were carried over from the previous year. All appeals were finalised by the end of the year.

Of the six appeals before the Administrative Appeals Tribunal in 2013–14, the tribunal:

- dismissed one appeal for failure to appear
- dismissed one appeal for failure to comply with directions and refused a subsequent application to reinstate the appeal
- upheld two cancellation decisions
- upheld one suspension decision
- remitted one suspension decision to the Authority. The Authority substituted the one-year suspension with a three-year caution. The agent appealed the caution but later withdrew the appeal

The Authority's successful defence of its decisions in the Administrative Appeals Tribunal demonstrates the robustness of those decisions. For example, on 4 April 2014 the Administrative Appeals Tribunal affirmed the decision of the Authority to cancel Ms Weiming Qian's registration following a number of complaints about protection visas. The Authority found that Ms Qian had failed to competently and diligently assist her clients and act on their instructions; manufactured or encouraged the manufacture of claims for protection visas; failed to attend with her clients at the Refugee Review Tribunal and the former Federal Magistrates Court for appointed hearings; and prepared applications for judicial review when she was not qualified to do so.

In 2013–14 there was one appeal to the Federal Court of Australia arising from a decision of the Administrative Appeals Tribunal. In that matter an agent sought leave for an extension of time to appeal a decision of the tribunal. The Federal Court granted leave and accepted the notice of the appeal but later dismissed the appeal.

Litigation relating to notice under section 308 of the Migration Act 1958

During 2013–14, one application was made to the Federal Circuit Court by an agent who challenged the Authority's power under s. 308 of the Migration Act to request information from an agent about a complaint. This application is pending.

Partnerships

In 2013–14 the Authority continued its engagement with Australian Government and state agencies and other key stakeholders.

Legal services commissions

In 2013–14 the Authority continued to work cooperatively with the state and territory legal regulators in handling complaints about registered migration agents who are also Australian legal practitioners. Additionally the Authority has entered into memoranda of understanding with legal regulators in New South Wales, Victoria, Queensland and Western Australia.

State consumer tribunals

The Authority continued to refer complaints concerning fee disputes that cannot be conciliated to the relevant tribunal in the state where the consumer resides. To improve services to consumers seeking to resolve fee disputes, Authority officials regularly attend stakeholder meetings with the New South Wales Civil and Administrative Tribunal (formerly the Consumer Tenancy Traders Tribunal) in Sydney.

Migration Review Tribunal and Refugee Review Tribunal

The Authority meets quarterly with officers of the Migration Review Tribunal and the Refugee Review Tribunal. A key focus of the meetings is on how complaints referred by the tribunals can be better managed to improve consumer protection.

Tax Practitioners Board

The Authority had ongoing dialogue with the Tax Practitioners Board, which has regulatory responsibilities for tax practitioners and business activity statement agents in Australia. The Authority and the board share information on their respective functions, practices and systems for managing complaints to improve regulatory and consumer outcomes.

Australian Competition and Consumer Commission

In 2013–14 the Authority engaged in dialogue with the Australian Competition and Consumer Commission about whether the commission can investigate offences within its jurisdiction that arise from complaints received by the Authority.

OPERATIONAL REPORTS

Business and Communications

2013–14 in brief

- The Authority attended over 60 stakeholder events, including meetings, conferences and presentations, across Australia and internationally.
- The advisory board met four times.
- The number of languages in which information products are published increased.

Stakeholder engagement

The Authority has continued its programme of broad stakeholder engagement throughout 2013–14, with greater emphasis on consumers and community groups. Staff met with a range of community groups, registered migration agents, professional associations and industry bodies as well as a number of businesses and government agencies. Stakeholder feedback obtained from these engagement activities is used to focus regulatory activities on areas of greatest need to promote consumer protection.

Where possible, stakeholder engagement is arranged to coincide with key events, such as conferences, at various national venues throughout the year. This cost-effective approach enables staff who attend those events to visit a number of registered migration agents and community groups in the same locations. Authority attendees can also visit continuous professional development (CPD) providers and evaluate activities. There has been positive feedback from registered migration agents on the opportunities they have had to raise issues directly with the Authority.

Other Authority stakeholder engagement activities in 2013–14 included:

- presentations to university students undertaking the Graduate Certificate in Australian Migration Law and Practice
- a presentation, delivered in Mandarin, to a Chinese community business forum, which was very well received
- contributing to small business forums conducted by the New South Wales Department of Fair Trading by disseminating relevant information to registered migration agents and consumers seeking their services.

Senior staff have attended various stakeholder consultation workshops and visited regional areas, including Townsville, Cairns and the Gold Coast, to meet with local registered migration agents, settlement service providers and departmental staff. The visits have led to a greater understanding of issues affecting agents and consumers in regional areas.

Authority staff who visited regional areas also had the opportunity to conduct voluntary monitoring visits to migration advice businesses. The monitoring visits helped the Authority to better understand the business operations of agents and provide educative advice on best practice models to enhance consumer protection and promote compliance with the code of conduct.

The Authority regularly engages in dialogue with the New Zealand Immigration Advisers Authority—the regulator of licensed immigration advisers in New Zealand. The most recent meeting was held on 22–23 May 2014 in Sydney. Issues of common interest, such as the operation of the Trans-Tasman Mutual Recognition Agreement and professional standards, were discussed.

The Authority continues to seek opportunities for international engagement through its involvement in the Five Country Conference Informal Working Group for Immigration Advisors. The Authority participates in a regulators' teleconference that includes counterpart agencies from the United Kingdom, New Zealand and the United States. Over the past year, specific bilateral engagements with the Immigration Consultants of Canada Regulatory Council and the New Zealand Immigration Advisers Authority have proven to be useful learning and sharing experiences, particularly where IT improvements are being implemented in the respective regimes.



Communications

This year the Authority's consumer publications the *Consumer guide* and *Your rights—tips for using a registered migration agent* were published in an additional four languages—German, Greek, Italian and Turkish—and are available for download from the Authority's website. These documents are now available in 35 languages, including English. In 2013–14 these publications were most commonly accessed in Chinese, Arabic, Farsi (Persian), Russian and Hindi.

Other communication initiatives undertaken this year included:

- collaboration with the National Communications Branch of the Department of Immigration and Border Protection to develop a new video, *Do you need help applying for an Australian visa?* The video is available on the Authority's website and the department's YouTube channel Immitv. The video has been translated into six community languages and has been watched over 15 000 times
- a Google advertising campaign that encouraged potential clients of migration agents to use an agent registered with the Authority
- contributions to the department's migration blog advising consumers on the role of the Authority and the importance of using a registered migration agent. The blog was promoted on the department's Facebook and Twitter pages.

Consumer protection

Since the introduction of its new database and website, the Authority has been receiving more consumer enquiries. In particular, there was an increase in the number of contacts from consumers checking whether companies or individuals who had approached them offering migration services were genuine registered agents.

Since January 2014, the Authority has answered more than 1500 enquiries by directing consumers to its 'Search for an agent' facility and stressing the importance of and benefits from using a registered migration agent. This message has been reinforced through the department's YouTube channel and the migration blog. In addition, the Authority has handled more than 1200 telephone enquiries from consumers about registered migration agents and in the course of answering them has promoted the use of registered migration agents.

Implementation of new database and improvements to website

The Authority delivered fairly wide-ranging enhancements to its website and online offerings in November 2013. Some technical issues were anticipated and experienced during the implementation of the new system; however, feedback indicates that the improvements have generally been well received. Faster processing times have been achieved and these should continue to improve as processes are bedded down.

A significant area of improvement in this implementation has been the roll-out of a more user-friendly website that enhances the Authority's service to its key stakeholders. In addition to an upgraded design, the website offers:

- enhanced 'Search for an agent' capability through:
 - an interactive map to facilitate search by location
 - improved advanced search tools to help users connect with their registered migration agent of choice
 - a search facility available on all content pages
 - real-time updating of the register and other information on the website
- a more user-friendly secure log-in area, including:
 - a personalised landing page that details information and specific messages for registered migration agents
 - enhanced log-in security that allows users to recover forgotten passwords by answering security questions
 - user-friendly means of completing common tasks, including changing personal and business details
 - improved access to information about completed CPD and registration application status
- easy reporting of CPD attendance by providers
- ability to lodge a complaint online
- improved navigation features, including:
 - easy access to documents translated into different languages
 - quick links on the home page to frequently used web content.

A fully online application system has been implemented; this has allowed the Authority to refine its processes and deliver more deregulation measures to benefit businesses and key stakeholders.

Business planning

The Authority developed its business plan for 2014–15 with input from staff and the advisory board.

Relevant to the Authority's considerations were the department's Strategic Intent and Enterprise Risk Map for 2014–15. The Authority's focus for the coming year will be working with the department on matters relevant to the significant agency restructure; facilitating an independent review of the Authority; and adopting a more risk-based approach to our operations.

Staffing levels

As at 30 June 2014, the Authority had four contractors in addition to its 32 permanent staff. Staffing levels have been reduced following the implementation of a new IT system for the office and the cessation of temporary staff.

Feedback about the Authority

The Authority's website gives information on how to provide compliments or complaints about its services via the Department of Immigration and Border Protection's Global Feedback Unit. All feedback is used to help the Authority to identify areas for improvement.

In 2013–14 the Authority received 16 communications via the Global Feedback Unit, including complaints and enquiries. Of these:

- 12 were complaints about the conduct of registered migration agents
- three were complaints about the Authority
- one was an enquiry about an agent's registration status.

During 2013–14, six Ombudsman complaints were made about the Authority's administration. All of these matters have been resolved with no findings of administrative deficiency.

Probity and compliance

During 2013–14 the Authority continued to closely manage probity arrangements. All staff and contractors attended probity training and the Authority promptly addressed conflict-of-interest issues—an outcome that attests to the success of existing probity strategies.

In August 2013, PSI Asia Pacific Pty Ltd conducted an independent review and provided advice on appropriate management strategies to deal with probity risks, particularly in the context of information exchange with the Department of Immigration and Border Protection and other government agencies, strategic alliances and partnerships, contractual relationships, and stakeholder engagement.

Across the four areas that were the focus of this review, 14 probity risks were identified and 32 mitigation strategies were proposed. The review found no particular areas that would put the Authority in jeopardy. The advisory board and the departmental audit committee considered the review recommendations.

Consultants and consultancy services

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website: www.tenders.gov.au.

During 2013–14 one new consultancy contract, involving total actual expenditure of \$46 257, was entered into. In addition, one payment was made on a previous consultancy contract, involving total actual expenditure of \$7581.

Table 7: Expenditure on consultants, 2011–12 to 2013–14

Financial year	2011–12	2012–13	2013–14
Total	\$146 194	\$11 161	\$53 838

Advertising and market research

During 2013–14 the Authority arranged Google advertising to improve search engine optimisation in Australia, the United Kingdom, Malaysia and India. The advertising was designed to improve awareness of the Authority's website and alert consumers to the benefits of using registered migration agents. The advertising was conducted during June 2013 by the media advertising organisation Mediabrands Australia trading as Universal McCann. The total cost was \$14 204. Results show that the advertising was most effective in India and Malaysia.

Information Publication Scheme

Under Part II of the *Freedom of Information Act 1982*, agencies subject to the Act are required to publish information to the public as part of the Information Publication Scheme (IPS). Each agency must display on its website a plan showing what information it publishes, in accordance with the IPS requirements.

This requirement replaces the former requirement to publish a s. 8 statement in the annual report.

The Authority complies with the new requirement by publishing documents on its own website—www.mara.gov.au—and the Department of Immigration and Border Protection's website: www.immi.gov.au.

FINANCIAL STATEMENTS

Summary of financial performance

In 2013–14 additional funding was provided to the Department of Immigration and Border Protection for the operations of the Authority. This was reflected as a measure in the 2013–14 Budget.

The total appropriation for services for the Authority was \$5.421 million in 2013–14. This figure included revenue generated from the sale of goods and rendering of services.

The Department of Immigration and Border Protection 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 Border Protection Annual Report 2013-14*. The financial transactions relating to the Authority have been included in the department's financial results.

While not reported separately for audit purposes, the revenue and expenditure data relating to the Authority has been separately monitored and an income statement for the year ended 30 June 2014 has been provided at Table 8. As shown in the table, the operating result was a deficit of \$347 000.

Income statement

Table 8: Income statement for the Authority, 2013–14

	2014 \$'000	2013 \$'000
Revenue		
Appropriation from government	5407	5641
Sale of goods and rendering of services	15	9
Total revenue	5422	5650
Expenditure		
Employee expenses	3681	3471
Supplier expense	1486	2458
Depreciation and amortisation expense	602	344
Total expenses	5769	6273
Operating result (deficit)/surplus	(347)	(623)

This deficit can be fully attributed to depreciation for which the Authority is not funded.

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. The fee is set in accordance with the *Migration Agents Registration Application Charge Act 1997*.

Until 30 September 2013, GST was deducted from agent application fees and remitted to the Australian Taxation Office. From 1 October 2013, it was determined that GST did not apply to this charge.

Administered revenue generated from migration agent application fees amounted to \$7.8 million for the financial year 2013–14 exclusive of GST.

APPENDICES

Appendix 1: Advisory board—terms of reference

1. Functions

The Office of the Migration Agents Registration Authority advisory board provides advice to the Authority's Chief Executive in relation to:

- the Authority's 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 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 advisory board operates in an advisory capacity to the Authority and has no legal status or decision-making capacity in relation to the functions of the Authority.

3. Membership

The Chair of the advisory board is independent of the profession and the department and is appointed by the Minister for Immigration and Border Protection.

Membership of the 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 Migration Institute of Australia. Members are appointed by the Minister for Immigration and Border Protection. Membership extends only to individuals, and proxies are not permitted to attend in the place of members.

The CEO of the Authority and a representative of the Department of Immigration and Border Protection (DIBP) are also members of the 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 quarterly, and organised by the secretariat. In the event fewer 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 board, with the first report in December 2009, and annually at the end of each programme year
- will determine the agenda for each meeting in consultation with members and the CEO of the Authority 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. CEO of the Authority

The CEO of the Authority will provide relevant and timely information on: implementation of any key Authority strategies; statistics relating to the operations of the Authority; work in key areas such as continuing professional development; outcomes of decisions reviewed by the Administrative Appeals Tribunal; and any significant current issues.

6.4. DIBP representative

The department's representative will provide relevant and timely information on departmental activities of relevance to the Authority's regulatory functions, such as recent legislative or policy changes impacting on the Authority.

Appendix 2: Performance information and outcomes

Deliverables

The following table reports against programme 1.1 deliverables as published in the Portfolio Budget Statements 2013–14 (PBS) and Portfolio Additional Estimates Statements 2013–14 (PAES).

Table 9: Report against deliverables for the Authority

Deliverable: Pursue improvements to communications that increase consumers' understanding of their rights and agents' understanding of their obligations under the regulatory framework.

Result: The Authority has continued its programme of broad stakeholder engagement throughout 2013–14 with greater emphasis placed on consumers and community groups. Staff met a range of community groups, registered migration agents, professional associations and industry bodies as well as a number of businesses and Australian Government agencies. Stakeholder feedback is used to focus regulatory activities on areas of greatest need to promote consumer protection.

Staff attended a Chinese community business forum and delivered a presentation in Mandarin, which was well received. This presentation enhanced consumer awareness and expectations about using a registered migration agent to help with business skilled visas and the agents' obligations under the code of conduct.

Senior staff also attended various stakeholder consultation workshops and visited regional areas, including Townsville, Cairns and the Gold Coast, to meet local registered migration agents and settlement service providers. The visits have led to a greater understanding of issues affecting agents and consumers in regional areas. The Authority has also contributed to small business forums conducted by the Department of Fair Trading to disseminate relevant information to registered migration agents and consumers seeking their services.

Deliverable: Consider all applications for registration appropriately to ensure that only suitable persons are registered as migration agents, and unsuitable persons are refused registration or re-registration.

Result: In 2013–14 the Authority continued to ensure that only suitable persons were approved to be registered migration agents, in accordance with the legislative and procedural requirements. Of the applications decided, 13 were refused and 32 agents withdrew their applications before a decision was made.

The Authority refused applications for initial registration where applicants did not meet the English language requirements for registration as a migration agent and where applicants were not found to be fit and proper persons to provide immigration assistance.

Two applicants who were refused sought review by the Administrative Appeals Tribunal (AAT). In each case, refusal was due to the person not meeting the English language requirement for initial registration. The AAT finalised one case with dismissal by consent. The other application remained before the AAT as at 30 June 2014. In addition, the AAT finalised a case resulting from a refusal decision made in the previous financial year where the applicant was not considered a fit and proper person to provide immigration assistance. This decision was affirmed by the AAT. The applicant has sought judicial review.

On 5 December 2013 the Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, removed the English language proficiency requirement for re-registering migration agents. The provision was to come into effect on 1 January 2014 and has resulted in considerable savings for many registered migration agents. The requirements for initial registration have not changed and all initial applicants need to demonstrate their English language proficiency.

In 2013–14, the authority received 12 complete applications from people seeking to be registered under the *Trans-Tasman Mutual Recognition Act 1997*. This is a small but complex caseload.

As at 30 June 2014 there were 18 agents registered under the TTMR Act.

Deliverable: Pursue improvements to entry level qualifications and continuing professional development.

Result: Registered migration agents must complete 10 continuing professional development (CPD) points each year to renew their registration. In 2013–14, the Authority enhanced CPD by offering greater flexibility and choice for agents. The number of approved activities available for completion increased during the year from 358 to 411 and seven new providers were approved.

The market for delivering the Practice Ready Programme (PRP) was re-opened with the release of an expression of interest, with a view to providing more options, flexibility, availability and competitiveness. The programme aims to equip registered migration agents in their first year of registration with relevant skills and knowledge to practise successfully. The PRP will also benefit agents in their second or subsequent years of registration if they elect to undertake specific PRP modules to build upon existing knowledge or develop new practice skills.

In its commitment to ensure that entry knowledge requirements address relevant competencies, the Authority has improved the moderation process for the prescribed examination. The measures improve clarity, consistency and accountability without imposing an additional burden on universities offering the Graduate Certificate in Australian Migration Law and Practice.

Deliverable: Ensure the interests of persons using the services of registered migration agents are effectively protected.

Result: The Authority continued to have a strong focus on engaging with agents to provide guidance and support to improve standards of professional practice in compliance with the code of conduct. This was achieved in a number of ways by:

- initiating a monitoring programme to ensure that registered migration agents are complying with their obligations under the code of conduct
- using the Authority's informal (or early) resolution framework, aimed at protecting consumer interests by achieving educative and remedial outcomes
- providing advice to agents on meeting standards of professional conduct. This service was bolstered by the introduction of the new website which provides agents with a further avenue to contact the Authority and seek advice and guidance.

Deliverable: Ensure all complaints about the services of registered, or formerly registered, migration agents are appropriately addressed in line with transparent complaint handling criteria including referral to other relevant agencies.

Result: In addressing complaints about the services of registered or formerly registered migration agents, the Authority processes less complex complaints using an informal action process and more complex complaints through formal investigation. In 2013–14 the Authority developed and implemented a case classification matrix which guides officers in determining the appropriate outcomes available and therefore the appropriate process for handling a complaint.

When investigating complaints alleging serious professional misconduct, the Authority makes findings of fact and provides detailed reasons for its decisions. In managing complaints raising minor breaches of the code of conduct, the Authority, in accordance with the report recommendations of the complaints handling review, has implemented more streamlined procedures to ensure more timely outcomes with a focus on education and guidance to improve professional standards.

Complaints which are not within the Authority's power to investigate are referred to the relevant agency. Complaints relating to the provision of immigration legal assistance by registered lawyer agents are referred to the legal regulators. Complaints raising allegations of fraud and unregistered practice by an individual are referred to the Department of Immigration and Border Protection for investigation, as these matters fall within the department's jurisdiction. For example, in April 2014 a former registered migration agent was sentenced to a minimum of five months imprisonment for fraudulently altering departmental letters.

Key performance indicator

The following table reports against the programme 1.1 key performance indicators as published in the PBS 2013–14 and PAES 2013–14.

Table 10: Report against key performance indicators for the Authority

Indicator: New registration or re-registration applications finalised within service standards.

Result: The introduction of the Authority's new information technology platform had a significant impact on the finalisation of applications within service standards. While the statistics for the year show that the finalisations of repeat registration applications are below service standards, by 30 June 2014 the Authority was again tracking within service standards on a monthly basis.

The service standards are as follows:

- finalisation of 95 per cent of complete initial registration applications within four weeks of the 30-day objection period elapsing. The standard achieved decreased slightly from 97.4 per cent in 2012–13 to 93.0 per cent
- finalisation of 95 per cent of complete repeat registration applications within four weeks of receipt. The standard achieved decreased from 97.9 per cent in 2012–13 to 85.6 per cent.

Indicator: Maintain a quality assurance framework for continuing professional development activities offered to registered migration agents.

Result: During the year the Authority evaluated 147 continuing professional development (CPD) activities to ensure they were delivering the targeted learning outcomes.

Quality assurance processes were supplemented by incorporating feedback received from participants who had attended CPD activities through different modes and with a range of providers. The information provides insight as to whether the current CPD offerings meet the needs of the profession.

Indicator: Efficient resolution of complaints about registered or formerly registered migration agents.

Result: In 2013–14, 433 complaints were received or re-opened and 398 complaints were finalised. Of the complaints finalised, 77.8 per cent were finalised in less than six months and 94.3 per cent were finalised in less than 12 months, meeting service standards.

The number of complaints on hand at 30 June 2014 was 212.

Indicator: Information about the Authority and the use of registered migration agents is widely available to migrants and humanitarian entrants.

Result: In 2013–14 the Authority increased the number of languages in its key information publications that are available for download, by four. This brings the total number of languages available to 35. Analysis of electronic downloads of these publications shows they are popular communication products.

The introduction of a new website for the Authority has improved search functionality and enables prospective migrants to search more easily for a migration agent. A map search is now available and all web pages have been rewritten in plain English to improve readability and accessibility.

After the new website was launched, messages were sent using the department's Facebook and Twitter accounts, and the use of social media to reach a wider client base by contributing articles to the department's migration blog was also explored. A new video was also released on YouTube.

Table 11: Visa and migration—key performance indicators

Key performance indicators	2011–12 Actual	2012–13 Actual	2013–14 Target	2013–14 Actual
Percentage of complete registration applicants finalised within service standards.	98.9%	97.4%	95.0%	89.3%
Percentage of registered migration agents who participated in continuing professional development activities and found them useful.	>82%	>65%	>65.0%	>65.0%
Percentage of complete complaints finalised within service standards. ^a	70.0%	75.8%	90.0%	90.2%
Percentage of migration agents monitored. ^b	0%	0%	5.0%	8.0%

(a) Service standards available at www.mara.gov.au

(b) New indicator introduced in 2013–14.

ABBREVIATIONS AND ACRONYMS

AAT	Administrative Appeals Tribunal
AO	Officer of the Order of Australia
Authority	Office of the Migration Agents Registration Authority
CEO	Chief Executive Officer
CPD	continuing professional development
IELTS	International English Language Testing System
IPS	Information Publication Scheme
IT	information technology
Migration Act	<i>Migration Act 1958*</i>
NZIAA	New Zealand Immigration Advisers Authority
PAES	Portfolio Additional Estimates Statements
PBS	Portfolio Budget Statements
PRP	Practice Ready Programme
TOEFL	Test of English as a Foreign Language
TTMR Act	<i>Trans-Tasman Mutual Recognition Act 1997*</i>

* Legislation and regulations may be viewed at www.comlaw.gov.au.

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