

Stephen Wood, CEO, Office of the MARA.

Thank you Chair and members of the committee. I would like to provide a brief update on the performance of the Office of the Migration Agents Registration Authority (MARA) since I last appeared in February 2013.

Profile

At the end of April 2013, there were 4,862 registered migration agents in the profession. This is approximately a 3.7 per cent increase since 30 June 2012 following a 5 per cent increase the previous program year.

In the 2012-13 program year to 30 April 2013, the number of non-commercial registered agents increased by approximately 4 per cent to 337.

Registrations by holders of legal qualifications increased to 1,579 as at 30 April 2013, which is approximately a 10 per cent increase since the end of June 2012. Legal practitioners now represent 32.5 per cent of registered migration agents.

Ensuring only suitable persons are registered

This financial year, four applications for registration have been refused. Appeals to the AAT have been lodged in respect of two of these decisions one was withdrawn and a determination is yet to be made on the other. Two appeals were carried over from the previous year. One decision was set aside and the other decision was affirmed by the AAT.

From 1 July 2012 to 30 April 2013, a total of 333 complaints were received or reopened by the Office of the MARA relating to 232 registered migration agents or former agents. In pro rata terms this is a 17 per cent decrease compared to the previous year¹. There is no apparent reason for the decrease. 426 complaints have been finalised in the year to date relating to 268 current or former agents.

In the 2013 program year to date, nine agents have been sanctioned on the basis of 64 complaints.

- two former agents were barred for five years
- one agent was suspended
- four agents had their registration cancelled
- two agents were cautioned

Since 1 July 2012, three agents appealed sanction decisions with the AAT. Four appeals are on foot including one from the previous year. Of the appeals finalised since 1 July 2012, two were withdrawn, one was dismissed (for want of jurisdiction) and two resulted in the AAT affirming the sanction. One decision to caution an agent was set aside.

Stakeholders

We have continued to meet with stakeholders on a regular basis. This has included a meeting with our counterpart, the New Zealand Immigration Advisors Authority. At this meeting information was shared in relation to our respective policies and processes. Productive dialogue with peak bodies continues and we have commenced providing opportunities to registered migration agents to meet face to face with myself and my staff.

I am happy to answer questions from members of the Committee.

¹ In 2011 12 481 complaints were received relating to 302 persons.