

Helping with forms if you are not a Registered Migration Agent

This factsheet is for people in the community who would like to help people seeking asylum to complete visa application forms.

At the moment there are large numbers of asylum seekers in Australia who are not able to access any form of government funded legal assistance. It is important for anyone wanting to help people seeking asylum with Protection Visa application forms to understand the legal restrictions on what they can and can't do.

You cannot give immigration assistance if you are not a registered migration agent

It is illegal for people who are not registered migration agents to assist a person or give a person advice about applying for a visa.

The immediate family members of an applicant are exempt from this as long as they do not charge a fee.

People who are not registered migration agents can provide limited assistance to help asylum seekers complete application forms.

What's okay and not okay?

The following are examples of what a person who is not a registered migration agent can and cannot do.

You can:

- Read the questions or instructions on the form to the person or arrange for them to be read in the person's own language;
- Write down the person's responses in English;

- Read the person information about applying for a visa prepared by someone else without giving substantial comment or explanation of that information.

You cannot:

- Tell a person what to write in the form;
- Explain a question in the form or in other materials. Reading the exacting words of the question to the person is okay; or
- Provide your own views on what other documents a person should submit with their application.

Record your assistance

Page 8 of Part B in Form 866 and Form 790 ask the applicant whether he or she received assistance with the completion of the application.

If you help a person complete a form, you should include your details. It is also a good idea to write in that section exactly what you helped with.

Useful Contacts

Legal Aid ACT

9.00am-4.00pm Monday-Friday

www.legalaidact.org.au

Phone: **1300 654 314**

Migration Agents Registration Authority (MARA)

www.mara.gov.au

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Migration Clinic – Legal Aid ACT

www.legalaidact.org.au

Phone: **1300 654 314**

Email: migration@legalaidact.org.au


This factsheet was originally developed by the Refugee Advice & Casework Service Sydney (RACS) (www.racs.org.au).

This factsheet is a guide only and is not legal advice. While due care has been taken to ensure the accuracy of the material contained in this factsheet, Legal Aid ACT and the Refugee Advice & Casework Service Sydney cannot take responsibility for any errors or omissions.

Complaints & suggestions: If you have any complaints or suggestions about our services, please write to the Chief Executive Officer at our postal address.

Interpreter: If you need an interpreter, please contact Translating and Interpreting Service (TIS) on 131 450.

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