



Australian Government

Migration Review Tribunal · Refugee Review Tribunal

IMMIGRATION ASSISTANCE

What is 'immigration assistance'?

Under the *Migration Act 1958* (the Act) a person provides a visa applicant, a sponsor or nominator, or a cancellation review applicant (a person whose visa has been cancelled) with '*immigration assistance*' in relation to a Tribunal review if they use their knowledge or experience in migration procedure to:

- prepare or help prepare an application;
- provide advice about an application;
- prepare for proceedings before the Tribunal in relation to an application; or
- provide representation in proceedings before the Tribunal in relation to an application.

Who can give 'immigration assistance'?

'Immigration assistance' can only be given by:

- a registered migration agent;
- a close family member (a spouse, child, parent, brother or sister);
- a person nominating or sponsoring the visa applicant;
- a parliamentarian;
- a member of a diplomatic mission, consular post or office of an international organisation; or
- an official (as defined in Part 3 of the Act) in the course of his or her duties.

Only registered migration agents may receive a fee or reward for providing 'immigration assistance'.

A lawyer can give assistance or provide representation in the context of legal proceedings before a court (known as 'immigration legal assistance'). However, with the exception of certain Legal Aid solicitors, a lawyer acting in a professional capacity can only give 'immigration assistance' to persons before the Tribunal if they are also a registered migration agent.

What is a registered migration agent?

By law, all persons acting as migration agents in Australia must be registered with the Office of the Migration Agents Registration Authority (the Office of the MARA). Registered migration agents must meet competency standards, keep their knowledge of migration law and procedure up to date by completing Continuing Professional Development (CPD) activities, and abide by a Code of Conduct. Registered migration agents must have the Code of Conduct clearly displayed in their offices and make a copy of it available on request.

Do I need a registered migration agent?

There is no requirement that you obtain 'immigration assistance' and a significant proportion of applicants are not represented. Tribunal procedures and the information available for applicants are aimed at assisting applicants who proceed without representation. However, if you wish to appoint someone to assist you, there are many registered migration agents who can provide 'immigration assistance'.

How do I find a registered migration agent?

Persons who can provide 'immigration assistance' are listed in the Yellow Pages directory under 'Migration Consultants and Services', 'Immigration Law' and 'Visa Services'. If you have any doubt about whether or not a person is a registered migration agent you can check the 'Register of Migration Agents' which is a public record of all registered migration agents under the scheme. The Register is maintained by the Office of the MARA (phone 1300 226 272 or visit www.mara.gov.au).

The Immigration Advice and Application Assistance Scheme (IAAAS) provides free, professional migration advice and application assistance to the most vulnerable and disadvantaged immigration clients. For more information please contact the Department of Immigration and Citizenship (the Department) on 131 881 or visit www.immi.gov.au.

What if I need to make a complaint?

If the matter relates to a registered migration agent you should initially try and resolve any problems or concerns directly with that person. However if you are dissatisfied with the advice or services provided by a registered migration agent you can make a formal complaint to the Office of the MARA. To find out more about complaint procedures and limitations, please visit the Office of the MARA's website at www.mara.gov.au.

If the complaint is about a person who is acting as a migration agent but who does not appear to be registered, you should contact the Department of Immigration and Citizenship (*contact details below*) not the Office of the MARA.

USEFUL CONTACTS

State/Territory Law Societies

The following organisations can refer you to a solicitor who is an accredited specialist in immigration law (choose an organisation relevant to your state):

- **Law Society of New South Wales**
Phone (02) 9926 0300 (within Sydney) or 1800 422 713 (outside Sydney) or visit www.lawsociety.com.au
- **Queensland Law Society**
Phone (07) 3842 5842 or visit www.qls.com.au
- **Australian Capital Territory Law Society**
Phone (02) 6247 5700 or visit www.actlawsociety.asn.au
- **Law Society Northern Territory**
Phone (08) 8981 5104 or visit <http://lawsocietynt.asn.au>

Community and government advice

The following organisations may be able to provide immigration assistance:

New South Wales

- **Immigration Advice and Rights Centre**
Telephone advice line: (02) 9262 3833, phone (02) 9279 4300 to make an appointment or visit www.iarc.asn.au
- **Refugee Advice and Casework Service**
Telephone advice line: (02) 9114 1888, phone (02) 9114 1600 to make an appointment or visit www.racs.org.au
- **Legal Aid NSW**
Telephone advice line: 1300 888 529 or visit www.legalaid.nsw.gov.au to obtain contact details of your nearest Legal Aid Office.
- **Gay and Lesbian Immigration Task Force (GLITF)**
Phone (02) 9283 4031 or visit www.glitf.org.au

Queensland

- **Refugee and Immigration Legal Service**
Phone (07) 3846 3189 or visit www.rails.org.au
- **Legal Aid Queensland**
Phone 1300 65 11 88 or visit www.legalaid.qld.gov.au

Australian Capital Territory

- **Legal Aid ACT**
Legal Aid Helpline on 1300 654 314, phone (02) 6243 3471 to make an appointment or visit www.legalaidact.org.au

Northern Territory

- **Northern Territory Legal Aid Commission**
Phone 1800 019 343 or visit www.ntlac.nt.gov.au

Department of Immigration and Citizenship

www.immi.gov.au

General enquiries	131 881
General Skilled Migration enquiries	1300 364 613
Australian Citizenship	131 880
Translating & Interpreting Service	131 450
Employers' Immigration Hotline	1800 040 070
Compliments, Complaints or Suggestions	133 177

The following organisations provide services to migrants and asylum seekers (other than providing immigration assistance):

National

Amnesty International

www.amnesty.org.au

Phone: 1300 300 920

Australian Red Cross – Migration Support Programs

www.redcross.org.au/ourservices_aroundtheworld_tracingrefugeeservices_default.htm

Phone:

- NSW (02) 9229 4111
- ACT (02) 6234 7600
- NT (08) 8924 3900
- QLD (07) 3367 7222

New South Wales

Asylum Seekers Centre of New South Wales

www.asylumseekerscentre.org.au

Phone: (02) 9361 5606

NSW Refugee Health Service

www.sswahs.nsw.gov.au/sswahs/refugee/

Phone: (02) 8778 0770

Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS)

www.startts.org.au

Phone:

- (02) 9794 1900 Carramar
- (02) 9646 6666 Auburn
- (02) 8778 2000 Liverpool
- (02) 6650 9195 Coffs Harbour
- (02) 4924 6286 Newcastle

St Vincent de Paul Society Migrant and Refugee Services

www.vinnies.org.au/migrant-and-refugee-national

Phone: (02) 9560 8666

Queensland

Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT)

www.qpastt.org.au

Phone:

- (07) 3391 6677 Brisbane
- (07) 4659 5501 Toowoomba

Northern Territory

Melaleuca Refugee Centre

www.melaleuca.org.au

Phone: (08) 8985 3311

Australian Capital Territory

Companion House (Assisting Survivors of Torture and Trauma)

www.companionhouse.org.au

Phone: (02) 6247 7227

Migrant Resource Centres

NSW

The Hills Holroyd Parramatta Migrant Resource Centre

www.thhpmrc.org.au

Phone: (02) 9687 9901

SydWest Multicultural Services

www.sydwestmsi.org.au

Phone: (02) 9621 6633

Metro Migrant Resource Centre

www.metromrc.org.au

Phone:

(02) 9789 3744 Campsie
(02) 9559 1883 Marrickville

Macarthur Diversity Services Initiative

www.mdsi.org.au

Phone: (02) 4627 1188

Illawarra Multicultural Services

www.ims.org.au

Phone: (02) 4229 6855

Fairfield Migrant Resource Centre

<http://cabracc.org.au/fmrc/>

Phone: (02) 9727 0477

Liverpool MRC

<http://lmrc.org.au>

Phone: (02) 9601 3788

Northern Settlement Services

www.nssservices.com.au

Phone:

- Free call: 1800 913 205 Newcastle (Hamilton)
- Free call: 1800 813 205 Central Coast, Armidale, Inverell and Tamworth

St George Migrant Resource Centre

www.sgmrc.org.au

Phone: (02) 9597 5455

Auburn Diversity Services

www.amrc.org.au

Phone: (02) 9649 6955

Migrant Link

www.migrantlink.org

Phone: (02) 9987 2333

Sydney Multicultural Community Services

www.sydneymcs.org.au

Phone: (02) 9663 3922

ACT

Migrant and Refugee Settlement Services of the ACT

www.marss.org.au

Phone: (02) 6248 8577

QLD

ACCES Services

www.accessservicesinc.org.au

Phone: (07) 3412 8222

MRC Townsville-Thuringowa

www.townsville-mrc.org

Phone: (07) 4772 4800

Multicultural Development Association

www.mdainc.org.au

Phone: (07) 3337 5400

NT

Multicultural Community Services of Central Australia

www.mcscsca.org.au

Ph: (08) 8952 8776