



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.

Status: This is the original version (as it was originally enacted).

(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.