

# Annulment of marriage

If you think that your marriage is not legal, you can apply for annulment of your marriage.

## Competent Department

- [Amtsgericht Bremen](#)
- [Amtsgericht Bremen-Blumenthal](#)
- [Amtsgericht Bremerhaven](#)

## Basic information

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.

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.

## Requirements

The marriage could be annulled if, for example, when you got married

- were not yet of legal age
- were in a state of unconsciousness or temporary mental disorder at the time of the marriage
- were fraudulently deceived
- were unlawfully induced to enter into the marriage through threats or
- were legally incompetent
- did not know at the time of the marriage that it was such a marriage.

Under certain circumstances, annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you wish to continue the marriage. For example, if you were under the age of 18 when you got married and now, as an adult, you indicate that you wish to continue the marriage, the marriage will remain valid.

## What documents do I need?

- Marriage certificate

Original or certified copy

- Evidence to support the reason for revocation, e.g., medical records, police reports.

if necessary

## Procedure

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.

## Legal bases

- [§§ 58 bis 69 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§ 122 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\) zur örtlichen Zuständigkeit](#)
- [§§ 1313 ff. Bürgerliches Gesetzbuch \(BGB\)](#)
- [§ 111 Nr. 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§ 114 Abs. 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§§ 121 Nr. 2 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)

## More information

Please consult a lawyer.

## What deadlines must be paid attention to?

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)

## **How long does it take to process**

At least 3 months due to the prescribed procedure, possibly longer in more complex procedures.

## **What are the costs?**

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