

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 MAY 2008

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(7) Program 1.1 : Visa and Migration

Senator Fierravanti-Wells, (L&CA 62-63) asked:

How many complaints do we receive regarding education agents? How do we deal with those?

Answer:

- The Department of Immigration and Citizenship does not maintain a centralised record of the total number of complaints made against education agents.
- It is important to recognise the difference between an education agent and a registered migration agent. A registered migration agent must be registered with the Migration Agents Registration Authority (MARA) as set out in Part 3 of the Migration Act 1958. Registered migration agents may provide immigration assistance as defined in the Act, which could extend to the provision of assistance in relation to Student visa applicants.
- Where the Department receives a complaint involving the provision of immigration assistance by an unregistered person, or criminal conduct by a registered migration agent, the matter is investigated by the Department. Where the complaint concerns a registered migration agent's adherence to the Migration Agents' Code of Conduct, the matter is referred to the Migration Agents Registration Authority (MARA).
- Complaints received by the Department against education agents that do not relate to immigration advice in Australia are generally referred to the Department of Education, Employment and Workplace Relations' (DEEWR) for possible action.
- Under DEEWR's Education Services for Overseas Students (ESOS) Act 2000 and its associated National Code of Practice (Standard 4), there is provision for minimum standards and obligations of education agents through education providers.
- These minimum standards and obligations include education providers having in place written processes for monitoring the activities of the education agent.