

Immigration Adviser Licensing

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One year on...

I think it was around late 2007 when several of us were approached to participate in various industry workshops to provide pragmatic input and operational sense to the Immigration Advisers Licensing Act legislation. This proved a very challenging task for all involved and it was to everyone's credit that the licensing regime was able to be successfully introduced on the 4th May last year.

Well, the past year has proved to be even more challenging as advisers have had to deal with the realities of the licensing legislation and the particular role of the IAA in their business and professional lives. It is clear that the original legislation has some frailties and that the application of the legislation in real life situations is affecting all advisers in different ways. This is predominantly a consequence of the diverse nature of immigration advisory work and of the many different business structures, specialisations and degrees of competence which have been historically prevalent. It has not been an easy task to determine those common denominators that enable the industry to become an identifiable profession in its own right and this is largely what the licensing regime has, to its credit, achieved in the short time of its existence to date.

While our industry may well have been defined by the numbers and background of those advisers who have now been licensed, and the various competencies they have evidenced as part of this process, the evolution of the industry as a whole into a recognised and reputable profession is not an automatic consequence. This transition will take time and a personal commitment from all advisers to seek continual improvement in all areas of their business performance. Any compromise of standards or performance by any licensed adviser has the potential to prejudice the ability of the industry to be recognised as a profession alongside those of accountants, lawyers, engineers etc. It is only once our profession is able to be properly and duly recognised will the rewards accrue and as licensed advisers we collectively now share in this responsibility.

When I spoke at the launch of the licensing legislation at Parliament this time last year I touched on the subject of whether, and how, Immigration New Zealand would respond to the challenge of dealing with a body of licensed professionals who are required by law to adhere to robust industry competency standards and a code of conduct. Licensed advisers not only have the ability, but are now legislatively bound, to deliver immigration advice and applications in a timely, accurate and complete manner. Furthermore, Immigration New Zealand must recognise that licensed advisers have a great deal at stake when they involve themselves in an application and they are not going to prejudice their entire livelihood by compromising standards. Licensed advisers will also be dealing, in most cases, with large numbers of applications and there are significant communication benefits and other processing efficiencies for INZ in dealing with one person who knows what they are doing in respect to such application volumes – eg; consider the INZ resources expended in dealing

with say 100 individual immigration applications for applicants who may never have lodged an application compared with dealing with one licensed adviser who is familiar with the policy and requirements for each application. If Immigration New Zealand truly wanted to promulgate processing efficiencies within its operations there are many obvious and valid arguments that would support a move to promote more applications to be made through licensed advisers.

Finally, I would like to thank and congratulate Barry, Meredith, Melissa, Jay, Jenny and the other IAA team members on all their work over the past 18 months in introducing and administering the licensing legislation. It has not been an easy process from the greenfields development of the code and the licensing application and assessment protocols and processes. Their work has directly contributed to the shape of the immigration industry as it now stands and their willingness to constructively involve the industry has been appreciated and welcomed. We look forward to continuing to work closely alongside the Authority as we now enter the next stage of the licensing process.

Richard Howard
IAA Licensed Adviser Number 200800071
Managing Director
&
Chairman - NZAMI
New Zealand Association for Migration & Investment Inc.