



Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

2004 CHAPTER 19

Immigration services

41 Professional bodies

(1) Section 86 of the Immigration and Asylum Act 1999 (designated professional bodies) shall be amended as follows.

(2) For subsection (2) substitute—

“(2) The Secretary of State may by order remove a body from the list in subsection (1) if he considers that the body—

- (a) has failed to provide effective regulation of its members in their provision of immigration advice or immigration services, or
- (b) has failed to comply with a request of the Commissioner for the provision of information (whether general or in relation to a particular case or matter).”

(3) For subsection (9)(b) substitute—

“(b) report to the Secretary of State if the Commissioner considers that a designated professional body—

- (i) is failing to provide effective regulation of its members in their provision of immigration advice or immigration services, or
- (ii) has failed to comply with a request of the Commissioner for the provision of information (whether general or in relation to a particular case or matter).”

(4) After subsection (9) insert—

“(9A) A designated professional body shall comply with a request of the Commissioner for the provision of information (whether general or in relation to a specified case or matter).”

Changes to legislation: *Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, Section 41 is up to date with all changes known to be in force on or before 22 April 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) View outstanding changes*

- (5) In section 166(2) of the Immigration and Asylum Act 1999 (c. 33) (regulations and orders) after “in relation to” insert “ orders made under section 90(1), ”.
- (6) For paragraph 21(2) of Schedule 5 to the Immigration and Asylum Act 1999 (Commissioner: annual report) substitute—
- “(2) The report must, in particular, set out the Commissioner’s opinion as to the extent to which each designated professional body has—
- (a) provided effective regulation of its members in their provision of immigration advice or immigration services, and
 - (b) complied with requests of the Commissioner for the provision of information.”

Commencement Information

II S. 41 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(1A)(1B) inserted by [2022 c. 36 s. 19\(2\)](#)
- s. 8(3A)(3B) inserted by [2022 c. 36 s. 19\(3\)](#)
- s. 8(6A)(6B) inserted by [2022 c. 36 s. 19\(4\)](#)
- s. 8(9A)(a) word inserted by [2022 c. 36 Sch. 3 para. 7\(b\)](#)
- s. 8(9A)(b) and word inserted by [2022 c. 36 Sch. 3 para. 7\(c\)](#)
- s. 8(9B) inserted by [2022 c. 36 s. 19\(6\)](#)
- Sch. 3 para. 3(3) inserted by [2023 c. 37 s. 10\(9\)\(a\)](#)
- Sch. 3 para. 8(3) inserted by [2023 c. 37 s. 10\(9\)\(b\)](#)
- Sch. 3 para. 13(3) inserted by [2023 c. 37 s. 10\(9\)\(c\)](#)