

*The Association of Regulated
Immigration Advisers*

Constitution and Rules

ARIA

Amended 10 February 2009

The Constitution

Article 1: NAME

The name of the Association shall be:

THE ASSOCIATION OF REGULATED IMMIGRATION ADVISERS

Hereinafter in this document called "The Association".

The Association will have an Acronym known as ARIA. This Acronym may be used only to describe The Association when it is clear this Association is the subject.

Article 2: AIMS

The Aims of the Association shall be:

1. To promote the image and professionalism of all regulated immigration advisors;
2. To provide the general public with a symbol that the organisation with which they are dealing is recognised as professional, credible, providing a quality service, operating on the basis of 'best practice' and good value;
3. To promote membership to all organisations eligible to join the Association;
4. To provide information to its members in regard to news, information and a focus of resource facilities;
5. To regularly communicate with all members;
6. To build a partnership and improve communication between other recognised immigration bodies, organisations and institutions;
7. To provide a focus for discussion with the Office of Immigration Services Commissioner;
8. To provide a means of securing recognition and engaging in discussion and consultation with the Home Office and other establishment bodies;
9. To promote the rights of the Association's members and express their views and concerns;
10. To monitor the Association, its work, finances and membership.

Article 3: POWERS

The Association shall have the power to initiate and maintain its business in accordance with:

1. Its aims;
2. The best interests of the membership;
3. The efficient and economical operation of the Association;
4. Purchase goods, equipment and effects for the benefit of the Association and its efficient operation;
5. Employ staff;
6. Appoint professional individuals required to deal with any statutory obligations imposed on the Association for its effective, efficient, statutory operations or other operations;
7. Instigate any statutory obligation imposed upon it necessary to operate the Association;
8. Conduct business on behalf of the membership;
9. The operation of an agreed membership Disciplinary Procedure.

Article 4: MEMBERSHIP

Membership of the Association is by OISC Regulated Organisation within the UK, other Regulated Organisation within the UK with an interest in immigration, other person within the UK with an interest in immigration and immigration organisations outside the UK operating on the basis of 'best practice'. All Immigration Advisers of 18 years or over and qualified by means of their Organisation status and who are named as being Advisers, in their Organisation, may be Members of the Association, with the exceptions stated in Article 5.

There are two Membership categories:-

Corporate Member: - as a Regulated Organisation within the UK Regulated by the Office of the Immigration Services Commissioner (OISC).

Associate Member: - as a Regulated Organisation within the UK Regulated by a Regulator other than the Office of the Immigration Services Commissioner (OISC) and with an interest in immigration, or other person within the UK with an interest in immigration, or Immigration Organisation outside the UK operating on the basis of 'best practice', or Immigration Organisation outside the UK Regulated in accordance with the appropriate statutory body within their country of operation.

Members must conduct themselves in a reasonable manner at all times and in keeping with the 'Rules', 'Roles and Responsibilities', 'Terms of Office', 'Equal Opportunities', 'Code of Conduct' and 'Minimum Standards' of the Association associated with this Constitution.

At General Meetings, Special General Meetings and Annual General Meetings, only Members present at such Meetings will be eligible to vote at that Meeting.

At Committee Meetings, only Committee Members present will be eligible to vote at that Committee Meeting.

Article 5: EXCEPTIONS

Organisations and persons excluded from membership by decision of the members or the Association's Disciplinary Committee appointed within the Committee, on the grounds of misconduct, unprofessional behaviour, inappropriate behaviour in accordance with the aims of the Association and their individual or corporate unlawful action.

Member Organisations and Members of those Organisations who are excluded from membership on the basis of disciplinary action by the Association that has been in accordance with the agreed Disciplinary Procedure and the member having been provided with a 'right of reply' in accordance with the process of natural justice for those affected.

The Association will not have political preference. Membership will not be permitted for a political activist/s or their political party, or any politically funded organisation.

Organisations and Members of those Organisations who are excluded from membership on the basis of good and sufficient reason and these having been disclosed to the Membership, and agreement ratified by majority vote of the Membership, of the Association at AGM.

Article 6: OFFICERS

The Association will have in accordance with the Terms of Office the following Officers:

All Officers shall themselves be Members of the Association.

CHAIRPERSON: - to be elected by the Committee and will be elected or re-elected by the Committee at the first Committee Meeting after each AGM.

The Chairperson will take charge of all Meetings (as defined in this document) and other official gatherings and Meetings of the Association

SECRETARY: - to be elected from the Membership or appointed by virtue of ability and by agreement, re-election or re-appointment to be considered every third AGM. The Secretary is to be ex-officio member of the Committee.

The Secretary or their appointed proxy, will be responsible for the running of the Association, keep true and accurate minutes and/or maintain a minute book of all proceedings and meetings entered into or attended by the Committee in the enactment of its duties.

TREASURER: - to be elected from the Membership at every third AGM. The Treasurer is to be ex-officio member of the Committee.

The Treasurer will keep proper records of the financial position of the Association.

No person may hold more than one 'Officer' position.

The Treasurer will be aware of and act in accordance with Article 10 of this Constitution.

Article 7: PAID STAFF AND OFFICERS

The Committee may appoint and dismiss and fix the remuneration of Staff and Officers as may, in their opinion and agreement, be necessary and to run the Association in a professional manner.

In order to ensure the Association is managed and operated on a continually professional basis it will not wholly rely on volunteers carrying out the day-to-day operations of the Association or the facilities for the benefit of the membership.

The Committee may determine which, if any, persons employed by, or seconded to, the Association shall be invited in a non-voting capacity to attend any meeting of the Association.

Article 8: THE COMMITTEE

The Committee shall consist of no less than 5 MEMBERS and no more than 15 MEMBERS of the Association. The SECRETARY and TREASURER are ex-officio members of the Committee.

The Committee shall be elected by the Membership.

The Committee shall elect the CHAIRPERSON from amongst the Committee Members.

The Committee will be responsible for the effective and efficient running of the Association in accordance with the aims of the Association.

Committee members must conduct themselves in a reasonable manner at all times and in keeping with the 'Rules', 'Roles and Responsibilities', 'Terms of Office', 'Equal Opportunities', 'Code of Conduct' and 'Minimum Standards' of the Association associated with this Constitution.

The Committee will appoint 3 of its members who will be the Disciplinary Committee of the Association and operate within the Disciplinary Procedure of the Association and as in the Rules and Code of Practice.

The Committee have the power to co-opt no more than 2 members to the Committee by majority vote of the Committee. Co-opted Committee member/s will have the same status as ordinary Committee Members. Co-opted members will serve until the next Annual General Meeting, where they must step down to be nominated for election or co-option.

The role of the Committee is to discuss policy decisions, to discuss events that are to take place and to ensure and if necessary enact all actions in accordance with the Aims as stated in Article 2.

Article 9: TERMS OF OFFICE

The Committee will be elected/re-elected as per the following:

Officer and Committee Member positions fall for election/re-election every three-year period.

Members elected at AGM hold a Committee position for three years and then are eligible for re-election.

Vacancies arising may be filled by the co-opting of no more than 2 members, in good standing, to the Committee by simple majority vote of the Committee.

General Meetings of the Membership may be called by the Chairperson when and where it is their opinion it is prudent to do so.

The Committee in addition must consider proposed changes to the Constitution as required and make provision to adopt the agreed changes in accordance with Article 12 herein.

Article 10: FINANCES

The Treasurer will provide, at every Committee Meeting, General Meeting or Annual General Meeting, a written statement of the financial affairs of the Association.

The Treasurer will keep accurate income and expenditure accounts for the Association in accordance with recognised requirements or statutory obligations.

The Treasurer will maintain an account with a Bank as may be determined for the purpose of furthering the Aims of the Association.

A Bank account shall be opened in the name of the 'The Association of Regulated Immigration Advisers' (ARIA). The name of the Association on the Bank Account shall be stated as THE ASSOCIATION OF REGULATED IMMIGRATION ADVISERS (ARIA) to ensure Cheques, and Financial Orders made payable to the Acronym will be accepted by the Bank.

The Auditor shall audit the Association's accounts at least once a year. The auditor shall be appointed at the Annual General Meeting.

Not less than two Officers must be recognised signatories on the Bank Account.

No more than one family member of the same family may be a signatory of the Bank Account.

The Association must at all times be operated on a 'not for profit' basis. All funds raised, donated, sought and paid, as membership fees must be applied for the Aims as stated in Article 2.

Members (and Officers) may be reimbursed for reasonable out-of-pocket expenses, arising from their duties in connection with their official duties for the Association, but not for their attendance at General Meetings, Special General Meetings or Annual General Meetings.

Article 11: MEETINGS

The Association must hold at least one meeting each year. This is defined as the Annual General Meeting (AGM). The AGM must be in the presence of the people appointed and defined as Officers, and Members.

The Association may also hold a variety of meetings, the criteria of which are set out below. Only members present at a Meeting may vote. There will be no voting by proxy.

Conference telephone or Internet facilities may be used for Committee meetings where it is preferred, practical and viable for such to be used. Telephone Conferencing or Internet facilities cannot be used for The Annual General Meeting.

A Chairperson will administer and preside over all Meetings to ensure the meeting is ordered in accordance with the appropriate meeting rules:

COMMITTEE MEETINGS.

May take place at any time and in any number per year at the instigation of the Chairperson, Secretary or Treasurer and as much notice as possible will be given and taking account of the need to circulate Agenda and Minutes prior to the proposed meeting. There is to be a minimum of 5 Committee Members to attend or be present. Minutes of all Committee Meetings shall be taken and be available to the Membership if requested. Minutes of the previous Meeting and the Agenda of the proposed meeting must be circulated to all Committee members not less than 24 hours before the meeting is due, by the Secretary. (Quorum of 5)

Agenda items must be submitted to the Secretary not less than 48 hours before the meeting in which they are to be considered.

Meetings must be attended by not less than 5 Committee Members to be valid Meetings.

In the event of the Chairperson or Secretary being unable to attend a Committee Meeting those present must nominate a member/s present to act in their place before the commencement of the meeting.

At Committee Meetings all decisions will be carried by a simple majority vote, with the Chairperson having a deciding vote in the case of a hung decision. The Chairperson may only vote in the case of a 'hung' Committee. Only Committee Members present at the Committee Meeting may vote. Voting by proxy at a Committee Meeting is not permitted.

GENERAL MEETINGS

May take place at any time at the instigation of the Chairperson, Secretary or Treasurer or a minimum of 15 Members of the Association. Minutes of all General Meetings shall be taken and be available to the Membership if requested. Minutes of the previous General Meeting and the agenda of the proposed meeting must be circulated to all members not less than 24 hours before the meeting is due, by the Secretary.

All General Meetings must be conspicuously advertised within the whole membership of the Association not less than 14 days in advance.

Attendance of not less than 10 individual members eligible to vote will be required to validate the proceedings and vote on resolutions and proposals tabled. (A Quorum of 10)

Proposals and motions to be discussed at the General Meeting must be submitted to the Secretary not less than 21 days before the meeting in which they are to be considered. General meetings must have an Agenda prepared and circulated to all Members not less than 7 days before the meeting is due, by the Secretary.

For General Meetings, all proposed resolutions to be agreed would be decided, by a simple majority vote. Only members present at the General Meeting may vote. Voting by proxy is not permitted.

A General Meeting may be defined as a SPECIAL GENERAL MEETING by the direction of the Chairperson.

ANNUAL GENERAL MEETINGS (AGM)

The AGM is to be held at least once during a Calendar year and the agenda should include:

Report from the Chairperson or Secretary on the year's activities.
Financial report from the Treasurer.

Appointment of an independent Auditor

Any Other Business. (Prior notification is required as with General Meeting Rules).

All proposed resolutions to be agreed at AGM will be decided, by a simple majority vote.

Article 12: ALTERATIONS TO THE CONSTITUTION

Any members may propose alterations to the Constitution of the Association, by giving written notice to the Secretary. The Committee will initially deal with consideration of the proposal and if prudent discussed and voted at the next Annual General Meeting.

The Constitution may only be altered with the consent of the Membership at an Annual General Meeting or at a Special General Meeting called for that purpose.

Article 13: TERMINATION OF MEMBERSHIP

The Disciplinary Committee shall have the right, for good and sufficient reason, to suspend or to terminate the membership of an Individual member or all members of the Member Organisation. In this event a nominated individual member, representative of the Organisation, shall have the right to be heard by the Disciplinary Committee before the final decision is made in accordance with the process of 'natural justice' and the Disciplinary Procedure stated in the Rules.

The individual and/or representative of the Organisation shall have the right to appeal in accordance with the Disciplinary Procedure.

Article 14: DISSOLUTION

The Association can only be dissolved by means of a Special Meeting called specifically to consider a motion to dissolve the Association at which a two-thirds majority of those present and entitled to vote so resolve. The motion to dissolve will be a special vote of those present and numbers present will in no way invalidate the vote providing the following is applied. After dissolution, any funds held after liabilities have been met will be donated to suitable charitable cause.

The proposal to dissolve The Association shall take effect if:

The Committee are unable or unwilling to perform the duties as stated in the Constitution.

Notice of such resolution and subsequent meeting shall be posted in conspicuous places for the attention of the Members and giving not less than 28 days notice.

The Committee by a simple majority decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the Association.

The Association becomes unconstitutional or such statutory limitations are imposed so as to make the Association cease.

If a dissolution vote is defeated but a new Committee cannot be convened, then the Association will be dissolved.

Article 15: THIS CONSTITUTION

Adopted as the Constitution of: THE ASSOCIATION OF REGULATED IMMIGRATION ADVISERS (ARIA)

Dated this **10th** day of **February 2009**

Signed *Keith Best*

Signed *David Main*

Signed *Michael Pinchbeck*

Full name **Keith Best**

Full name **David Main**

Full name **Michael Pinchbeck**

Chairperson.

Secretary.

Treasurer.

Appendix's follow:

Appendix a: Roles and Responsibilities of Committee and Employees.

Appendix b: Equal Opportunities Policy.

Appendix c: Rules (Including Minimum Standards and Disciplinary Procedure).

ARIA Constitution

Appendix a

Roles and Responsibilities.

General: All persons associated with the Association must at all times comply with all policy and procedural requirements of the Association. It is the responsibility of all persons associated with the Association to ensure they are aware of all policy documentation as it applies to them. In the event of any person associated with the Association being unclear on policy or unable to ascertain the correct procedure guidance must be sought from other associated persons prior to action being taken that may bring into disrepute the Association, Officers, Employees or Members. Ignorance of policy unless as a direct result of inaction or incorrect information being given by another associated person whom it is hierarchically understood is in a position whereby such sought knowledge should be known will not be acceptable as defence against disciplinary proceedings being taken.

Chairperson: The Chairperson of the Association shall at all times be non-biased towards all members of the Association or its links. The Chairperson shall officiate over all meetings of the Association in keeping with these guidelines. The Chair shall ensure all Rules, Codes and policies are adhered to at all times. In the event of a vote being put before the Committee being hung the Chair shall have a right to exercise his/her vote to cast as he/she feels is in keeping with the discussion. It is the duty of the Chair to ensure meetings are held in accordance with the procedures laid down in the published Constitution.

Secretary: The duties of the Secretary are to ensure a true and accurate record of the actions of the Association are maintained and all entitled members receive appropriate notification of scheduled committee meetings. Minutes of all meetings must be kept and copies distributed to all invited persons not less than 48-hours prior to the commencement of meetings. The Secretary in association with the Chair will compile the agenda for the meetings. The Secretary, if an elected person, has the right to vote on any resolution proposed. The Secretary must act in accordance with the Rules, Codes and Roles and Responsibilities of Members applicable, except where excluded by specific conflict of duties, where the role of Secretary takes precedence.

Treasurer: The Treasurer must keep accurate and true records that reflect the financial status of the Association. He/She must ensure that the Committee is kept apprised of any financial events affecting the interests of the Association. The Treasurer must at all times protect the assets of the Association and take steps to identify trends in income or expenditure which may lead to a potentially damaging situation. The Treasurer must report the financial standing of the association at regular intervals. The Treasurer must pay the Associations debts as required and bank monies belonging to the Association on a regular basis. The Treasurer must liaise with the appointed Auditor and must advise the Association on specific details of the Accounts and associated financial matters as given or directed by the Auditor. The Treasurer if an elected person has the right to vote on any resolution proposed. The Treasurer must act in accordance with the Roles and Responsibilities of Members except where excluded by specific conflict of duties, where the role of Treasurer takes precedence.

Members: Members of the Association must ensure that they act in accordance with the Constitution and Rules of the Association at all times, and must bear in mind that they represent the Association in all they do within the Association. Members must assist in the operations of the Association and encourage active participation in all activities, events and functions operated by and in co-operation with the Association. Each member has one vote on any resolution proposed. Only members present at the Meeting may vote. Voting by proxy is not permitted.

ARIA Constitution
Appendix b

Equal Opportunities Policy

The Association is an equal opportunities organisation and all Members will, where possible, ensure that nobody, whether Corporate Member, Associate Member, Committee Member, staff, volunteer or user of any asset, premise, feature, facility, procedure, process, owned, operated or used, by or on behalf of, the Association is discriminated against on the grounds of race, sex, gender, sexual orientation, age, ability, marital status, religious or political affiliation. Except where the person or organisation would present an unacceptable risk to the well being of others, whereby the right of the Association to protect the interests of the Membership would be exercised.

The Committee will take steps to ensure that:

Committee Members, Members, volunteers, members or staff will not be treated in another way than in accordance with the statement above.

Within the Constitution of the Association the composition of the Committee fairly reflects the ethnic makeup of the Association whenever possible. Members of all ethnic origins will be welcome to volunteer for appointment or election by the Membership, or co-option by the Committee.

Everyone concerned with the management of, and functions operated by, the Association, understand the context of this Equal Opportunities policy statement and abide with its content.

Code of Conduct.

Persons will be treated with due respect and dignity regardless of race, nationality, sex, gender, sexual orientation or age.

Incidents of discrimination will be treated seriously.

If the matter cannot be resolved by way of an accepted apology, and an undertaking that the behaviour will not be repeated, the following remedies are available.

In a case involving a member of staff, disciplinary action will be taken in accordance with the Disciplinary Procedure.

In a disciplinary case involving a Committee member, Employed Staff or Volunteer worker, he/she will be immediately suspended from active duty until such time as the matter can be brought before the Disciplinary Committee for a hearing and action taken as decided and agreed by the Disciplinary Committee, and laid down in the Membership Disciplinary Procedures.

Monitoring and review.

The Committee is responsible for monitoring the success of this policy and for its subsequent review.

ARIA Constitution
Appendix c

Rules (Including Minimum Standards and Disciplinary Procedure)

INTRODUCTION

The Rules contained herein form an integral part of the Conditions of Membership of the Association of Regulated Immigration Advisers. All applicants for membership to the Association will be sent a copy and, in applying, each applicant agrees to be bound by them.

The Rules aim to achieve and promote the highest standards of conduct by Members of the Association in order that the image and professional status of the Immigration Advice sector may be improved and advanced.

These Rules are also aimed at protecting the public against restrictive or unethical practices and provide a means of complaint against any member of the Association by members of the public who raises issue in regard to the standards expected or a complaint. An 'Issue' may be regarded as a matter that is in the process of being resolved by the member in accordance with the member's complaint's procedure and against whom that issue has been raised. A 'Complaint' is regarded as an unresolved Issue that has been raised and not dealt with in a professional manner or in accordance with the member's complaints procedure. By incorporating these Rules in the Association it is the intention to promote good standards of service, and to develop a useful and mutually respected and co-operative relationship with the Office of the Immigration Services Commission, other Professional Bodies, Government departments, any other appropriate agencies and the general public.

These Rules relate solely to the way in which the Association requires Members to conduct themselves in the activities as immigration advisory organisations, as immigration advisers within their organisations and as Members of a professional body. These must not be taken by Members or others as in any way affecting their statutory legal rights and obligations or Regulatory requirements or the legal relationship between the Member and/or any organisation, company, member, employee or the Association itself.

The term "member" in the Rules that follow denote the grade of Member of the Association.

These Rules together with associated Policies and Procedures, including Minimum Standards and the Disciplinary Procedure, may be subject to amendment from time to time. In such circumstances the Committee or the Membership should present proposals for amendment or approval at the Annual General Meeting to the Secretary providing no less than 28 days prior to the date of the meeting.

Association Rules

Rule 1

All Members have a duty to abide by the Rules of the Association, its Aims, Procedures, Practices, Policies and its Constitution.

Rule 2 (1)

General Duty of Members appertaining to Good Professional practice.

An Adviser and any employee or representative shall make themselves familiar with all current and future legislation regarding, and relating to, the provision of Immigration Advice and Services and for the efficient and accurate use of these for the benefit of Clients.

Rule 2 (2) General Duty of Members to act in best interests of Clients.

An Adviser will act in the 'best interests' of his/her Client, keeping the Client informed of the progress of the case as is necessary.

Rule 3 (1)

Members shall conduct themselves so as to comply with the Rules of the Association.

The member must ensure their registration with the Regulator is current as is necessary and appropriate if they are a Regulated body together with any statutory or obligation imposed on themselves, their organisation, its employees or representatives in regard to the trading activities and, in dealings with clients and other agencies, and will not contravene any of the laws of the said current and future legislation. A member acting in the capacity as an immigration adviser for the purpose of carrying out immigration advice and services will endeavour to be insured for public liability, employee liability (if appropriate) and professional indemnity insurance under the ARIA Insurance Scheme where this is practically possible for them to do so.

Rule 3 (2)

No member shall do any act when in the business of being an Immigration Adviser which:

- a) involves dishonesty, dishonourable, or deceitful behaviour, or which is unfair to members of the public: and
- b) in any way brings the Association and/or its members into disrepute.

Rule 4

Disclosure of change of circumstances:

A member shall disclose immediately, and in writing to the Secretary any change in the circumstances of the Member Organisation and/or Regulated Advisers within the Organisation, during his term of membership that affects his membership of the Association.

Rule 5

Duty not to seek to conduct business using improper means.

A member shall not use any oppressive methods to gain or transact business; or use any method that involves dishonesty, deceit or misrepresentation.

Rule 6

Duty regarding a conflict of interests and confidentiality.

A member shall disclose to the Association any existing conflict of interests, or any circumstance that may evoke a conflict of interest, in his dealings with the Association. A member will respect at all times the confidentiality of his fellow members.

Rule 7

Duty to protect members of the public and employees.

A Member Organisation and/or Regulated Member, will at all times operate safe working procedures, premises, means of access and egress to premises, and if applicable will have an appropriate Employee Liability insurance policy and where members of the public are admitted to his commercial offices or premises an appropriate Public Liability insurance policy. ARIA offer an Insurance package and members should use this Insurance package where this is practically possible for them to do so.

Rule 8

Duty to act at all times without discrimination.

A member will not discriminate in his dealings with any prospective and existing clients, members of the Association or members of the public. All sections of the membership and population will have an equal access to employment, and no applicant or client or employee will receive less favourable treatment than others because of his or her colour, creed, ethnic or national origin, disability, age, sex, marital, sexual orientation, politics, or his or her responsibility for dependants.

Rule 9

Duty to assist and co-operate in disciplinary investigations.

A member shall co-operate with any disciplinary investigation, replying to correspondence within 14 days, and in accordance with the current Disciplinary Procedure. These provide that he may attend the hearing of the Disciplinary Committee at which an allegation concerning the conduct of the member is to be discussed, and that he has the right to be heard, to be represented, and to appeal against any finding.

Rule 10

Loss of Membership.

Members and/or Member Organisations who have their Membership of the Association terminated by virtue of disciplinary action or do not renew registration with the Regulator if this is legally required and appropriate to their professional status, automatically lose, with immediate effect, all rights to use the Association Logo and any associated use of the Association's name unless it is proven Regulation is no longer required.

Rule 11

Opportunities to develop.

Officers, Committee Members, Employed staff and Volunteers may be given full opportunity to develop their potential to enhance the successful operation of the Association in accordance with the Roles and Responsibilities and Equal Opportunities Policies.

Rule 12

Training

Officers, Committee Members, Employed staff and Volunteers may be given consent to pursue training to enhance the successful operation of the Association in accordance with the Roles and Responsibilities and Equal Opportunities Policies.

Rule 13

Association Logo.

A Member Organisation or Member, by virtue of their Member Organisation, may use the Association's 'Membership' Logo and reasonable wording that confers Membership of the Association by the Member Organisation on letter headings, business cards, and other publicity free of any fee or additional charge by the Association, providing the Member Organisation of which the Member is associated or employed, is a Member of the Association. Use of the logo and use the name of the Association will cease immediately on loss of Membership or lapse of renewal of Membership. The Association's name and logos are Copyright © to The Association of Regulated Immigration Advisers, and are the property of the Association.

Rule 14

Application to join the Association

Applications to join the Association shall be accepted if they contain a completed and signed Membership Application Form (ARIA Form 1), Completed List of Associated Advisers (ARIA Form 2), and payment of the appropriate Membership Fee (in accordance with the published fee structure and numbers of Regulated Advisers within the Organisation).

Applications may be for Corporate Membership or Associate Membership depending on the Organisation as defined under Constitution Article 4.

MINIMUM STANDARDS

Rule 15

The General duty to conduct business and provision of services and advice within current and future legislation.

A Member will be familiar with all relevant laws and rules and ensure that these are observed in full when conducting any business for Clients whether in relation to Immigration and Advice Services or otherwise, and shall also ensure the same laws are observed by anyone acting on their behalf, whether employed by him or otherwise.

Rule 16

The General Duty to attain high standards of practice.

A Member will at all times aim to achieve the highest standards of practice in his capacity as an Immigration Adviser. This will involve maintaining a professional approach to clients, and members of the public, and conducting himself in such a manner so as to encourage respect amongst all members of society.

DISCIPLINARY PROCEDURE

The Association of Regulated Immigration Advisers operates a Disciplinary Procedure with a view to ensure Member Organisations and Members within Member Organisations comply with the Rules, Codes, Procedures and Policies of the Association and promote good working practice to ensure clients, members of the public, other professional bodies and government departments are reassured of the standing and resolve of the Association.

The Membership shall appoint 3 Committee members to form the Disciplinary Committee and to deal with, in a firm and fair manner, in accordance with the Disciplinary Procedure stated here and for the benefit of the Membership of the Association, any disciplinary matter in regard to the membership.

This Disciplinary Procedure of The Association of Regulated Immigration Advisers is an integral part of the Rules and will be observed by all members joining the Association.

The Disciplinary Procedure is intended to ensure that all such complaints are dealt with swiftly and with due regard to each member's right to respond to any complaint made against him/her in accordance with natural justice. Whilst every effort will be made to hear all sides of any grievance before a decision is made, it should be fully understood that outcome of the Disciplinary Procedure is final and binding.

An appeal procedure may be operated against such decisions only where additional and worthy evidence is made available in which case, and at the Chairperson's discretion, a further hearing involving the whole of the Committee will then be arranged.

A member may appeal against a decision made by the Disciplinary Committee no later than 28 days after the date of the decision letter. An appeal against the finding may be lodged and, if such an appeal is lodged the Disciplinary Committee, with the consent of the Chairperson, will then bring the matter to the attention of the Association's full Committee and explain the circumstances of the case, maintaining confidentiality as is appropriate. The full Committee will then hear the matter operating a further hearing, as soon as can be practically arranged and decide accordingly. **The decision of the full Committee will be binding.**

The member involved in any disciplinary hearing may remain a member until the decision of the Disciplinary Committee. If deemed appropriate, and if appropriate and in accordance with the decision, the membership of the member will be suspended from the time of the Disciplinary Committee's decision and made final after 28 days of the date of the decision. During any period of appeal the member's membership will remain suspended, pending the decision of the full Committee of the Association.

The maximum penalty of any member is the forfeiting of their current period of membership of the Association, with no financial refund of their current membership fee and total exclusion from further membership of the Association.

In the event of a Member Organisation being found wholly at fault, will result in the loss of membership of ALL those Regulated Members within the Organisation.

Conditions for use of the ARIA logo

1. The Association of Regulated Immigration Advisers (ARIA) owns the artwork to the logo and any reproductions of it.
2. The logo may only be used whilst your organisation is a paid up member of the Association.
3. The logo may be used in any of your printed or electronic publications for as long as your organisation has current membership of the Association.
4. The minimum size for printing the logo is 12 mm high x 17 mm wide, with a preferred size of 17 mm high x 26 mm wide.
5. You must not allow the logo to be altered in any way, apart from changing its size.
6. The logo may only be reproduced in its original colour of black and white.
7. Your logo image is provided in encapsulated post script on a CD disc.
