



## 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](http://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](http://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](http://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 Institute of Victoria**  
Phone (03) 9607 9550 (legal referral service) or visit [www.liv.asn.au](http://www.liv.asn.au)
- **Law Society of South Australia**  
Phone (08) 8229 0288 (legal referral service) or visit [www.lawsocietysa.asn.au](http://www.lawsocietysa.asn.au)
- **Law Society of Western Australia**  
Phone (08) 9322 7877 or visit [www.lawsocietywa.asn.au](http://www.lawsocietywa.asn.au)
- **Law Society of Tasmania**  
Phone (03) 6234 4133 or visit [www.taslawsociety.asn.au](http://www.taslawsociety.asn.au)

### Community and government advice

The following organisations may be able to provide immigration assistance:

#### *Victoria*

- **Refugee and Immigration Legal Centre**  
Phone (03) 9413 0100 (telephone advice line service) or visit [www.rilc.org.au](http://www.rilc.org.au)
- **Victoria Legal Aid**  
Phone (03) 9269 0120 (within Melbourne) or 1800 677 402 (outside Melbourne) or visit [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

#### *South Australia*

- **Legal Services Commission of South Australia**  
Phone 1300 366 424 or visit [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

#### *Western Australia*

- **Legal Aid Western Australia**  
Phone 1300 650 579 or visit [www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au)
- **CASE for Refugees**  
Phone (08) 9227 7311 or visit [www.caseforrefugees.org.au](http://www.caseforrefugees.org.au)

#### *Tasmania*

- **Legal Aid Commission of Tasmania**  
Phone 1300 366 611 or visit [www.legalaid.tas.gov.au](http://www.legalaid.tas.gov.au)

### Department of Immigration and Citizenship

[www.immi.gov.au](http://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](http://www.amnesty.org.au)

Phone: 1300 300 920

##### **Australian Red Cross – Migration Support Programs**

[www.redcross.org.au/ourservices\\_aroundtheworld\\_tracingrefugeeservices\\_default.htm](http://www.redcross.org.au/ourservices_aroundtheworld_tracingrefugeeservices_default.htm)

Phone:

VIC (03) 9345 1800 (national office) or (03) 8327 7700

WA (08) 9225 8888

SA (08) 8100 4500

TAS (03) 6235 6077

#### **Victoria**

##### **Asylum Seeker Resource Centre**

[www.asrc.org.au](http://www.asrc.org.au)

Phone: (03) 9326 6066

##### **Victorian Foundation for Survivors of Torture**

[www.foundationhouse.org.au](http://www.foundationhouse.org.au)

Phone: (03) 9388 0022

##### **Dianella Community Health**

[www.dianella.org.au](http://www.dianella.org.au)

Phone:

(03) 8345 5678 Broadmeadows

(03) 9302 8888 Meadow Heights

(03) 9308 1222 Craigieburn

#### **South Australia**

##### **Australian Refugee Association**

[www.ausref.net](http://www.ausref.net)

Phone: (08) 8354 2951

##### **Survivors of Torture and Trauma Assistance and Rehabilitation Service**

[www.sttars.org.au](http://www.sttars.org.au)

Phone: (08) 8346 5433

#### **Western Australia**

##### **Association for Services to Torture and Trauma Survivors**

[www.asetts.org.au](http://www.asetts.org.au)

Phone: (08) 9227 2700

##### **Multicultural Services Centre of W.A.**

[www.msowa.com.au](http://www.msowa.com.au)

Phone:

(08) 9328 2699 and (08) 9444

8283 North Perth

(08) 9375 2224 Dianella

(08) 9258 5188 Cannington

#### **Tasmania**

##### **Phoenix Centre**

(Support Service for Survivors of Torture and Trauma)

[www.mrchobart.org.au/p\\_home.shtml](http://www.mrchobart.org.au/p_home.shtml)

Phone: (03) 6234 9138

#### **Migrant Resource Centres**

VIC

##### **Diversitat**

[www.diversitat.org.au](http://www.diversitat.org.au)

Phone: (03) 5221 6044

##### **Phoenix Migrant Resource Centre Westage Region**

[www.wmrc.org.au](http://www.wmrc.org.au)

Phone: (03) 9391 3355

##### **Migrant Resource Centre North West Region**

[www.mrcnorthwest.org.au](http://www.mrcnorthwest.org.au)

Phone:

(03) 9367 6044 St Albans

(03) 9351 1278 Broadmeadows

(03) 9369 2932 Laverton

##### **Gippsland Migrant Resource Centre**

Phone: (03) 5133 7072

##### **Spectrum Migrant Resource Centre**

[www.spectrumvic.org.au](http://www.spectrumvic.org.au)

Phone:

(03) 9496 0200 Preston

(03) 9384 7900 Coburg

##### **Migrant Information Centre (Eastern Melbourne)**

[www.miceastmelb.com.au](http://www.miceastmelb.com.au)

Phone: (03) 9285 4888

##### **South Eastern Region Migrant Resource Centre**

[www.sermerc.org.au](http://www.sermerc.org.au)

Phone:

(03) 9706 8933 Dandenong

(03) 9705 6966 Narre Warren

##### **New Hope Foundation**

[www.newhope.asn.au](http://www.newhope.asn.au)

Phone:

(03) 9510 5877 Prahran

(03) 9563 4130 Oakleigh

(03) 9576 4038 East Bentleigh

(03) 5973 5398 Mornington

(03) 9376 5244 Ascot Vale

(03) 9687 4500 Footscray

(03) 8781 5911 Frankston

(03) 9974 1700 Werribee

#### **Tasmania**

##### **Migrant Resource Centre**

[www.mrchobart.org.au](http://www.mrchobart.org.au)

Phone: (03) 6221 0999

##### **Migrant Resource Centre**

[www.mrcitn.org.au](http://www.mrcitn.org.au)

Phone:

(03) 6332 2211 Launceston

(03) 6423 5598 Devonport

(03) 6431 9476 Burnie

#### **SA**

##### **Migrant Resource Centre of South Australia**

[www.mrcsa.com.au](http://www.mrcsa.com.au)

Phone:

(08) 8217 9500 Adelaide

(08) 8283 0844 Salisbury

(08) 8532 3922 Murray Bridge

(08) 8725 2753 Mt Gambier

#### **WA**

##### **Metropolitan Migrant Resource Centre**

[www.mmrcwa.org.au](http://www.mmrcwa.org.au)

Phone:

(08) 9345 5755 Mirrabooka

(08) 9200 6284 Clarkson

##### **Fremantle Multicultural Centre**

[www4.fmcwa.com.au](http://www4.fmcwa.com.au)

Phone: (08) 9336 8282

##### **Centrecare**

(Catholic Migrant Services)

[www.centrecare.com.au](http://www.centrecare.com.au)

Phone: (08) 9325 6644