

Status: Point in time view as at 01/10/2004.

Changes to legislation: Immigration and Asylum Act 1999, SCHEDULE 6 is up to date with all changes known to be in force on or before 13 June 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 6 U.K.

Section 85(3).

REGISTRATION

Applications for registration

- 1 (1) An application for registration under section 84(2)(a) ^{F1} ... must—
 - (a) be made to the Commissioner in such form and manner, and
 - (b) be accompanied by such information and supporting evidence, as the Commissioner may from time to time determine.
- (2) When considering an application for registration, the Commissioner may require the applicant to provide him with such further information or supporting evidence as the Commissioner may reasonably require.

Textual Amendments

- F1** Words in Sch. 6 para. 1(1) repealed (1.10.2004) by Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), ss. 37(6)(a), 48(3), Sch. 4; S.I. 2004/2523, art. 2, Sch.

Registration

- 2 (1) If the Commissioner considers that an applicant for registration is competent and otherwise fit to provide immigration advice and immigration services, he must register the applicant.
- (2) Registration may be made so as to have effect—
 - (a) only in relation to a specified field of advice or services;
 - (b) only in relation to the provision of advice or services to a specified category of person;
 - (c) only in relation to the provision of advice or services to a member of a specified category of person; or
 - (d) only in specified circumstances.

Review of qualifications

- 3 (1) At such intervals as the Commissioner may determine, each registered person must submit an application for his registration to be continued.
- (2) Different intervals may be fixed by the Commissioner in relation to different registered persons or descriptions of registered person.
- (3) An application for continued registration must—
 - (a) be made to the Commissioner in such form and manner, and
 - (b) be accompanied by such information and supporting evidence,

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as the Commissioner may from time to time determine.

- (4) When considering an application for continued registration, the Commissioner may require the applicant to provide him with such further information or supporting evidence as the Commissioner may reasonably require.
- (5) If the Commissioner considers that an applicant for continued registration is no longer competent or is otherwise unfit to provide immigration advice or immigration services, he must cancel the applicant's registration.
- (6) Otherwise, the Commissioner must continue the applicant's registration but may, in doing so, vary the registration—
 - (a) so as to make it have limited effect in any of the ways mentioned in paragraph 2(2); or
 - (b) so as to make it have full effect.
- (7) If a registered person fails, without reasonable excuse—
 - (a) to make an application for continued registration as required by sub-paragraph (1) or by a direction given by the Tribunal under [^{F2}section 89(2)(b)], or
 - (b) to provide further information or evidence under sub-paragraph (4),
 the Commissioner may cancel the person's registration as from such date as he may determine.

Textual Amendments

- F2** Words in Sch. 6 para. 3(7)(a) substituted (1.10.2004) by Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), ss. 37(6)(b), 48(3); S.I. 2004/2523, art. 2, Sch.

^{F3}Variation of registration

Textual Amendments

- F3** Sch. 6 para. 3A and heading inserted (8.1.2003) by Nationality, Immigration and Asylum Act 2002 (c. 41), s. 140(2) (with s. 159); S.I. 2002/2811, art. 2, Sch. (with art. 5)

- 3A The Commissioner may vary a person's registration—
- (a) so as to make it have limited effect in any of the ways mentioned in paragraph 2(2); or
 - (b) so as to make it have full effect.]

Disqualification of certain persons

- 4 A person convicted of an offence under section 25 or 26(1)(d) or (g) of the 1971 Act is disqualified for registration under paragraph 2 or for continued registration under paragraph 3.

Fees

- 5 (1) The Secretary of State may by order specify fees for the registration or continued registration of persons on the register.

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- (2) No application under paragraph 1 or 3 is to be entertained by the Commissioner unless it is accompanied by the specified fee.

Commencement Information

- II** Sch. 6 para. 5 wholly in force at 30.10.2000; Sch. 6 para. 5 not in force at Royal Assent; Sch. 6 para. 5(1) in force for certain purposes at 1.8.2000 by S.I. 2000/1985, art. 2, Sch.; Sch. 6 para. 5 in force so far as not already in force 30.10.2000 by S.I. 2000/1985, art. 2, Sch.

Open registers

- 6 (1) The register must be made available for inspection by members of the public in a legible form at reasonable hours.
- (2) A copy of the register or of any entry in the register must be provided—
- (a) on payment of a reasonable fee;
 - (b) in written or electronic form; and
 - (c) in a legible form.
- (3) Sub-paragraphs (1) and (2) also apply to—
- (a) the record kept by the Commissioner of the persons to whom he has issued a certificate of exemption under section 84(4)(a); and
 - (b) the record kept by the Commissioner of the persons against whom there is in force a direction given by the Tribunal under section 89(8).

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