



Giving notice of marriage or civil partnership

All couples must complete a notice period of 28 clear days before they will be able to marry or form a civil partnership in Scotland.

For couples where one or both of the parties is not a relevant national, or does not have appropriate immigration status, or the relevant visa for a marriage or civil partnership in the United Kingdom, the Home Office may extend the notice period to 70 days in order to investigate whether the case is a sham.

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.

Note: From 1 July 2021, a 'relevant national' is a person who is a British citizen, Irish citizen, or any person with either EUSS settled status, EUSS pre-settled status, or a pending application to the EUSS.

Couples who are planning a marriage or civil partnership in Scotland should read the following advice.

Investigation of sham marriages and civil partnerships

If you and/or your partner are not a relevant national, and you do not provide specified evidence of your immigration status or a relevant visa, 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.

Registrars are required to refer all marriage and civil partnership notices to the Home Office if one or both of the parties is a relevant national who does not provide specified evidence that they have Irish citizenship, or they have been granted settled or pre-settled status under the EU Settlement Scheme (EUSS), or they have an application that was submitted before 1st July 2021 that is pending under the EUSS.

Registrars are also required to refer all marriage and civil partnership notices to the Home Office if one or both of the parties is a non-relevant national who does not provide specified evidence that they (a) are exempt from Immigration control (b) have settled status in the UK (otherwise than under EUSS), or (c) have a marriage or fiancé visa. Registrars are required to tell a couple where their proposed marriage or civil partnership is to be referred to the Home Office under the Referral and Investigation 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



Home Office

a sham marriage or civil partnership is suspected. The Home Office will inform both parties and the registrar in writing of the decision as to whether, if the registrar 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.

Summary:

- All marriages and civil partnerships in Scotland are subject to a minimum notice period of 28 clear days. You should ensure you allow sufficient time for this.
If you and/or your partner are non-relevant nationals, the notice period may be extended to 70 days and you should allow sufficient time for this before the date of your planned marriage or civil partnership.
- When giving 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 registration office before you submit notice.
- Parties to a marriage or civil partnership who are not British citizens must complete a Declaration of Status by Non-UK Nationals form which should accompany the marriage notice form. Registrars will not accept notice without the completed Declaration form.