

Fact Sheet: Helping with forms if you are not a Registered Migration Agent

This fact sheet 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 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, as long as they do not charge a fee.

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

What's okay and what's not okay?

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

You can:

- read a person questions or instructions on the form 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 other than reading what is written in the form or in other materials.
- provide your own views on what other documents a person should submit with their application.

Record your assistance

Page 8 of Part B of both 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 note in that section exactly what you helped with.