

*Status: Point in time view as at 01/10/2004.*

*Changes to legislation: Immigration and Asylum Act 1999, Cross Heading: Code of Standards is up to date with all changes known to be in force on or before 06 August 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

##### *Code of Standards*

- 3 (1) The Commissioner must prepare and issue a code setting standards of conduct which those to whom the code applies are expected to meet.
- (2) The code is to be known as the Code of Standards but is referred to in this Schedule as “the Code”.
- (3) The Code is to apply to any person providing immigration advice or immigration services other than—
- (a) a person who is authorised by a designated professional body to practise as a member of the profession whose members are regulated by that body;
  - [<sup>F1</sup>(b) a person who is acting on behalf of a person who is within paragraph (a);]
  - (c) a person mentioned in section 84(6).
- (4) It is the duty of any person to whom the Code applies to comply with its provisions in providing immigration advice or immigration services.
- (5) If the Commissioner alters the Code, he must re-issue it.
- (6) Before issuing the Code or altering it, the Commissioner must consult—
- (a) each of the designated professional bodies;
  - (b) the designated judges;
  - (c) the Lord President of the Court of Session;
  - (d) the Lord Chief Justice of Northern Ireland; and
  - (e) such other persons appearing to him to represent the views of persons engaged in the provision of immigration advice or immigration services as he considers appropriate.
- (7) The Commissioner must publish the Code in such form and manner as the Secretary of State may direct.

#### Textual Amendments

- F1** Sch. 5 para. 3(3)(b) substituted (1.10.2004) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. 37(5)(c), 48(3); S.I. 2004/2523, art. 2, Sch.

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#### **Commencement Information**

- II** Sch. 5 para. 3 wholly in force at 30.10.2000; Sch. 5 para. 3 not in force at Royal Assent see s. 170(4); Sch. 5 para. 3(1)-(3)(5)-(7) in force at 22.5.2000 by [S.I. 2000/1282](#), [art. 2](#), [Sch.](#); Sch. 5 para. 3 in force so far as not already in force at 30.10.2000 by [S.I. 2000/1985](#), [art. 2](#), [Sch](#)

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