



Immigration Act 2014

2014 CHAPTER 22

PART 4

MARRIAGE AND CIVIL PARTNERSHIP

CHAPTER 1

REFERRAL AND INVESTIGATION OF PROPOSED MARRIAGES AND CIVIL PARTNERSHIPS

Scotland and Northern Ireland

53 Extension of scheme to Scotland and Northern Ireland

- (1) The Secretary of State may, by order, make such provision as the Secretary of State considers appropriate for extending the referral and investigation scheme to any of the following—
 - (a) proposed marriages under the law of Scotland;
 - (b) proposed civil partnerships under the law of Scotland;
 - (c) proposed marriages under the law of Northern Ireland;
 - (d) proposed civil partnerships under the law of Northern Ireland.
- (2) An order under this section may—
 - (a) make provision having a similar effect to the provision made by section 58, Schedule 4, or Parts 1, 2 and 4 of Schedule 6;
 - (b) confer functions on any person;
 - (c) amend, repeal or revoke any enactment (including an enactment contained in this Act).
- (3) The power under subsection (2)(b) to confer functions includes power to impose a duty of referral on persons exercising functions in Scotland or Northern Ireland in relation to marriage or civil partnership.

Changes to legislation: *Immigration Act 2014, Section 53 is up to date with all changes known to be in force on or before 03 March 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) View outstanding changes*

(4) But an order under this section may not impose that or any other duty, or otherwise confer functions, on—

- (a) the Scottish Ministers,
- (b) the First Minister and deputy First Minister in Northern Ireland,
- (c) a Northern Ireland Minister, or
- (d) a Northern Ireland department.

(5) In this section—

“duty of referral” means a duty to refer a proposed marriage or proposed civil partnership to the Secretary of State in a case where—

- (a) one of the parties is not an exempt person, or
- (b) both of the parties are not exempt persons;

“enactment” includes—

- (a) an enactment contained in subordinate legislation within the meaning of the Interpretation Act 1978;
- (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament;
- (c) an enactment contained in, or in an instrument made under, Northern Ireland legislation;

“referral and investigation scheme” means the provision made by sections 48 to 51.

Commencement Information

- I1** S. 53 in force at 20.10.2014 for specified purposes by [S.I. 2014/2771](#), **art. 3(f)**
- I2** S. 53 in force at 1.3.2015 in so far as not already in force by [S.I. 2015/371](#), **art. 2(1)(g)**

Changes to legislation:

Immigration Act 2014, Section 53 is up to date with all changes known to be in force on or before 03 March 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2014/2771 by [S.I. 2015/371 art. 78](#)
- specified provision(s) savings for earlier commencing SI 2014/2771 by [S.I. 2014/2928 art. 2](#) (Amendment already reflected in Appended Commentary in EXTOES for 2014 SI2771.)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(4A) inserted by [S.I. 2019/745 reg. 21\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 27(7) inserted by [S.I. 2019/745 reg. 21\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 70A(6A) inserted by [S.I. 2019/745 reg. 21\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(7) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 3 para. 8A inserted by [2016 c. 19 Sch. 12 para. 16](#)