



## **Australian Government**

Australian Government response to the  
Joint Standing Committee on Migration report:

Efficacy of current regulations of Australian migration and education  
agents

APRIL 2024

## **Recommendations**

### **Recommendation 1:**

**3.70 The Committee recommends that the Australian Government, in consultation with relevant migration agent peak bodies, undertake a review of the current registration requirements for migration agents, having regard to:**

- **the effectiveness of the current registration requirements;**
- **technical proficiency through education;**
- **English proficiency;**
- **peer assessment;**
- **issuing of a practicing certificate;**
- **regulation by legal bodies; and**
- **changing migration agent nomenclature.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

### **Recommendation 2:**

**3.114 The Committee recommends that all new migration agents be required to complete a period of supervised practice prior to being granted an unrestricted practice certificate.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

### **Recommendation 3:**

**3.170 The Committee recommends that the Australian Government amend the Migration Act 1958 to establish a statutory authority, the Immigration Assistance Complaints Commissioner with the following powers:**

- **resolving complaints about immigration services;**
- **detecting, deterring, disrupting, investigating and prosecuting unregistered practice;**
- **imposing sanctions or fines and/or ordering the payment of costs, payment of refund or compensation;**
- **publishing registered migration agent performance data;**
- **educating people and immigration business and agents about the best ways to handle complaints and the issues they raise; and**
- **providing information to the Minister in relation to any of the Complaints Commissioner's functions, if requested.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

#### **Recommendation 4:**

**3.225 The Committee recommends that the Immigration Assistance Complaints Commissioner, in consultation with practising registered migration agents, publish information on the pricing arrangements of migration agents.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

#### **Recommendation 5:**

**5.60 The Committee recommends that the Australian Government establish an education agent register which contains information on the performance of education agents operating in Australia and overseas. The register should include information on whether the education agent has been sanctioned, suspended or had their written agreement with an education provider cancelled.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

#### **Recommendation 6:**

**5.99 The Committee recommends amending the National Code of Practice for Providers of Education and Training to Overseas Students 2018 to require registered training organisations verify that education agents meet the xvii following requirements prior to entering into a written agreement with each education agent that formally represents their education services:**

- **completion of a Government authorised education agent training course;**
- **obtain a IELTS 7 Academic or TOEFL result of 94;**
- **undergo a National Police Check with the Australian Federal Police;**
- **not have had their written agreement cancelled in the past 5 years.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

#### **Recommendation 7:**

**5.102 The Committee recommends amending the National Code of Practice for Providers of Education and Training to Overseas Students 2018 to require registered**

**training organisations to review written agreements with their education agents annually to ensure that education agents complete an appropriate number of professional development activities each year.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

**Recommendation 8:**

**5.113 The Committee recommends that the Australian Government introduce a sanction structure using a demerit point system for any education agent found to have breached the Education Services for Overseas Students Act 2000, National Code of Practice for Providers of Education and Training to Overseas Students 2018, or Migration Act 1958.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

**Recommendation 9:**

**6.46 The Committee recommends that Electronic Travel Authority (subclass 601) visa holders that lodge a valid protection visa application have their application fast-tracked by the Department of Home Affairs.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

**Recommendation 10:**

**6.47 The Committee recommends the Migration Act 1958 be amended to grant the Immigration Assessment Authority the power to review fast tracked valid protection visa applications lodged by Electronic Travel Authority visa holders**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.