



Immigration Act 2014

2014 CHAPTER 22

PART 4

MARRIAGE AND CIVIL PARTNERSHIP

CHAPTER 3

OTHER PROVISIONS

Miscellaneous

60 Regulations about evidence

- (1) The Secretary of State may make regulations about evidence relevant to the determination of any of the following questions for a purpose of this Part—
 - (a) whether a person is a relevant national;
 - (b) whether a person has the appropriate immigration status;
 - (c) whether a person has a relevant visa.
- (2) The regulations may, in particular, make provision about—
 - (a) the kind of evidence which is to be supplied;
 - (b) the form in which evidence is to be supplied;
 - (c) the manner in which evidence is to be supplied;
 - (d) the period within which evidence is to be supplied;
 - (e) the supply of further evidence;
 - (f) the sufficiency of evidence supplied;
 - (g) the consequences of failing to supply sufficient evidence in accordance with the regulations (including provision to secure that, in such a case, a particular decision is made or is to be treated as having been made);
 - (h) the retention or copying of evidence supplied.

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(3) The Secretary of State must consult the Registrar General before making regulations under this section.

(4) In this section “evidence” includes a photograph or other image.

Commencement Information

I1 S. 60 in force at 20.10.2014 by [S.I. 2014/2771](#), [art. 3\(i\)](#)

61 Notices

(1) The Secretary of State may, by regulations, make provision about the giving of—

- (a) notices under any provision of this Part;
- (b) notices relating to the referral of proposed marriages under section 28H of the Marriage Act 1949 which are given under any provision of that Act;
- (c) notices relating to the referral of proposed civil partnerships under section 12A of the Civil Partnership Act 2004 which are given under any provision of that Act.

(2) The regulations may, in particular, make provision that a notice given in accordance with the regulations is to be presumed to have been received by the person to whom it is given.

(3) The Secretary of State must consult the Registrar General before making regulations under this section.

Commencement Information

I2 S. 61 in force at 20.10.2014 by [S.I. 2014/2771](#), [art. 3\(j\)](#)

62 Interpretation of this Part

(1) These expressions have the meanings given—

“exempt person” has the meaning given in section 49;

“registrar” means a registrar of births, deaths and marriages;

“Registrar General” [^{F1}means—

(a) in relation to regulations that apply to proposed marriages or civil partnerships under the law of England and Wales, the Registrar General for England and Wales;

(b) in relation to regulations that apply to proposed marriages or civil partnerships under the law of Northern Ireland, the Registrar General for Northern Ireland;

(c) [^{F2}in relation to regulations that apply to proposed marriages or civil partnerships under the law of Scotland, the Registrar General for Scotland.]]

“registration authority” has the same meaning as in the Civil Partnership Act 2004 (see section 28 of that Act);

“relevant national” means—

(a) a British citizen,

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- (aa) [^{F3}an Irish citizen;
 - (ab) a person who is not an Irish citizen who—
 - (i) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020, or
 - (ii) is an applicant for the purposes of regulation 4 of the Citizens’ Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 (applications which have not been finally determined by the deadline) where the relevant period within the meaning of that regulation has not expired;]
 - (b) ^{F4} ...
 - (c) ^{F4} ...
- “relevant statutory period” means—
- (a) in relation to a proposed marriage [^{F5}under the law of England and Wales], the period—
 - (i) beginning the day after notice of the proposed marriage is [^{F6}recorded in the marriage register] in accordance with Part 3 of the Marriage Act 1949, ^{F7}... and
 - (ii) ending at the end of the period of 28 days beginning with that day;
 - (aa) [^{F8}in relation to a proposed marriage under the law of Northern Ireland, the period—
 - (i) beginning the day on which the record of the proposed marriage is made in the marriage notice book in accordance with Article 4 of the Marriage (Northern Ireland) Order 2003; and
 - (ii) ending at the end of the period of 28 days beginning with that day;]
 - (ab) [^{F9}in relation to a proposed marriage under the law of Scotland, the period—
 - (i) beginning the day after receipt by the district registrar of the marriage notice (as entered by the district registrar in the marriage notice book in accordance with section 4(1) of the Marriage (Scotland) Act 1977), and
 - (ii) ending at the end of the period of 28 days beginning with that day;]
 - (b) in relation to a proposed civil partnership [^{F10}under the law of England and Wales], the period—
 - (i) beginning the day after notice of the proposed civil partnership is recorded in the register in accordance with Chapter 1 of Part 2 of the Civil Partnership Act 2004, and
 - (ii) ending at the end of the period of 28 days beginning with that day;
 - (ba) [^{F11}in relation to a proposed civil partnership under the law of Northern Ireland, the period—
 - (i) beginning the day on which the record of the proposed civil partnership is made in the civil partnership notice book in accordance with section 140(1) of the Civil Partnership Act 2004, and

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- (ii) ending at the end of the period of 28 days beginning with that day;]
 - (bb) ^{F12}in relation to a proposed civil partnership under the law of Scotland, the period—
 - (i) beginning the day after the particulars of the proposed civil partnership are entered in the civil partnership book in accordance with section 89(1) of the Civil Partnership Act 2004, and
 - (ii) ending at the end of the period of 28 days beginning with that day;]
 - ^{F13}“section 48 notice” means—
 - (a) in relation to a proposed marriage or civil partnership under the law of England and Wales, a notice given under section 48(7) or (8),
 - (b) in relation to a proposed marriage or civil partnership under the law of Northern Ireland, a notice given under section 48(8A) or (8B),
 - (c) ^{F14}in relation to a proposed marriage or civil partnership under the law of Scotland, a notice given under section 48(8C) or (8D);]
 - “superintendent registrar” means a superintendent registrar of births, deaths and marriages.
- (2) A reference to a person being a party to a proposed marriage or civil partnership is a reference to a person who would be a party to the marriage or civil partnership if it took place as proposed.
- (3) A reference to a proposed marriage or civil partnership being a sham is a reference to a marriage or civil partnership which would (if it took place as proposed) be a sham marriage or sham civil partnership (within the meaning of the Immigration and Asylum Act 1999 — see section 24 or 24A of that Act).
- (4) For provision about the interpretation of the following expressions, see section 49—
- (a) the appropriate immigration status;
 - (b) a relevant visa.
- (5) This section, and the provision mentioned in subsection (4), apply for the purposes of this Part.

Textual Amendments

- F1** Words in s. 62(1) substituted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 4 para. 4(a)**
- F2** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Scotland\) Order 2015 \(S.I. 2015/396\)](#), art. 1(2), **Sch. 4 para. 4(2)**
- F3** Words in s. 62(1) inserted (1.7.2021) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2)(c), **20(6)(a)**
- F4** Words in s. 62(1) omitted (1.7.2021) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2)(c), **20(6)(b)**
- F5** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 4 para. 4(b)(i)**

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- F6** Words in s. 62 substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2), **Sch. 1 para. 62(3)(a)** (with Sch. 2)
- F7** Words in s. 62 omitted (4.5.2021) by virtue of [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2), **Sch. 1 para. 62(3)(b)** (with Sch. 2)
- F8** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 4 para. 4(b)(ii)**
- F9** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Scotland\) Order 2015 \(S.I. 2015/396\)](#), art. 1(2), **Sch. 4 para. 4(3)(a)** (with art. 1(4))
- F10** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 4 para. 4(b)(iii)**
- F11** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 4 para. 4(b)(iv)**
- F12** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Scotland\) Order 2015 \(S.I. 2015/396\)](#), art. 1(2), **Sch. 4 para. 4(3)(b)** (with art. 1(5))
- F13** Words in s. 62(1) substituted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 4 para. 4(c)**
- F14** Words in s. 62(1) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Scotland\) Order 2015 \(S.I. 2015/396\)](#), art. 1(2), **Sch. 4 para. 4(4)**

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2014/2771 by [S.I. 2015/371 art. 78](#)
- specified provision(s) savings for earlier commencing SI 2014/2771 by [S.I. 2014/2928 art. 2](#) (Amendment already reflected in Appended Commentary in EXTOES for 2014 SI2771.)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(4A) inserted by [S.I. 2019/745 reg. 21\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 27(7) inserted by [S.I. 2019/745 reg. 21\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 70A(6A) inserted by [S.I. 2019/745 reg. 21\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(7) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 3 para. 8A inserted by [2016 c. 19 Sch. 12 para. 16](#)