



Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

Mr Alistair Sands  
Secretary  
Select Committee on Ministerial Discretion in Migration Matters  
Australian Senate  
Parliament House  
Canberra ACT 2600

cc Stuart McKay  
Assistant Director  
Serious Non-compliance  
Australian Taxation Office

Dear Mr Sands

**Migration Agents Taskforce and your inquiry to ATO**

The Department recently received from the Australian Taxation Office (ATO) your letter seeking information on the formation and operation of the Migration Agents Taskforce (MATF). Since this Taskforce was established and operates within this Department, it was thought best that I should respond.

By way of background, the Department has a general responsibility to control and investigate fraud against the *Migration and Citizenship Acts* under the Commonwealth Fraud Control Guidelines.

The Taskforce was established in June 2003. It is one of a number that may be established to concentrate on issues of concern. The focus on Migration Agents arose out of both the analyses underlying the recent legislative changes introduced to Parliament on migration agents and links developed during investigations, including in respect of sex trafficking. It has been established for an initial period of 12 months with its continuation to be reviewed at that time.

The taskforce comprises DIMIA investigative and intelligence resources and is focussed on suspected unlawful activity of a small group of agents and companies within the wider migration agent population.

We identified a number of major stakeholders whose activities shared many areas of concern. The two major ones were AFP and ATO.

The Department is pleased with the progress made by the Taskforce to date in investigating suspected offences. Two agents have voluntarily deregistered themselves following our contact. A considerable number of interviews have been conducted. For the first time, the Department has sought the issuance of Criminal

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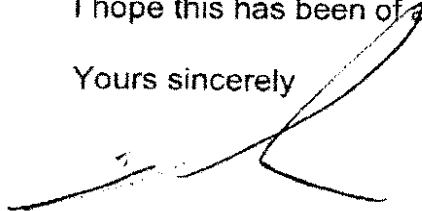
Justice Stay Certificates in its own right, rather than simply being involved in the subsequent visa issuing process.

The Department expects that further action including prosecution action against agents of interest will commence early in the New Year.

Due to reasons of operational security, I am not able at this stage to provide further specific details of MATF investigations, or in relation to specifics of its cooperation with other agencies in relation to those individuals.

I hope this has been of assistance.

Yours sincerely



Vincent McMahon  
Executive Coordinator  
Border Control and Compliance Division  
5 December 2003