



Australian Government

Department of Immigration
and Border Protection

Advice by a migration agent/exempt person of providing immigration assistance

Form

956

Who should use this form?

This form can **only** be used by:

- a registered migration agent;
- a non-registered migration agent outside Australia; or
- an exempt person.

This form should be used to notify the Department of Immigration and Border Protection (the department) that:

- you have **been appointed** by a client (eg. a visa applicant) to provide immigration assistance with matters under the *Migration Act 1958* and, if applicable, to receive documents on their behalf; or
- your **appointment has ended** (You may notify the department of this in writing if you prefer.)

A separate form 956 *Advice by a migration agent/exempt person of providing immigration assistance* must be completed for each matter.

Do not use this form if:

- you have **only** been appointed as a person who is authorised to receive documents, on their behalf, that the department would otherwise give to them; or
- your appointment as an authorised recipient has ended.

In these cases, please use form 956A *Appointment or withdrawal of an authorised recipient*.

What is immigration assistance?

A person gives immigration assistance if he or she uses, or claims to use, his or her knowledge or experience in migration procedure to assist a person with matters related under the *Migration Act 1958*.

The most common times assistance is provided is during visa application processes, visa cancellation processes or sponsorship processes (including monitoring or sanctions).

Note: Immigration assistance does not include simply filling in an application form, translating or interpreting or passing on information about an application without comment or explanation.

Registered migration agents

A registered migration agent is a person who is registered with the Office of the Migration Agents Registration Authority (Office of the MARA) to provide immigration assistance.

If operating in Australia, migration agents must be registered with the Office of the MARA.

Information on migration agents is available on the Office of the MARA website www.mara.gov.au

Immigration Advice and Assistance Scheme (IAAAS)/Primary Application Information Service (PAIS)

If you are a registered migration agent who is assisting a client under either of these schemes, please indicate this on the form at Question 8.

Non-registered migration agents outside Australia

Migration agents operating outside Australia do not have to be registered with the Office of the MARA. The department may issue offshore agents with an identification number for administrative purposes only. This number does not mean that the agent is registered and it does not represent endorsement of the agent by the Australian Government.

Exempt persons

The following people do not have to be registered as migration agents in order to provide immigration assistance:

- a close family member (spouse, child, adopted child, parent, brother or sister of a visa applicant);
- a sponsor or nominator for a visa applicant;
- a member of parliament or their staff;
- an official whose duties include providing immigration assistance;
- a member of a diplomatic mission, consular post or international organisation.

As an exempt person **you must not charge a fee** for your service. In Australia, if you do charge a fee you are committing an offence and penalties of up to 10 years jail can apply.

Authorised recipient

An authorised recipient is a person appointed to receive all written communications from the department on behalf of another person.

If you are not appointed as the authorised recipient, all written communication will be sent to the client or their appointed authorised recipient.

Roles and responsibilities

The department

The department will:

- discuss the client's case with you;
- send written communications to you (if you are also appointed as the authorised recipient);
- seek information from you.

Registered migration agents

If you are giving immigration assistance to a visa applicant in relation to a visa application and give that assistance after having agreed to represent the applicant, section 312A of the *Migration Act 1958* and regulation 76 of the Migration Agents Regulations 1998 require you to inform the department. One way you can do this is by sending a completed form 956 to the department.

Under the migration agents Code of Conduct you must

- provide your client with an estimate of fees and a statement of services;
- act with honesty, integrity and in a timely manner when dealing with clients or the department;
- maintain a sound and up to date knowledge of migration law and procedure;
- act lawfully in the best interests of your clients;
- provide relevant information with applications;
- notify clients and the department promptly of any changes to contact details;
- avoid or manage conflicts of interest.

You must not:

- intimidate or coerce any person for your benefit;
- encourage vexatious or grossly unfounded applications;
- represent that you can obtain a particular decision under the Migration Act or the Migration Regulations; or
- engage in misleading advertising.

Consent to communicate electronically

The department may use a range of means to communicate with you. However, electronic means such as fax or email will only be used if you indicate your agreement to receiving communication in this way.

Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with. If you agree to the department communicating with you by electronic means, the details you provide will only be used by the department for the purpose for which you have provided them, unless there is a legal obligation or necessity to use them for another purpose, or you have consented to use for another purpose. They will not be added to any mailing list.

The Australian Government accepts no responsibility for the security or integrity of any information sent to the department over the internet or by other electronic means.

Important information about privacy

Your personal information is protected by law, including the *Privacy Act 1988*. Important information about the collection, use and disclosure (to other agencies and third parties, including overseas entities) of your personal information, including sensitive information, is contained in form 1442i *Privacy notice*. Form 1442i is available from the department's website www.border.gov.au/allforms/ or offices of the department. You should ensure that you read and understand form 1442i before completing this form.

Home page

www.border.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

Please keep these information pages for your reference



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Please use a pen and write neatly in English using BLOCK LETTERS

Tick where applicable ☒

- 1 Are you notifying the department that you have been appointed to provide immigration assistance or that your appointment has ended?

New appointment ☐ **Complete Part A and Part C**
You do not need to complete Part B

Appointment has ended ☐ **Complete Part B and Part C**
You do not need to complete Part A.

Part A – New appointment

Migration agent/exempt person's details

- 2 Migration agent/exempt person's details

Title Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other

Family name

Given names

Exempt person's date of birth

- 3 Organisation name (if applicable)

- 4 Business or residential address

- 5 Address for correspondence
(if the same as business or residential address, write 'AS ABOVE')

- 6 Telephone numbers

Office hours

Mobile/cell

- 7 Do you agree to the department communicating with you by fax, email or other electronic means?

No ☐

Yes ☐ **Give details**

Fax number

Email address

- 8 In what capacity are you providing assistance?

Registered migration agent ☐

IAAAS ☐ **Go to Question 9**

PAIS ☐

Non-registered migration agent outside Australia ☐ **Go to Question 11**

Exempt person ☐ **Go to Question 12**

- 9 Migration Agent Registration Number (MARN)

- 10 Is there another registered migration agent from your organisation who the department may discuss this case with if you are unavailable?

No ☐ **Go to Question 13**

Yes ☐ **Give details of the other agent**

Family name

Given names

Telephone numbers

Office hours

Mobile/cell

Migration Agent Registration Number (MARN)

Go to Question 13

- 11 Offshore Agent ID Number
(if allocated by the department)

Go to Question 13

- 12 Reason you are exempt from registration

Close family member (spouse, child, parent, brother or sister) ☐

Sponsor ☐

Nominator ☐

Member of a diplomatic mission, consular post or international organisation ☐

Member of parliament or their staff ☐

An official whose duties include providing immigration assistance ☐

Client's details

- 13** The person receiving immigration assistance (ie. the client) is a: *(tick one only)*
- ☐ visa applicant
☐ sponsor or sponsor applicant
☐ nominator or nominator applicant
☐ proposer or proposer applicant
☐ visa holder whose visa is being considered for cancellation or has been cancelled
☐ person requesting ministerial intervention

14 Client 1

Full name *(if the client is an organisation, provide the name of the contact person)*

Family name

Given names

Date of birth

Organisation name *(if applicable)*

Business or residential address

Telephone numbers

Office hours

Mobile/cell

DIBP Client ID number *(if known)*

- 15** Names of **other clients** you are providing immigration assistance to in relation to the same matter (eg. dependant applicants)

1. Family name

Given names

2. Family name

Given names

3. Family name

Given names

4. Family name

Given names

5. Family name

Given names

Type of assistance

- 16** Are you providing assistance with an application process, a cancellation process or specific matter? *(tick one only)*

☐ **Application process**

Type of application

Date lodged

Not yet lodged ☐

☐ **Cancellation process**

Subclass of visa

Date visa granted

☐ **Specific matter** – give details (eg. sponsorship monitoring and sanction activity by the department, or for only one stage of a two stage visa, ministerial intervention)

- 17** Provide **at least one** of the following numbers *(if known)*

DIBP Request ID number (RID)

DIBP Transaction Reference Number (TRN)

Authorised recipient

- 18** Have you been authorised to receive written communication on behalf of your client(s) in relation to the matter indicated in Question 16?

No ☐ ► **Go to Part C**

Yes ☐

- 19** Have you been authorised to receive health and character information about the client(s) you are providing assistance to, their spouse, de facto partner or dependants, that may arise, or be revealed in the course of this matter?

No ☐ ► **Go to Part C**

Yes ☐

Part B – Ending appointment

20 Migration agent/exempt person's details

Family name

Given names

Organisation name (if applicable)

Telephone numbers

Office hours

Mobile/cell

If applicable.

Migration Agent Registration
Number (MARN)

Offshore Agent ID Number

21 Client's details

Full name (If the client is an organisation, provide the name of the contact person)

Family name

Given names

Date of birth

Organisation name (if applicable)

22 Provide at least one of the following numbers

DIBP Request ID number (RID)

DIBP Transaction Reference
Number (TRN)

Part C – Declarations

Declaration by migration agent/exempt person

23 Tick one only

☐ **Appointment** – I declare that I have been appointed by the client named in Part A of this form as a migration agent/exempt person and that I will act on the client's behalf as permitted by law.

☐ **Ending appointment** – I declare that I am no longer acting on behalf of the client named in Part B and I have advised the client accordingly.

Signature of migration agent/exempt person

Date

Declaration by client

24 Tick one only

☐ **Appointment** – I declare that I have appointed the migration agent/exempt person named in Part A of this form to provide assistance with matters as indicated on this form

☐ **Ending appointment** – I declare that the migration agent/exempt person named in Part B is no longer acting on my behalf.

Signature of client

Date

