



# Immigration Act 2014

## 2014 CHAPTER 22

### PART 4

#### MARRIAGE AND CIVIL PARTNERSHIP

### CHAPTER 3

#### OTHER PROVISIONS

#### *Miscellaneous*

#### **60 Regulations about evidence**

- (1) The Secretary of State may make regulations about evidence relevant to the determination of any of the following questions for a purpose of this Part—
  - (a) whether a person is a relevant national;
  - (b) whether a person has the appropriate immigration status;
  - (c) whether a person has a relevant visa.
- (2) The regulations may, in particular, make provision about—
  - (a) the kind of evidence which is to be supplied;
  - (b) the form in which evidence is to be supplied;
  - (c) the manner in which evidence is to be supplied;
  - (d) the period within which evidence is to be supplied;
  - (e) the supply of further evidence;
  - (f) the sufficiency of evidence supplied;
  - (g) the consequences of failing to supply sufficient evidence in accordance with the regulations (including provision to secure that, in such a case, a particular decision is made or is to be treated as having been made);
  - (h) the retention or copying of evidence supplied.

---

*Status: This is the original version (as it was originally enacted).*

---

(3) The Secretary of State must consult the Registrar General before making regulations under this section.

(4) In this section “evidence” includes a photograph or other image.

## **61 Notices**

(1) The Secretary of State may, by regulations, make provision about the giving of—

- (a) notices under any provision of this Part;
- (b) notices relating to the referral of proposed marriages under section 28H of the Marriage Act 1949 which are given under any provision of that Act;
- (c) notices relating to the referral of proposed civil partnerships under section 12A of the Civil Partnership Act 2004 which are given under any provision of that Act.

(2) The regulations may, in particular, make provision that a notice given in accordance with the regulations is to be presumed to have been received by the person to whom it is given.

(3) The Secretary of State must consult the Registrar General before making regulations under this section.

## **62 Interpretation of this Part**

(1) These expressions have the meanings given—

“exempt person” has the meaning given in section 49;

“registrar” means a registrar of births, deaths and marriages;

“Registrar General” means the Registrar General for England and Wales;

“registration authority” has the same meaning as in the Civil Partnership Act 2004 (see section 28 of that Act);

“relevant national” means—

(a) a British citizen,

(b) a national of an EEA State other than the United Kingdom, or

(c) a national of Switzerland;

“relevant statutory period” means—

(a) in relation to a proposed marriage, the period—

(i) beginning the day after notice of the proposed marriage is entered in the marriage book in accordance with Part 3 of the Marriage Act 1949, or is entered in an approved electronic form by virtue of section 27(4A) of that Act, and

(ii) ending at the end of the period of 28 days beginning with that day;

(b) in relation to a proposed civil partnership, the period—

(i) beginning the day after notice of the proposed civil partnership is recorded in the register in accordance with Chapter 1 of Part 2 of the Civil Partnership Act 2004, and

(ii) ending at the end of the period of 28 days beginning with that day;

“section 48 notice” means a notice given under section 48(7) or (8);

---

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

---

“superintendent registrar” means a superintendent registrar of births, deaths and marriages.

- (2) A reference to a person being a party to a proposed marriage or civil partnership is a reference to a person who would be a party to the marriage or civil partnership if it took place as proposed.
- (3) A reference to a proposed marriage or civil partnership being a sham is a reference to a marriage or civil partnership which would (if it took place as proposed) be a sham marriage or sham civil partnership (within the meaning of the Immigration and Asylum Act 1999 — see section 24 or 24A of that Act).
- (4) For provision about the interpretation of the following expressions, see section 49—
  - (a) the appropriate immigration status;
  - (b) a relevant visa.
- (5) This section, and the provision mentioned in subsection (4), apply for the purposes of this Part.