

These notes refer to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c.19) which received Royal Assent on 22 July 2004

ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.) ACT 2004

EXPLANATORY NOTES

IMMIGRATION SERVICES

Section 41: Professional Bodies

192. [Section 41](#) amends section 86 of the Immigration and Asylum Act 1999 and paragraph 21 of Schedule 5 to that Act.
193. Subsection (2) inserts a new subsection (2) in section 86. The effect of new subsection (2)(b) is to extend the Secretary of State's existing power to make an order removing the name of a designated professional body from those listed in section 86 of the 1999 Act so that he make such an order if he considers a designated professional body has failed to comply with a request from the Commissioner for information.
194. Subsection (3) substitutes a new subsection (9)(b) in section 86. The effect of new subsection (9)(b)(ii) is to extend the Commissioner's existing responsibility when reporting to the Secretary of State about a designated professional body, to include a duty to report where the body has failed to comply with an information request from him.
195. Subsection (4) inserts a new subsection (9A) in section 86. The effect is to place an obligation on all designated professional bodies to comply with requests from the Commissioner for information.
196. Subsection (5) amends section 166(2) of the 1999 Act. It ensures that the definition of an "order" in that section does apply to an order under section 90(1) of that Act, which therefore need not be made by statutory instrument.
197. Subsection (6) substitutes a new paragraph 21(2) in Schedule 5 to the 1999 Act. The effect of new sub-paragraph 21(2)(b) is to extend the Commissioner's existing responsibility, when making his Annual Report to the Secretary of State, so as to include a duty to report on failures on the part of designated professional bodies to comply with requests by him for information.