

Office of the Migration Agents Registration Authority Complaint Classification Matrix

Complaints may change classification, and treatment and outcomes depending on the available information and evidence

Classification	Classification Description	Allegations	Future Risk Indicator	Client / Complainant Impact	Possible Outcomes
Minor	<ul style="list-style-type: none"> Minor breaches that are rectifiable and/or isolated 	<ul style="list-style-type: none"> Failure to respond (to the client, the Tribunal, the Department) Poor advice Disputes over provision of services and fees Office practice deficiencies 	<ul style="list-style-type: none"> Agent acknowledges mistake/misconduct and willing to amend/rectify the conduct Little or no previous history of complaints against the agent 	<ul style="list-style-type: none"> Inconvenience to client Little or no impact on migration outcome for the client Little or no financial loss sustained. 	<ul style="list-style-type: none"> Informal action* Referral to monitoring / registration section of the MARA Referral to a relevant body (consumer tribunal or legal regulator for lawyers) No breach found No action
Moderate	<ul style="list-style-type: none"> Breaches of the Code of Conduct indicating systemic poor practices Indifference to professional responsibilities Multiple breaches of the Code of Conduct 	<ul style="list-style-type: none"> Lack of knowledge of relevant law Repeated failure to satisfy professional responsibilities Failure to manage client funds Conflict of interest Failure to supervise employees Dishonest or reckless behaviour 	<ul style="list-style-type: none"> Previous history of minor complaints against the agent Agent unwilling to rectify the conduct and/or co-operate during the investigation Evidence that the agent has attempted to conceal their culpability 	<ul style="list-style-type: none"> Some effect on migration outcome for the client Some financial loss sustained (e.g. costs of relocation, lost fees), 1lb Reputational damage to employer agency and /or profession 	<ul style="list-style-type: none"> Informal action – Warning letter Caution the agent with or without conditions imposed Suspend the agent's registration (up to 2 years) with or without conditions imposed Referral to a relevant body (consumer tribunal or legal regulator for lawyers)
Major	<ul style="list-style-type: none"> Conduct demonstrates that the agent is not a person of integrity or is not a fit and proper person to give immigration assistance (s303(1)(f) of the Migration Act 1958) single incidence of serious breach or breach of the Code of Conduct Serious repeated breaches of the Code of Conduct Indifference to/general disregard of Australian laws 	<ul style="list-style-type: none"> Fraudulent and other criminal behaviour Fundamental lack of knowledge of relevant law Dishonest or reckless behaviour 	<ul style="list-style-type: none"> Agent has a serious record of misconduct Real likelihood that misconduct will continue Agent's potential to rectify practices/ misconduct is low Evidence that the agent has attempted to conceal their culpability agent misled the Authority during the investigation 	<ul style="list-style-type: none"> Multiple clients affected Continued registration of the agent is not in the public interest Reputational damage to profession Major effect on migration outcome for client Financial loss sustained by client 	<ul style="list-style-type: none"> Suspend the agent's registration (up to 5 years) with or without conditions imposed Cancel the agent's registration Bar the agent from practicing up to 5 years Referral to the Department or a relevant body for criminal /other investigation Referral to a relevant body (consumer tribunal or legal regulator for lawyers)

Note: *Informal decision outcomes may involve:

- Corrective action:** recommendation to the agent to correct or improve their practices in accordance with the minimum standards of practice set out in the Code.
- Negotiated fee outcome:** negotiated outcome for disputes regarding fees charged by the agent in relation to immigration services.
- Corrective advertising:** recommendation to the agent regarding compliance with clauses 2.10 – 2.14 of the Code only.
- Warning letter:** advice to the agent that failure to correct or improve conduct could result in future disciplinary action.