

SRA BOARD  
22 June 2020



CLASSIFICATION – PUBLIC

**SRA Authorisation of Individuals (Immigration work) (Amendment)  
Regulations [2020]**

Regulations made by the SRA Board on [ ] 2020

Made under sections 2, 13, 28 and 31 of the Solicitors Act 1974 and section 89 of, and paragraphs 2 and 3 of Schedule 14 to, the Courts and Legal Services Act 1990.

**Regulation 1**

Delete regulations 9.5 to 9.7 of the SRA Authorisation of Individuals Regulations and replace with:

- “9.5 If you are a *solicitor*, an *REL* or *RFL* you may undertake *immigration work*, provided that such work is undertaken:
- (a) through an *authorised body*;
  - (b) through an *authorised non-SRA firm* that is a qualified person under the Immigration and Asylum Act 1999;
  - (c) as an employee, for your employer or work colleagues; or
  - (d) through a non-commercial advice service which is registered with the Office of the Immigration Services Commissioner or otherwise qualified under the Immigration and Asylum Act 1999
- 9.6 Where you undertake work under regulation 9.5(c) or (d) above, this must be undertaken by you personally and not by another person on your or your employer’s behalf unless such person is a qualified person under the Immigration and Asylum Act 1999 other than under section 84(2)(e) of that Act.
- 9.7 If you undertake *immigration work* through a body which is registered with the Office of the Immigration Services Commissioner or otherwise qualified under the Immigration and Asylum Act 1999 other than as permitted under regulation 9.5(d), you must be registered as an individual with the Office of the Immigration Services Commissioner or otherwise qualified to do so under the Immigration and Asylum Act 1999 and will undertake such work in that capacity.
- 9.7A Where you are undertaking work under 9.7 above, in the event of any conflict between the *SRA’s regulatory arrangements* and any requirements placed on you by the Office of the Immigration Services Commissioner, the latter shall prevail.

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9.7B Nothing in regulations 9.5 to 9.7A restrict you from undertaking *immigration work* if you fall within section 84(6) of the Immigration and Asylum Act 1999.”

**Regulation 2**

These regulations come into force on 3 August 2020 or the date on which they are approved by the Legal Services Board, whichever is the later.