

99059001044000

marriage annulment

Heruntergeladen am 15.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012389/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99059001044000
Leistungsbezeichnung I	marriage annulment
Leistungsbezeichnung II	Annulment of marriage
Typisierung	2a - Bundesauftragsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de"><div lang="en-x-mtfrom-de">marriage</div>, <div lang="en-x-mtfrom-de">cancellation</div>, <div lang="en-x-mtfrom-de">underage</div>, <div lang="en-x-mtfrom-de">malice</div>, <div lang="en-x-mtfrom-de">unconsciousness</div>, <div lang="en-x-mtfrom-de">threat</div>, <div lang="en-x-mtfrom-de">marriage annulment</div>, <div lang="en-x-mtfrom-de">incapacitated</div>, <div lang="en-x-mtfrom-de">mistake</div>, <div lang="en-x-mtfrom-de">illusion</div>, <div lang="en-x-mtfrom-de">unlawful</div></div>
Leistungstyp	
Leistungsgruppierung	

Modul	Sachverhalt
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	01.02.2024
Fachlich freigegeben durch	
Handlungsgrundlage	<p>On the grounds for annulment: §§ 1313 ff. BGB <https://www.gesetze-im-internet.de/bgb/_1313.html></p> <p>On the local jurisdiction of the court: § 122 Family matters and in matters of voluntary jurisdiction (FamFG) on local jurisdiction <https://www.gesetze-im-internet.de/famfg/_122.html></p>
Teaser	If you believe that your marriage was not legal, you can apply to have your marriage annulled.
Volltext	<p>A marriage can be annulled under certain circumstances, for example if you were a minor at the time of the marriage, you were threatened into getting married, or you were deceived about circumstances that were important for the marriage.</p> <p>To apply to the responsible district court or family court, please contact a lawyer. During the legal proceedings, it will be examined whether there are grounds for annulment</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Copy of marriage certificate • if applicable, proof of foreign nationality • if necessary, evidence of the reason for cancellation, e.g. medical documents, police reports
Voraussetzungen	<ul style="list-style-type: none"> • The marriage could be annulled if, for example, at the time of marriage: <ul style="list-style-type: none"> • were not yet of legal age

Modul	Sachverhalt
	<ul style="list-style-type: none"> • were fraudulently deceived about circumstances important for the marriage • were unlawfully induced to enter into marriage by threat or • were incapable of doing business • did not know that the marriage was such.
Kosten	<ul style="list-style-type: none"> • Legal fees according to the Lawyers' Remuneration Act (RVG) • Court costs, Section 43 of the Law on Court Costs in Family Matters (FamGKG) • Calculation based on the value of the item (income and asset dependent) <p>If you are in need, you can apply for legal aid</p>
Verfahrensablauf	<p>A procedure for annulment of the marriage can only be initiated by a lawyer.</p> <ul style="list-style-type: none"> • The lawyer will submit a written, substantiated application for annulment to the district court - family court. • The family court will serve this application to the spouse. • The further procedure depends on the reaction of the spouse. As a rule, there will be a court date in which both spouses will be heard. It may be necessary to take evidence on the cancellation requirements. • The family court will then make a decision on the application. • An appeal against the decision of the district court can be lodged within one month by a lawyer. The competent Higher Regional Court will decide on this.
Bearbeitungsdauer	At least 3 months due to the specified procedure, possibly longer in more complex procedures
Frist	Varies depending on the reason for cancellation § 1317 German Civil Code (BGB)
weiterführende Informationen	https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://www.justizadressen.nrw.de/de/justiz/suche https://www.justizadressen.nrw.de/de/justiz/suche

Modul	Sachverhalt
Hinweise	<p>**Legal advice is not available at the district court. Please contact the persons authorized to provide legal advice. These are lawyers or notaries. The Public Legal Advice Service (ÖRA) offers low-cost legal advice for people with low incomes.**</p>
Rechtsbehelf	Complaint according to §§ 58 ff. FamFG against the family court decision within one month by a lawyer
Kurztext	<ul style="list-style-type: none"> • Annulment of marriage • Compulsory legal representation • The prerequisite for annulment of the marriage is, for example: <ul style="list-style-type: none"> • minority • incapacity to act, • Willful deception, • Unlawful threat or • Mistake about marriage • Application must be submitted to the competent local court, family court
Ansprechpunkt	If you want to find out exactly who is responsible for your request, please follow the link to [Hamburg Service](https://www.hamburg.de/service/info/hasi/12389)
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)