



## Referral and Investigation Scheme

The Home Office is taking tough action to tackle sham marriages and civil partnerships. These are entered into by a couple who are not in a genuine relationship in an attempt to obtain an immigration advantage for one or both of them.

On 2 March 2015, a new scheme to tackle sham marriages and civil partnerships was introduced across the UK. Registration officials are now **required** to refer to the Home Office all proposed marriages and civil partnerships where either or both of the parties are not exempt.<sup>1</sup>

### Referral to the Home Office

You and/or your partner are not exempt from referral under the scheme. Your proposed marriage or civil partnership has therefore been referred to the Home Office to decide whether to investigate whether it is a sham. The Home Office will now consider your case.

The Home Office will decide whether you and your partner are exempt under the scheme. If both of you are not exempt, and if the Home Office has reasonable grounds to suspect that your proposed marriage or civil partnership is a sham, it may decide to investigate this and extend the notice period in your case from 28 days to 70 days in order to do so.

The Home Office will make this decision and inform you of it in writing before the end of the 28 day notice period. In the meantime, when planning your marriage or civil partnership you should bear in mind that a 70 day notice period may apply.

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<sup>1</sup> To be exempt from referral you must be a British citizen; a European Economic Area (EEA) or Swiss national; or a non-EEA national who has provided the registration official with the required evidence of an EU right of permanent residence in the UK, of exemption from immigration control or settled status in the UK, or of **a valid marriage or civil partnership visa.**

If the Home Office informs you that it has decided not to conduct an investigation in your case, and if the registration official is satisfied that there is no legal reason why they cannot issue or complete the required certificate or schedule, your proposed marriage or civil partnership will be able to take place after the 28 day notice period.

### **Investigation**

If the Home Office informs you that it has decided to investigate whether your proposed marriage or civil partnership is a sham, your notice period will be extended from 28 days to 70 days and you and your partner will be required to comply with the investigation. The Home Office will inform you at that stage about the requirements of the investigation. These may include for example being interviewed by the Home Office and providing the Home Office with additional information or evidence.

The Home Office must decide whether you and your partner have complied with the investigation and inform you of its decision in writing before the end of the 70 day notice period.

If the Home Office decides that you and/or your partner have not complied with the investigation, it must also tell you why. If you and/or your partner haven't complied, you will be unable to marry or enter into a civil partnership on the basis of the notice you have given. You would need to give notice again if you still wished to do so.

If the Home Office determines that your marriage or civil partnership is a sham (whether before or after it takes place and whether or not the Home Office conducts an investigation under this scheme), the Home Office may:

- Take immigration enforcement action where appropriate against you or your partner.
- Refuse an application made by you or your partner under the Immigration Rules or the Immigration (European Economic

Area) Regulations 2006 to stay in the UK on the basis of your relationship.

### **Change of address**

You are now required to inform the Home Office of any change in your usual address or in your UK contact address (if you have been asked to provide one). If you gave notice in England and Wales and your new usual address is outside the UK, you must also provide the Home Office with a UK contact address.

You must inform the Home Office in writing of any change of address within 4 working days of the date on which the change occurs.

You must provide the Home Office with one piece of specified evidence of any new usual address within 7 working days of the date on which the change occurs. This evidence can include:

- utility bill \*
- bank or building society statement or passbook \*
- council tax bill or rate bill \*
- current residential tenancy agreement
- mortgage statement \*
- valid driving licence
- letter from the owner or proprietor of the address which confirms that you live at the address, states that person's name and address and that they are the owner or proprietor of the address, and is signed and dated by them \*

\* These types of evidence must be dated no more than one week before the date on which you gave notice of the change in your usual address.

If you share your new usual address with your partner, only one of you need contact us to notify us of the change. The same specified evidence of your new usual address can be provided for you both if it shows both your names.

If you share your new UK contact address with your partner, only one of you need contact us to notify us of the change.

If you fail without reasonable excuse to comply with these requirements concerning change of address, the Home Office may decide that you have not complied with the investigation and you may be unable to marry or enter into a civil partnership on the basis of the notice you have given.

Written notification of any change of address, and the specified evidence of a new usual address, must be sent to:

Marriage Referral and Assessment Unit  
Dept 158  
PO Box 306  
Liverpool  
L2 0QN

### **Home Office contact details**

You will receive a letter from the Home Office about your referral before the end of the 28 day notice period. Staff at the Designated Register Office you attended or wrote to will not be able to tell you how your referral is progressing.

If you need to contact the Home Office about your referral, you should do so at the above address or by email to:

[MarriageReferralTeamGeneral@homeoffice.gsi.gov.uk](mailto:MarriageReferralTeamGeneral@homeoffice.gsi.gov.uk)

You should include your name, date of birth, nationality and usual address.

Further information about the referral and investigation scheme can be found on gov.uk:

<https://www.gov.uk/marriages-civil-partnerships/overview>