



# Immigration Act 2014

## 2014 CHAPTER 22

### PART 4

#### MARRIAGE AND CIVIL PARTNERSHIP

### CHAPTER 1

#### REFERRAL AND INVESTIGATION OF PROPOSED MARRIAGES AND CIVIL PARTNERSHIPS

##### *Investigation*

#### **51 Investigations: supplementary**

- (1) A section 48 notice which states that the Secretary of State has decided to investigate whether a proposed marriage or civil partnership is a sham must include—
  - (a) notice that the compliance question must be decided within the period of 70 days mentioned in section 50(7);
  - (b) notice of the date on which that period will end;
  - (c) notice that a relevant party may be required to comply with one or more requirements imposed by the Secretary of State subsequently in accordance with section 50(3); and
  - (d) prescribed information about the investigation.
- (2) The section 48 notice may also include such other information as the Secretary of State considers appropriate.
- (3) For the purposes of subsection (1)(d) “prescribed information” means information prescribed by the Secretary of State by regulations; and the information that may be prescribed includes information about—
  - (a) the conduct of the investigation;
  - (b) requirements with which the relevant parties must comply in relation to the investigation;

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*Status: This is the original version (as it was originally enacted).*

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- (c) the consequence of a failure to comply with those or any other requirements;
  - (d) the possible outcomes of the investigation;
  - (e) the consequences of those outcomes.
- (4) The Secretary of State may, by regulations, specify requirements relating to the conduct of investigations which may be imposed on a relevant party by the section 48 notice or by the Secretary of State subsequently in accordance with section 50(3).
- (5) Regulations made under subsection (4) may, in particular, specify any of the following requirements—
  - (a) a requirement to make contact with a particular person or description of persons in a particular way (including by telephoning a particular number) within a particular time period;
  - (b) a requirement to be present at a particular place at a particular time;
  - (c) a requirement to be visited at home;
  - (d) a requirement to be interviewed;
  - (e) a requirement to provide information (whether orally or in writing);
  - (f) a requirement to provide photographs;
  - (g) a requirement to provide evidence.
- (6) The provisions of this Part, and any investigation or other steps taken under those provisions (including the decision of the compliance question), do not limit the powers of the Secretary of State in relation to marriages or civil partnerships that are, or are suspected to be, a sham (including any powers to investigate such marriages or civil partnerships).
- (7) In this section “investigation”, “relevant party” and “compliance question” have the same meanings as in section 50.