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Ending migration dual regulation a win for consumers

The Law Council of Australia has called on the Australian Parliament to swiftly pass legislation to remove the dual regulation of migration lawyers and reduce costs for consumers.

Law Council of Australia President, Pauline Wright, has welcomed a report issued on Thursday by the Senate Legal and Constitutional Affairs Legislation Committee recommending the passage of the [Migration Amendment \(Regulation of Migration Agents\) Bill 2019](#) without delay.

The Australian legal profession is already subject to robust regulatory oversight. The Bill would remove unnecessary dual regulation for legal practitioners.

“As highlighted by the Committee, the issue of dual regulation of lawyers who provide migration assistance has been long-debated. It is long overdue for this Bill to be passed,” Ms Wright said.

“The discontinuation of dual regulation is in accordance with multiple major recommendations spanning a number of years, including those of the [2014 Independent Review of the Office of the Migration Agents Registration Authority](#), and a previous report by the Senate Legal and Constitutional Affairs Legislation Committee.”

Dual regulation is a source of confusion for consumers, who may be uncertain about the differences between immigration lawyers and migration agents.

“As acknowledged by the Committee, the legal profession in Australia is well regulated and offers effective consumer protection mechanisms, including for vulnerable people in need of migration assistance,” Ms Wright said.

“Lawyers must already demonstrate qualifications, fitness to practise and maintenance of professional standards in order to maintain a practising certificate. Removal of expensive and inefficient dual regulation of migration lawyers will improve access to justice by reducing costs for consumers and allow more lawyers to provide immigration assistance, including on a pro bono basis.”

The Law Council supports the implementation of a transitional period, during which time migration agents holding a restricted practising certificate may complete their supervised training and obtain an unrestricted practising certificate.

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