



Australian Government

Department of Immigration and
Multicultural and Indigenous Affairs

Appointment of a migration agent

Form

956

This form may be used for advising the department that you have appointed a migration agent to act on your behalf in connection with your application, sponsorship or nomination or related matters.

Who should use this form?

You should complete this form to advise the department that you have:

- appointed a migration agent to act on your behalf;
- changed your migration agent; or
- decided to end the appointment of your migration agent.

Types of migration agent

You may use this form to appoint:

- a registered migration agent;
- a person exempted from registration requirements ('exempted agent'); or
- an unregistered migration agent, **if overseas**.

Note: In Australia, anyone (including a lawyer) who uses knowledge of migration procedures to offer 'immigration assistance' to a person wishing to obtain a visa to enter, or remain, in Australia must be registered, unless they are exempted from registration requirements by law. It is important that you, and the person assisting you, read the sections below on 'Restrictions on giving immigration assistance', 'Exemptions to registration requirements' and 'Criminal offences'.

The department will not deal with an unregistered agent in Australia, unless they are exempted from registration. You will be advised to deal directly with the department or appoint a registered migration agent.

Using a registered migration agent

You are not required to use a migration agent. However, if you use a migration agent, the department encourages you to use a registered agent. Registered agents are bound by the Migration Agents Code of Conduct, which requires agents to act in their clients' lawful best interests and act professionally.

A list of registered migration agents is available from the Migration Agents Registration Authority (MARA) website www.themara.com.au

You can contact the MARA at:

E-mail: themara@themara.com.au

PO Box Q1551
QVB NSW 1230
AUSTRALIA

Telephone: 61 2 9299 5446

Fax: 61 2 9299 8448

The MARA investigates complaints against registered migration agents and may take disciplinary action against them. If you have a concern about a registered migration agent, you should contact the MARA. The Code of Conduct and complaint form is available from the MARA website.

People outside Australia

Migration agents who operate outside Australia do not have to be registered. They do not have to abide by the Migration Agents Code of Conduct or have a sound knowledge of migration law, unless they are also Australian-registered. They may ask for a fee for their services.

The department may allocate an ID number to some overseas agents. This does not mean they are registered. The department uses the ID number to identify and monitor the agents' activities.

If you want to use a migration agent, the department recommends you use an agent who is registered in Australia and who offers their services overseas.

To check if there are any registered migration agents working in your area, search the MARA website. From their homepage, using the left-hand menu, select 'Register of Agents', then 'Search the Register' and under 'Find an Agent near you', select 'Country' from the 'Search For' menu.

Appointing a migration agent

Appointing a migration agent to act on your behalf includes authorising the department to:

- discuss your application with the agent and seek further information from them; and
- send your agent written communication about your application that would otherwise have been sent to you.

Note: Your migration agent will be your authorised recipient for written communication under section 494D of the *Migration Act 1958* (the Act), and you will be taken to have received any documents sent to them. If your migration agent authorises it (see Part G of this form), this communication may take place by e-mail or fax. You can only appoint **one** authorised recipient at any time. The department will communicate **only with the most recently appointed migration agent**.

If your appointed agent is not available and you wish the department to discuss your case with other migration agents, you must authorise the other agent(s) at Part H.

If you appoint an exempted agent, the department will communicate with him/her, unless advised otherwise (see Question 13), about personal information relevant to your application - such as health, police checks, financial viability and personal relationships.

If you have appointed a migration agent to act for you, you are still responsible for the accuracy of information and supporting documentation that you provide to them so that they can provide it to the department.

The department will only send your migration agent information which you are entitled to receive. For example, if you are a visa applicant and have a sponsor, your migration agent will not receive personal information about your sponsor, unless your sponsor has also appointed the same agent.

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In some situations, department staff will need to speak with you directly, rather than with your agent. For example, if you are applying for a visa, the department may interview you. In some situations, the department will also send you documents (eg. passport) directly, instead of to your migration agent, but will inform your agent that it has done so.

When you provide the details of your migration agent, please make sure that you include their 7 digit:

- migration agent registration number (if they are a registered migration agent); or
- offshore agent ID number (if they have been allocated one by the department).

Applications for multiple visas

If you are a dependant applicant (eg. the spouse of a primary applicant), and you wish to appoint a different migration agent to the primary applicant, you must fill out a separate form 956, or advise the department in writing. Otherwise, the agent appointed by the principal applicant will have the authority to act for all persons included in the application.

Restrictions on giving immigration assistance

Under section 276 of the Act, a person gives 'immigration assistance' if they use, or claim to use, their knowledge or experience in migration procedure to assist you with your visa application, request for ministerial intervention, cancellation review application, sponsorship or nomination. For example, they may assist you by preparing an application, advising you about visa requirements or preparing for proceedings before the Refugee or Migration Review Tribunals.

Note: A person is not giving 'immigration assistance' if they simply advise you that you need a visa, do clerical work to help prepare your application, translate or interpret for you or pass on information related to your application without adding substantial explanation. Anybody can lawfully give this kind of administrative assistance.

Exemptions to registration requirements

The following people can give 'immigration assistance' as part of their official duties as long as they do not ask for, or receive, a fee or reward for their services:

- State or Federal parliamentarians or their staff;
- members of a diplomatic mission or consular post;
- members of an office of an international organisation; or
- Commonwealth or State Government officials.

The following kinds of people can also give you 'immigration assistance' as long as they don't ask for, or receive, a fee or reward:

- your close family member (ie. your spouse, child, adopted child, parent, brother or sister); or
- your sponsor or nominator.

As long as they don't ask for, or receive, a fee or reward, any unregistered person can also:

- assist you with a request for ministerial intervention; or
- make an 'immigration representation' on your behalf (ie. communicate with the Minister for Immigration and Multicultural and Indigenous Affairs, a member of the Minister's staff or the department about your application).

Criminal Offences

Under Part 3 of the Act, if an unregistered person, who is not exempted from registration requirements, gives you immigration assistance they are committing a criminal offence and may be prosecuted.

Serious penalties, including imprisonment, apply if an unregistered person asks for, or receives, a fee or reward for giving immigration assistance or making an immigration representation.

About the information you give in this form

The department is authorised to collect information provided on this form under Part 2 of the Act. The information provided will be used by the department to communicate with you or your agent, and to monitor agents for integrity purposes. It may also be disclosed to agencies who are authorised to receive information relating to adoption, border control, business skills, citizenship, education, health assessment, health insurance, health services, law enforcement, payment of pensions and benefits, taxation, review of decisions, and regulation of migration agents and other professionals.

Information for migration agents

Notification of giving immigration assistance

If you are a registered agent, under section 312A of the Act, you have a duty to notify the department when lodging an application on behalf of a client or within 28 days of commencing to act on behalf of a visa applicant. This form, completed by your client and signed by you, will be accepted as notification.

Immigration Advice and Assistance Scheme (IAAAS)

If you are a registered migration agent or exempted agent, who is assisting the applicant under this scheme, please indicate this on the form.

Home page **www.immi.gov.au**

General enquiry line

Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours). If you are outside Australia, please contact your nearest Australian mission.



Part A – Applicant details

Personal details of the main visa applicant, or sponsor, or nominator, or Business Skills visa holder and all other applicants included in this application, who are being represented by the same migration agent.

1 Main applicant

Family name

Given names

Date of birth

Current residential address

2 Applicant 2

Family name

Given names

Applicant 3

Family name

Given names

Applicant 4

Family name

Given names

Applicant 5

Family name

Given names

If you have more than 5 applicants, attach a separate sheet.

Note: Any applicant who has a different migration agent needs to use a separate form 956

Part B – About your application

3 Do you have any applications currently being processed?

- No
- Yes Give details

Client numbers or file numbers or application receipt numbers

Transaction reference numbers

At which offices were these applications made?

4 Do you want to advise the department that you have:
(tick one box only)

appointed a migration agent

You or your migration agent must complete **Parts C, D, E and F**

OR

changed your migration agent

Note: Your migration agent needs to complete **Part G**

OR

ended the appointment of your migration agent

Complete **Parts D and F**

Note: A departmental officer will contact you directly about your application

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Part C – Information about your migration agent

5 Is your migration agent registered with the Migration Agent's Registration Authority (MARA)?

No ▶ Go to Question 6

Yes ▶ Go to Part D

6 Is your migration agent in Australia?

No ▶ Go to Part D

Yes ▶ Go to Question 7

7 Is your migration agent:
(tick one box only)

a member of parliament or their staff

staff of a diplomatic mission or international organisation

your sponsor, or nominator for this visa application

close family member

Other (eg. friend, education agent, travel agent, community volunteer or social worker etc.) ▶ Please specify

8 Did you pay your migration agent and/or give a gift for this assistance?

No

Yes ▶ How much did you pay?

A\$ AND/OR

What kind of gift did you give? (eg. jewellery)

Value of gift (approximately)

A\$

Part D – Migration agent details

9 Migration Agent Registration Number (MARN)

(if this person is an Australian registered migration agent)

7 DIGITS						
:	:	:	:	:	:	:

OR

Offshore Agent ID Number

(if allocated by the department)

7 DIGITS						
:	:	:	:	:	:	:

10 Migration agent's name and contact details

Mr Mrs Miss Ms Other

Family name

Given names

Sex Male Female

Business or company or organisation name

Postal address

POSTCODE

Telephone number

Office hours

COUNTRY CODE	AREA CODE	NUMBER
())

Mobile

11 Is your migration agent providing service under the Immigration Advice and Assistance Scheme (IAAAS)?

No

Yes

Part E – Authorisation for migration agent to act on your behalf

12 My migration agent is authorised to act on my behalf and receive written communication (as permitted by law) in relation to:
(tick one box only)

all matters Give details of the most recent application (eg. student visa, employer sponsored migration, protection visa, etc.)

OR

for a specific matter only Give details of the type of application, sponsorship, monitoring or other matter

13 If you have appointed an agent at Question 7, do you want the agent to receive health and/or character information about you, your spouse or your dependants, that may arise, or be revealed, in the course of this application (for example, requests for medical investigation, other health information about you, or the results of criminal history checks)?

No

Yes

Part F – Signatures

14 Signature of main applicant, or nominator, or sponsor, or Business skills visa holder and any spouse, or dependent family member over 16 years old who are being represented by the same migration agent.

Signature of main applicant

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DAY MONTH YEAR

Date / /

Signature of applicant 2

--

DAY MONTH YEAR

Date / /

Signature of applicant 3

--

DAY MONTH YEAR

Date / /

Signature of applicant 4

--

DAY MONTH YEAR

Date / /

Signature of applicant 5

--

DAY MONTH YEAR

Date / /

