



Frequently asked questions – Legal Practitioners Department of Home Affairs officers

November 2021

1. What is immigration assistance?

‘Immigration assistance’ is defined in section 276 of the *Migration Act 1958*. It includes when a person uses, or purports to use, knowledge of, or experience in, migration procedure to assist with visa applications or other visa matters by:

- preparing, or helping to prepare, a visa application or other document
- advising on a visa application or visa matter
- preparing for and representing in proceedings before a court or review authority in relation to a visa application or visa matter.

Only certain people can provide immigration assistance in Australia - Registered Migration Agents (RMAs), Australian legal practitioners (since 22 March 2021) and exempt persons. Only RMAs and legal practitioners can charge a fee for providing immigration assistance. For more information see [Who can help you with your application?](#)

2. What changes have been made regarding who can provide immigration assistance?

On 22 March 2021, the *Migration Amendment (Regulation of Migration Agents) Act 2020* came into effect, allowing Australian legal practitioners (lawyers) to lawfully provide immigration assistance in Australia without the need to be registered as a migration agent with the Office of the Migration Agents Registration Authority (OMARA). The OMARA no longer regulates legal practitioners.

As a result, legal practitioners were removed from the OMARA Register of Migration Agents (the Register) on 22 March 2021. Legal practitioners are now regulated solely by their state or territory legal professional body. More information on the 22 March changes is available in the [FEB21 Info Hub](#), including a [fact sheet](#) and [frequently asked questions](#).

Since these changes came into effect, legal practitioners providing immigration assistance have been showing in ICSE as ‘currently registered’ RMAs. They have been using their former migration agent registration number (MARN) if they held one, or a seven digit number starting with the digits 55, issued by the Department of Home Affairs (the Department). These were used as temporary unique identifiers to allow access to departmental systems (including organisation ImmiAccount).

As part of the Department’s Business Release November 21 (NOV21) taking place on the weekend of 12-14 November 2021, all legal practitioners on the Department’s lawyer database will be given a legal practitioner number (LPN) starting with the digits 55 to use in their dealings with the Department.

3. What is the lawyer database?

On 22 March 2021, legal practitioners were removed from the OMARA Register and transferred to a departmental database referred to as the ‘lawyer database’. The lawyer database holds the details of legal practitioners who have advised the Department that they intend to provide immigration assistance and wish to access departmental systems such as ImmiAccount and VEVO. The information in the lawyer database is uploaded daily into **ICSE** and weekly into **IRIS**.

Legal practitioners on the lawyer database have provided a copy of their current legal practising certificate to the Department.

New legal practitioners who want access to departmental systems must complete and submit [form 1548 Application for an Australian legal practitioner number](#) with a copy of their current legal practising certificate to legalpractitioners@homeaffairs.gov.au.

The lawyer database is not a public register and is only accessed by staff authorised to do so. The lawyer database is managed by the Legal Practitioner Administration Team in the Immigration Integrity and Assurance Branch.

Following Business Release NOV21, departmental staff will be able to check if a person is a legal practitioner by checking ICSE or IRIS (see [question 10](#)). The NOV21 Business Release will provide all legal practitioners on the lawyer database with a permanent seven digit unique identifier starting with the digits 55. Legal practitioners who were former registered migration agents will no longer use their former MARNs as an identifier.

Legal practitioners do not have to have an LPN to act on behalf of a client, however, where a person claims to be a legal practitioner and does not have an LPN, further enquiries should be conducted (see [questions 10 and 11](#)).

4. What changes will be made by Business Release November 21 (NOV21)

Since 22 March 2021, as a temporary measure, legal practitioners have been identified in the fields used for registered migration agents (RMAs) on departmental forms and in Immigration and Citizenship Unified Environment (ICUE) systems, such as ICSE. The NOV21 Business Release will create specific capability to record legal practitioners as an agent type in ICUE systems. As part of the November Business Release, legal practitioners on the lawyer database will be issued with a unique seven-digit identifier starting with the digits 55. Staff will be able to differentiate between the identifiers for RMAs (MARNs) and legal practitioners (LPNs) by the use of the different unique identifiers. No RMAs will have a MARN beginning with 55.

Other changes include:

- updates to paper and online forms to capture legal practitioner information where a legal practitioner is representing a client
- legal practitioner fields available in ICSE and IRIS
- updates to VEVO, ImmiAccount and Legend subscription.

These changes affect staff across the Department. Any team or team member who may interact with legal practitioners as providers of immigration assistance need to understand what will change and where and how information about legal practitioners is stored in departmental systems.

Staff should familiarise themselves with all changes detailed in the [NOV21 Fact sheet – Legal practitioners](#) in the [NOV21 Info Hub](#).

5. What changes will be made to ICSE?

Updates will be made to ICSE to record legal practitioners as an agent type. The updates closely mirror the way that RMAs are recorded. The changes include:

- creation of a **new agent type**, legal practitioner (LP). Agents of this type have a legal practitioner number (LPN) as their unique identifier
- **Agent search** will be extended to include LPNs
- ICSE **interaction with correspondence systems** will be updated to transfer relevant legal practitioner information
- **Event Additional Information** (EAI) qualifiers will be updated to include a new qualifier of legal practitioner
- associations between the main applicant on a **permission request** and the agent will be updated to include legal practitioners
- logic for the **Agent of Interest flag** will be updated to include legal practitioners

6. What changes will be made to IRIS?

Updates will be made to IRIS to record legal practitioners as agents.

- The existing **Reference Type** ‘migration agent’ (code J) will be updated to ‘migration agent/legal practitioner’
- A new **Agent Type** of ‘legal practitioner’ with the code ‘lawyer’ will be added
- The migration agent entry screen will be updated:
 - **migration agent/legal practitioner** text on screen
 - includes **new legal practitioner number** (LPN)

7. What changes will be made to VEVO and ImmiAccount?

A new access group will be established for legal practitioners in both VEVO and ImmiAccount. Screen references within both applications will be updated to refer to both registered migration agents and legal practitioners.

8. What changes will be made to Legend?

The legend subscription system will be updated to allow the applicant to nominate if they are a legal practitioner. One example is shown below.

The screenshot shows a web-based form titled 'Subscriber Details' from the Australian Government Department of Home Affairs. The form is part of the 'E-Business Systems'. It includes fields for 'Subscriber Name' (with a note: 'The Subscriber can be an organisation or an individual. However, to be the legal owner of the licence (Licencee), an organisation must be a legal entity.'), 'ABN', 'Subscriber Role' (with radio buttons for 'Other User' (checked), 'Registered migration agent', and 'Legal practitioner'), 'MARN / LPN' (with a note: 'Display if, Subscriber role = RMA or LP'), and 'Subscriber Address' (with fields for 'Country', 'Address', 'Suburb/Town', 'State or Province', and 'Postcode'). A 'Licence Details' section notes that 'The number of Online Licences should be the maximum number of users that require access at the same time.' and includes a field for 'Online Licence(s)'. Navigation buttons 'go back' and 'next' are at the bottom.

9. What form changes will be made?

Paper and eForms with references to RMAs will be updated to include legal practitioners.

Form 956 has been amended so that clients can advise of the appointment of a registered migration agent, legal practitioner or exempt person.

10. How do I know if someone is a legal practitioner on the Department's lawyer database?

Following Business Release NOV21, departmental staff will be able check if a person is a legal practitioner on the Department's lawyer database by checking ICSE or IRIS. The NOV21 Business Release will provide all legal practitioners on the lawyer database with a permanent seven digit unique identifier starting with the digits 55. Legal practitioners who are former registered migration agents will no longer use their former MARN as an identifier.

Where a person who claims to be a legal practitioner is not present on ICSE or IRIS, further enquiries should be conducted (see **question 11**).

ICSE

On the **Agent Details** page, you will be able to see:

- **Agent Number:** Legal Practitioner Number (LPN)
- **Agent Type:** Legal Practitioner
- **Legal practitioner status.** As for RMAs, the **Currently Registered** box must be ticked if the legal practitioner's status is current. If the box is not ticked, then the legal practitioner has not demonstrated to the Department that they have a current legal practising certificate.

Agent Details

Detailed notes

Agent Details

Agent Number:	5511655	Agent Type:	Legal Practitioner	Merge Info
Agent Family Name:	VOUGE			Merged <input type="checkbox"/> Current...
Agent Given Name:	EMMA			
Second Given Name:				
First Registered Date:	20/08/2021			
Agent of Interest:	<input type="checkbox"/>	Currently Registered: <input checked="" type="checkbox"/>		
Note:				

- **Historical MARN:** for legal practitioners who were former RMAs. This will be important for applications that were started when the legal practitioner was an RMA.

Agent Details

Merge Info

Agent Number: 5511649 Agent Type: Legal Practitioner

Agent Family Name: YOUNG

Agent Given Name: BEATRICE

Second Given Name: ANNETTE

First Registered Date: 20/08/2021

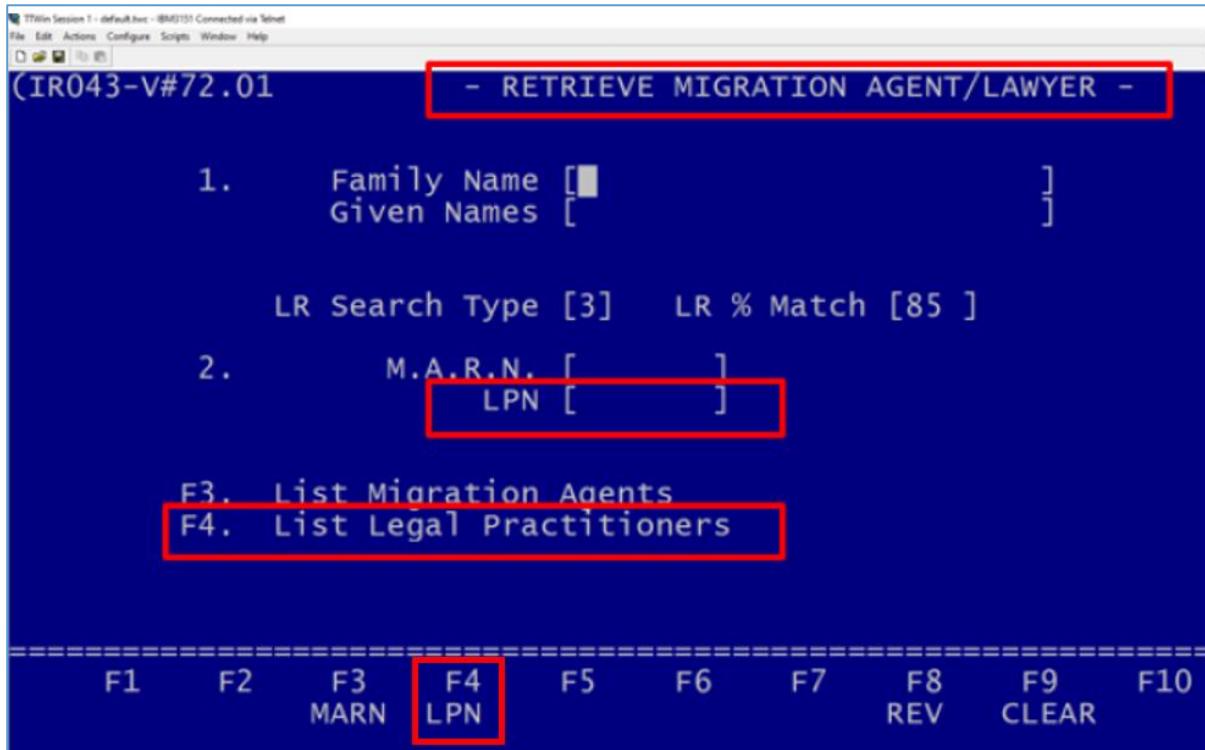
Agent of Interest:

Historical MARN: 2117837

Currently Registered:

IRIS

When searching for a legal practitioner in IRIS, you can search by name or LPN, then select F4 to show the list of legal practitioners.



11. What if someone says they are a legal practitioner but they do not have an LPN?

There is no legal requirement for an Australian legal practitioner to have an LPN in order to lawfully provide immigration assistance. If someone claims to be a legal practitioner but you cannot see them in ICSE or IRIS, you can:

- recommend that they complete [Form 1548 – Application for a legal practitioner number](#) available on the Department of Home Affairs website. They must submit the completed form and a copy of their current legal practising certificate to legalpractitioners@homeaffairs.gov.au. Explain the main benefit of obtaining an LPN is that their status as a legal practitioner will be accessible in Departmental systems by all departmental staff. Otherwise they will need to demonstrate they are the holder of a legal practising certificate each time they engage with the Department on separate client matters. More information for legal practitioners wanting to obtain an LPN is available on the Home Affairs website at [Using a legal practitioner \(homeaffairs.gov.au\)](#); and/or
- if you are unsure if they are able to lawfully provide immigration assistance, request that they provide you with a copy of their current legal practising certificate.