

ATTACHMENT A - STATEMENT OF REQUIREMENT

1 INFORMATION ABOUT THE DEPARTMENT

- 1.1 On 20 December 2017, the Department of Home Affairs (the **Department**) was formally established as a part of the Home Affairs Portfolio (the **Portfolio**).
- 1.2 The establishment of the Portfolio brings together Australia's federal law enforcement, national and transport security, criminal justice, emergency management, multicultural affairs settlement services and immigration and border-related functions and agencies, working together to keep Australia safe.

2 BACKGROUND TO THE REQUIREMENTS

- 2.1 The Department is requesting expressions of interest from Respondents in support of courses proposed for inclusion in the new instrument, as detailed in this Request for Expression of Interest (**REOI**).
- 2.2 The Australian Government's sunseting framework is set out in Part 4 of Chapter 3 of the [Legislation Act 2003](#) (Cth). It mandates the automatic repeal of legislative instruments after a fixed period of time, generally 10 years from registration. If still required, these legislative instruments must be repealed and remade before their sunseting date so that they are fit for purpose.
- 2.3 Legislative instrument Migration ([IMMI 18/003: Specified courses and exams for registration as a migration agent](#)) Instrument 2018 (**IMMI 18/003**) is due to sunset on 1 April 2026. The Department is remaking IMMI 18/003 to ensure it:
 - 2.3.1 reflects updated requirements of the regulator, the Office of the Migration Agents Registration Authority (**OMARA**); and
 - 2.3.2 aligns with the contemporary knowledge and language requirements expected of the industry.

3 COURSES AND EXAMINATIONS FOR REGISTRATION AS A REGISTERED MIGRATION AGENT

- 3.1 Courses are specified under subregulation 5(4) of the *Migration Agents Regulations 1998* (Cth) (the **Regulations**) (see paragraphs 6(1)(a)-(g) of IMMI 18/003) for the purposes of subregulation 5(2) of the Regulations as prescribed qualifications for the purposes of paragraph 289A(2)(a) of the [Migration Act 1958](#) (Cth) (the **Migration Act**) which states:

“(2) The applicant must not be registered unless the Migration Agents Registration Authority is satisfied that the applicant has:

 - (a) completed a course prescribed for the purposes of this paragraph; and*
 - (b) passed an examination, prescribed for the purposes of this paragraph, within a prescribed period before the date of the registration application.”*

- 3.2 Current prescribed courses are:
- 3.2.1 Graduate Diploma in Australian Migration Law and Practice offered by Murdoch University;
 - 3.2.2 Graduate Diploma in Migration Law offered by Victoria University;
 - 3.2.3 Graduate Diploma of Australian Migration Law and Practice offered by Griffith University;
 - 3.2.4 Graduate Diploma in Australian Migration Law offered by Western Sydney University;
 - 3.2.5 Graduate Diploma in Migration Law and Practice offered by the University of Technology Sydney;
 - 3.2.6 Graduate Diploma in Australian Migration Law and Practice offered by the Australian Catholic University; and
 - 3.2.7 Master of Australian Migration Law and Practice offered by Griffith University.
- 3.3 The Graduate Certificate in Australian Migration Law and Practice, offered by Australian National University, Griffith University, Murdoch University and Victoria University, is also specified as a prescribed course for the purposes of paragraph section 289A(2)(a) of the Migration Act for individuals who completed the course before 1 January 2018.

4 THE REQUIREMENT

4.1 Overview of the Requirements

- 4.1.1 Respondents must submit evidence to meet the Evaluation Criteria. All criteria are mandatory.
- 4.1.2 The Department will evaluate Responses against Evaluation Criteria received by the Closing Time.

4.2 Nature and Scope of the Requirement

- 4.2.1 Course Accreditation
 - (a) Submissions must include syllabus details for each module of each course proposed for inclusion in the new legislative instrument, and demonstrate how the performance criteria of the Occupational Competency Standards for Registered Migration Agents (**OCS**) are met by each respective proposed course.
 - (b) The following Requirements are based on the *Higher Education Standards Framework (Threshold Standards) 2021 (HESF)*. Responses will be assessed on the basis of each respective course's ability to meet the performance criteria of the OCS.
 - (c) Please address each point and sub-point **separately** and **in this order** for each course proposed for inclusion in the new instrument.

4.2.2 Course and unit details

- (a) Course description in course handbook;
- (b) Course structure;
- (c) Unit outlines, including descriptions of assessment tasks;
- (d) Evidence showing the course has met the OCS;
- (e) Evidence showing the Respondent has constructively aligned the Course Learning Outcomes, Unit Learning Outcomes and Assessment (HESF 1.4, 1.5, 3.1);
- (f) Delivery mode the Respondent proposes to use (online, hybrid or face-to-face). The Respondent should explain:
 - (i) If adopting a hybrid approach, what proportion would be online;
 - (ii) Whether online assessment will be used.
- (g) Evidence showing integration of practical component in each unit (emphasising the practical application of learning outcomes).

4.2.3 For Respondents that are current providers, how has the Respondent engaged in **evidence-based quality improvement** of the Graduate Diploma currently specified in subsection 6(1) of IMMI 18/003 (made under subregulation 5(4) for the purposes of subregulation 5(2) of the Regulations), or in the case of a new course, is the Respondent proposing that the course be included based on monitoring and review?

For this course, existing providers should refer to:

- (a) most recent institutional course review (as required at least every 7 years) and how recommendations have addressed the HESF 1.4, 3.1 and 5.3; please attach your review and response to the review recommendations,
- (b) details of ongoing course review practices and examples of how this has led to course changes,
- (c) response to student feedback (HESF 5.3),
- (d) student performance data (retention, progression and completion rates – including those of identified subgroups with equity backgrounds, student satisfaction, graduate success), and addressing needs of cohorts (HESF 1.3, 2.2, 5.3),
- (e) monitoring and responses to student wellbeing and safety (HESF 2.3),
- (f) assessment and moderation strategies, including assurance of academic integrity (HESF 5.2).

4.2.4 Respondents that are new providers should also detail how their institution addresses paragraphs 4.2.3(a) to 4.2.3(f), and how they have

systems that have been and will be able to deliver improvements for the proposed course.

- 4.2.5 What **academic staff** will the Respondent use to deliver the course (HESF 3.2)? Respondents should explain the qualifications and academic level of staff, nature of appointment and level of casualisation.
- 4.2.6 How has the Respondent engaged with relevant **industry groups**? What engagement is proposed to support future development of the course? The Respondent may refer to specific engagement processes and peak bodies.
- 4.2.7 The Respondent’s plan for remaining compliant with regulatory changes including updates that may be made to the OCS.

Please note: all courses must be assessed and approved before they can be included in the new instrument, and as such, courses listed in IMMI 18/003 must be reassessed and approved before they are included in the new instrument.

The Department expects that Respondents will commit to maintaining the academic requirements and curriculum while the course remains listed in the instrument. Any material changes to admissions requirements, course structure or outcomes must be reported to the Department. Significant revisions that have a detrimental impact on the quality of student outcomes may result in the course being removed from the instrument.

4.3 Timeframes

It is proposed that the Respondent will be required to provide the Requirement in accordance with the following timetable:

Dates	Requirements
1 Oct 2025	Respondents are informed of outcome.
31 Oct 2025	Memoranda of Understanding signed with successful course providers.
31 Oct 2025	Existing courses in IMMI 18/003 that are assessed as not meeting the threshold for inclusion in the new instrument must cease enrolments at this date. A grace period will be available for graduates already enrolled prior to that date, to provide for registration with the OMARA.
1 April 2025	Enrolments start for new courses listed in the new instrument.

4.4 Compliance with Industry Codes or Guidelines

4.4.1 The Requirement is to be provided in compliance with the following:

- (a) [Occupational Competency Standards for Registered Migration Agents](#); and
- (b) [Higher Education Standards Framework \(Threshold Standards\) 2021](#).