

Statutory Document No. 2023/0153



Marriage Act 1984

MARRIAGE (EVIDENCE OF NATIONALITY) REGULATIONS 2023

Laid before Tynwald:

Coming into operation in accordance with regulation 2

The Department for Enterprise makes the following Regulations under section 51(1) of the Marriage Act 1984.

1 Title

These Regulations are the Marriage (Evidence of Nationality) Regulations 2023.

2 Commencement

These Regulations come into operation¹ on the same day as section 3 (marriage of certain nationals) of the Marriage Measure (Isle of Man) 2022.

3 Prescribed evidence of nationality

The Schedule specifies the prescribed evidence which is to be delivered —

- (a) under section 8(b) of the Marriage Act 1984², to a cleric described in that section;
- (b) under section 13(2A) of the Marriage Act 1984, to the person granting the licence referred to in that section.

MADE 9 MAY 2023

TIM JOHNSTON
Minister for Enterprise

¹ Under section 51(3) of the Marriage Act 1984, regulations made under section 51(1) shall be laid before Tynwald as soon as practicable after they are made.

² As amended by the Marriage Measure (Isle of Man) 2022.

SCHEDULE

[Regulation 3]

PRESCRIBED EVIDENCE**1 Prescribed evidence of nationality**

- (1) Subject to paragraph 2, the document or group of documents described in any of the following sub-paragraphs is prescribed evidence —
- (a) a valid passport issued to the person to be married showing that that person is a British citizen or an Irish citizen;
 - (b) a certificate of naturalisation as a British citizen granted to the person to be married by the Secretary of State, together with a document listed in paragraph 2 to establish that person's current use of the name and surname referred to on the certificate of naturalisation (or, if that person has changed name, evidence of the change of name);
 - (c) where the person to be married was born in the British Islands before 1 January 1983 —
 - (i) that person's British birth certificate; and
 - (ii) one of the documents listed in paragraph 2 to establish that person's current use of the name and surname referred to on the birth certificate provided (or, if that person has changed name, evidence of the change of name);
 - (d) where the person to be married was born in the British Islands on or after 1 January 1983 —
 - (i) that person's full British birth certificate showing the details of that person's parents or parent;
 - (ii) one of the documents listed in paragraph 2 to establish that person's current use of the name and surname referred to on the birth certificate provided (or, if that person has changed name, evidence of the change of name);
 - (iii) evidence of either of that person's parents' British citizenship or settled status at the time of that person's birth (e.g. a passport describing the relevant parent as a British citizen or indicating that he or she then had indefinite leave to enter or remain); and
 - (iv) that person's parents' marriage certificate (if British citizenship is claimed through that person's father);
 - (e) if none of the documents (or group of documents) listed in (a) to (d) above is available to confirm the relevant nationality of the person to be married, such other evidence as the Registrar General

determines it is reasonable to accept in the particular circumstances of the case.

- (2) In this section "**British birth certificate**" means a certificate of birth issued by a registrar of births in any part of the British Islands.

2 Supplementary documents

- (1) The documents referred to but not listed in paragraph 1 are —
- (a) a utility bill dated no more than three months before the notice date;
 - (b) a bank or building society statement or passbook dated no more than one month before the notice date;
 - (c) a general rates or council tax bill dated no more than 12 months before the notice date;
 - (d) a mortgage statement dated no more than 12 months before the notice date;
 - (e) a current residential tenancy agreement;
 - (f) a valid driving licence in the name of the person to be married.
- (2) In order to serve the purpose ascribed to it by paragraph 1, a document listed in sub-paragraph (1) of this paragraph must meet the criterion below that is applicable to it —
- (a) it must be in the name of the person to be married;
 - (b) where it is in the names of more than one person, one of them must be that of the person to be married.
- (3) In this paragraph, "**notice date**" means the date on which notice is given, under section 8 or 13(1) of the Marriage Act 1984.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the evidence that the parties to an intended marriage must produce, in relation to nationality as British or Irish citizens, when requesting the publication of banns or giving notice of application for a common licence under the Marriage Act 1984.

These Regulations come into operation on the commencement of section 3 (marriage of certain nationals) of the Marriage Measure (Isle of Man) 2022.