

Status: Point in time view as at 03/11/2008.

Changes to legislation: Immigration and Asylum Act 1999, Paragraph 2 is up to date with all changes known to be in force on or before 04 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 5

THE IMMIGRATION SERVICES COMMISSIONER

PART I

REGULATORY FUNCTIONS

The Commissioner's rules

- 2 (1) The Commissioner's rules must be made or altered by an instrument in writing.
- (2) Such an instrument must specify that it is made under this Schedule.
- (3) Immediately after such an instrument is made, it must be printed and made available to the public.
- (4) The Commissioner may charge a reasonable fee for providing a person with a copy of the instrument.
- (5) A person is not to be taken to have contravened a rule made by the Commissioner if he shows that at the time of the alleged contravention the instrument containing the rule had not been made available in accordance with this paragraph.
- (6) The production of a printed copy of an instrument purporting to be made by the Commissioner on which is endorsed a certificate signed by an officer of the Commissioner authorised by him for that purpose and stating—
- (a) that the instrument was made by the Commissioner,
 - (b) that the copy is a true copy of the instrument, and
 - (c) that on a specified date the instrument was made available to the public in accordance with this paragraph,
- is evidence (or in Scotland sufficient evidence) of the facts stated in the certificate.
- (7) A certificate purporting to be signed as mentioned in sub-paragraph (6) is to be treated as having been properly signed unless the contrary is shown.
- (8) A person who wishes in any legal proceedings to rely on an instrument containing the Commissioner's rules may require him to endorse a copy of the instrument with a certificate of the kind mentioned in sub-paragraph (6).

Commencement Information

- II** [Sch. 5 para. 2](#) wholly in force at 30.10.2000; [Sch. 5 para. 2](#) not in force at Royal Assent see [s. 170\(4\)](#); [Sch. 5 para. 2\(1\)-\(4\)\(6\)-\(8\)](#) in force at 22.5.2000 by [S.I. 2000/1282](#), [art. 2](#), [Sch.](#), [Sch. 5 para. 2](#) in force so far as not already in force at 30.10.2000 by [S.I. 2000/1985](#), [art. 2](#), [Sch.2](#)

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