



## 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](http://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 7G 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.