



**National Council of
Women of New Zealand**
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Wahine O Aotearoa

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Submission to the Transport and Industrial Relations Select Committee on the Immigration Advisers Licensing Bill

The National Council of Women of New Zealand (NCWNZ) is an umbrella organization representing 38 Nationally Organized Societies. It has 32 branches throughout the country attended by representatives of those societies as well as some 150 other societies, and many individual members. The Councils function is to work for the well-being of women, the family and the community at local, national and international levels through research, study, discussion and action.

NCWNZ was pleased to receive this Bill to make a submission on as we feel that regulating Immigration Advisers is long overdue. We had sufficient time to consult with our wider membership and received responses from NCWNZ branches and also from branches of our Nationally Organised Society members. These branches were located across the country.

This Bill is very welcome because people need good advice and honest dealing without being overcharged.

Part 1 Regulation of immigration advisers

Preliminary provisions

Clause 3 Purpose and scheme of Act

NCWNZ endorses the purpose of this Act, being the promotion and protection of the interests of consumers receiving immigration advice, and the enhancement of the reputation of New Zealand as a migration destination, by providing for the regulation of persons who give immigration advice.

Clause 7 What constitutes immigration advice

Clearly defining what does and does not constitute advice is important. Many of the comments from our membership related to the poor quality of advice currently given, and in some cases the applicant seeking the correct advice for themselves as it was not forthcoming from the 'adviser'.

Clause 8 Offshore immigration advice

Clause 9 No acceptance of immigration applications or requests from unlicensed immigration advisers

There is concern that these clauses will not stop anyone who wishes to from calling themselves an 'immigration adviser' when they are not registered as one.

Clause 17 Method of determining competence

NCWNZ supports the criteria set out in this clause. NCWNZ members spoke out strongly on the need for uniformity of information and services supplied, as some had first-hand dealings with advisers and had experienced vastly different quality and professional standards.





Part 1 Regulation of immigration advisers

Immigration Advisers Authority and Registrar of Immigration Advisers

NCWNZ endorses Clauses 31–36 establishing an Authority and Registrar, and is pleased to see that the Code of Conduct and Competency Standards will be made freely available by print and electronic means. The establishment of Competency Standards is seen as crucial to improving the quality of immigration advice and it is essential that a robust consultation process occurs around their development.

Part 1 Regulation of immigration advisers

Complaints and disciplinary procedures

While the majority of the responses supported Clauses 37–43 establishing a complaints body and the process for complainants, concerns were expressed that those who come under the exemptions might not have to face disciplinary action if they breach the code.

An example given was a lawyer who is found to be in breach would have the complaint heard by the Law Society and there were concerns that this body might not be as accessible to the complainant as the Immigration complaints body.

Another concern raised was the auditing of the licence holders, especially those located in other countries.

Part 2 Miscellaneous provisions

Register of licensed immigration advisers

NCWNZ looks forward to Clauses 66–69 being implemented so that those seeking help can identify who is able to competently supply this and that if they have any problems they are able to seek help from the Immigration Authority.

Part 2 Miscellaneous provisions

Miscellaneous matters

Clause 77 Licensing fees

Comments were made by our members that the fees charged by immigration advisers should be set and that there should be accountability for the money disbursed on behalf of the client. Clause 77 needs to be supported with a clear structure for fees payable.

NCWNZ thanks you for the opportunity to respond to this Bill as it is a subject that our members have been very concerned about. We definitely support this Bill's introduction to the body of New Zealand legislation as it provides transparency and accountability that is lacking at present.

Christine Low
National President

Christine Rattray
Convener, Social Issues