



Australian Government

Department of Home Affairs

IMMI 18/003

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

made under subregulation 5(4) of the *Migration Agents Regulations 1998*

Compilation no. 1

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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.

3 Authority

This instrument is made under subregulation 5(4) of the Regulations.

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 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.

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

6 Courses

- (1) For the purposes of subregulation 5(2) 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(2) 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 paragraph 5(3)(a) 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 examination:
 - (a) the Capstone Assessment if passed before 1 January 2021;
 - (b) the common assessment items relating to registration, if passed before 1 January 2018.
- (2) For the purposes of paragraph 5(3)(a) of the Regulations, each of the following classes of persons is specified:
 - (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;
 - (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

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- Kingdom, Republic of Ireland, United States of America, Republic of South Africa or Canada;
- (iv) English was the primary language of instruction for the person's secondary school studies and degree;
 - (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;
 - (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;
 - (iii) English was the primary language of instruction at the school that the person attended;
 - (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 paragraph 5(3)(a) of the Regulations, if a person is not in a class of persons specified in subsection (2), a prescribed examination is the combination of:
- (a) any of the following exams:
 - (i) the Capstone Assessment, if passed before 1 January 2021;
 - (ii) the common assessment items relating to registration, if passed before 1 January 2018; and
 - (b) any of the following exams in English language proficiency:
 - (i) IELTS Academic test;
 - (ii) TOEFL iBT test.

8 Minimum exam scores

- (1) For the purposes of paragraph 5(3)(b) 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 paragraph 5(3)(c) of the Regulations, each of the following periods for the completion of a course or exam is specified:

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

Notes

This compilation comprises the *Migration (IMMI 18/003: Specified courses and exams for registration as a migration agent) Instrument 2018* amended as indicated in the following tables.

Table of instruments

Name	Registration	Number	Commencement	Application, saving or transitional provisions
<i>[Migration (IMMI 18/003: Specified courses and exams for registration as a migration agent) Instrument 2018</i> (F2017L01708)	21 December 2017	F2017L01708	1 January 2018	
<i>Migration (Specified Courses and Exams for Registration as a Migration Agent) Amendment Instrument (LIN 21/005) 2021</i> (F2021L00241)	17 March 2021	F2021L00241	22 March 2021	—

Table of amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
section 2	rep. <i>Legislation Act 2003</i> , s. 48D
section 3	am. LIN 21/005
section 5	rep. <i>Legislation Act 2003</i> , s. 48C
section 6	am. LIN 21/005
section 7	am. LIN 21/005
section 8	am LIN 21/005
section 9	am LIN 21/005
Schedule 1	rep. <i>Legislation Act 2003</i> , s. 48C