

SCHEDULES

SCHEDULE 9

TRANSITIONAL AND CONSEQUENTIAL PROVISION

PART 8

PROVISION RELATING TO IMMIGRATION ADVISERS AND IMMIGRATION SERVICE PROVIDERS

Transitional provision

- 67 (1) On the day on which paragraph 2 of Schedule 7 comes into force the Immigration Services Commissioner must register in the register maintained under section 85(1) of the Immigration and Asylum Act 1999 each person who, immediately before that day, was an exempt person (within the meaning given by section 84(4)(a) of that Act).
- (2) The registration of a person by reason of sub-paragraph (1) may be made so as to have effect only in relation to a specified field of advice or services.
- 68 (1) In the provisions listed in sub-paragraph (2)—
- (a) references to a person who, at the time to which a charge or (as the case may be) a complaint relates, was a registered person do not include a person who ceased to be a registered person before the day on which paragraph 7 of Schedule 7 comes into force;
 - (b) references to a person who, at the time to which a charge or (as the case may be) a complaint relates, was acting on behalf of a registered person do not include—
 - (i) a person who ceased to act on behalf of a registered person before that day;
 - (ii) a person who was acting on behalf of a person who ceased to be a registered person before that day.
- (2) The provisions are—
- (a) section 89(2) to (2B) of the Immigration and Asylum Act 1999;
 - (b) paragraph 5(3)(za), (aa) and (d) of Schedule 5 to that Act;
 - (c) paragraph 9(1)(a), (1A) and (4)(a) of Schedule 5 to that Act.
- 69 (1) The provisions listed in paragraph 68(2) (apart from paragraph 5(3)(d) of Schedule 5 to the Immigration and Asylum Act 1999) apply in relation to a person who—
- (a) was an exempt person immediately before the day on which paragraph 2 of Schedule 7 comes into force, and
 - (b) became a registered person on that day by virtue of paragraph 67(1), as if, while the person was an exempt person, the person had been a registered person.
- (2) In paragraph 10A(2)(a) of Schedule 5 to the Immigration and Asylum Act 1999, the reference to premises which have been used in connection with the provision of

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immigration advice or immigration services by a registered person includes premises which have been so used by an exempt person.

- (3) In this paragraph “exempt person” has the meaning given by section 84(4)(a) of the Immigration and Asylum Act 1999.