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**Immigration Advisers’ Association Form**

**Why I need to fill in this form**

Where you enter into an arrangement with an immigration adviser, it is classed as an association and you are required to notify the BSB of this in accordance with [rule C80 of the BSB Handbook](https://www.barstandardsboard.org.uk/the-bsb-handbook.html?part=E3FF76D3-9538-4B97-94C02111664E5709&q=Rules+C79-C85+-+Associations+with+others).

**Instructions on how to use this form.**

Please complete this form if you are a barrister or BSB entity currently supervising or intending to supervise an individual(s) in the next 12 months, in accordance with section 84(2) of the Immigration and Asylum Act 1999 (IAA 1999) (as amended).

1. Please first save this form to your computer.
2. Fill out the form on screen. You can save the document and come back to it later.
3. Once you have completed the form, email it to:
	1. the BSB’s Supervision team at supervision@barstandardsboard.org.uk if you are a self-employed barrister; or
	2. the BSB’s Entity Regulation team at entityregulation@barstandardsboard.org.uk if you are a BSB entity

**You should read our** [**Barristers Supervising Immigration Advisers Guidance**](https://www.barstandardsboard.org.uk/resources/supervising-immigration-advisers-pdf.html) **before completing this form.**

Rule C85A of the BSB Handbook prevents you from acting as a supervisor of an immigration adviser for the purposes of section 84(2) of the IAA 1999 where the Office of the Immigration Services Commissioner (OISC) has refused or cancelled the adviser’s registration or where the adviser is:

1. Disqualified in accordance with paragraph 4 of Schedule 6 to the IAA 1999; or
2. Prohibited or suspended by the First-tier Tribunal (Immigration Services); or
3. Permanently prohibited from practising by an approved regulator, or a designated professional body under the Immigration and Asylum Act 1999, pursuant to its powers as such, and removed from the relevant register; or
4. Currently suspended from practising by an approved regulator, or a designated professional body under the Immigration and Asylum Act 1999, pursuant to its powers as such.

**Section 1 – Your details**

Self-employed barrister

1.1 Bar Council Member number (you can find this in your MyBar account)

1.2 First Name

1.3 Surname

1.4 Phone No

1.5 Email

1.6 Please confirm if chambers are involved in this arrangement and provide their name and address. If chambers are not involved, you should explain the reason for this.

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If you are a BSB entity, please complete this section:

1.4 BSB Entity Name

1.5 Trading name (if different to above)

1.6 Your full name

1.7 What is your position in the BSB body? (delete as appropriate)

Owner / Manager / Head of Legal Practice / Head of Finance & Administration / Employee

**Section 2 – Details of the supervised immigration adviser**

If you are supervising more than one immigration adviser, please complete a separate form for each.

Immigration adviser

2.1 Full Name

2.2 Address from which the adviser will operate from

2.3 Phone No

2.4 Email

2.5 Please provide any relevant information about the immigration adviser’s professional history; have they been previously regulated and if so, by who, are they a member of any professional body etc. You may enclose the adviser’s CV in support of this section.

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**Section 3 – Background**

3.1 Please explain why you have decided to enter into this supervision arrangement?

As part of your answer you should set out how the arrangement would serve clients’ best interests in accordance with [Core Duty 2 of the BSB Handbook](https://www.barstandardsboard.org.uk/the-bsb-handbook.html?part=&audience=&q=CD2).

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3.2 Please explain how you envisage the arrangement to work

 As part of your answer, you should:

* Explain how the arrangement fits your business model;
* Provide detailed information about the number of people being supervised and whether it has a legal structure;
* Provide information about the type of advice and services that will be provided;
* Provide information on the volume of activity undertaken by the adviser having regard to the numbers of cases and fee income
* Explain how you intend to receive instructions
* Confirm if immigration advice is being provided within England and Wales

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**Section 4 – Due Diligence**

4.1 Please provide details of the due diligence you have carried out for the adviser.

If you have found any issues of concern during your due diligence check but have decided to proceed with the arrangement, you need to justify the reason for this. As part of your answer you need to highlight the perceived risk and your proposals to mitigate it.

*Please read* [*paragraph 14 of our Barristers Supervising Immigration Advisers Guidance*](https://www.barstandardsboard.org.uk/uploads/assets/1434f7d0-4a0a-4c84-8a750c0f611475b6/6fe2894e-85a7-475f-b106e6f2f9fa4688/Supervising-Immigration-Advisers.pdf#page=6" ) *for further details on due diligence.*

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4.2 Please explain how you have assured yourself that the adviser is professionally competent.

*Please read* [*paragraphs 15 of our Barristers Supervising Immigration Advisers Guidance*](https://www.barstandardsboard.org.uk/uploads/assets/1434f7d0-4a0a-4c84-8a750c0f611475b6/6fe2894e-85a7-475f-b106e6f2f9fa4688/Supervising-Immigration-Advisers.pdf#page=6") *for further details.*

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**Section 5 – Supervision arrangements**

5.1 Please provide details of the supervision arrangements you have or are intending to have in place.

*You must have regard to the good practice section in* [*paragraph 29 of our Barristers Supervising Immigration Advisers Guidance*](https://www.barstandardsboard.org.uk/uploads/assets/1434f7d0-4a0a-4c84-8a750c0f611475b6/6fe2894e-85a7-475f-b106e6f2f9fa4688/Supervising-Immigration-Advisers.pdf#page=11" )

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5.2 Please provide details of the contractual arrangements you have or are intending to have in place with the adviser. You should also set out the insurance arrangements.

*Please read* [*paragraph 16-17 of our Barristers Supervising Immigration Advisers Guidance*](https://www.barstandardsboard.org.uk/uploads/assets/1434f7d0-4a0a-4c84-8a750c0f611475b6/6fe2894e-85a7-475f-b106e6f2f9fa4688/Supervising-Immigration-Advisers.pdf#page=7" )*.*

*The arrangement should be documented in a protocol between you and the immigration adviser as per paragraph 29 of our Barristers Supervising Immigration Advisers Guidance. Please provide this document.*

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5.3 Please provide details of what arrangements are in place to ensure clients are properly informed about the arrangement and have received the necessary documentation and understand the role of the adviser.

*Please see* [*paragraph 21 of our Barristers Supervising Immigration Advisers Guidance*](https://www.barstandardsboard.org.uk/uploads/assets/1434f7d0-4a0a-4c84-8a750c0f611475b6/6fe2894e-85a7-475f-b106e6f2f9fa4688/Supervising-Immigration-Advisers.pdf#page=8" )*.*

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**Section 7 – Declaration of truth**

I confirm that the information I have given above is true and correct. I confirm that I will immediately notify the BSB’s Supervision Team should any of the above details change.

Print Name

Position, if BSB entity

Dated

If you are a BSB entity, the declaration needs to be co-signed by the Head of Legal Practice (HOLP) if somebody other than the HOLP completed this form:

Print Name

Dated

**Next steps**

The BSB will review the submitted form and identify any non-compliance with Rules 80 and 85A. We will also have regard to our Barristers Supervising Immigration Advisers Guidance. If there are any areas of concern, the BSB will be in contact with you to discuss how you can address these.

**Please note that** t**he BSB will not formally approve the supervision arrangement**.