



Giving notice of marriage or civil partnership

From Monday 2 March 2015, major changes to the process for giving notice of marriage or civil partnership will come into effect. All couples will have to complete a longer notice period of 28 days before they will be able to marry or form a civil partnership in England and Wales. For couples where one or both of the parties is a non-EEA national with limited or no immigration status, the Home Office may extend the notice period to 70 days to investigate whether the case is a sham.

Couples who are planning a marriage or civil partnership on or after 2 March 2015 should read the following advice to see how the changes will affect them. You will not be affected if you give notice of that marriage or civil partnership before 2 March 2015. You will also not be affected if you are covered by the transitional arrangements set out below.

From 2 March 2015, a new scheme to tackle sham marriages and civil partnerships in the UK will be introduced. A sham marriage or civil partnership is entered into by a couple who are not in a genuine relationship in order to seek to obtain an immigration advantage for one or both of them.

Investigation of sham marriages and civil partnerships

If you and/or your partner are a non-EEA national with limited or no immigration status in the UK, or if you or your partner do not provide specified evidence of your immigration status, your proposed marriage or civil partnership will be referred to the Home Office and your notice period may be extended to 70 days. In giving notice you should therefore allow sufficient time before the date of your planned marriage or civil partnership recognising that 70 days notice may be required.

Registration officials will be required to refer all marriage and civil partnership notices to the Home Office if one or both of the parties is a non-EEA national who does not provide specified evidence that they have (a) settled status in the UK (Indefinite Leave to Enter or Remain), (b) an EU law right of permanent residence in the UK, (c) a marriage or civil partnership visa, or (d) exemption from immigration control (e.g. with the right of abode in the UK). Registration officials will be required to tell a couple where their proposed marriage or civil partnership is to be referred to the Home Office under the scheme and to explain to them the implications of this.

The Home Office may decide to extend the 28 day notice period to 70 days where a sham marriage or civil partnership is suspected. The Home Office will inform both parties and the registration official in writing of the decision as to whether, if the registration official is otherwise content that they can do so, the couple can proceed with their marriage or civil partnership after 28 days or whether their notice period has been extended to 70 days.

If your notice period is extended to 70 days, you will be required to comply with a Home Office investigation. If you do not comply with the investigation, you will be unable to marry or enter into a civil partnership on the basis of that notice.

Other changes

From 2 March 2015:

- All marriages following civil preliminaries¹ and civil partnerships in England and Wales will be subject to a minimum notice period of 28 days rather than the current 15 days. If you plan to give notice on or after 2 March 2015, you should ensure you allow sufficient time for this. If you and/or your partner are non-EEA nationals, the notice period may be extended to 70 days and you should allow sufficient time before the date of your planned marriage or civil partnership.
- If you and/or your fiancé(e) are a non-EEA national and you wish to marry in the Anglican Church (the Church of England or the Church in Wales), you will be required to complete civil preliminaries as described above and give notice at a register office before your marriage. Other couples wishing to marry in the Anglican Church will need to provide specified evidence of British Citizenship or EEA nationality before completing Church preliminaries, e.g. the banns or common licence process.
- Notice of marriage or civil partnership will be given to a registration official at the register office for the district in which each party resides, unless you or your partner are a non-EEA national who is not exempt from immigration control (i.e. with a right of abode in the UK or certain special categories, e.g. foreign diplomats). If one or both of you is a non-EEA national who is not exempt from immigration control, you must give notice together at a designated register office (i.e. one of 75 register offices where a couple must give notice if one of the parties is a non-EEA national not exempt from immigration control).²
- When attending at the register office or designated register office to give notice of marriage or civil partnership, you will need to provide evidence of your name, date of birth, nationality and place of residence. Depending on your nationality and immigration status, you may also be required to provide additional information, evidence and photographs. You should check with the register office or designated register office before you make an appointment to give notice.

Transitional arrangements will apply in the following circumstances

- For couples involving a non-EEA national who before 2 March 2015 have been granted, or have applied for and are later granted, a common licence to marry in the Anglican Church in England and Wales. Couples in this situation will be able to marry on the basis of that licence and will not be required to complete civil preliminaries before marrying.
- For couples where at least one party is resident outside the UK, who have made arrangements before 2 March 2015 for a marriage or civil partnership in England and Wales and who intend to give notice and get married or form a civil partnership in one visit on or after that date. Couples in this situation will be able to apply, at the time of giving their notice of marriage or civil partnership to the registration official, to have the notice period reduced to 15 days. You must provide evidence of the prior arrangements made when you give notice.

¹ Civil preliminaries are necessary for all marriages which take place at a register office or approved premises, all non-Anglican religious marriages and, from 2 March 2015 where a non-EEA national is involved, marriages taking place in the Anglican Church (the Church of England and the Church in Wales).

² A list of designated register offices is available at: <https://www.gov.uk/government/publications/designated-register-offices-in-england-and-wales>