

*These notes refer to the Immigration Act 2014
(c.22) which received Royal Assent on 14 May 2014*

IMMIGRATION ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Marriage and Civil Partnership

Chapter 2: Sham Marriage and Civil Partnership

Section 55: Meaning of “sham marriage” and “sham civil partnership”

319. This section amends the 1999 Act.
320. *Subsection (2)* substitutes a new section 24(5) in the 1999 Act, which contains a new definition of “sham marriage.” This is a marriage in which either or both of the parties is not a relevant national (British citizen, EEA national or Swiss national); there is no genuine relationship between the parties; and either or both of the parties is entering into the marriage to avoid the effect of UK immigration law (which is defined to include the regulations concerning the free movement rights of EEA nationals) or the Immigration Rules.
321. *Subsection (3)* substitutes a new section 24A(5) in the 1999 Act, which contains a new definition of “sham civil partnership” in similar terms to that of “sham marriage” contained in the new section 24(5).