



MIGRATION INSTITUTE
— OF AUSTRALIA —

MEDIA RELEASE

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REVIEW ON SELF-REGULATION OF THE MIGRATION PROFESSION

The Migration Institute of Australia has today commented on the recent publication by the Department of Immigration of the *“2007-08 Review of Statutory Self-Regulation of the Migration Advice Profession”*.

The Deed of Agreement, under which the Migration Institute of Australia manages the profession’s regulatory body, the Migration Agents Registration Authority (MARA), expires in March 2009.

CEO of the Migration Institute, Ms Maurene Horder responded to the review and in particular the issue of professional regulation. She said, “We are happy to see that the review has now been published and we are looking forward to working with the Minister for Immigration, Senator Chris Evans, to ensure that the best interests of the public, and the profession, are served.

“Registered agents lodge more than 150,000 visa applications each year and offer vital support and service to the public. So, it is important that consumer interests be served by a profession that is fairly regulated.

“The review has called for independent regulation of the profession which is a move that the MIA has supported in a past submission to the Department. In addressing the review’s conclusions we will however be reinforcing to the Minister that regulation should not revert to the Department of Immigration. This is an option that has been flagged by the Minister but it would simply mean shifting conflict of interest perceptions from one body to another.

“To ensure that the profession and the public maintain confidence in the process and impartiality of regulation, a shift to an independent body needs to be set up quickly.

“Confidence would be lacking were we to revert to the Department of Immigration regulating agents and set the profession and consumers back ten years. We should not forget the lessons learned from the past. Self-regulation came about originally because of conflict of interest issues which were highlighted in the *“Protecting the Vulnerable”* report which led to self-regulation via the Migration Legislation Amendment (Migration Agents) Bill 1997.

“It’s also worth appreciating that while there are submissions to the review expressing concerns over conflict of interest on various issues, some of those were tendered by organisations that compete with MIA in service areas. During its management of MARA, MIA has gone to exhaustive lengths to ensure that conflict of

interest issues did not arise. However, wherever self-regulation exists, perception of conflict of interest also exists.”

Ms Horder said that MIA had previously advocated for the separation of responsibility for hearing of complaints against agents.

She added that any changes to management of the profession should preserve the valuable knowledge garnered over a decade of regulating and educating agents. “The review discusses the increased cost burden to the public purse in creating a new regulatory body and we would see that as a waste when existing resources – particularly in the areas of professional standards and education - run cost-effectively.”

About MIA - *The Migration Institute of Australia is the professional association for Australian migration service providers worldwide. It represents almost 2,000 registered migration agents who provide services to families, businesses and industries.*

About MARA – *The Migration Agents Registration Authority regulates the profession. Its key responsibilities are the registering of agents and overseeing of disputes, complaints and disciplinary actions.*

Through a Deed of Agreement, The MARA was created and placed under the auspices of the professional body – MIA – following recommendations of a Parliamentary enquiry in 1997. The Deed expires on 31 March 2009.

Links:

"2007-08 Review of Statutory Self-Regulation of the Migration Advice Profession"
<http://www.immi.gov.au/media/publications/general/review2008-report.htm>

Notes:

In the January to March 08 quarter Registered Migration Agents lodged 42,484 visa applications– [Source: DIAC 'Number of Visas Handled by Agents Jan-March '08]
www.immi.gov.au