



# Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

## 2004 CHAPTER 19

### *Procedure for marriage*

#### **21 Scotland**

- (1) This section applies to a marriage—
  - (a) which is intended to be solemnised in Scotland, and
  - (b) a party to which is subject to immigration control.
- (2) In relation to a marriage to which this section applies, notice under section 3 of the Marriage (Scotland) Act 1977 (c. 15)—
  - (a) may be submitted to the district registrar of a registration district prescribed for the purposes of this section, and
  - (b) may not be submitted to the district registrar of any other registration district.
- <sup>F1</sup>(3) .....
- (4) Where the district registrar to whom notice is submitted by virtue of subsection (2) (here the “notified registrar”) is not the district registrar for the registration district in which the marriage is to be solemnised (here the “second registrar”)—
  - (a) the notified registrar shall<sup>F2</sup>... send the notices and any fee, certificate or declaration [<sup>F3</sup>which accompanied them][<sup>F3</sup>submitted in pursuance of section 3 of the Marriage (Scotland) Act 1977 (c. 15) in relation to the marriage ], to the second registrar, and
  - (b) the second registrar shall be treated as having received the notices from the parties to the marriage on the dates on which the notified registrar received them.
- (5) Subsection (4) of section 19 applies for the purposes of this section as it applies for the purposes of that section <sup>F4</sup>...

*Status: Point in time view as at 09/05/2011. This version of this provision has been superseded.*

*Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, Section 21 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

### Textual Amendments

- F1** S. 21(3) repealed (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), arts. 1(1), **2(1)(d)**
- F2** Words in s. 21(4)(a) repealed (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), arts. 1(1), **2(1)(e)**
- F3** Words in s. 21(4)(a) substituted (S.) (1.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 59(4)**, 63(2); [S.S.I. 2006/469](#), art. 3, Sch. 2 (with art. 4)
- F4** Words in s. 21(5) repealed (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), arts. 1(1), **2(1)(f)**

### Commencement Information

- I1** S. 21(1)(4) in force at 1.2.2005 by [S.I. 2004/3398](#), **art. 3**
- I2** S. 21(2)(3) in force at 1.12.2004 for specified purposes by [S.I. 2004/2999](#), **art. 2, Sch.**
- I3** S. 21(2)(3)(5) in force at 1.2.2005 in so far as not already in force by [S.I. 2004/3398](#), **art. 3**
- I4** S. 21(5) in force at 1.12.2004 for specified purposes by [S.I. 2004/2999](#), **art. 2, Sch.**

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