



Immigration
Advisers Authority

New Zealand Government



The Immigration Advisers Competency Standards 2010 & The Licensed Immigration Advisers Code of Conduct 2010





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The Licensed Immigration Advisers Code of Conduct 2010 and the Immigration Advisers Competency Standards 2010 came into effect on 29 November 2010. The code of conduct and competency standards are deemed to be regulations for the purposes of the Regulations (Disallowance) Act 1989, but are not regulations for the purposes of the Acts and Regulations Publication Act 1989.

Foreword

The Immigration Advisers Licensing Act 2007 requires anyone giving advice about New Zealand immigration matters to be licensed, unless they are exempt from the licensing requirements.

In order to get and keep a licence, immigration advisers must meet competency standards and adhere to a code of conduct. Each of these is equally important: competency standards give immigration advisers a way to prove their immigration expertise and the code of conduct defines the standard of professionalism expected of a licensed immigration adviser.

This booklet outlines both the competency standards and code of conduct in full.

Licensing benefits both migrants and immigration advisers. Migrants can be confident they will get the correct and best information, whether they receive it from Immigration New Zealand, from a licensed immigration adviser, or from a person exempt from licensing. Licensed immigration advisers will be supported to give their clients sound advice and professional service through continuing professional development programmes and recognition of their work in a regulated sector.

As Registrar of Immigration Advisers, it is my goal that licensed people who give immigration advice about New Zealand act in a professional and ethical manner. These competency standards and code of conduct help achieve that.

If you have any questions about these competency standards or the code of conduct, please contact the Immigration Advisers Authority on freephone 0508 IAA IAA (0508 422 422 – within New Zealand), or +64 4 925 3838 (outside New Zealand), or email info@iaa.govt.nz.

Barry Smedts | *Registrar of Immigration Advisers*

For more information, please visit www.iaa.govt.nz.

Immigration Advisers Competency Standards 2010

Minimum standards of competence for licences

Minimum standard of competence for a full licence

To meet the minimum standard of competence for the granting of a full licence a person must demonstrate, to the satisfaction of the Registrar, that he or she meets each of the competencies set out in Part 1 of the Schedule.

Minimum standard of competence for a limited licence

To meet the minimum standard of competence for the granting of a limited licence a person must demonstrate, to the satisfaction of the Registrar, that he or she meets:

- (a) each of competencies 1, 2, 5, 6 and 7 in Part 1 of the Schedule; and
- (b) the performance indicators set out underneath competencies 3 and 4 in Part 1 of the Schedule, to the extent that he or she is competent to provide immigration advice in relation to limited specified matters without the direct supervision

of a fully licensed immigration adviser.

Minimum standard of competence for a provisional licence

To meet the minimum standard of competence for the granting of a provisional licence a person must demonstrate, to the satisfaction of the Registrar, that he or she meets each of the competencies set out in Part 2 of the Schedule.


Performance indicators

A person will be treated as meeting a competency if he or she meets each of the performance indicators set out underneath that competency in the Schedule.

Part 1: Full licence

Competencies

1. Relevant qualification.
2. Demonstrate knowledge of the immigration advisers licensing scheme.
3. Apply knowledge of immigration law and immigration and operational instructions relating to New Zealand.

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4. Prepare, lodge and administer immigration applications, appeals, requests, claims and other representation.
 5. Apply communication techniques to the immigration process in the English language.
 6. Conduct business professionally, ethically and responsibly.
 7. Maintain skills and knowledge through participation in relevant professional development activities.

Competency 1: Relevant qualifications

Performance indicators

- 1.1 Is qualified to provide immigration advice relating to New Zealand by virtue of:
 - sufficient experience in the provision of immigration advice demonstrating that the person applying for a licence meets the competencies for the type of licence to be granted; or
 - completion of the Graduate Certificate in Australian Migration Law and Practice, or other substantially similar tertiary degree, diploma, certificate or course of study; or
 - licensing or registration or other similar recognition with an overseas organisation that performs functions that correspond wholly or substantially to those performed by the Authority.

Explanatory note

Until a suitable formal New Zealand immigration qualification is available, the Registrar will recognise experience in the provision of immigration advice (as that experience relates to the competencies for the type of licence, applied for) as a qualification.

Competency 2: Demonstrate knowledge of the immigration advisers licensing scheme

Performance indicators

2.1 Outline the key features of the immigration advisers licensing scheme.

- Includes but not limited to – the purpose of the Immigration Advisers Licensing Act 2007; the functions of the Authority and the register of licensed immigration advisers.

2.2 Describe who needs to be licensed and what matters are covered within the licensing scheme.

- Includes but not limited to – who must be licensed in order to give immigration advice; who is exempt; who is prohibited from holding a licence; what constitutes 'immigration advice'.

2.3 Outline the role of the Immigration Advisers Complaints and Disciplinary Tribunal.

- Includes but not limited to – functions and powers of the Tribunal; grounds for complaint; disciplinary sanctions; possible outcomes from complaints procedures.

2.4 Outline the offences under the Immigration Advisers Licensing Act 2007.

- Includes – providing immigration advice when not licensed or exempt; holding out that any person who is neither licensed nor exempt provides immigration advice; holding out that any person who is not a licensed immigration adviser is a licensed immigration adviser; providing false or misleading information; asking for or receiving a fee or reward for immigration advice when neither licensed nor exempt; employing or contracting an unlicensed or non-exempt person as an immigration adviser; obstructing inspection; failing to notify change in circumstances.


2.5 Outline the responsibilities of licensed immigration advisers.

- Includes but not limited to – abiding by the code of conduct; maintaining competence through participation in continuing professional development activities; renewing licence annually; notifying the Registrar of any relevant change in circumstances.

Competency 3: Apply knowledge of immigration law and immigration and operational instructions relating to New Zealand

Performance indicators

- 3.1 Describe the key features of the Immigration Act 2009, regulations made under that Act, and applicable international obligations and their application to the immigration process.
- Includes but not limited to – the purpose and intent of the Immigration Act 2009; key sections of the Immigration Act 2009; discretionary decision-making powers under the Immigration Act 2009; the application of principles of law to immigration decisions, including the principles of natural justice; relevant international obligations.
- 3.2 Access, interpret and apply knowledge of immigration instructions and procedures.
- Includes but not limited to – the Immigration New Zealand Operational Manual; Immigration New Zealand circulars; other avenues for seeking assistance, including the Immigration New Zealand, Immigration and Protection Tribunal and Authority websites and the Immigration New Zealand Contact Centre.
- 3.3 Identify the main criteria for providing advice in relation to applications, appeals, requests, claims and other representation across the full range of immigration matters.
- May include but not limited to – applications for temporary entry; applications for residence; claims for refugee and protection status; dealing with a client’s unlawful status; dealing with appeals under the Immigration Act 2009.
- 3.4 Apply knowledge of immigration matters to provide comprehensive advice.
- May include but not limited to – applications for temporary entry; applications for residence; claims for refugee and protection status; dealing with a client’s unlawful status; dealing with appeals under the Immigration Act 2009.
- 3.5 Outline where information about New Zealand culture and traditions, including information about the Treaty of Waitangi and tikanga can be accessed.
- 3.6 Demonstrate knowledge of the Privacy Act 1993, Official Information Act 1982 and the Ombudsmen Act 1975.
- Includes but not limited to – outlining how and when the rights under those Acts can be accessed to the advantage of clients.



Competency 4: Prepare, lodge and administer immigration applications, appeals, requests, claims and other representation

Performance indicators

- 4.1 Develop and maintain professional relationships with Immigration New Zealand and other relevant organisations.
- May include but not limited to – Settlement Support New Zealand; Work and Income; the New Zealand Qualifications Authority; other government agencies; professional registration bodies; health organisations.
- 4.2 Develop and maintain professional relationships with clients.
- Includes but not limited to – providing advice and information before, during and after the immigration application process.
- 4.3 Assess clients' immigration situations.
- Includes but not limited to – working with clients to establish eligibility criteria; gathering all appropriate information necessary to make an accurate assessment; conducting preliminary assessments; identifying potential barriers to eligibility; evaluating the range of possible options for clients; providing correct advice and information to clients; providing reasons for advising on a course of action.
- 4.4 Agree on terms of appointment.
- Includes but not limited to – agreeing on services to be provided and fees to apply; outlining refund policy and any other key terms of agreement; establishing performance expectations; entering into a formal agreement with clients.
- 4.5 Arrange agreed services in a timely, complete and accurate manner.
- Includes but not limited to – planning the immigration process; issuing understandable and accurate instructions; coordinating the preparation of applications; lodging applications with supporting evidential documents; taking all reasonable steps to ensure that clients submit accurate and genuine documentation; satisfying all lodgement requirements.



4.6 Administer the immigration application process.

- Includes but not limited to – following up applications; liaising with and administering the immigration process with Immigration New Zealand or other appropriate organisation; keeping clients informed; understanding and responding appropriately to issues as they arise; completing the process following decision including the timely return of clients' documents; ensuring that decisions are communicated to clients and the details and implications of outcomes are explained; checking visa labels for accuracy; advising clients of the procedures for handling complaints; advising clients of available avenues for redress, including appeal rights; taking any necessary follow-up action.

4.7 Administer refugee or protection claims or know where to refer clients for specialist advice.

- Includes but not limited to – recognising when clients have potential refugee or protection claims and either: completing claim documentation, advising clients of the ability to apply for visas, explaining the consequences of refugee and protection status claims, explaining how determinations on claims are made, representing clients in relation to refugee or protection cessation or cancellation procedures; or knowing who appropriate specialists are and how to contact them.

4.8 Administer appeals or know where to refer clients for specialist advice.

- Includes but not limited to – recognising when clients have appeal rights and either: completing appeal documentation, complying with statutory timeframes, ensuring that evidentiary and submissions requirements are met; or knowing who appropriate specialists are and how to contact them.

4.9 Make requests for special directions or know where to refer clients for specialist advice.

- Includes but not limited to – recognising when a request for a special direction is appropriate and either: completing request documentation and delivering it to appropriate parties; or knowing who appropriate specialists are and how to contact them.

4.10 Apply quality assurance techniques to the provision of immigration advice.

- Examples of techniques: checklists; peer reviews; case reviews; supervisor reviews; team briefings.

Competency 5: Apply communication techniques to the immigration process in the English language

Explanatory note:

Audiences include but are not limited to – clients; colleagues; Immigration New Zealand, the Authority, the Immigration and Protection Tribunal and other government organisations; business and other professional organisations; the general public.

Performance indicators:

- 5.1 Competently complete documentation in the English language to a high standard.
- May include – completing forms; writing letters, emails, memos, agreements and reports; understanding, interpreting, formulating and presenting detailed and structured written presentations, submissions and arguments.
- 5.2 Competently conduct oral communications in the English language to a high standard.
- May include – conducting information-gathering interviews by telephone and face-to-face; applying active listening techniques; dealing with conflict situations; delivering oral presentations or seminars; delivering detailed and structured oral submissions and arguments to the Immigration and Protection Tribunal.

Competency 6: Conduct business professionally, ethically and responsibly

Performance indicators

- 6.1 Demonstrate professional, ethical, and socially responsible behaviour and practice.
- Includes but not limited to – demonstrating understanding of and commitment to the Licensed Immigration Advisers Code of Conduct 2010; acting in clients' best interests; providing honest advice; preserving client confidentiality; ensuring client complaints are handled in the correct manner; handling conflicts with clients and other parties in a constructive and professional manner; recognising and managing conflicts of interest; disclosing any financial and non-financial interests in goods or services recommended or supplied to clients; disclosing conflicts of interest to other parties as appropriate.

6.2 Operate within the scope of individual knowledge and skills.

- Includes but not limited to – making decisions and taking actions consistent with the adviser’s own level of expertise and skills; recognising when other specialist advice is required and referring clients on when appropriate.

6.3 Apply business management disciplines to immigration matters in accordance with New Zealand law and best practice.

- Includes but not limited to – providing client services; managing the financial aspects of immigration business; applying immigration knowledge as appropriate and in a manner that protects clients’ immigration status and entitlement.

6.4 Facilitate communication in languages other than English when necessary.

- Includes but not limited to – identifying when English as a second language is a critical barrier to communication and taking steps to overcome that; communicating orally and in writing using any other language appropriate for the situation; using translators or interpreters.

Competency 7: Maintain skills and knowledge through participation in relevant professional development activities

Performance indicator

7.1 Participate actively in relevant professional development activities.

- May include but not limited to – self-directed learning on topics relevant to the provision of immigration advice; reading materials relevant to the provision of immigration advice provided by the Registrar or other organisation; receiving formal instruction, education or training relevant to the provision of immigration advice; attending information sessions, seminars, courses or conferences relevant to the provision of immigration advice; participating in the structured supervision or mentoring of another immigration adviser; active participation in a relevant professional body, organisation or association.

Part 2: Provisional licence

Competencies

1. Relevant qualification.
2. Demonstrate knowledge of the immigration advisers licensing scheme.
3. Understand immigration law and immigration and operational instructions relating to New Zealand.
4. Demonstrate knowledge of the immigration application process.
5. Apply communication techniques in the English language.
6. Conduct business professionally, ethically and responsibly.
7. Develop skills and knowledge through participation in relevant professional development activities.

Competency 1: Relevant qualifications

Performance indicator

- 1.1 Is qualified to provide immigration advice relating to New Zealand by virtue of:
- sufficient experience in the provision of immigration advice demonstrating that the person applying for a licence meets the competencies for the type of licence to be granted; or
 - completion of the Graduate Certificate in Australian Migration Law and Practice, or other substantially similar tertiary degree, diploma, certificate or course of study; or
 - licensing or registration or other similar recognition with an overseas organisation that performs functions that correspond wholly or substantially to those performed by the Authority.

Explanatory note

Until a suitable formal New Zealand immigration qualification is available, the Registrar will recognise experience in the provision of immigration advice (as that experience relates to the competencies for the type of licence applied for) as a qualification.

Competency 2: Demonstrate knowledge of the immigration advisers licensing scheme

Performance indicators

- 2.1 Outline the key features of the immigration advisers licensing scheme.
- Includes but not limited to – the purpose of the Immigration Advisers Licensing Act 2007; the functions of the Authority and the register of licensed immigration advisers.

2.2 Describe who needs to be licensed and what matters are covered within the licensing scheme.

- Includes but not limited to – who must be licensed in order to give immigration advice; who is exempt; who is prohibited from holding a licence; what constitutes ‘immigration advice’.

2.3 Outline the role of the Immigration Advisers Complaints and Disciplinary Tribunal.

- Includes but not limited to – functions and powers of the Tribunal; grounds for complaint; disciplinary sanctions; possible outcomes from complaints procedures.

2.4 Outline the offences under the Immigration Advisers Licensing Act 2007.

- Includes – providing immigration advice when not licensed or exempt; holding out that any person who is neither licensed nor exempt provides immigration advice; holding out that any person who is not a licensed immigration adviser is a licensed immigration adviser; providing false or misleading information; asking for or receiving a fee or reward for immigration advice when neither licensed nor exempt; employing or contracting an unlicensed or non-exempt person as an immigration adviser; obstructing inspection; failing to notify change in circumstances.

2.5 Outline the responsibilities of licensed immigration advisers.

- Includes but not limited to – abiding by the code of conduct; maintaining competence through participation in continuing professional development activities; renewing licence annually; notifying the Registrar of any relevant change in circumstances.

Competency 3: Understand immigration law and immigration and operational instructions relating to New Zealand

Performance indicators

3.1 Describe the key features of the Immigration Act 2009, regulations made under that Act and applicable international obligations.

- Includes but not limited to – the purpose and intent of the Immigration Act 2009; key sections of the Immigration Act 2009; discretionary decision-making powers under the Immigration Act 2009; the application of principles of law to immigration decisions, including the principles of natural justice; relevant international obligations.

3.2 Explain where to access information on immigration instructions and procedures.

- Includes but not limited to – Immigration New Zealand Operational Manual; Immigration New Zealand circulars; other avenues for seeking assistance, including the Immigration New Zealand, Immigration and Protection Tribunal and Authority websites and the Immigration New Zealand Contact Centre.

3.3 Identify the main criteria for providing advice in relation to applications, appeals, requests, claims and other representation across the full range of immigration matters.

- May include but not limited to – applications for temporary entry, applications for residence, claims for refugee and protection status, dealing with a client’s unlawful status, dealing with appeals under the Immigration Act 2009.

3.4 Assist clients to access information about New Zealand culture and traditions, including information about the Treaty of Waitangi and tikanga, on request.

3.5 Demonstrate knowledge of the Privacy Act 1993, Official Information Act 1982 and the Ombudsmen Act 1975.

- Includes but not limited to – outlining how and when the rights under those Acts can be accessed to the advantage of clients.

Competency 4: Demonstrate knowledge of the immigration application process

Performance indicators

4.1 Describe the importance of maintaining professional relationships with Immigration New Zealand and other organisations involved in the immigration process.

- May include – Settlement Support New Zealand; Work and Income; New Zealand Qualifications Authority; other government agencies; professional registration bodies; health organisations.

4.2 Describe the importance of maintaining professional relationships with clients.

- Includes but not limited to – providing advice and information before, during and after the immigration application process.

4.3 Outline the immigration application process.

- Includes but not limited to – assessing clients' immigration situations; agreeing on terms of appointment; arranging agreed services in a timely, complete and accurate manner; administering the application process; applying quality assurance techniques to immigration application procedures.

Competency 5: Apply communication techniques in the English language

Explanatory note

Audiences include but are not limited to – clients; colleagues; government organisations; business and other professional organisations; the general public.

Performance indicators

5.1 Competently complete documentation in the English language to a high standard.

- Includes but not limited to – forms, letters, emails, memos, agreements, and reports.

5.2 Competently conduct oral communications in the English language to a high standard.

- May include – conducting information-gathering interviews by telephone and face-to-face; applying active listening techniques; dealing with conflict situations; delivering presentations or seminars.

Competency 6: Conduct business professionally, ethically and responsibly

Performance indicators

6.1 Explain the importance of professional, ethical, and socially responsible behaviour and practice.

- Includes but not limited to – demonstrating understanding of and commitment to the Licensed Immigration Advisers Code of Conduct 2010; acting in clients' best interests; providing honest advice; preserving client confidentiality; ensuring client complaints are handled in the correct manner; handling conflicts with clients and other parties in a constructive and professional manner; recognising and managing conflicts of interest; disclosing any financial and non-financial interests in goods or services recommended or supplied to clients; disclosing conflicts of interest to other parties as appropriate.

6.2 Operate within the scope of individual knowledge and skills.

- Includes but not limited to – making decisions and taking actions consistent with own level of expertise and skills; recognising when other specialist advice is required and referring clients on when appropriate.

6.3 Facilitate communication in languages other than English when necessary.

- Includes but not limited to – identifying when English as a second language is a critical barrier to communication and taking steps to overcome that; communicating orally and in writing using any other language appropriate for the situation; using translators or interpreters.

Competency 7: Develop skills and knowledge through participation in relevant professional development activities

Performance indicator

7.1 Participate actively in relevant professional development activities.

- May include but not limited to – self-directed learning on topics relevant to the provision of immigration advice; reading materials relevant to the provision of immigration advice provided by the Registrar or other organisation; receiving formal instruction, education or training relevant to the provision of immigration advice; attending information sessions, seminars, courses or conferences relevant to the provision of immigration advice; participating in the structured supervision or mentoring of another immigration adviser; active participation in a relevant professional body, organisation or association.

Licensed Immigration Advisers Code of Conduct 2010



1. Obligations to clients

1.1 Care, respect, diligence and professionalism

A licensed immigration adviser must, with due care, diligence, respect and professionalism:

- a. perform his or her services; and
- b. carry out the lawful informed instructions of clients; and
- c. take reasonable steps to ensure clients' interests are represented if the adviser cannot for any reason continue as a representative; and
- d. work in a manner that does not unnecessarily increase costs; and
- e. acknowledge the cultural norms and values of clients; and
- f. facilitate the provision of interpreters and translators where appropriate; and
- g. when requested, assist clients to access information about the Treaty of Waitangi and tikanga (Maori customs and traditions).

1.2 Confidentiality

A licensed immigration adviser:

- a. must preserve the confidentiality of clients; and
- b. must not disclose confidential information, other than for the purposes of the administration of the Immigration Advisers Licensing Act 2007, the promotion of the immigration interests of clients to Immigration New Zealand, as required by law, or otherwise without the client's prior consent.

1.3 Document security

A licensed immigration adviser must:

- a. ensure any personal documents belonging to or relating to clients are held securely whilst in the adviser's possession; and
- b. return passports and other personal documents to clients, on request, without delay and in a secure manner.



1.4 Code of conduct

A licensed immigration adviser must:

- a. explain to and provide clients with a copy of the Licensed Immigration Advisers Code of Conduct 2010 before any agreement is entered into; and
- b. display the Licensed Immigration Advisers Code of Conduct 2010 in a prominent place at the adviser's place of business at all times.

1.5 Written agreements

A licensed immigration adviser must ensure that:

- a. before any agreement is entered into, clients are made aware, in writing and in plain language, of the terms of the agreement and all significant matters relating to it; and
- b. agreements contain a full description of the services to be provided by the adviser; and
- c. clients are advised that they are entitled to seek independent legal advice before entering into agreements; and
- d. clients confirm in writing that they accept the terms of agreements; and

- e. changes to the terms of agreements are recorded and agreed in writing.

1.6 Work within limits of knowledge and skills

A licensed immigration adviser must work within the scope of his or her individual knowledge and skills.

2. Obligations to the Minister of Immigration, the Department handling immigration matters, the Immigration Advisers Authority and the Immigration and Protection Tribunal

2.1 Legislation and operating requirements

A licensed immigration adviser must, at all times:

- a) act in accordance with New Zealand laws and the laws of other jurisdictions if working and living offshore; and
- b) act in accordance with immigration legislation, including the Immigration Act 2009 and regulations made under it, the Immigration Advisers Licensing Act 2007, and applicable international obligations; and

- c) comply with the operating requirements of Immigration New Zealand; and
 - d) comply with the operating requirements of the Registrar of Immigration Advisers; and
 - e) meet the procedural and operating requirements for managing appeals and appearing before the Immigration and Protection Tribunal; and
 - f) uphold the integrity of New Zealand's immigration system and the Immigration Advisers Authority; and
 - g) maintain respectful and professional relationships; and
 - h) hold written authority from clients to act on their behalf; and
 - i) take all reasonable steps to submit applications in a timely manner to ensure that clients maintain lawful immigration status.
- a. encourage the client not to lodge it; and
 - b. advise the client in writing that, in the adviser's opinion, it is vexatious or grossly unfounded; and
 - c. if the client still wishes to lodge it, seek written acknowledgement from the client that he or she has been advised not to.


3. Business management

A licensed immigration adviser must maintain professional business practices relating to finances, records, documents, contracts and staff management, including:

- a. confirming in writing to clients when applications have been lodged, with ongoing timely updates; and
- b. confirming in writing to clients when work ceases part way through the immigration process on clients' instructions or by the action of the adviser; and
- c. obtaining agreement in writing to any material increase in costs as soon as the increase is known to the adviser; and

2.2 Vexatious applications, appeals, requests and claims

If a proposed application, appeal, request or claim is vexatious or grossly unfounded (for example, it has no hope of success) a licensed immigration adviser must:

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- d. providing any refunds payable upon completing or ceasing a contract for services; and
 - e. maintaining complete client records that track all transactions for a period of seven years and making those records available for inspection on request by the Authority; and
 - f. confirming in writing the details of material discussions with clients; and
 - g. maintaining correct and up to date business contact details.

4. Client funds

A licensed immigration adviser must:

- a. establish and maintain a separate clients' bank account for holding all clients' funds paid in advance for fees and/or disbursements; and
- b. withdraw funds held on behalf of clients only when payments for fees and/or disbursements fall due; and
- c. use funds held on behalf of clients only for the purpose for which they were paid to the adviser.

5. Misrepresentation

5.1 Advisers

A licensed immigration adviser must not, in a false, fraudulent or deceptive manner, misrepresent or promote:

- a. himself or herself; or
- b. his or her business; or
- c. his or her clients or the clients' immigration opportunities; or
- d. New Zealand's immigration requirements.

5.2 Applications

A licensed immigration adviser must not knowingly provide false or misleading documentation with any application, appeal, request, claim or other representation, or conceal relevant information relating to any application, appeal, request, claim or other representation.

6. Conflicts of interest

Unless the client agrees in writing to representation or the arrangement subsequent to the adviser disclosing the potential conflict, a licensed immigration adviser, in relation to immigration matters, must not:

- a. represent a client who has potentially conflicting interests with another client of the adviser; or
- b. represent a client with whom he or she has a potential conflict of interest; or
- c. enter into an arrangement with a client other than for the provision of immigration advice if the arrangement creates a potential conflict of interest.

7. Disclosure

A licensed immigration adviser must disclose:

- a. to clients – any financial and non-financial interests in goods or services recommended or supplied to clients;
- b. to the Immigration Advisers Authority – any information that would have a material effect on the adviser’s licence;
- c. to Immigration New Zealand – any relevant change in circumstances relating to the representation of clients or to clients’ immigration applications;
- d) to the Immigration and Protection Tribunal – any change in circumstances

relating to the representation of clients or to the factual circumstances relating to a matter before the Tribunal.

8. Fees

A licensed immigration adviser must:

- a. set fees that are fair and reasonable in the circumstances; and
- b. before commencing work incurring costs, set out the fees and disbursements (including Immigration New Zealand fees and charges) to be charged, including the hourly rate and the estimate of the time it will take to perform the services, or the fixed cost for the services; and
- c. set out payment terms and conditions; and
- d. ensure that fees, disbursements and payment terms and conditions are provided to clients in writing prior to the signing of any written agreement; and
- e. each time a fee is payable, provide clients with an invoice containing a full description of the services that the invoice relates to.



9. Provision of complaints procedures

A licensed immigration adviser must:

- a. develop and maintain internal procedures for the resolution of complaints; and
- b. explain to and provide clients with a copy of the adviser's internal complaints procedure before any agreement is entered into; and
- c. explain to, and provide clients with, the details of the complaints and disciplinary procedures that are outlined in the Immigration Advisers Licensing Act 2007; and
- d. where complaints have been received by the Registrar of Immigration Advisers, provide timely responses to requests by the Registrar, as required by the Registrar's operating requirements.

10. Display of licence

A licensed immigration adviser must:

- a. display the adviser's licence in a prominent place in the adviser's place of business at all times; and
- b. provide evidence of being licensed to clients on request.



Licensed professionals = Protected migrants



Immigration Advisers Authority

New Zealand Government