

99059001044000

Eheschließung Aufhebung

Heruntergeladen am 15.06.2025

<https://fimportal.de/xzufi-services/S1000030001764351/S100003>

Modul	Sachverhalt
Leistungsschlüssel	99059001044000
Leistungsbezeichnung I	Eheschließung Aufhebung
Leistungsbezeichnung II	Annulment of marriage
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Bremen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	Marriage, Hardship, Malice
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Eheschließung (1020300)
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	31.01.2025

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Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/famfg/_122.html https://www.gesetze-im-internet.de/famfg/BJNR258700008.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/_114.html https://www.gesetze-im-internet.de/bgb/_1313.html https://www.gesetze-im-internet.de/famfg/_122.html
Teaser	If you think that your marriage is not legal, you can apply for annulment of your marriage.
Volltext	<p>A marriage can be annulled under certain conditions, e.g. if you were a minor or legally incapacitated when you got married, you were in a state of unconsciousness or temporary mental disturbance when you got married, you were fraudulently deceived, you were unlawfully threatened or you did not know that it was a marriage.</p> <p>To apply to the competent local court - family court - please contact a lawyer. In the court proceedings, it is examined whether there are grounds for annulment. Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you wish to continue the marriage. If, for example, you were not yet 18 years old when you married and now indicate as an adult that you want to continue the marriage, the marriage will continue.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Marriage certificate <p>Original or certified copy</p> <ul style="list-style-type: none"> • Evidence to support the reason for revocation, e.g., medical records, police reports. <p>if necessary</p>
Voraussetzungen	The marriage could be annulable if at the time of marriage you were, for example:

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- were not yet of age
- were in a state of unconsciousness or temporary mental disturbance at the time of marriage
- were fraudulently deceived
- have been unlawfully induced to enter into marriage by threat, or
- were legally incompetent
- were not aware of the fact at the time of marriage.

Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you want to continue the marriage. If, for example, you were not yet 18 years old when you got married and you now indicate that you want to continue the marriage as an adult, the marriage will continue.

Kosten

Attorney's fees according to the German Attorney's Fees Act (RVG)
 Court costs, § 43 Law on Court Costs in Family Matters (FamGKG) \- calculated in each case according to the amount of the object value (dependent on income and assets) \- in case of indigence, legal aid can be applied for

Verfahrensablauf

Proceedings for annulment of marriage can be initiated only by a lawyer.

- The lawyer will file a written, reasoned petition for annulment with the District Court - Family Court.
- The family court will serve this petition on the spouse.
- The further procedure depends on the reaction of the spouse. As a rule, there will be a court hearing at which both spouses will be heard. It may be necessary to take evidence on the conditions for annulment.
- The family court will then decide on the application by way of an order.
- An appeal against the decision of the Local 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 prescribed procedure,

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	possibly longer in more complex procedures.
Frist	Depending on the reason for cancellation, one year, e.g. in the case of fraudulent misrepresentation, or three years in the case of unlawful threat from the time of discovery of the reason for cancellation (Section 1317 BGB)
weiterführende Informationen	<ul style="list-style-type: none"> For information on annulment of marriage see https://www.bmfsfj.de/ [https://www.bmfsfj.de/] https://www.bmfsfj.de/bmfsfj/meta/search/72628!search?state=H4sIAAAAAAADWNOW7CMBAFr4Je7YJAEMEtznzoFHajYOes4krGF1y5QIGtxAS6GhUQ5b540MwbKfEnxAR2K9-rH1_gnS4azQM_Y7g9tB31Ds2l2XYv7ouCmLD2nnkaGbtYKz8LpBY2zYyrWf95SwihCxnGAgSUqxUTE68GFIO3InyqyWMMkhNNoR4seeHIC2iswgWbAAAA&newSearch;=true&query;=marriage annulment [https://www.bmfsfj.com/bmfsfj/meta/search/72628!search?state=H4sIAAAAAAADWNOW7CMBAFr4Je7YJAEMEtznzoFHajYOes4krGF1y5QIGtxAS6GhUQ5b540MwbKfEnxAR2K9-rH1_gnS4azQM_Y7g9tB31Ds2l2XYv7ouCmLD2nnkaGbtYKz8LpBY2zYyrWf95SwihCxnGAgSUqxUTE68GFIO3InyqyWMMkhNNoR4seeHIC2iswgWbAAAA&newSearch;=true&query;=marriage annulment] https://www.bmfsfj.de/bmfsfj/meta/search/72628!search?state=H4sIAAAAAAADWNOW7CMBAFr4Je7YJAEMEtznzoFHajYOes4krGF1y5QIGtxAS6GhUQ5b540MwbKfEnxAR2K9-rH1_gnS4azQM_Y7g9tB31Ds2l2XYv7ouCmLD2nnkaGbtYKz8LpBY2zYyrWf95SwihCxnGAgSUqxUTE68GFIO3InyqyWMMkhNNoR4seeHIC2iswgWbAAAA&newSearch;=true&query;=Eheaufhebung
Hinweise	Please consult a lawyer.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Serviceportal der Freien Hansestadt Bremen, Service portal of the Free Hanseatic City of Bremen