



CC Art. 22

Nullity of Marriage

TITLE 02 — FAMILY LAW · CHAPTER 01 — MARRIAGE FORMATION AND REQUIREMENTS

- 1** A marriage is void from the outset where:
 - a. The parties are related within the prohibited degrees set out in [Article 20\(3\)\(a\) or \(b\)](#)
 - b. Either party was already married or bound by a registered partnership at the time of the marriage
 - c. The marriage was not solemnized before an authorised officiant, and is not a foreign marriage recognised under [Article 21\(8\)](#).

 - 2** A marriage is voidable where:
 - a. Either party did not give free and full consent, by reason of duress, fraud, or error as to the identity or essential qualities of the other party
 - b. Either party had not attained the minimum age required by [Article 20](#), and the required consents and authorisation had not been obtained
 - c. Either party was subject to a declaration of incapacity that removed the capacity to marry
 - d. The consent of a parent or guardian required under [Article 20\(2\)](#) was obtained by fraud or duress.

 - 3** A voidable marriage may be annulled upon application to the Royal Chancellery by the affected party, or by any person having a legitimate interest, within two years of the discovery of the ground of nullity. A voidable marriage that is not annulled within this period is confirmed and may no longer be challenged.

 - 4** A marriage that is annulled for any ground shall be treated, with respect to children born or conceived during the marriage, as if it had been valid. The parentage, nationality, and rights of such children are not affected by the annulment.
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- 5 Where a marriage is annulled and one or both parties acted in good faith, the good-faith spouse is entitled to the same property rights as would have arisen on dissolution of a valid marriage, in accordance with Chapter 3.
- 6 The declaration of nullity shall be registered in the civil status register with a notation of the ground and date of the declaration.

DOCUMENT INFORMATION	
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