

[Received by email 5/8/10]

Subject: Regulatory Burden

Dear Commissioner Sylvan

I would like to briefly comment on the Productivity Commission's annual review of Regulatory Burdens on Business.

I am a sole legal practitioner running a migration practice, and also a father of two young children.

As you may be aware, I am professionally governed by a number of NSW Acts and Regulations directed to legal practitioners, and also by the OMARA (Office of the Migration Agents Registration Authority).

There are many areas concurrently regulated by both regimes, and I do not consider the regulation from OMARA necessary. It clearly is for migration agents who have no other regulatory code, apart from the usual statutory and caselaw, but it appears to be a waster of resources for both myself and OMARA officials (where their time could be used more usefully).

I am this afternoon facing a standard audit by OMARA. The officers of that organisation have been polite and so on, but the experience will take at least half a day of my professional time by completion. There has been a comment by one of the officers, saying "Well, you're a legal practitioner, we normally don't have to do anything with lawyers". Which is exactly the point, there does appear excessive regulation, for the legal profession (where it already exists).

Kind regards

Paul Hense BA, BSW, LLB
Paul Hense Migration Lawyers
Suite A, Level 2
217 Clarence Street
SYDNEY NSW 2000
PO Box Q723, QVB, NSW 1230

Telephone: 61 2 9262 4242
Facsimile: 61 2 9262 4243