**SHAM MARRIAGES**

* What is a sham marriage?

A sham marriage, as defined under sections 24 and 24A of the Immigration and Asylum Act 1999, is one in which one or both parties are not ‘relevant nationals’, there is no genuine relationship between the parties, and either, or both, of the parties enter the marriage for the purpose of circumventing UK immigration controls.

* If I am suspicious about one or both of the parties who have approached me what do I do?

Anyone with information about a suspect sham marriage or other immigration abuses should contact the Diocesan Registry in the first instance.

* I’ve heard of a marriage referral and investigation scheme. What is it?

It was introduced under the Immigration Act 2014 and provides a platform to identify, disrupt and deter sham marriages and civil partnerships. It allows the Home Office to investigate and take enforcement action where appropriate. Holders of relevant marriage visas (such as a marriage visitor visa or fiancé visa) or those who are exempt from immigration control or are settled in the UK are exempt from referral to the Home Office.

* Why are Swiss service providers/frontier workers/healthcare cohort not exempt anymore?

They do not have the same residence rights as people with status under the EUSS and are not eligible for settlement in the UK so it is possible that they could seek to gain an immigration advantage through marriage to a relevant national.

* Who is a relevant national?

Up to and including 30th June 2021: British citizens, Swiss nationals or EEA nationals.

From 1st July 2021: British citizens, Irish citizens, a person with EUSS leave to remain, a person with a pending application to the EUSS that was submitted before 30th June 2021.

* What documents do I need from the EEA national if they wish to marry in my church?

A person who has EUSS status is required to share their status through the online EUSS status checker tool. The holder must request a six digit ‘share code’ to provide to the Registration Officer or member of the clergy either before or at their initial appointment to give notice to marry. That person’s name, date of birth and code will be used to confirm that the person has been granted EUSS status.

The EUSS online status checker tool is located on the ‘check someone’s settled or pre-settled status’ page on [www.gov.uk/view-prove-immigration-status](http://www.gov.uk/view-prove-immigration-status)

* What if the person cannot produce the required evidence?

They cannot give notice of marriage or have banns read.

* What can they do?

They must be advised to contact the Home Office, their Embassy or High Commission to obtain the evidence before they can give notice.

A person who is neither British nor Irish and who is unable to provide the evidence required to confirm that they hold status under the EUSS will be treated as though they are not a ‘relevant national’ and will need to give notice to their local Register Office and will be subject to referral to the Home Office.