
STATUTORY INSTRUMENTS

2003 No. 413 (N.I. 3)

The Marriage (Northern Ireland) Order 2003

- - - - - 27th February 2003

Modifications etc. (not altering text)

- C1** Order modified (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **15(1)**

Introductory

Title and commencement

1.—(1) This Order may be cited as the Marriage (Northern Ireland) Order 2003.

(2) Subject to paragraph (3), this Order shall come into operation on such day or days as the Department may by order appoint^{F1}.

(3) This Article and Article 2 shall come into operation on the expiration of one month from the day on which this Order is made.

- F1** fully exercised by SR 2003/466

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

[^{F2}“2014 Act” means the Immigration Act 2014;]

“civil marriage” means a marriage solemnised by a person appointed under Article 31;

“the Department” means the Department of Finance and Personnel;

“district” means a registration district within the meaning of Article 30(1);

[^{F3}“governing authority”, in relation to a religious body, has the meaning given by Article 9A;]

“marriage notice” has the meaning given by Article 3(2);

“marriage notice book” has the meaning given by Article 4(2);

“medical practitioner” means a fully registered person within the meaning of the Medical Act 1983 (c. 54);

“officiant” means a person registered under Article 11 or temporarily authorised under Article 14;

“prescribed”, except in relation to a fee, means prescribed by regulations and in relation to a fee means prescribed by order under Article 37;

“registrar”, except in Article 8, has the meaning given by Article 3(2);

“regulations” means [^{F4}, other than in Articles 3A to 3E,] regulations made by the Department;

[^{F5}“relevant national” means—

(a) a British citizen,

(aa) [^{F6}an Irish citizen, or

(ab) a person who is not an Irish citizen and who—

(i) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020, or

(ii) is an applicant for the purposes of regulation 4 of the Citizens’ Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 (applications which have not been finally determined by the deadline) where the relevant period within the meaning of that regulation has not expired;]

(b) ^{F7} ...

(c) ^{F7} ...]

“religious body” means an organised group of people meeting regularly for common religious worship;

“religious marriage” means a marriage solemnised by an officiant;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33);

“young person” means a person who is over the age of 16 but under the age of 18.

(3) Regulations may provide for references in this Order to a person solemnising a marriage to be construed in prescribed cases as such person as may be prescribed.

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| F2 | Words in art. 2(2) inserted (1.3.2015) by The Referral and Investigation of Proposed Marriages and Civil Partnerships (Northern Ireland and Miscellaneous Provisions) Order 2015 (S.I. 2015/395) , art. 1(2), Sch. 1 para. 2(a) (with art. 1(3)) |
| F3 | Words in art. 2(2) inserted (1.9.2020) by The Marriage and Civil Partnership (Northern Ireland) Regulations 2020 (S.I. 2020/742) , regs. 1(2), 4(2) |
| F4 | Words in art. 2(2) inserted (1.3.2015) by The Referral and Investigation of Proposed Marriages and Civil Partnerships (Northern Ireland and Miscellaneous Provisions) Order 2015 (S.I. 2015/395) , art. 1(2), Sch. 1 para. 2(b) (with art. 1(3)) |
| F5 | Words in art. 2(2) inserted (1.3.2015) by The Referral and Investigation of Proposed Marriages and Civil Partnerships (Northern Ireland and Miscellaneous Provisions) Order 2015 (S.I. 2015/395) , art. 1(2), Sch. 1 para. 2(c) (with art. 1(3)) |
| F6 | Words in art. 2(2) inserted (1.7.2021) by The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309) , regs. 1(2)(c), 14(2)(a) (with Sch. 5 para. 7) |
| F7 | Words in art. 2(2) omitted (1.7.2021) by virtue of The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309) , regs. 1(2)(c), 14(2)(b) (with Sch. 5 para. 7) |

Preliminaries to marriage

Notice of intention to marry

3.—(1) Each of the parties to a marriage intended to be solemnised in Northern Ireland shall give the registrar a notice of intention to marry.

(2) In this Order—

“marriage notice” means notice of intention to marry;

“registrar” means the registrar for the district in which the marriage is to take place.

(3) A marriage notice shall be—

(a) in the prescribed form; and

(b) accompanied by the prescribed fee and such documents and other information as may be prescribed.

(4) In prescribed cases a marriage notice shall be given by each party—

(a) in person;

(b) to either the registrar referred to in paragraph (2) or such other registrar as may be prescribed.

[^{F8}Additional information if party not relevant national

3A.—(1) This Article applies to a marriage notice given to a registrar in accordance with Article 3 if one, or each, of the parties to the proposed marriage is not a relevant national.

(2) For each party to the proposed marriage who is not a relevant national, the notice shall be accompanied by whichever of statements A, B or C is applicable to that person.

(3) Statement A is a statement that the person has the appropriate immigration status.

(4) Statement B is a statement that the person holds a relevant visa in respect of the proposed marriage.

(5) Statement C is a statement that the person neither—

(a) has the appropriate immigration status, nor

(b) holds a relevant visa in respect of the proposed marriage.

(6) If the notice is accompanied by the statement referred to in the first column of an entry in this table, the notice shall also be accompanied by the information and photographs referred to in the second column of that entry (insofar as that entry is applicable to the parties to the proposed marriage)—

<i>If the notice is accompanied by this statement...</i>	<i>...the notice shall also be accompanied by...</i>
Statement A (in respect of one or both of the parties to the proposed marriage)	For each party in respect of whom statement A is made, details of the particular immigration status which that party has
Statement B (in respect of one or both of the parties to the proposed marriage)	1. For each party, a specified photograph of that party 2. For each party in respect of whom statement B is made, details of the relevant visa which that party has

<i>If the notice is accompanied by this statement....</i>	<i>...the notice shall also be accompanied by....</i>
Statement C (in respect of one or both of the parties to the proposed marriage)	<ol style="list-style-type: none"> 1. For each party, a specified photograph of that party 2. For each party, the usual address of that party 3. For each party who has previously used any name or names other than the person's name stated in the marriage notice, a statement of the other name or names 4. For each party who currently uses, or has previously used, an alias or aliases, a statement of the alias or aliases.

(7) If the notice is accompanied by more than one of statements A, B and C, paragraph (6) shall be complied with in relation to each of those statements; but where the notice is accompanied by statements B and C, paragraph (6) does not require the notice to be accompanied by more than one specified photograph of each party.

(8) If the notice is accompanied by statement C for a party to the proposed marriage—

- (a) the notice may also be accompanied by a statement (“statement D”) of that person's immigration position in the United Kingdom;
- (b) if the notice is accompanied by statement D for a party to the proposed marriage, the person may provide the registrar with details of his immigration position in the United Kingdom; and
- (c) if any such details are provided, the registrar shall record them.

(9) In this Article and Article 3B—

- (a) a reference—
 - (i) to a person having the appropriate immigration status, or
 - (ii) to a person holding a relevant visa,

is to be construed in accordance with section 49 of the 2014 Act;

- (b) a reference to the particular immigration status which a person has is a reference to the immigration status set out in any of paragraphs (a) to (c) of section 49(2) of that Act which the person has;
- (c) a reference to a person's immigration position in the United Kingdom includes a reference to the person's not being entitled to be in the United Kingdom.

(10) In this Article “specified photograph” means a photograph that is in accordance with regulations made by the Secretary of State under section 54(2) of, and paragraph 3 of Schedule 5 to, the 2014 Act (and for this purpose “photograph” includes other kinds of images).

<p>F8 Arts. 3A-3E inserted (1.3.2015) by The Referral and Investigation of Proposed Marriages and Civil Partnerships (Northern Ireland and Miscellaneous Provisions) Order 2015 (S.I. 2015/395), art. 1(2), Sch. 1 para. 3 (with art. 1(3))</p>
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Modifications etc. (not altering text)

- C2** Art. 3A(9) applied (2.3.2015) by [The Sham Marriage and Civil Partnership \(Scotland and Northern Ireland\) \(Administrative\) Regulations 2015 \(S.I. 2015/404\)](#), regs. 1(2), **18(4)(a)**

Additional evidence if party not relevant national

3B.—(1) If a marriage notice to which Article 3A(1) applies (“the notice”) is accompanied by statement A (referred to in Article 3A(3)), and accordingly is also accompanied by details of the particular immigration status which a party to the proposed marriage has, the notice shall also be accompanied by specified evidence of that status.

(2) If the notice is accompanied by statement B (referred to in Article 3A(4)), the notice shall also be accompanied by specified evidence of the holding of the relevant visa by the party to the proposed marriage.

(3) If, in accordance with Article 3A(6), the notice is accompanied by the usual address of a party to the proposed marriage, the notice shall also be accompanied by specified evidence that it is that party’s usual address.

(4) If the notice is accompanied by statement D (referred to in Article 3A(8)), the notice may also be accompanied by evidence of the person’s immigration position in the United Kingdom.

(5) If paragraph (1) or (2) applies to the notice, and the notice is not accompanied by the specified evidence required by that paragraph, the notice shall be accompanied by—

- (a) photographs and addresses of the kinds referred to in paragraphs 1 and 2 in the relevant entry in Article 3A(6);
- (b) as respects the usual address of each party that is provided in accordance with subparagraph (a), specified evidence that the address provided is that party’s usual address; and
- (c) names and aliases of the kinds referred to in paragraphs 3 and 4 in the relevant entry in Article 3A(6) (insofar as those paragraphs are applicable to the parties to the proposed marriage).

(6) In this Article—

“relevant entry in Article 3A(6)” means the second column of the last entry in the table in Article 3A(6);

“specified evidence” means evidence that is in accordance with regulations made by the Secretary of State under section 54(2) of, and paragraph 3 of Schedule 5 to, the 2014 Act.

- F8** Arts. 3A-3E inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 1 para. 3** (with art. 1(3))

Declaration to accompany information and evidence

3C. Where information and evidence accompany the marriage notice in accordance with Articles 3A and 3B that information and evidence shall also be accompanied by a declaration in writing and signed by the party who makes it that the party believes all of the information and evidence accompanying the notice to be true.