



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART I

IMMIGRATION: GENERAL

Reporting suspicious marriages

24 Duty to report suspicious marriages

(1) Subsection (3) applies if—

- (a) a superintendent registrar to whom a notice of marriage has been given under section 27 of the Marriage Act 1949,
- (b) any other person who, under section 28(2) of that Act, has attested a declaration accompanying such a notice,
- (c) a district registrar to whom a marriage notice or an approved certificate has been submitted under section 3 of the Marriage (Scotland) Act 1977, or
- (d) a registrar or deputy registrar to whom notice has been given under section 13 of the Marriages (Ireland) Act 1844 or section 4 of the Marriage Law (Ireland) Amendment Act 1863,

has reasonable grounds for suspecting that the marriage will be a sham marriage.

(2) Subsection (3) also applies if—

- (a) a marriage is solemnized in the presence of a registrar of marriages or, in relation to Scotland, an authorised registrar (within the meaning of the Act of 1977); and
- (b) before, during or immediately after solemnization of the marriage, the registrar has reasonable grounds for suspecting that the marriage will be, or is, a sham marriage.

(3) The person concerned must report his suspicion to the Secretary of State without delay and in such form and manner as may be prescribed by regulations.

(4) The regulations are to be made—

Status: This is the original version (as it was originally enacted).

- (a) in relation to England and Wales, by the Registrar General for England and Wales with the approval of the Chancellor of the Exchequer;
 - (b) in relation to Scotland, by the Secretary of State after consulting the Registrar General of Births, Deaths and Marriages for Scotland;
 - (c) in relation to Northern Ireland, by the Secretary of State after consulting the Registrar General in Northern Ireland.
- (5) “Sham marriage” means a marriage (whether or not void)—
- (a) entered into between a person (“A”) who is neither a British citizen nor a national of an EEA State other than the United Kingdom and another person (whether or not such a citizen or such a national); and
 - (b) entered into by A for the purpose of avoiding the effect of one or more provisions of United Kingdom immigration law or the immigration rules.