STATUTORY INSTRUMENTS

2026 No. 85

MARRIAGE, ENGLAND AND WALES

MARRIAGE, SCOTLAND

MARRIAGE, NORTHERN IRELAND

CIVIL PARTNERSHIP, ENGLAND AND WALES

CIVIL PARTNERSHIP, SCOTLAND

CIVIL PARTNERSHIP, NORTHERN IRELAND

IMMIGRATION

The Sham Marriage and Civil Partnership (Referral of Proposed Marriages and Civil Partnerships) (Amendment) Regulations 2026

Made - - - -	*29th January 2026*
Laid before Parliament	*2nd February 2026*
Coming into force - -	*25th February 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 28G(2), (3)(a), (b), (c), (d), (e) and (f) of the Marriage Act 1949 ("the 1949 Act")(**a**), section 9E(2), (3)(a), (b), (c), (d), (e) and (f) of the Civil Partnership Act 2004 ("the 2004 Act")(**b**) and sections 54(2), 54(3), 60(1), (2)(a), (b), (c), (d), (e) and (f), and paragraph 3(1), (2)(a), (b), (c), (d), (e) and (f) of Schedule 5 to, the Immigration Act 2014 ("the 2014 Act")(**c**).

In accordance with section 28G(5) of the 1949 Act and section 9E(6) of the 2004 Act and sections 54(7) and 60(3) of the 2014 Act, the Secretary of State has consulted the Registrar General for

(**a**) 1949 c. 76; section 28G was inserted by section 52 of, and paragraph 7 of Schedule 4 to, the Immigration Act 2014 (c. 22). See section 28C(7) for the definition of "specified evidence".

(**b**) 2004 c. 33; section 9E was inserted by section 52 of, and paragraph 21 of Schedule 4 to, the Immigration Act 2014. See section 9A(7) for the definition of "specified evidence".

(**c**) 2014 c. 22; section 54(1) provides that section 54 applies only if the referral and investigation scheme is extended by an order under section 53. Extension orders were made by the Referral and Investigation of Proposed Marriages and Civil Partnerships (Northern Ireland and Miscellaneous Provisions) Order 2015 (S.I. 2015/395) and the Referral and Investigation of Proposed Marriages and Civil Partnerships (Scotland) Order 2015 (S.I. 2015/396).

England and Wales, the Registrar General for Scotland and the Registrar General for Northern Ireland before making these Regulations.

Citation and commencement

1.—(1) These Regulations may be cited as the Sham Marriage and Civil Partnership (Referral of Proposed Marriages and Civil Partnerships) (Amendment) Regulations 2026.

(2) These Regulations come into force on 25th February 2026.

Extent

2.—(1) Regulations 1 and 2 extend to England and Wales, Scotland and Northern Ireland.

(2) Regulation 3 extends to England and Wales.

(3) Regulation 4 extends to Scotland and Northern Ireland.

Amendment of the Referral of Proposed Marriages and Civil Partnerships Regulations 2015

3.—(1) The Referral of Proposed Marriages and Civil Partnerships Regulations 2015(**a**) are amended as follows.

(2) In Schedule 1 (evidence of particular immigration status), for paragraph 2(2) substitute—

"(2) Instead of the evidence referred to in paragraph 2(1)—

(a) the party may provide a notice accompanied by the evidence specified in paragraph (2A); or

(b) paragraphs (2B) to (2D) must be satisfied.

(2A) The evidence specified in this paragraph is a letter from the Secretary of State confirming that the party is exempt from immigration control for the purposes of section 49 of the 2014 Act.

(2B) The party must provide a notice accompanied by—

(a) evidence of the party's date of birth; and

(b) a valid share code, giving access to the party's online UK Visas and Immigration account.

(2C) The party's UK Visas and Immigration account must display a digital record demonstrating that the applicant is exempt from immigration control by virtue of a provision listed in the left-hand column of the table in paragraph 2(1).

(2D) At the request of the superintendent registrar, a further share code must be generated and provided to the superintendent registrar, allowing access to the party's online UK Visas and Immigration account for the period specified in that request.".

(3) In paragraph 2(3) of Schedule 1, after the definition of "force" and "sending State" insert—

""online UK Visas and Immigration account" means an online account maintained by the Secretary of State that allows individuals to access, manage and share their immigration status digitally,

"share code" means electronically generated code to allow a third party to access information about an individual's immigration status.".

(**a**) S.I. 2015/123.

Amendment of the Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015

4.—(1) The Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015(**a**) are amended as follows.

(2) In Schedule 1 (evidence of particular immigration status) for paragraph 2(2) substitute—

"(2) Instead of the evidence referred to in paragraph 2(1)—

(a) the party may provide a notice accompanied by the evidence specified in paragraph (2A); or

(b) paragraphs (2B) to (2D) must be satisfied.

(2A) The evidence specified in this paragraph is a letter from the Secretary of State confirming that the party is exempt from immigration control for the purposes of section 49 of the 2014 Act.

(2B) The party must provide a notice accompanied by—

(a) evidence of the party's date of birth; and

(b) a valid share code, giving access to the party's online UK Visas and Immigration account.

(2C) The party's UK Visas and Immigration account must display a digital record demonstrating that the applicant is exempt from immigration control by virtue of a provision listed in the left-hand column of the table in paragraph 2(1).

(2D) At the request of the superintendent registrar, a further share code must be generated and provided to the superintendent registrar, allowing access to the party's online UK Visas and Immigration account for the period specified in that request.".

(3) In paragraph 2(3) of Schedule 1, after the definition of "force" and "sending State" insert—

""online UK Visas and Immigration account" means an online account maintained by the Secretary of State that allows individuals to access, manage and share their immigration status digitally,

"share code" means an electronically generated code to allow a third party to access information about an individual's immigration status.".

Mike Tapp
Parliamentary Under-Secretary of State
Home Office

29th January 2026

(**a**) S.I. 2015/404.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 4 of the Immigration Act 2014 (c. 22) ("the 2014 Act") established a scheme for the referral of proposed marriages and civil partnerships to the Secretary of State, who must decide whether to investigate the proposed marriage or civil partnership to determine whether it is a sham. All proposed marriages and civil partnerships where at least one party is not exempt must be referred to the Secretary of State. Exempt persons include (among others) those who are exempt from immigration control.

Regulation 3 amends Schedule 1 of the Referral of Proposed Marriages and Civil Partnerships Regulations 2015 (S.I. 2015/123) to provide that a person may produce a share code to demonstrate via their online UK Visas and Immigration account that they are exempt from immigration control for the purposes of entering a marriage or civil partnership in England and Wales.

Regulation 4 amends Schedule 1 of the Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015 (S.I. 2015/404) to provide that a person may produce a share code to demonstrate via their online UK Visas and Immigration account that they are exempt from immigration control for the purposes of entering a marriage or civil partnership in Scotland and Northern Ireland.

Where the individual has provided a share code, but the registrar is unable to access the individual's UK Visas and Immigration account using this code, for example, because it has expired, they can request that the individual generates and provides a further share code for the relevant UK Visas and Immigration account.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827907-8

9 780348 279078

£6.40

http://www.legislation.gov.uk/id/uksi/2026/85