



Migration Agents Instruments Review

Theme 2 – A Professional Industry

Publishing information on the pricing arrangements for registered migration agents

For details, please refer to Chapter 2.2 of the Review Report.

Issue

There is no prescribed scale of fees for the provision of immigration assistance. Rather, the *Code of Conduct for registered migration agents* (the Code) requires that a registered migration agent (RMA) set and charge a fee that is reasonable in the circumstances of each case.

The fees that RMAs can charge reasonably vary. Factors that can influence what fee is charged by an RMA include the level of experience of the RMA, the type of visa being applied for and the complexities associated with that application.

While RMAs are required under the Code to provide the consumer with a written Agreement for Services and Fees before starting work, this alone may not be sufficient to protect consumers from unscrupulous RMAs. Anecdotal evidence available to the Department of Home Affairs indicates that consumers have been charged tens of thousands of dollars for an RMA to lodge a visa application for which the market rate is \$2000 to \$5000.

The Office of the Migration Agents Registration Authority's (OMARA) website recommends that consumers seek three quotes in order to ensure they are being charged a fair price for the services they require, prior to choosing an RMA. However, barriers such as language, an individual's ability to access, find and evaluate information via the Internet, and the potential cost of obtaining multiple quotes may prevent consumers from easily undertaking their own market research, leaving them open to exploitation.

Matters for public feedback

We welcome the public's feedback on the following reform option.

Submissions can be provided online using the [feedback page](#) by no later than 5pm AEST, 25 June 2021.

There is potential for the OMARA to publish aggregated information on the pricing arrangements for RMAs. Specifically, a new requirement could be introduced that an agent submit, when applying for repeat registration, the range of fees charged by that agent across all visa classes in the preceding 12 months of practice as an RMA, for the purpose of the OMARA publishing average fee information on its website.

It is not suggested the Government regulate the fees charged by an RMA. However, providing consumers with a single point of reference to access information on the average fees charged by an RMA would enable consumers to more easily compare prices and make an educated choice. It would also enable a shift from handling of complaints, to a more proactive approach that aims to prevent the consumer from being overcharged in the first place, rather than the consumer paying an RMA and then having to seek redress through the relevant consumer fair trading agency or tribunal if they believe that they have been overcharged.