
Changes to legislation: Immigration Act 2014, Paragraph 24 is up to date with all changes known to be in force on or before 28 February 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

SCHEDULES

SCHEDULE 4

REFERRAL OF PROPOSED MARRIAGES AND CIVIL PARTNERSHIPS IN ENGLAND AND WALES

PART 2

CIVIL PARTNERSHIP

Referral to Secretary of State

24 After section 12 insert—

“12A Referral of proposed civil partnership to Secretary of State

- (1) On every occasion when notice of proposed civil partnership is given under section 8, the registration authority must decide whether or not each of the parties to the proposed civil partnership is an exempt person.
- (2) But this section does not apply if Schedule 3 applies to the proposed civil partnership.
- (3) In making a decision under subsection (1) about a party to a proposed civil partnership, a registration authority may rely on any advice given in relation to that decision by the Secretary of State.
- (4) In a case where—
 - (a) section 8A applies to the notice of proposed civil partnership, and
 - (b) specified evidence required by section 9A(2) or (3) in relation to a party to the proposed civil partnership is not produced in accordance with that section,the registration authority must decide that that party to the proposed civil partnership is not an exempt person.
- (5) If the registration authority decides that either of the parties is not an exempt person, or that both of the parties are not exempt persons, the registration authority must—
 - (a) refer the proposed civil partnership to the Secretary of State;
 - (b) notify the parties to the proposed civil partnership that the proposed civil partnership must be referred to the Secretary of State;
 - (c) give the parties to the proposed civil partnership prescribed information about—
 - (i) the effects of the referral;
 - (ii) the requirement under regulations under section 9B to notify the Secretary of State of changes of address.

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- (6) The registration authority must act in accordance with regulations when complying with the duty in subsection (5)(a) to refer a proposed civil partnership to the Secretary of State.
- (7) Regulations may, in particular, make provision about—
- (a) the form, manner or timing of the referral of a proposed civil partnership;
 - (b) information, photographs or evidence — or copies of any of those things — to be included with the referral of a proposed civil partnership.
- (8) If the registration authority refers the proposed civil partnership to the Secretary of State, this Act has effect in relation to the proposed civil partnership subject to the modifications in Schedule 3A.
- (9) In this section—
- (a) a reference to a person being an exempt person has the same meaning as in section 49 of the Immigration Act 2014;
 - (b) “prescribed information” means information prescribed in regulations;
 - (c) “regulations” means regulations made by the Secretary of State after consulting the Registrar General.”.

Commencement Information

- I1** Sch. 4 para. 24 in force at 20.10.2014 for specified purposes by [S.I. 2014/2771](#), [art. 3\(e\)](#)
- I2** Sch. 4 para. 24 in force at 1.3.2015 in so far as not already in force by [S.I. 2015/371](#), [art. 2\(1\)\(f\)](#)

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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](#)