

SCHEDULES

SCHEDULE 18

IMMIGRATION ADVICE AND IMMIGRATION SERVICES

PART 3

TRANSITIONAL PROVISION

The transitional period

- 18 (1) In this Part of this Schedule references to “the transitional period” are to the period which—
- (a) begins with the day appointed for the coming into force of section 13 (entitlement to carry on reserved legal activities), and
 - (b) ends with the day appointed by the Lord Chancellor by order for the purposes of this paragraph.
- (2) Different days may be appointed under sub-paragraph (1)(b) for different purposes.
- (3) An order may be made under sub-paragraph (1)(b) only on the recommendation of the Board.

Barristers etc

- 19 (1) During the transitional period, every barrister is deemed to be authorised by the General Council of the Bar to provide immigration advice and immigration services.
- (2) That authority is exercisable in accordance with, and subject to, the regulatory arrangements of the General Council of the Bar.
- (3) A person is not authorised under sub-paragraph (1) unless the person has in force a certificate issued by the General Council of the Bar authorising the person to practise as a barrister.
- 20 (1) During the transitional period, every registered European lawyer registered with the Inns of Court and the General Council of the Bar is deemed to be authorised by the General Council of the Bar to provide immigration advice and immigration services if the registered European lawyer is entitled to provide immigration advice and immigration services under his home professional title by virtue of the European regulations.
- (2) That authority is exercisable in accordance with, and subject to, the regulatory arrangements of the General Council of the Bar (as they apply to the registered European lawyer by virtue of the European regulations).
- (3) In this paragraph—

Status: This is the original version (as it was originally enacted).

“European regulations” means the European Communities (Lawyer’s Practice) Regulations 2000 (S.I. 2000/1119);

“home professional title” and “registered European lawyer” have the same meaning as in the European regulations.

Solicitors etc

- 21 (1) During the transitional period, each of the following is deemed to be authorised by the Law Society to provide immigration advice and immigration services—
- (a) every qualified solicitor;
 - (b) every registered foreign lawyer (within the meaning of section 89 of the Courts and Legal Services Act 1990 (c. 41));
 - (c) every legal partnership (within the meaning of paragraph 7(4) of Schedule 5);
 - (d) every body recognised under section 9 of the Administration of Justice Act 1985 (c. 61).
- (2) That authority is exercisable in accordance with, and subject to, the regulatory arrangements of the Law Society.
- (3) “Qualified solicitor” means a person who is qualified under section 1 of the Solicitors Act 1974 (c. 47) to act as a solicitor.
- 22 (1) During the transitional period, every registered European lawyer registered with the Law Society is deemed to be authorised by the Law Society to provide immigration advice and immigration services if the registered European lawyer is entitled to provide immigration advice and immigration services under his home professional title by virtue of the European regulations.
- (2) That authority is exercisable in accordance with, and subject to, the regulatory arrangements of the Law Society (as they apply to the registered European lawyer by virtue of the European regulations).
- (3) In this paragraph—
- “European regulations” means the European Communities (Lawyer’s Practice) Regulations 2000 (S.I. 2000/1119);
- “home professional title” and “registered European lawyer” have the same meaning as in the European regulations.

Legal Executives

- 23 (1) During the transitional period, a person who is authorised by the Institute of Legal Executives to practise as a member of the profession of legal executives is deemed to be authorised by that Institute to provide immigration advice and immigration services.
- (2) That authority is exercisable in accordance with and subject to the regulatory arrangements of the Institute of Legal Executives.
- (3) A person is not authorised under sub-paragraph (1) unless the person has in force a certificate issued by the Institute of Legal Executives authorising the person to practise as a legal executive.