



Statutory Document No. 183/08

ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC)  
ACT 2004

**IMMIGRATION (PROCEDURE FOR MARRIAGE) REGULATIONS 2008**

*Laid before Tynwald*

*15<sup>th</sup> April 2008*

*Coming into operation*

*1st May 2008*

In exercise of the powers conferred on the Governor by sections 19 and 25 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (an Act of Parliament)<sup>1</sup>, as it has effect in the Isle of Man<sup>2</sup>, and of all other enabling powers, the following Regulations are hereby made:—

**1. Citation and commencement**

(1) These Regulations may be cited as the Immigration (Procedure for Marriage) Regulations 2008 and shall come into operation on the 1st May 2008.

(2) In these Regulations "the 2004 Act" means the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (an Act of Parliament), as it has effect in the Isle of Man.

**2. Application for permission**

(1) A person seeking the permission of the Governor to marry in the Isle of Man under section 19(3)(b) of the 2004 Act shall —

- (a) make an application in writing; and
- (b) pay a fee on the submission of the application in accordance with paragraph (3).

(2) The information set out in the Schedule is to be contained in or provided with the application.

(3) The fee is to be paid to the Immigration Office, Chief Secretary's Office, Bucks Road, Douglas, Isle of Man IM1 3PN —

- (a) by cheque or postal order crossed and made payable to "Isle of Man Government", or
- (b) by means of any debit card or credit card which that office accepts.

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<sup>1</sup> 2004 c.19

<sup>2</sup> SI 2008/680

Price £0.65

### 3. Specified classes of person

(1) A person who is settled in the Isle of Man is specified for the purpose of section 19(3)(c) of the 2004 Act.

(2) In this regulation “settled in the Isle of Man” has the meaning given by paragraph 6 of the immigration rules laid before Tynwald under section 3(2) of the Immigration Act 1971 (an Act of Parliament)<sup>3</sup>, as it has effect in the Isle of Man<sup>4</sup>.

Regulation 2(2).

#### SCHEDULE

#### INFORMATION TO BE CONTAINED IN OR PROVIDED WITH APPLICATION FOR PERMISSION TO MARRY IN THE ISLE OF MAN

##### *(a) Information to be provided in respect of the applicant*

Name

Date of birth

Name at birth (if different)

Nationality

Full postal address

Daytime telephone number

Passport or travel document number

Current immigration status

Date on which current leave to enter or remain in the Isle of Man was granted

Date on which that leave expires

Whether he has previously been married, and if so, information showing that he is now free to marry

Two passport-sized photographs

Passport or travel document

##### *(b) Information to be provided in respect of the other party to the intended marriage*

Name

Date of birth

Name at birth (if different)

Nationality

Full postal address

Daytime telephone number

Passport or travel document number

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<sup>3</sup> 1971 c.77

<sup>4</sup> SI 2008/

Whether he is subject to immigration control, and if so:

Current immigration status

Date on which current leave to enter or remain in the Isle of Man was granted

Date on which that leave expires

Whether he has previously been married, and if so, information showing that he is now free to marry

Two passport-sized photographs

Passport or travel document

MADE 19<sup>th</sup> March 2008



Lieutenant Governor

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations supplement sections 19 to 25 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004, which provide for additional procedures where a marriage is to be solemnised in the Isle of Man and a party to the marriage is subject to immigration control.

By section 19(3), the registrar to whom notice of marriage is given may not enter the notice in the marriage book unless satisfied that the party subject to immigration control either (a) has entry clearance granted for the purpose of enabling him or her to marry in the Isle of Man, (b) has the written permission of the Governor to marry in the Isle of Man, or (c) falls within a class specified in regulations.

Regulation 2 and the Schedule make provision for applications for permission under section 19(3)(b). (The fee for the application is specified in an order under section 51 of the Immigration, Asylum and Nationality Act 2006.) Regulation 3 specifies for the purpose of section 19(3)(c) persons who are settled in the Isle of Man (as defined in the Immigration Rules).

