



Migration (IMMI 18/003: Specified courses and exams for registration as a migration agent) Instrument 2018

I, Alex Hawke, Assistant Minister for Immigration and Border Protection, make the following instrument.

Dated 13 DECEMBER 2017

Alex Hawke

The Hon Alex Hawke MP
Assistant Minister for Immigration and Border Protection

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Part 1—Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 18/003: Specified courses and exams for registration as a migration agent) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/003.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument.	1 January 2018.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following provisions of the Regulations:

- (a) subregulation 5(1);
- (b) subregulation 5(2);
- (c) paragraph 5(3)(a);
- (d) paragraph 5(3)(b);
- (e) subregulation 5(4);
- (f) subregulation 5(5).

4 Definitions

In this instrument:

Act means *Migration Act 1958*.

IELTS Academic test means the International English Language Testing System Academic test.

Regulations means *Migration Agents Regulations 1998*.

Capstone Assessment means an exam for the purposes of section 289A of the Act as offered by The College of Law Limited.

Common assessment items relating to registration means assessment items which form part of a prescribed course specified at item 6(2) of this instrument.

TOEFL iBT test means the Internet Based Test of English as a Foreign Language test.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2—Courses and exams for registration as a Migration Agent

6 Courses

- (1) For the purposes of subregulation 5(1) of the Regulations, each of the following courses is specified:
 - (a) The Graduate Diploma in Australian Migration Law and Practice offered by Murdoch University;
 - (b) the Graduate Diploma in Migration Law offered by Victoria University;
 - (c) the Graduate Diploma of Australian Migration Law and Practice offered by Griffith University;
 - (d) the Graduate Diploma in Australian Migration Law offered by Western Sydney University;
 - (e) the Graduate Diploma in Migration Law and Practice offered by The University of Technology Sydney;
 - (f) the Graduate Diploma in Australian Migration Law and Practice offered by the Australian Catholic University;
 - (g) The Master of Australian Migration Law and Practice offered by Griffith University.
- (2) For the purposes of subregulation 5(1) of the Regulations, each of the following courses, if completed before 1 January 2018, is specified:
 - (a) The Graduate Certificate in Australian Migration Law and Practice offered by the Australian National University;
 - (b) The Graduate Certificate in Australian Migration Law and Practice offered by Griffith University;
 - (c) The Graduate Certificate in Australian Migration Law and Practice offered by Murdoch University;
 - (d) The Graduate Certificate in Australian Migration Law and Practice offered by Victoria University.

7 Exams

- (1) For the purposes of subregulation 5(2) of the Regulations, if a person is in a class of persons specified in subsection (2), each of the following exams is specified to be a prescribed exam:
 - (a) the Capstone Assessment;
 - (b) the common assessment items relating to registration, if passed before 1 January 2018.
- (2) For the purposes of subregulation 5(2) of the Regulations, each of the following classes of persons is specified:

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- (a) Persons who meet all of the following requirements:
- (i) the person has successfully completed secondary school studies to the equivalent of Australian Year 12 level, with a minimum of 4 years' study at secondary school or equivalent; and
 - (ii) the person has successfully completed a Bachelor degree, or a higher degree, with a minimum of 3 years' equivalent full-time study; and
 - (iii) the person completed the secondary school studies and degree at one or more educational institutions in Australia, New Zealand, United Kingdom, Republic of Ireland, United States of America, Republic of South Africa or Canada; and
 - (iv) English was the primary language of instruction for the person's secondary school studies and degree; and
 - (v) throughout the secondary school studies and degree, the person was resident in Australia, New Zealand, United Kingdom, Republic of Ireland, United States of America, Republic of South Africa or Canada.
- (b) Persons who meet all of the following requirements:
- (i) the person has successfully completed the equivalent of secondary school studies to Australian Year 10 or Australian Year 12 level; and
 - (ii) the person has at least 10 years of primary or secondary schooling at an institution in Australia, New Zealand, United Kingdom, Republic of Ireland, United States of America, Republic of South Africa or Canada; and
 - (iii) English was the primary language of instruction at the school that the person attended; and
 - (iv) throughout the schooling period the person was resident in Australia, New Zealand, United Kingdom, Republic of Ireland, United States of America, Republic of South Africa or Canada.
- (3) For the purposes of paragraph 5(3)(a) of the Regulations, each of the following exams is specified:
- (a) the Capstone Assessment;
 - (b) the common assessment items relating to registration, if passed before 1 January 2018.

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- (4) For the purposes of paragraph 5(3)(b) of the Regulations, each of the following exams in English language proficiency is specified:

- (a) IELTS Academic test;
- (b) TOEFL iBT test.

Note: if a person is not in a class of persons specified in subsection 7(2) of this Part, a prescribed exam is the combination of an exam specified in subsection 7(3) of this Part and an exam in English language proficiency specified in subsection 7(4) of this Part.

8 Minimum exam scores

- (1) For the purposes of subsection 5(4) of the Regulations, the minimum score specified is:
- (a) for the IELTS Academic test – an overall score of 7 with a minimum score in each subtest of:
 - (i) 6.5 in speaking;
 - (ii) 6.5 in listening;
 - (iii) 6.5 in reading; and
 - (iv) 6.5 in writing.
 - (b) for the TOEFL iBT test– an overall score of 94 with a minimum score in each subtest of:
 - (i) 20 in speaking;
 - (ii) 20 in listening;
 - (iii) 19 in reading; and
 - (iv) 24 in writing.

9 Period for completion

- (1) For the purposes of subregulation 5(5) of the Regulations, each of the following periods for the completion of a course or exam is specified:
- (a) for a course specified in section 6 – before the person applies for registration;
 - (b) for the Capstone Assessment – within the 12 month period before the person applies for registration;
 - (c) for the common assessment items relating to registration –within the 12 month period before the person applies for registration;
 - (d) for the IELTS Academic test – within the 2 year period before the person applies for registration;

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- (e) for the TOEFL iBT test – within the 2 year period before the person applies for registration.

Schedule 1—Repeals

Prescribed courses and exams for applicants for registration as a Migration Agent (F2012L01932)

1 The whole of the instrument

Repeal the instrument.