
STATUTORY INSTRUMENTS

2015 No. 404

The Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015

PART 4

Change of address

Requirement to notify the Secretary of State of a change of address

11.—(1) This regulation applies where a party's usual address changes ("changed address").

(2) Subject to paragraph (3), the party must give the Secretary of State notice of his or her changed address within four working days beginning with the day on which the change occurs.

(3) Where under paragraph (6) the Secretary of State requires a party to give notice of his or her changed address by telephone or by text message, the party must give the Secretary of State notice of the change within two working days beginning with the day on which the change occurs.

(4) But paragraphs (2) and (3) do not prevent a party giving notice of the change and when it will occur beforehand (and if a party does, paragraphs (2) and (3) do not apply).

(5) Subject to paragraph (6), notice given under this regulation may be—

- (a) given over the telephone to the telephone number,
- (b) sent by text message to the telephone number,
- (c) sent by fax to the fax number,
- (d) sent by email to the email address,
- (e) sent by postal service in which delivery or receipt is recorded to the address,
- (f) sent by ordinary first or second class postal service to the address,
- (g) delivered by hand at the address, or
- (h) sent by courier to the address,

notified to the party in accordance with paragraph (8) (where one is so notified).

(6) But the Secretary of State may require a party to give notice in a particular way mentioned in paragraph (5).

(7) Where—

- (a) both parties to a proposed marriage or civil partnership are required to give notice of a changed address under this regulation, and
- (b) the changed address is (or is to be) the usual address of both parties,

notice under this regulation may be given by one party on behalf of both parties.

(8) A number or address mentioned in paragraph (5) may be notified to a party—

- (a) by the district registrar or (as the case may be) the registrar in the information given to the party in accordance with regulation 20, or

- (b) (subsequently) by the Secretary of State in the section 48 notice given to the party or in any subsequent notification as mentioned in section 50(3)(b) of the 2014 Act.
- (9) In this regulation “working day” has the same meaning as in paragraph (3) of regulation 6 save that as if for “in the part” to the end there were substituted—
 - (a) in the case of a proposed marriage or civil partnership under the law of Scotland, “in Scotland”, and
 - (b) in the case of a proposed marriage or civil partnership under the law of Northern Ireland, “in Northern Ireland”.

Evidence of changed address

12.—(1) This regulation applies where a party gives notice of a change of address under regulation 11.

(2) The party must also provide evidence that the changed address is (or is to be) the party’s usual address.

(3) The evidence mentioned in paragraph (2) must be—

- (a) of a kind specified in paragraph 2(a) to (h) of Schedule 2, and
- (b) provided in accordance with paragraph (4).

(4) The party must send or deliver the evidence to the Secretary of State at a notified address within seven working days beginning with the day on which the change occurs.

(5) In a case where paragraph (7) of regulation 11 applies, one party may provide evidence on behalf of both parties (and where appropriate it may be the same evidence).

(6) Subject to paragraph (7), paragraphs 1 and 3 to 9 of Schedule 2 apply for the purpose of this regulation as they apply for the purposes mentioned in regulation 10.

(7) Paragraphs 4 to 8 of Schedule 2 have effect as they apply for the purposes of this regulation as if—

- (a) in paragraph 4 for “three months” there were substituted “one week”,
- (b) in paragraphs 5 and 8 for “one month” there were substituted “one week”,
- (c) in paragraphs 6 and 7 for “12 months” there were substituted “one week”,
- (d) except where notice is given in accordance with regulation 11(4), for “the relevant notice is submitted or (as the case may be) given”, in each place it occurs, there were substituted “the notice is given under regulation 11(2) or (as the case may be) 11(3)”, and
- (e) where notice is given in accordance with regulation 11(4), for “the relevant notice is submitted or (as the case may be) given”, in each place it occurs, there were substituted “the notice would have been required to be given under regulation 11(2) or (as the case may be) 11(3) if it had not been given beforehand”.

(8) In this regulation—

- (a) a reference to a notified address is a reference to an address notified to the party in accordance with paragraph (8) of regulation 11,
- (b) “working day” has the same meaning as in regulation 11.

Rejection of evidence of changed address

13.—(1) The Secretary of State may reject any evidence relating to a party’s change of address provided (or purported to be provided) in accordance with regulation 12 if the Secretary of State has reasonable grounds for suspecting that the evidence is false.

(2) If the Secretary of State rejects any evidence relating to a party's change of address, the Secretary of State may proceed as if that evidence had not been provided (and notice of change of address under regulation 11 had not been given).