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STATUTORY INSTRUMENTS

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**2015 No. 123**

**The Referral of Proposed Marriages and  
Civil Partnerships Regulations 2015**

**PART 1**

**Introduction**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Referral of Proposed Marriages and Civil Partnerships Regulations 2015.

(2) They come into force on 2nd March 2015.

**Interpretation**

2.—(1) In these Regulations—

“1949 Act” means the Marriage Act 1949,

“1971 Act” means the Immigration Act 1971(1),

“2004 Act” means the Civil Partnership Act 2004,

“2014 Act” means the Immigration Act 2014(2),

“biometric immigration document” has the same meaning as in section 5(1)(a) of the UK Borders Act 2007(3),

“party” means a party to a proposed marriage or civil partnership and “other party” is to be construed accordingly,

“passport” includes any other document designed to serve the same purpose as a passport and which satisfactorily establishes the holder’s identity and citizenship,

“section 48 notice” has the same meaning as in section 62(1) of the 2014 Act,

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(4) in England and Wales.

(2) In these Regulations—

(a) a reference to a passport (unless the contrary intention appears) is a reference to a valid passport,

(b) a reference to the particular immigration status of a party is to be construed in accordance with—

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(1) 1971 c. 77.

(2) 2014 c. 22.

(3) 2007 c. 30.

(4) 1971 c. 80.

- (i) in the case of a proposed marriage, section 27E(10)(b) of the 1949 Act,
- (ii) in the case of a proposed civil partnership, section 8A(10)(b) of the 2004 Act,
- (c) a reference to a “relevant visa” is to be construed in accordance with—
  - (i) in the case of a proposed marriage, section 27E(10)(a)(ii) of the 1949 Act<sup>(5)</sup>,
  - (ii) in the case of a proposed civil partnership, section 8A(10)(a)(ii) of the 2004 Act<sup>(6)</sup>.

### **Retention and copying of evidence**

**3.**—(1) This regulation applies where evidence is supplied to the Secretary of State under these Regulations by a party.

(2) The Secretary of State may—

- (a) retain the evidence,
- (b) copy the evidence,
- (c) dispose of the evidence,

in such manner as the Secretary of State thinks appropriate.

(3) In this regulation “evidence” includes—

- (a) a photograph or other image,
- (b) any evidence rejected by the Secretary of State under regulation 10.

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<sup>(5)</sup> Section 27E of the Marriage Act 1949 was inserted by paragraphs 1 and 4 of Schedule 4 to the Immigration Act 2014.

<sup>(6)</sup> Section 8A of the Civil Partnership Act 2004 was inserted by paragraphs 18 and 20 of Schedule 4 to the Immigration Act 2014.