



Immigration Act 2014

2014 CHAPTER 22

PART 4

MARRIAGE AND CIVIL PARTNERSHIP

CHAPTER 3

OTHER PROVISIONS

Persons not relevant nationals etc: marriage on superintendent registrar's certificates

58 Requirement as to giving of notice of marriage or civil partnership

(1) Section 19 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (procedure for marriage in England and Wales) is amended in accordance with subsections (2) and (3).

(2) For subsection (1) substitute—

“(1) This section applies to a marriage that is to be solemnised on the authority of certificates issued by a superintendent registrar under Part 3 of the Marriage Act 1949 (the “1949 Act”) unless each party to the marriage falls within exception A or exception B.

(1A) A party to the marriage falls within exception A if the person is a relevant national.

(1B) A party to the marriage falls within exception B if—

- (a) the person is exempt from immigration control, and
- (b) the notice of marriage is accompanied by the specified evidence required by section 28C(2) of the 1949 Act that the person is exempt from immigration control.”.

(3) For subsection (4) substitute—

Status: This is the original version (as it was originally enacted).

“(4) In this section—

- (a) a reference to a person being a relevant national, or being exempt from immigration control, has the same meaning as in section 49 of the Immigration Act 2014;
- (b) “notice of marriage” means a notice of marriage given under section 27 of the 1949 Act.”.

(4) Schedule 23 to the Civil Partnership Act 2004 (immigration control and formation of civil partnerships) is amended in accordance with subsections (5) to (9).

(5) Before paragraph 1 insert—

- “A1 (1) Part 2 of this Schedule applies to a civil partnership that is to be formed in England and Wales by signing a civil partnership schedule unless each party to the civil partnership falls within exception A or exception B.
- (2) A party to the civil partnership falls within exception A if the person is a relevant national.
- (3) A party to the civil partnership falls within exception B if—
- (a) the person is exempt from immigration control, and
 - (b) the notice of civil partnership is accompanied by the specified evidence required by section 9A(2) that the person is exempt from immigration control.
- (4) In this paragraph, a reference to a person being a relevant national, or being exempt from immigration control, has the same meaning as in section 49 of the Immigration Act 2014.”.

(6) For paragraph 1(1) substitute—

- “1 (1A) Part 3 of this Schedule applies if—
- (a) two people wish to register in Scotland as civil partners of each other, and
 - (b) one of them is subject to immigration control.
- (1B) Part 4 of this Schedule applies if—
- (a) two people wish to register in Northern Ireland as civil partners of each other, and
 - (b) one of them is subject to immigration control.”.

(7) For paragraph 3 substitute—

“3 This Part of this Schedule applies as mentioned in paragraph A1.”.

(8) For paragraph 8 substitute—

“8 This Part of this Schedule applies as mentioned in paragraph 1(1A).”.

(9) For paragraph 12 substitute—

“12 This Part of this Schedule applies as mentioned in paragraph 1(1B).”.