



Immigration Act 2014

2014 CHAPTER 22

PART 4

MARRIAGE AND CIVIL PARTNERSHIP

CHAPTER 1

REFERRAL AND INVESTIGATION OF PROPOSED MARRIAGES AND CIVIL PARTNERSHIPS

Investigation

50 Conduct of investigation

- (1) An investigation must be conducted in accordance with any regulations made by the Secretary of State for this purpose.
- (2) In conducting an investigation, regard must also be had to any guidance published by the Secretary of State for this purpose.
- (3) A relevant party must comply with a requirement specified in regulations made under section 51(4) if—
 - (a) the section 48 notice given to the relevant party states that he or she must do so, or
 - (b) the Secretary of State subsequently notifies the relevant party (orally or in writing) that he or she must do so;and the relevant party must comply with that requirement in the manner stated in the section 48 notice or in the Secretary of State's notification (if such a manner is stated there).
- (4) As part of an investigation, the Secretary of State must decide whether or not each of the relevant parties has complied with the investigation (the “compliance question”).

Status: Point in time view as at 20/10/2014. This version of this provision has been superseded.

Changes to legislation: Immigration Act 2014, Section 50 is up to date with all changes known to be in force on or before 02 July 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)

- (5) The compliance question must be decided in accordance with any regulations made by the Secretary of State for this purpose.
- (6) In deciding the compliance question, regard must also be had to any guidance published by the Secretary of State for this purpose.
- (7) Within the 70 day period, the Secretary of State must—
 - (a) decide the compliance question; and
 - (b) give notice of that decision to the persons to whom the Secretary of State gave the section 48 notice relating to the proposed marriage or civil partnership.
- (8) If the Secretary of State's decision is that one or both of the relevant parties have not complied with the investigation, the notice under subsection (7) must include a statement of the Secretary of State's reasons for reaching that decision.
- (9) Regulations made under this section may, in particular, make provision about—
 - (a) the circumstances in which a relevant party is to be taken to have failed to comply with a relevant requirement;
 - (b) the consequences of a relevant party's failure to comply with a relevant requirement.
- (10) The provision that may be made under subsection (9)(b) includes provision for the compliance question to be decided (in whole or in part) by reference to a relevant party's compliance or non-compliance with one or more relevant requirements.
- (11) In this section—
 - “70 day period” means the period of 70 days beginning with the day on which the relevant statutory period begins;
 - “investigation” means an investigation, conducted following a decision by the Secretary of State under section 48, whether a proposed marriage or civil partnership is a sham;
 - “relevant party” means a person who is a party to a proposed marriage or civil partnership that is the subject of an investigation;
 - “relevant requirement” means any requirement imposed by law, including a requirement imposed by or in accordance with—
 - (a) subsection (3);
 - (b) section 27E, 28B or 28C of the Marriage Act 1949;
 - (c) regulations under section 28D of that Act;
 - (d) section 8A, or any of sections 9 to 9B, of the Civil Partnership Act 2004.

Commencement Information

II S. 50 in force at 20.10.2014 for specified purposes by S.I. 2014/2771, art. 3(b)

Status:

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