

# Nullity Petition

To be completed by the Court	
Name of court	
Case No.	
Date received by the court	
Date issued	
Time issued	
Fee charged/ Remission ID	

## Notes to Petitioner

- This form should be used if you are applying to the court to annul your marriage or civil partnership.
- Before completing this form, please read the supporting notes (D8N Notes) for guidance on how to complete this form.
- Please answer all questions. If you are unsure of the answer to any question, or you do not think that it applies to you, please indicate this on the form.
- If there is not enough room on this form, you may continue on a separate sheet. Please put your name, the Respondent's (your spouse/civil partner) name, and the number of the Part the information relates to, at the top of your continuation sheet.
- If completing this form by hand, please use **black ink and BLOCK CAPITAL LETTERS** and tick the boxes that apply.

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## See the supporting notes for guidance on how to complete this section

I,  (please state your full name)

apply for an annulment in respect of my

marriage

civil partnership

and give the following details in support of my application.

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## Part 1 About you (the Petitioner) and the Respondent (your spouse/civil partner)

See the supporting notes for guidance on how to complete this section

### Petitioner

My current name is  
First name(s) (in full)

Last name

My address is (including postcode)

	Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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My date of birth is

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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My occupation is

I am

male  female

### Respondent

The Respondent's current name is  
First name(s) (in full)

Last name

The Respondent's address is (including postcode)

	Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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The Respondent's date of birth is

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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The Respondent's occupation is

The Respondent is

male  female

## Part 2 Details of marriage or civil partnership

See the supporting notes for guidance on how to complete this section

On the \_\_\_\_\_ day of \_\_\_\_\_ [19 ] [20 ]

(insert your name **exactly** as it appears on your marriage/civil partnership certificate)

married  formed a civil partnership with

(insert the name of the Respondent **exactly** as it appears on your marriage/civil partnership certificate)

at

(insert the place where the marriage/civil partnership was formed, **exactly** as it appears on your marriage/civil partnership certificate)

**A certified copy of your marriage/civil partnership certificate must be sent to the court with this completed form (see supporting notes for guidance).**

### Part 3 Jurisdiction

See the supporting notes for guidance on how to complete this section

The Respondent and I last lived together as  spouses  civil partners  
at

Address

The court has jurisdiction to hear this case under

- Section 5(3) of the Domicile and Matrimonial Proceedings Act 1973  
or  
 the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations 2005  
or  
 The Marriage (Same Sex Couples) (Jurisdiction and Recognition of Judgments) Regulations 2014

on the following grounds

- The Applicant/Petitioner and Respondent are both habitually resident in England and Wales  
or  
 Other (please state any other connection(s) on which you wish to rely)

or

- The court has jurisdiction other than under the Marriage (Same Sex Couples) (Jurisdiction and Recognition of Judgments) Regulations 2014 or under the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations 2005 on the basis that no court has, or is recognised as having jurisdiction as set out in the Regulations, and

either:

- the  Applicant/Petitioner or  the Respondent is domiciled in England or Wales

or

- the Applicant/Petitioner and Respondent registered as civil partners of each other in England or Wales or, in the case of a same sex couple, married each other under the law of England and Wales and it would be in the interests of justice for the court to assume jurisdiction in this case.

## Part 4 Other proceedings or arrangements

See the supporting notes for guidance on how to complete this section

- There are and/or have been
- proceedings in any court in England and Wales or elsewhere with reference to the
    - marriage
    - civil partnership
    - or to any child of the family
    - or between the Petitioner and Respondent with reference to any property of either or both of them
- (please enter details below)

or

- no other proceedings in any court in England and Wales or elsewhere.

## Part 5 The fact(s)

See the supporting notes for guidance on how to complete this section

I rely on the following fact(s) in support of my application:

### In relation to a marriage:

Either the marriage is void because:

- The Petitioner and Respondent are within the prohibited degrees of relationship
- The Petitioner/Respondent was under the age of sixteen at the time of the marriage
- The Petitioner and Respondent have intermarried in disregard of certain requirements as to the formation of marriage
- At the time of the marriage the Petitioner/Respondent was already lawfully married or a civil partner
- In the case of a polygamous marriage entered into outside England and Wales, one party was at the time of the marriage domiciled in England and Wales

or, the marriage is voidable because:

- The marriage was not consummated owing to the incapacity of the Petitioner/Respondent to consummate it (this will not apply to marriages of same sex couples)
- The marriage was not consummated owing to the wilful refusal of the Respondent to consummate it (this will not apply to marriages of same sex couples)
- The Petitioner/Respondent did not validly consent to its formation, whether in consequence of duress, mistake, unsoundness of mind or otherwise
- At the time of the marriage either party, though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder within the meaning of the Mental Health Act 1983 of such a kind or to such an extent as to be unfitted for marriage
- At the time of the marriage the Respondent was suffering from venereal disease in a communicable form
- At the time of the marriage the Respondent was pregnant by some person other than the Petitioner
- An interim gender recognition certificate under the Gender Recognition Act 2004 has, after the time of the marriage, been issued to either party to the marriage
- The Respondent is a person whose gender at the time of the marriage has become the acquired gender under the Gender Recognition Act 2004.

**In relation to a civil partnership:**

Either the civil partnership is void because:

- At the time when they entered the civil partnership the parties were not eligible to register as civil partners of each other under Chapter one (Section 3) of the Civil Partnership Act 2004
- At the time of the civil partnership the parties both knew that:
  - due notice of proposed civil partnership had not been given
  - the civil partnership certificate had not been duly issued
  - the civil partnership document was void under section 17(3) or 27(2) (registration after end of time allowed for registering)
  - the place of registration was a place other than specified in the notices (or notice) of proposed civil partnership and the civil partnership document
  - a civil partnership registrar was not present
  - that the place of registration was on premises that are not approved premises although the registration was purportedly in accordance with section 6(3A)
- The civil partnership document is void under paragraph 6(5) of Schedule 2 (civil partnership between a child and another person forbidden)

or, the civil partnership is voidable because:

- The Petitioner or Respondent did not validly consent to the formation of the civil partnership (whether as a result of duress, mistake, unsoundness of mind or otherwise)
- At the time of the formation of the civil partnership either party, though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder of such a kind or to such an extent as to be unfitted for civil partnership
- At the time of the formation of the civil partnership the Respondent was pregnant by some person other than the Petitioner
- An interim gender recognition certificate under the Gender Recognition Act 2004 has, after the time of the formation of the civil partnership, been issued to either civil partner
- The Respondent is a person whose gender at the time of the civil partnership had become the acquired gender under the Gender Recognition Act 2004 at the time of the formation of the civil partnership.

**Part 6 Statement of case**

**See the supporting notes for guidance on how to complete this section**

(in all cases, please state briefly any relevant details about the fact(s) on which you rely)

## Part 7 Details of the children

See the supporting notes for guidance on how to complete this section

If you cannot agree arrangements for your children, you can make an application under the Children Act 1989. Please see leaflets CB1 Children and the family courts and CB7 Guidance for separated parents: Children and the family courts.

Children of the family		Over 16 but under 18 and in education, training or working full time	(a) Child of both parties	(b) Other child of the family
	Date of birth (or state if over 18)			
Child 1	<input type="text" value="D"/> <input type="text" value="D"/> / <input type="text" value="M"/> <input type="text" value="M"/> / <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child 2	<input type="text" value="D"/> <input type="text" value="D"/> / <input type="text" value="M"/> <input type="text" value="M"/> / <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child 3	<input type="text" value="D"/> <input type="text" value="D"/> / <input type="text" value="M"/> <input type="text" value="M"/> / <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child 4	<input type="text" value="D"/> <input type="text" value="D"/> / <input type="text" value="M"/> <input type="text" value="M"/> / <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child 5	<input type="text" value="D"/> <input type="text" value="D"/> / <input type="text" value="M"/> <input type="text" value="M"/> / <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child 6	<input type="text" value="D"/> <input type="text" value="D"/> / <input type="text" value="M"/> <input type="text" value="M"/> / <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text" value="Y"/> <input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Part 8 Special assistance or facilities if you attend court

See the supporting notes for guidance on how to complete this section

If you are required to attend court during these proceedings will you need any special assistance or facilities?

Yes (please supply details below)  No

## Part 9 Service details

See the supporting notes for guidance on how to complete this section

- I am not represented by a solicitor in these proceedings
- I am not represented by a solicitor in these proceedings but am receiving advice from a solicitor
- I am represented by a solicitor in these proceedings, who has signed Part 10, and all documents for my attention should be sent to my solicitor whose details are as follows:

### Box 1 Solicitor's details

Name of solicitor			
Name of firm			
Address to which all documents should be sent for service	Telephone no.		
	Fax no.		
	DX no.		
	Your ref.		
	Solicitor's fee account no.		
Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>
E-mail			

### Box 2 Petitioner's address for service

Address (including postcode)
Postcode <input type="text"/>

### Box 3 Respondent's address for service

Address (including postcode)
Postcode <input type="text"/>

## Part 10

See the supporting notes for guidance on how to complete this section

### Prayer

The Petitioner therefore prays

#### (1) The application

That the  marriage  civil partnership be annulled

#### (2) Costs (if you wish to claim costs from the Respondent)

That the  Respondent shall be ordered to pay the costs of this application

#### (3) Financial Orders (if you wish to make an application for a Financial Order)

(a) That the Petitioner may be granted the following Financial Order(s):

an order for maintenance pending suit/outcome

periodical payments order

secured provision order

lump sum order

property adjustment order

order under section 24B, 25B or 25C of the Matrimonial Causes Act of 1973/paragraph 15, 25 or 26 of Schedule 5 to the Civil Partnership Act of 2004 (Pension Sharing/Attachment Order) or section 25F or section 21B of the 1973 Act or paragraph 19B or paragraph 34A of the 2004 Act (Pension Compensation Sharing/Attachment Orders)

(b) For the children

a periodical payments order

a secured provision order

a lump sum order

a property adjustment order

Signed

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Petitioner ['s Solicitor]

Dated

D	D	/	M	M	/	Y	Y	Y	Y
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