



Immigration Act 2014

2014 CHAPTER 22

PART 4

MARRIAGE AND CIVIL PARTNERSHIP

CHAPTER 2

SHAM MARRIAGE AND CIVIL PARTNERSHIP

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

(1) The Immigration and Asylum Act 1999 is amended in accordance with this section.

(2) In section 24 (duty to report suspicious marriages), for subsection (5) substitute—

“(5) A marriage (whether or not it is void) is a “sham marriage” if—

- (a) either, or both, of the parties to the marriage is not a relevant national,
- (b) there is no genuine relationship between the parties to the marriage, and
- (c) either, or both, of the parties to the marriage enter into the marriage for one or more of these purposes—
 - (i) avoiding the effect of one or more provisions of United Kingdom immigration law or the immigration rules;
 - (ii) enabling a party to the marriage to obtain a right conferred by that law or those rules to reside in the United Kingdom.

(6) In subsection (5)—

“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;

Changes to legislation: Immigration Act 2014, Section 55 is up to date with all changes known to be in force on or before 29 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

“United Kingdom immigration law” includes any subordinate legislation concerning the right of relevant nationals to move between and reside in member States.”.

(3) In section 24A (duty to report suspicious civil partnerships), for subsection (5) substitute—

“(5) A civil partnership (whether or not it is void) is a “sham civil partnership” if—

- (a) either, or both, of the parties to the civil partnership is not a relevant national,
- (b) there is no genuine relationship between the parties to the civil partnership, and
- (c) either, or both, of the parties to the civil partnership enter into the civil partnership for one or more of these purposes—
 - (i) avoiding the effect of one or more provisions of United Kingdom immigration law or the immigration rules;
 - (ii) enabling a party to the civil partnership to obtain a right conferred by that law or those rules to reside in the United Kingdom.

(5A) In subsection (5)—

“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;

“United Kingdom immigration law” includes any subordinate legislation concerning the right of relevant nationals to move between and reside in member States.”.

Modifications etc. (not altering text)

- C1** S. 55 extended (Isle of Man) (with modifications) (31.12.2020) by [S.I. 2008/680](#), art. 22(2), [Sch. 9A](#) (as amended by [The Immigration \(Isle of Man\) \(Amendment\) Order 2020 \(S.I. 2020/1214\)](#), arts. 1, 5, 12 and as further amended (11.11.2021) by [The Immigration \(Isle of Man\) \(Amendment\) Order 2021 \(S.I. 2021/1277\)](#), arts. 1(2), 6)

Commencement Information

- I1** S. 55 in force at 1.3.2015 by [S.I. 2015/371](#), art. 2(1)(i)

Changes to legislation:

Immigration Act 2014, Section 55 is up to date with all changes known to be in force on or before 29 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.

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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](#)