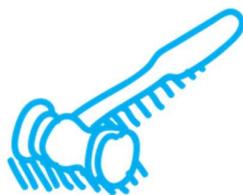
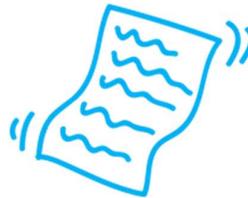


How the Disciplinary Tribunal Process Works



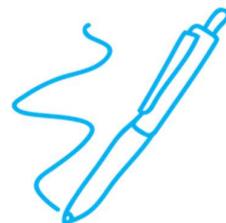
1. If you are aware that a complaint has been lodged against you, contact us immediately to ensure you start on the front foot. **We may be able to nip the complaint in the bud.**

2. The Registrar of the Authority considers the complaint and may ask for clarification from you. **We can assist with the response to the Registrar.**



3. If the Registrar accepts the complaint as showing a potential breach of the Licensed Advisers Code of Conduct, they can refer the matter to the Tribunal for consideration. **We can represent you before the Tribunal.**

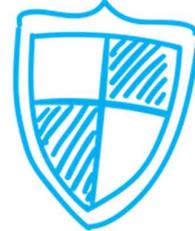
4. The Tribunal will ask for written submission. An appearance in person before the Tribunal is not required. **We can prepare and file written submissions on your behalf.**





5. If the Tribunal then decides that the complaint is upheld they will ask for written submissions on what sanction should be imposed. **We can prepare and file written submissions on your behalf.**

6. If the Tribunal decides that the breach is so serious that it may warrant cancellation of your license, you would be invited to appear in person. It's very important that you have a lawyer present at this stage if you want to keep your license and your livelihood. **We can appear before the Tribunal for you, presenting the best possible defence.**



If a complaint is heard and upheld by the Disciplinary Tribunal, the consequences can be serious

The Disciplinary Tribunal can decide to:

- fine an immigration adviser up to \$10,000;
- direct an immigration adviser to refund, in full or part, client's fees or any expenses;
- cancel or suspend an immigration adviser's licence.

The Disciplinary Tribunal has shown that it is quite prepared to cancel licences where there has been serious breach of the Code of Conduct. The Tribunal has also on a number of occasions emphasised to immigration advisers the benefits of taking legal advice when faced with a complaint.



Marty Logan

Partner

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Nip the Complaint in the bud



A well-placed submission to the Registrar may be able to nip the complaint in the bud. For all complaints the Registrar of the IAA makes a preliminary decision on whether there is a potential breach of the Licensed Advisers Code of Conduct and whether the claim should be referred to the Disciplinary Tribunal. As part of this process the Registrar also considers whether the complaint could best be settled through the immigration adviser's own complaint procedure.