

# Annulment

## Marriage Annulment

### Opposite Sex Marriage

A marriage between two people of the opposite sex can be annulled for the following reasons:

- If either party did not validly consent to the marriage;
- Non-consummation of the marriage owing to the incapacity of either party;
- Non-consummation of the marriage owing to the wilful refusal of the respondent;
- If either party was suffering from a mental disorder of such a kind as to render them unfit for marriage;
- If, at the time of the marriage, the respondent was suffering from a venereal disease in a communicable form;
- If the respondent was pregnant at the time of the marriage by some person other than the petitioner;
- If an interim gender recognition certificate has been issued to either party after the marriage; or
- If a full gender recognition certificate has been issued as at the date of the marriage to the respondent.

### Same Sex Marriage

A marriage between two people of the same sex can be annulled for the following reasons:

- If either party did not validly consent to the marriage;
- If either party was suffering from a mental disorder of such a kind as to render them unfit for marriage;
- If, at the time of the marriage, the respondent was suffering from a venereal disease in a communicable form;
- If the respondent was pregnant at the time of the marriage by someone from outside of the relationship;
- If an interim gender recognition certificate has been issued to either party after the marriage; or
- If a full gender recognition certificate has been issued as at the date of the marriage to the respondent.

# Civil Partnership Annulment

## Opposite Sex Civil Partnership

A civil partnership between two people of the opposite sex can be annulled for the following reasons:

- If either party did not validly consent to the civil partnership formation;
- If either party was suffering from a mental disorder of such a kind as to render them unfit for civil partnership;
- If the respondent was pregnant at the time of the civil partnership formation by some person other than the applicant;
- If an interim gender recognition certificate has been issued to either party after the formation of the civil partnership; or
- If a full gender recognition certificate has been issued as at the date of the civil partnership to the respondent.

## Same Sex Civil Partnership

A civil partnership between two people of the same sex can be annulled for the following reasons:

- If either party did not validly consent to the civil partnership formation;
- If either party was suffering from a mental disorder of such a kind as to render them unfit for civil partnership;
- If the respondent was pregnant at the time of the civil partnership formation by someone from outside of the relationship;
- If an interim gender recognition certificate has been issued to either party after the formation of the civil partnership; or
- If a full gender recognition certificate has been issued as at the date of the civil partnership to the respondent.