

SCHEDULES

SCHEDULE 5

THE IMMIGRATION SERVICES COMMISSIONER

PART I

REGULATORY FUNCTIONS

Extension of scope of the Code

- 4 (1) The Secretary of State may by order provide for the provisions of the Code, or such provisions of the Code as may be specified by the order, to apply to—
- (a) persons authorised by any designated professional body to practise as a member of the profession whose members are regulated by that body; and
 - (b) persons working under the supervision of such persons.
- (2) If the Secretary of State is proposing to act under sub-paragraph (1) he must, before doing so, consult—
- (a) the Commissioner;
 - (b) the Legal Services Ombudsman, if the proposed order would affect a designated professional body in England and Wales;
 - (c) the Scottish Legal Services Ombudsman, if the proposed order would affect a designated professional body in Scotland;
 - (d) the lay observers appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976, if the proposed order would affect a designated professional body in Northern Ireland.
- (3) An order under sub-paragraph (1) requires the approval of—
- (a) the Lord Chancellor, if it affects a designated professional body in England and Wales or Northern Ireland;
 - (b) the Scottish Ministers, if it affects a designated professional body in Scotland.
- (4) Before deciding whether or not to give his approval under sub-paragraph (3)(a), the Lord Chancellor must consult—
- (a) the designated judges, if the order affects a designated professional body in England and Wales;
 - (b) the Lord Chief Justice of Northern Ireland, if it affects a designated professional body in Northern Ireland.
- (5) Before deciding whether or not to give their approval under sub-paragraph (3)(b), the Scottish Ministers must consult the Lord President of the Court of Session.