



Migration Agents Instruments Review

Theme 2 – A professional industry

Enhanced proficiency through Continuing Professional Development

For details, please refer to Chapter 2.5 of the Review Report.

Issue

A Continuing Professional Development (CPD) framework is a key tool in ensuring that registered migration agents (RMAs) develop and maintain a sound working knowledge and ensuring consumer protection. In 2019, the Joint Standing Committee on Migration recommended ‘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 ...technical proficiency through education’.¹

On 1 January 2018, the Office of the Migration Agents Registration Authority’s (OMARA) role in overseeing CPD was significantly changed and reduced. Whereas previously OMARA delegates decided individual applications for approval of CPD activities, the OMARA’s role became restricted to deciding applications from those seeking approval to deliver CPD, and monitoring approved CPD providers against the relevant standards.

While some stakeholders observe deregulation of the industry led to an overall reduction of prices of CPD offerings, others note a decline in quality. There are concerns that CPD courses are often seen by RMAs and CPD providers as a mere formality required for renewal of migration agent registration, rather than a genuine educational opportunity. The lack of courses suitable for more experienced RMAs has also been noted.

Matters for public feedback

We welcome the public’s feedback on the following options for reform.

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

While it is not proposed to make any changes in the governance of the current framework, such as reinstating the role of the OMARA in deciding CPD activities, it may be possible to introduce measures that would give the industry tools to enable it to self-regulate more effectively, and to ensure the appropriate quality of CPD offerings, such as the:

- introduction of quality control requirements for CPD activities, which may include limiting the number of CPD points delivered in one day, requiring RMAs to prepare CPD plans, introducing minimum requirements for a refund policy and Occupational Competency Standards (OCS) for particular areas of practice, and requiring providers to:
 - link activities to the OCS framework
 - mark CPD offerings according to their complexity

¹ JSCOM (2019:xv) *Report of the inquiry into efficacy of current regulation of Australian migration and education agents* [online document], Commonwealth of Australia, accessed 9 November 2020

- require providers to have a certain level of experience in the subject before delivering a CPD activity
- clarification of the CPD provider standards, including the meaning of ‘interactive’ and ‘workshop’ and other potential ambiguities
- increasing the number of compliance audits of CPD providers and making the audit results publicly available.

Subject to the Government’s agreement to a tiering system, the CPD framework could also support a defined career pathway for RMAs who are new to the industry or who would like to specialise in tribunal representation, supporting all RMAs to provide higher quality assistance in more complex fields through targeted training. The knowledge requirements would be prescribed in the OCS for RMAs.