



OISC

Application for Registration of a New Legal Entity

April 2017 Edition

Organisation Details (Section 1)

Name of current regulated organisation:

OISC Registration number:

Please tick the box indicating your current organisation type or specify the type under 'Other':

Sole trader

Partnership

Limited partnership

Limited liability partnership

Private limited company

Registered charity

Other:

New Organisation's details

Name of the new organisation applying for registration:

Will the new organisation be: Fee charging

Non fee charging

Main address:

Telephone number:

Mobile number:

Website address:

Email address:

Are the premises:

Residential

Commercial

New Organisation's details continued...

Please tick the box indicating the new organisation's type or specify the type under 'Other':

Sole trader

Partnership

Limited partnership

Limited liability partnership

Private limited company

Registered charity

Other:

- If a sole trader please provide below details of individuals responsible for running the business
- If a partnership please provide below details of all partners
- If a private limited company please list all directors, officers or shareholders
- If a charity please list the chair, board members and chief executive
- If 'other' please list all those with responsibility for running the business

Please attach an additional sheet, if necessary

Main point of contact for the new organisation (the person who will be the contact for this application, audit and any additional information)

Name and position in the organisation:

How many offices does your organisation have?

If you have more than one office please give contact details for the other offices below. Please continue on a separate sheet if necessary

1st Address:

Telephone number:
Email address:
Website address:
Additional telephone number:

2nd Address:

Residential Commercial

Telephone number:
Email address:
Website address:
Additional telephone number:

3rd Address:

Residential Commercial

Telephone number:
Email address:
Website address:
Additional telephone number:

Residential Commercial

Public access:

If approved, do you wish details of your organisation to be added to the OISC's adviser finder? (please tick)

Yes

No

Advisers' details

Please provide details of all persons who will be working as advisers in the new organisation, as detailed below.

Any advisers listed below who are not currently regulated by the OISC, will need to submit an individual competence statement. These forms can be found on the [OISC website](#).

Name	Level	Category	National Insurance Number

As the primary contact for the organisation, I declare that by ticking this box that all named advisers have read, understood and are in agreement with the declarations above:

Print full name:

Date:

Details of those owning and/or running the organisation

Please complete the following details for those owning and/or running the organisation.

If you are applying as an adviser and you are the owner and/or running the organisation you do not need to complete this next section

For the OISC's purposes a person is considered an owner of the business if they own at least 40% of the business. A person is considered to be involved in running an immigration advice organisation if they occupy one or more of these roles: (Private Firms) Self-employed sole trader; Partner; a Company Director (executive or non-executive) Company Treasurer or Secretary or (Charities) Chief Executive Officer or a Trustee.

For further information please see the Commissioner's Guidance on Fitness (Owners)

[Guidance on Fitness Owners](#)

Owner and/or those running the organisation details: 1st Person

Title:

Forename/s:

Surname:

Date of Birth:

Nationality:

Please state your role within the company:

For Private Firms:

- Partner Company Director *(Executive or Non-executive)*
 Self-employed sole trader Company Treasurer or Secretary

Do you own a share in the business?

If so, please state the size of your share e.g. 50%

For Charities:

- Chief Executive Officer Trustee
 Chair

Declaration

<p>In the last five years have you traded under a different name or been known by a different name?</p>		<p>If yes, please give details:</p>
<p>Are you involved in the running of any other businesses or are employed at any other organisation?</p> <p>If "Yes" please give details of all other businesses, including the nature of the business and your role in it. Please state whether you intend to continue with that business if this application is successful.</p>		<p>If yes, please give details:</p>
<p>Do you have any unspent criminal convictions in the UK or abroad?</p> <p>and/or</p> <p>Are you currently subject to any criminal proceedings in the UK or abroad?</p>		<p>If yes, please give details:</p>
<p>Have you been, or are you, the subject of any existing or previous disciplinary proceedings by regulatory authorities or professional bodies in the UK or abroad?</p>		<p>If yes, please give details:</p>

<p>Have you ever been a director of a company or member of an LLP which has been the subject of a winding up order, an administration order or administrative receivership, or have you entered into a voluntary arrangement under the insolvency Act 1986, or has the company been otherwise wound up or put into administration in circumstances of insolvency?</p> <p>and/or</p> <p>Have you ever been declared bankrupt or entered into an individual voluntary arrangement or a partnership voluntary arrangement under the Insolvency Act 1986?</p>		<p>If yes, please give details:</p>
<p>Have you ever been disqualified or banned from being a director of a company or from acting as a charity trustee?</p>		<p>If yes, please give details:</p>
<p>Have you ever been involved in any conduct which may call into question your honesty, integrity or respect for the law?</p>		<p>If yes, please give details:</p>

I declare that the answers that I have given are true and correct to the best of my knowledge and belief. I have declared all information relevant to the consideration of my fitness as a person owning and/or running a business providing immigration advice.

I understand that the information given in this application form may need to be checked against the records of other agencies including professional bodies, regulatory agencies and the police in the UK and abroad.

I undertake to notify the OISC of any material changes to the information I have given in this application.

I understand that any false statement or deliberate omission in the information I have given could result in the application being refused.

I will supply the Commissioner with any additional information which is required to process my application.

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Date:

Owner and/or those running the organisation details: 2nd Person

Title:

Forename/s:

Surname:

Date of Birth:

Nationality:

Please state your role within the company:

For Private Firms:

Partner Company Director *(Executive or Non-executive)*

Self-employed sole trader Company Treasurer or Secretary

Do you own a share in the business?

If so, please state the size of your share e.g. 50%

For Charities:

Chief Executive Officer Trustee

Chair

Declaration

<p>In the last five years have you traded under a different name or been known by a different name?</p>		<p>If yes, please give details:</p>
<p>Are you involved in the running of any other businesses or are employed at any other organisation?</p> <p>If "Yes" please give details of all other businesses, including the nature of the business and your role in it. Please state whether you intend to continue with that business if this application is successful.</p>		<p>If yes, please give details:</p>
<p>Do you have any unspent criminal convictions in the UK or abroad?</p> <p>and/or</p> <p>Are you currently subject to any criminal proceedings in the UK or abroad?</p>		<p>If yes, please give details:</p>
<p>Have you been, or are you, the subject of any existing or previous disciplinary proceedings by regulatory authorities or professional bodies in the UK or abroad?</p>		<p>If yes, please give details:</p>

<p>Have you ever been a director of a company or member of an LLP which has been the subject of a winding up order, an administration order or administrative receivership, or have you entered into a voluntary arrangement under the insolvency Act 1986, or has the company been otherwise wound up or put into administration in circumstances of insolvency?</p> <p>and/or</p> <p>Have you ever been declared bankrupt or entered into an individual voluntary arrangement or a partnership voluntary arrangement under the Insolvency Act 1986?</p>		<p>If yes, please give details:</p>
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I will supply the Commissioner with any additional information which is required to process my application.

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Date:

Owner and/or those running the organisation details: 3rd Person

Title:

Forename/s:

Surname:

Date of Birth:

Nationality:

Please state your role within the company:

For Private Firms:

- Partner Company Director *(Executive or Non-executive)*
 Self-employed sole trader Company Treasurer or Secretary

Do you own a share in the business?

If so, please state the size of your share e.g. 50%

For Charities:

- Chief Executive Officer Trustee
 Chair

Declaration

In the last five years have you traded under a different name or been known by a different name?		If yes, please give details:
Are you involved in the running of any other businesses or are employed at any other organisation? If "Yes" please give details of all other businesses, including the nature of the business and your role in it. Please state whether you intend to continue with that business if this application is successful.		If yes, please give details:
Do you have any unspent criminal convictions in the UK or abroad? and/or Are you currently subject to any criminal proceedings in the UK or abroad?		If yes, please give details:
Have you been, or are you, the subject of any existing or previous disciplinary proceedings by regulatory authorities or professional bodies in the UK or abroad?		If yes, please give details:

<p>Have you ever been a director of a company or member of an LLP which has been the subject of a winding up order, an administration order or administrative receivership, or have you entered into a voluntary arrangement under the insolvency Act 1986, or has the company been otherwise wound up or put into administration in circumstances of insolvency?</p> <p>and/or</p> <p>Have you ever been declared bankrupt or entered into an individual voluntary arrangement or a partnership voluntary arrangement under the Insolvency Act 1986?</p>		<p>If yes, please give details:</p>
<p>Have you ever been disqualified or banned from being a director of a company or from acting as a charity trustee?</p>		<p>If yes, please give details:</p>
<p>Have you ever been involved in any conduct which may call into question your honesty, integrity or respect for the law?</p>		<p>If yes, please give details:</p>

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I understand that any false statement or deliberate omission in the information I have given could result in the application being refused.

I will supply the Commissioner with any additional information which is required to process my application.

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Date:

Owner and/or those running the organisation details: 4th Person

Title:

Forename/s:

Surname:

Date of Birth:

Nationality:

Please state your role within the company:

For Private Firms:

Partner Company Director *(Executive or Non-executive)*

Self-employed sole trader Company Treasurer or Secretary

Do you own a share in the business?

If so, please state the size of your share e.g. 50%

For Charities:

Chief Executive Officer Trustee

Chair

Declaration

<p>In the last five years have you traded under a different name or been known by a different name?</p>		<p>If yes, please give details:</p>
<p>Are you involved in the running of any other businesses or are employed at any other organisation?</p> <p>If "Yes" please give details of all other businesses, including the nature of the business and your role in it. Please state whether you intend to continue with that business if this application is successful.</p>		<p>If yes, please give details:</p>
<p>Do you have any unspent criminal convictions in the UK or abroad?</p> <p>and/or</p> <p>Are you currently subject to any criminal proceedings in the UK or abroad?</p>		<p>If yes, please give details:</p>
<p>Have you been, or are you, the subject of any existing or previous disciplinary proceedings by regulatory authorities or professional bodies in the UK or abroad?</p>		<p>If yes, please give details:</p>

<p>Have you ever been a director of a company or member of an LLP which has been the subject of a winding up order, an administration order or administrative receivership, or have you entered into a voluntary arrangement under the insolvency Act 1986, or has the company been otherwise wound up or put into administration in circumstances of insolvency?</p> <p>and/or</p> <p>Have you ever been declared bankrupt or entered into an individual voluntary arrangement or a partnership voluntary arrangement under the Insolvency Act 1986?</p>		<p>If yes, please give details:</p>
<p>Have you ever been disqualified or banned from being a director of a company or from acting as a charity trustee?</p>		<p>If yes, please give details:</p>
<p>Have you ever been involved in any conduct which may call into question your honesty, integrity or respect for the law?</p>		<p>If yes, please give details:</p>

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I undertake to notify the OISC of any material changes to the information I have given in this application.

I understand that any false statement or deliberate omission in the information I have given could result in the application being refused.

I will supply the Commissioner with any additional information which is required to process my application.

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Date:

Application Checklist (Section 2)

The documents below must be submitted with this application.

Please tick

1. Completed application form
2. Application fee (Fee Charging Organisations only)
Cheque enclosed
or Paid by BACS
3. New Adviser Application and Competence Statement for any new advisers
4. Declaration statement for all owners and/or those running the organisation
5. Business Plan
6. Client Account and Business account details
7. Professional Indemnity Insurance quotation or certificate

The following documents should be supplied where substantive changes will be made.

1. Client care letter
2. Client Closure Letter
3. Complaints procedure
4. Fee scale

There are no substantive changes to this document.

Declaration

Competence

Code 5

(Please see application Guidance Notes page 15)

Code 5 says when giving immigration advice or services, organisations and advisers must act competently

I have enclosed a Competence Statement for each adviser applying for registration*

* Please see Page 5 of Guidance notes regarding previously authorised advisers.

Client care letter

Codes 23 to 26

(Please see application Guidance Notes page 15 and/or Model document)

Codes 23-26 says organisations must provide all prospective clients with a client care letter. Code 26 (a) to (j) details the information that all client care letters must contain.

I have enclosed a copy of my template client care letter

Client closure letter

Codes 46 & 47

(Please see application Guidance Notes page 16 and/or Model document)

Code 46 says that advisers on receiving notification of the outcome of a client's case must notify the client in writing confirming that the case has been completed, any implications or restrictions on the client's leave, a list of the original documents returned to the client and a final financial statement (Fee Charging organisations only).

Code 47 says that where a case has not been completed but the client has withdrawn their instructions or the organisation has decided to withdraw from the case must notify the client in writing confirming that the case has been completed, any implications or restrictions on the client's leave, a list of the original documents returned to the client and a final financial statement (Fee Charging organisations only).

I have enclosed a copy of my client closure letter

There are no substantive changes to this document

By ticking this box I declare that I have read and understood the relevant Codes relating to Competence, Client care and Closure letter. I have included the required documentation with this application. I understand that, if I submit my application and the above information is not supplied or does not comply with the Codes, my application may be delayed and/or refused.

Print Name:

Date:

Declaration

Running the organisation

Codes 49 to 51

(Please see application Guidance Notes page 16 and/or Business Plan Model document)

Code 49 says organisations must have and effectively apply appropriate management structures, governance arrangements, processes and policies to support and maintain a viable and sustainable business.

Code 50 says organisations must detail the individual who has specific overall responsibility for those who give immigration advice or immigration services within their organisation.

Code 51 says advisers must have a business plan for its current year along with a cash flow / funding projection.

I have enclosed my business plan which includes a cash flow/funding projection; and

I have included in my business plan details of the individual who has overall responsibility for those that give immigration advice or services; or

The following person has overall responsibility for those that give immigration advice or services:

Professional Indemnity Insurance

Code 52

(Please see application Guidance Notes page 17)

Code 52 places an obligation on organisations to have adequate professional indemnity insurance cover in respect of any civil liability incurred in relation to their work and advice services.

I have enclosed a copy of professional indemnity insurance certificate and schedule with this application

I have enclosed a copy of a professional indemnity insurance quotation and understand that I will have to supply a certificate and schedule before my organisation is approved

By ticking this box I declare that I have read and understood the relevant Codes relating to running the organisation and professional indemnity insurance and have included the required documentation with this application. I understand that if I submit my application and the above information is not supplied or does not comply with the Codes, my application may be delayed and/or refused.

Print Name:

Date:

Declaration

Fees and accounts

Codes 58 to 69

(Please see application Guidance Notes page 18 and/or Model document)

Code 58 states organisations that are not required to pay the Commissioner an application fee must not charge clients directly or indirectly a fee for the provision of immigration advice or services.

Codes 59 to 60 state that organisations must have a written fee scale which is agreed by the Commissioner and produced to the Commissioner on request. Organisations that wish to make changes to its fee scale must await authorisation from the Commissioner before implementing any changes.

Code 61 states that organisations that charge for its immigration advice or services must only charge a reasonable fee that directly relates to the work done. It must not charge a fee for work that is unnecessary or unauthorised by the client.

Codes 62 to 69 state organisations must manage and record all client transactions (including issuing a written invoice to clients when it requires payment) and, if they intend taking money in advance, it must be kept in a client account.

You must provide details of how you will record client payments and account transactions

I am applying as a non fee charging organisation and will not take any fees.

I have enclosed a copy of my fee scale with this application.

I have enclosed details of how I will record client payments and account transactions such as documentary evidence of an opened business bank account or headed letter from my bank confirming the above.

You must supply evidence of your client account or explain that you will not take client money in advance of work done, for government application fees or for any other disbursement.

I have enclosed evidence of my client account

I confirm that I will not be taking client money in advance of work done or for any disbursements.

By ticking this box I declare that I have read and understood the relevant Codes relating to fees and accounts and have included the required information and evidence with this application. I understand that if I submit my application and the required information and evidence is not supplied or does not comply with the Codes, my application may be delayed and/or refused.

Print Name:

Date:

Declaration

Complaints

Code 79

(Please see application Guidance Notes page 18 and/or Model document)

Code 79 says that advisers must have a written procedure for handling complaints.

- I have enclosed a copy of my complaints procedure**
- There are no substantive changes to this document**

By ticking this box I declare that I have read and understood the relevant Codes in relation to Complaints. I have included the required documentation with this application I understand that, if I submit my application and the above information is not supplied my application may be delayed and/or refused.

Print Name:

Date:

Transfer of responsibilities and withdrawal of current registration (Section 3)

Where it is intended that the business of an already regulated organisation is to be passed, all or in part, to the applicant organisation on its approval as an OISC regulated body, the relevant owners, directors, partners, members or officers of the applicant organisation making this application, agree to accept responsibility for all obligations and liabilities known at the time of transaction, or subsequently discovered within a reasonable period, in respect of the previous regulated businesses conduct. This is particularly in relation to complaint findings and audit recommendations.

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Date:

The Commissioner will make a preliminary decision on this application and inform the organisation accordingly. The organisation will then have 10 working days to inform the Commissioner that the new legal entity has been established and old organisation dissolved. On receiving this information the Commissioner will issue a certificate of registration to the applicant organisation. The organisation will be asked to confirm that it has fulfilled its responsibilities in relation to its clients (See Guidance document page 11)

The organisation accepts that it is applying for the registration of the existing organisation to be withdrawn on the approval of this application.

Should this application be refused the Commissioner will not automatically withdraw the registration of the existing regulated organisation.

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Date:

Declaration (Section 4)

In making this application I agree on behalf of the applying organisation that:

1. I have read the Commissioner's Code of Standards and agree to abide by them.
2. The registered organisation will identify and address the continuing professional development needs of its authorised advisors so as to maintain their fitness and competence in accordance with the Commissioner's Code of Standards.
3. The Commissioner may undertake any necessary checks to establish the new organisation's fitness, competence and compliance with the Commissioner's Code of Standards.
4. I will notify the Commissioner of any changes to the organisation immediately, and, as required in the Code of Standards, before these changes are implemented

Compliance with all the Codes will be checked throughout the application process.

Signed on behalf of the applicant organisation by an authorised signatory

By ticking this box, I agree to comply with the requirements contained within the declarations above:

Print full name:

Position in organisation:

Date: