

SCHEDULE 2

Article 2(2)

Amendments to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

1. Section 23 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004⁽¹⁾ (procedure for marriage: Northern Ireland) is amended as follows.

2. For subsection (1) substitute—

“(1) This section applies to a marriage which is intended to be solemnised in Northern Ireland unless each party to the marriage falls within exception A or exception B.

(1A) A party to the marriage falls within exception A if the person is a relevant national.

(1B) A party to the marriage falls within exception B if—

- (a) the person is exempt from immigration control, and
- (b) the notice of intention to marry is accompanied by the specified evidence required by Article 3B(1) of the Marriage (Northern Ireland) Order 2003⁽²⁾ that the person is exempt from immigration control.”

3. For subsection (6) substitute—

“(6) In this section—

- (a) “relevant national” has the same meaning as in section 62 of the Immigration Act 2014;
- (b) a reference to a person being exempt from immigration control is to be construed in accordance with section 49 of that Act;
- (c) “notice of intention to marry” means a notice of intention to marry given under Article 3(1) of the Marriage (Northern Ireland) Order 2003.”

⁽¹⁾ 2004 c. 19; section 23 was amended by S.I. 2011/1158.

⁽²⁾ S.I. 2003/413 (N.I. 3); section 3B is inserted by paragraph 3 of Schedule 1 to this Order.