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RELATED CONSEQUENCES OF INVALIDITY OF MARRIAGE

The article deals with the consequences of invalidity of marriage not covered by Articles 45 and 46 of the Family Code of Ukraine. Co-authors studied the question of invalidity of the marriage contract as “related” consequence of invalidity of marriage, which is independent of the good faith or bad faith of the spouses. The authors raise the question of compensation for bona fide spouse of inflicted moral and material damage. The main idea is that the possibility of compensation for damages is not rejected in the principles of family law. Article 18 of the Family Code of Ukraine among the ways to protect the rights and interests of family specifies

compensation for pecuniary and non-pecuniary damage. Special attention is paid to the scope of mutual rights and responsibilities of parents and the child born in invalid marriage. The article raises the question of correctness of preserving acquired full civil capacity for bona fide spouse. Co-authors propose to solve the issue of protection of the property right of invalid spouses by the same rules as the separation of property of invalid spouses. It is stated that bona fide spouse must prove detached residence of the testator with another member of invalid marriage in the period and ask to recognize the right of ownership of property acquired during this period.