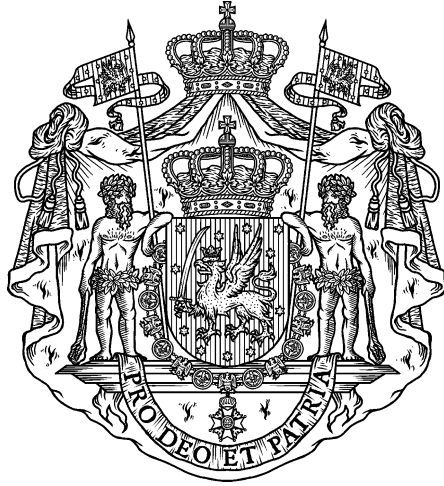


THE CODES OF KAHARAGIA

Civil Code of Kaharagia

VOLUME II



Civil Code of Kaharagia

Persons, Family, Property, Obligations, and Succession.

PUBLISHED BY

THE SOVEREIGN'S PRINTER

ROYAL CHANCELLERY, KAHARAGIA

2026

Civil Code of Kaharagia

Persons, Family, Property, Obligations, and Succession.

Published by

THE SOVEREIGN'S PRINTER

Royal Chancellery, Kaharagia

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Enacted by Sovereign Decree SD-2026-0004, given 16/07/2026, taking effect upon signature

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Enacting Decree

The Code is Annex A of the Decree below, which provides that the Annex forms an integral and binding part of it. Reproduced from the engrossed record; the Decree's Articles are numbered in roman, the Code's in arabic.

SD-2026-0004

Sovereign Decree Establishing and Enacting the Civil Code of Kaharagia

BY THE GRACE OF GOD

WE MAXIMILIAN

PRINCE OF KAHARAGIA

etc., etc., etc.,

WHEREAS the orderly conduct of civil life requires clear and consistent rules concerning persons, families, property, obligations, and succession;

WHEREAS legal certainty, fairness, and the peaceful settlement of private rights are essential to justice and good government;

WHEREAS the Civil Code of Kaharagia has been prepared for this purpose and ought now to be given full force and effect;

NOW, THEREFORE, WE, in Our Sovereign capacity and having duly considered the advice of Our Counsel, do hereby decree as follows:

Article I — Establishment and Enactment

1. The Civil Code of Kaharagia, comprising Articles 1 through 63 and set forth in Annex A, is hereby established, enacted, and promulgated as law within the State.
2. Annex A forms an integral and binding part of this Decree and shall have full force and effect accordingly.

Article II — Application and Interpretation

1. Subject always to the Fundamental Laws and Principles of Kaharagia, the Civil Code of Kaharagia shall govern the civil status and capacity of persons, family relations, property, obligations, contracts, succession, and civil liability.
2. All existing laws, decrees, regulations, and other instruments shall be interpreted and applied consistently with the Civil Code of Kaharagia and shall have no force to the extent of any inconsistency.
3. The authenticated text of the Civil Code of Kaharagia shall be maintained by the Royal Chancellery and reproduced in KáhaLex without substantive alteration.

Article III — Enactment and Publication

1. This Decree and Annex A shall take effect immediately upon Our Signature.
2. They shall be entered into the Royal Kaharagian Gazette and published accordingly.

GIVEN under Our Hand and the Great Seal of Our Principality, at Our Court in Detroit, This 16th day of July, in the year of Our Lord Two Thousand and Twenty-Six, and the Seventeenth of Our Reign.

Maximilian P.

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Note on Citation

An Article of this Code is cited by the abbreviation, the Article number, and where helpful the heading, for example CC Art. 1. A numbered paragraph within an Article is cited by its number and a sub-paragraph by its letter, so that CC Art. 1(4)(b) refers to the second sub-paragraph of paragraph (4) of Article 1.

A reference in the form CC Art. N is to an Article of this Code; the other instruments in the corpus are cited in the same way. The abbreviations are FN for the Fundamental Laws and Principles of Kaharagia, CC for the Civil Code of Kaharagia (this volume), CR for the Criminal Code of Kaharagia, Nat for the Nationality Code of Kaharagia, and DPC for the Data Protection Code of Kaharagia.

Every Article printed here was in force at the status date on the imprint page. This volume is a faithful reproduction and not an independent authority; where it differs from the text published in KáhaLex, the published text governs.

The Codes of Kaharagia

The corpus of enacted law. Each instrument was established by the Sovereign Decree named against it, given 16/07/2026 and taking effect upon signature. The authenticated text of each is maintained by the Royal Chancellery and published in KáhaLex.

I	Fundamental Laws and Principles of Kaharagia	SD-2026-0003	51 Articles
II	Civil Code of Kaharagia <i>this volume</i>	SD-2026-0004	63 Articles
III	Criminal Code of Kaharagia	SD-2026-0005	34 Articles
IV	Nationality Code of Kaharagia	SD-2026-0006	21 Articles
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Chapter 01 — Natural Persons

Article 1 — Legal Personality of Natural Persons

- (1) Every living human being possesses legal personality from the moment of live birth until death.
- (2) Legal personality is the capacity to be a subject of rights and obligations under the law.
- (3) No person may be deprived of legal personality. Any act, agreement, or decree purporting to deny or extinguish the legal personality of a living person is void.
- (4) Where the law accords rights to a conceived but unborn child, such rights are contingent upon live birth; if the child is born alive, those rights are deemed to have vested from the moment of conception. In particular:
 - (a) A child conceived before the death of a person from whom it would inherit is treated as already born for the purposes of succession, provided it is subsequently born alive.
 - (b) A gift or bequest made in favour of a conceived child is valid, subject to the same condition.
- (5) Live birth is established by evidence that the child, after complete separation from the mother, showed signs of life, however briefly. The burden of proving live birth lies on the party asserting it.
- (6) The death of a natural person extinguishes legal personality. Upon death:
 - (a) Rights and obligations that are transmissible pass in accordance with the law of succession.
 - (b) Rights and obligations that are personal to the deceased are extinguished, unless the law provides otherwise.
 - (c) The remains and memory of the deceased are protected by law against abuse and indignity.
- (7) In this Code, “competent authority” means the Royal Chancellery or such other organ as the Sovereign may designate for the purpose in question.
- (8) Where two or more persons perish in the same event and it cannot be determined who died first, they are presumed to have died simultaneously; neither is deemed to have survived the other for the purposes of succession or any other right dependent on survivorship.

Article 2 — Capacity

- (1) Every natural person has, from birth, passive capacity: the capacity to hold rights and bear obligations.

- (2) Active capacity, that is, the capacity to perform juridical acts and to exercise rights independently, is governed by age, soundness of mind, and such other conditions as this Code prescribes.
- (3) Full active capacity is attained upon reaching the age of majority as defined in this Code, or upon emancipation.
- (4) Full active capacity entitles a person to perform all juridical acts recognised by law, including the capacity to enter into contracts, dispose of property, marry, exercise parental authority, and commence legal proceedings.
- (5) Certain juridical acts require special capacity or additional conditions beyond full active capacity; these include:
 - (a) Acts of suretyship and guarantee, which require that the person understand the nature and extent of the obligation assumed.
 - (b) Renunciation of rights, which must be express and informed.
 - (c) Such other acts as the law may specify.
- (6) Restrictions on the capacity to act may be imposed only by law and only to the extent necessary for the protection of the person concerned or of third parties. A restriction shall be construed narrowly and shall not extend beyond its stated purpose.
- (7) Any juridical act performed by a person lacking the requisite capacity is voidable at the instance of that person, their legal representative, or any other party entitled by law to invoke the defect. However:
 - (a) The other party to a voidable act may not invoke the incapacity of the person with whom they dealt.
 - (b) A voidable act may be confirmed, expressly or tacitly, once the ground of incapacity has ceased.
 - (c) The right to annul a voidable act is extinguished after a period of three years from the date on which the incapacity ceased or was discovered, unless the law provides otherwise.

Article 3 — Name

- (1) Every person has the right to a name. The name is an attribute of personality and is protected by law.
- (2) The full name of a person comprises:
 - (a) One or more given names, chosen by the parents or, in their absence, by the person exercising parental authority or guardianship.
 - (b) A family name, determined in accordance with the rules set out in this Article.

- (3) The family name of a child is determined as follows:
 - (a) Where parentage is established with respect to both parents, the parents shall jointly choose the family name of the child from among the family name of either parent, or a combination of both in an order of their choosing.
 - (b) Where the parents cannot agree, the child shall bear the family names of both parents in alphabetical order.
 - (c) Where parentage is established with respect to one parent only, the child bears the family name of that parent.
 - (d) Where parentage is unknown, the competent authority shall assign a family name to the child.
- (4) The name of a person is determined at birth and recorded in the civil status register. A person may apply to the competent authority for a change of given name or family name. A change shall be granted where:
 - (a) The existing name causes serious prejudice, ridicule, or hardship.
 - (b) The applicant has habitually used another name for a substantial period and the change reflects established usage.
 - (c) The change is consequent upon a change in personal status, such as adoption or judicial determination of parentage.
 - (d) Any other just cause exists, as determined by the competent authority.
- (5) A change of name takes effect upon registration in the civil status register and does not affect rights or obligations acquired under the former name. Third parties who dealt with the person under the former name may continue to rely on that name until they have actual or constructive notice of the change.
- (6) Upon marriage, each spouse retains their own name. A spouse may elect to use the family name of the other spouse, or a combination of both names, as a name of usage; this does not alter the name recorded in the civil status register unless a formal change is applied for and granted.
- (7) The name of a person is protected against unauthorised use. In particular:
 - (a) No person may assume the name of another in a manner likely to cause confusion as to identity.
 - (b) A person whose name is usurped or misused may seek cessation of such use, rectification, and damages from the offender.
- (8) Pseudonyms and customary names may be recognised for particular purposes, including artistic, literary, or professional activity, but do not replace the name recorded in the civil status register. A pseudonym that has acquired general notoriety may receive protection analogous to that of the registered name.

Article 4 — Domicile

- (1) The domicile of a national is the place that the person declares as their principal residence and registers with the civil status authorities. Since the State of the Kaharagians holds no territory, domicile refers to a location in any jurisdiction where the national habitually resides.
- (2) A person may have only one domicile at any time for the purposes of Kaharagian law, regardless of the number of residences they maintain.
- (3) Where a person has not declared a domicile, or where the declared domicile cannot be ascertained, domicile is determined according to the following presumptions, applied in order:
 - (a) The place where the person has their principal establishment or habitual abode.
 - (b) The place where the person was last known to reside.
 - (c) The place of the person's birth, if recorded in the civil status register.
- (4) The domicile of a minor is that of the parent or guardian exercising parental authority. Where parents with joint parental authority maintain separate domiciles, the minor's domicile is that of the parent with whom the minor principally resides, or as determined by decree of a competent authority.
- (5) The domicile of a person under guardianship is that of the guardian, unless the competent authority directs otherwise.
- (6) A change of domicile is effected by the establishment of a new principal residence combined with registration of the change with the civil status authorities. Mere temporary absence, travel, or sojourn does not alter domicile.
- (7) Domicile determines:
 - (a) The applicable law in matters of personal status, where Kaharagian law refers to the law of the domicile.
 - (b) The place at which legal process and official communications may be served upon a person.
 - (c) The jurisdiction competent to hear disputes concerning the personal status or estate of a person, where Kaharagian authorities have jurisdiction.
- (8) A person may elect a domicile of choice for a particular juridical act or legal proceeding by express written declaration; such elected domicile operates only for the purpose specified and does not alter the person's general domicile.
- (9) Where a national resides in a jurisdiction that does not cooperate with Kaharagian authorities or where service of process at the declared domicile is impracticable, the competent authority may authorise alternative methods of notification, including electronic communication, publication, or such other means as are reasonably calculated to bring the matter to the person's attention.

Chapter 02 — Nationality and Civil Status

Article 5 — Civil Effects of Nationality

- (1) Nationality of Kaharagia, as established under the Fundamental Laws, is the juridical bond between a person and the State that gives rise to civil rights and obligations under this Code.
- (2) Full nationals possess full civil capacity under this Code, including the capacity to marry, adopt, inherit, and enter into all forms of juridical acts recognised by Kaharagian law.
- (3) Protected persons possess civil capacity in matters of contract, movable property, and personal status, subject to such limitations as the law may prescribe. Protected persons may not adopt under Kaharagian law unless expressly authorised.
- (4) Honorary nationals possess civil capacity in such matters as the instrument of conferral may specify. In the absence of specification, honorary nationality confers the right to use the title and style of a Kaharagian national but does not confer civil capacity beyond that of a non-national.
- (5) No class of nationality may be denied the fundamental civil rights guaranteed under Title VI of the Fundamental Laws.
- (6) A person who loses Kaharagian nationality ceases to enjoy civil rights that are reserved by law to nationals, without prejudice to rights already vested or to obligations already incurred.
- (7) A person who transitions from one class of nationality to another acquires the civil capacities of the new class from the date of the transition. Juridical acts validly performed under the former class remain valid.
- (8) A national of Kaharagia who also holds the nationality of a foreign state is, for the purposes of this Code, treated as a Kaharagian national in all dealings governed by Kaharagian law.
- (9) Non-nationals who are not protected persons or honorary nationals may nevertheless be parties to juridical acts governed by this Code where the law provides for their participation.

Article 6 — Registered Partnerships

- (1) Two persons who do not wish to marry, or who are unable to marry under this Code, may enter into a registered partnership by filing a joint declaration with the Royal Chancellery.
- (2) The requirements of age, capacity, consent, and absence of impediment applicable to marriage under Title 02, Chapter 01 apply, with any necessary modifications, to registered partnerships. In particular, references to ‘spouse’ shall be read as references to ‘partner’ and references to ‘marriage’ as references to ‘registered partnership’.

- (3) A registered partnership produces the same civil effects as a marriage with respect to:
 - (a) Personal status and civil capacity.
 - (b) Matrimonial property, by application of Title 02, Chapter 02.
 - (c) Maintenance obligations.
 - (d) Succession rights.
- (4) A registered partnership may be dissolved in the same manner and on the same grounds as a marriage.
- (5) Where this Code or any other law refers to a spouse, the reference includes a registered partner, unless the context requires otherwise.
- (6) The Royal Chancellery shall maintain a register of partnerships and record all declarations and dissolutions.

Article 7 — Registration of Civil Status Events

- (1) The following events in the life of a national shall be registered in the civil status registers established under the Fundamental Laws:
 - (a) Birth and parentage.
 - (b) Acknowledgement or judicial determination of parentage.
 - (c) Adoption.
 - (d) Marriage and dissolution of marriage.
 - (e) Change of name.
 - (f) Change of domicile.
 - (g) Emancipation.
 - (h) Judicial declarations of incapacity or restoration of capacity.
 - (i) Appointment, removal, or replacement of a guardian or curator.
 - (j) Declarations of absence and presumption of death.
 - (k) Death.
 - (l) Acquisition, change, or loss of nationality.
 - (m) Such other events as the law may prescribe.

- (2) Registration is the duty of the person concerned, or of the person required by law to report the event, within the time limits established by regulation. The following persons are responsible for reporting:
 - (a) Births: the parents, or the person present at the birth, or the medical professional who attended.
 - (b) Deaths: the nearest available relative, the person with whom the deceased resided, or the authority having custody of the remains.
 - (c) Marriage: the spouses jointly, or the person who officiated.
 - (d) All other events: the person whose status is affected, or their legal representative.
- (3) Events occurring in a foreign jurisdiction may be registered upon production of authentic documents issued by the competent authorities of that jurisdiction, subject to verification as provided by law. Documents in a foreign language shall be accompanied by a certified translation.
- (4) Where a civil status event recognised under Kaharagian law conflicts with the records of a foreign jurisdiction, the Kaharagian register entry shall prevail for the purposes of Kaharagian law, without prejudice to any obligation to seek reconciliation of the records.
- (5) Failure to register a civil status event does not affect the validity of the event itself, but may render the person responsible liable to penalties prescribed by law and may impair the evidentiary value of any subsequent claim based on the unregistered event.
- (6) Late registration of a civil status event may be effected upon application to the competent authority, supported by such evidence as the authority requires to satisfy itself of the facts.

Article 8 — Proof of Civil Status

- (1) Civil status is proved by certified extracts or copies from the civil status registers. A certified extract is conclusive evidence of its contents for the purposes of Kaharagian law, subject to the right of correction or annulment.
- (2) Entries in the civil status registers create a rebuttable presumption of the facts recorded, in accordance with the Fundamental Laws. A party seeking to rebut a register entry bears the burden of proof by clear and convincing evidence.
- (3) Where a register entry is unavailable, destroyed, or incomplete, civil status may be proved by any admissible evidence, including:
 - (a) Public or private documents.
 - (b) Testimony of witnesses.
 - (c) Medical or scientific evidence, including genetic testing.
 - (d) Consistent and uncontradicted possession of a civil status.
 - (e) Any other means recognised by law.

- (4) Possession of a civil status (that is, the continuous, peaceful, and public enjoyment of a status such as parent, child, or spouse) constitutes a presumption of that status where it is supported by:
 - (a) The use of the name associated with the status.
 - (b) Treatment by the family and community as holding the status.
 - (c) Recognition by public authorities as holding the status.
- (5) A person who contests the accuracy of a register entry may apply to the competent authority for its correction or annulment. The applicant must demonstrate the error or falsity of the entry. Interested parties shall be given notice and the opportunity to be heard before any correction or annulment is ordered.
- (6) Foreign civil status documents shall be given effect in Kaharagian law to the extent that they are authenticated and not contrary to Kaharagian public order. Authentication may be established by:
 - (a) Apostille or legalisation in accordance with applicable international convention.
 - (b) Certification by a Kaharagian diplomatic or consular agent.
 - (c) Such other method as the competent authority accepts as reliable.
- (7) Where foreign civil status documents conflict with Kaharagian register entries, the competent authority shall determine which record is to be preferred, having regard to the reliability of the source, the proximity of the recording authority to the event, and the consistency of the evidence as a whole.

Chapter 03 — Minority, Majority, and Emancipation

Article 9 — Age of Majority

- (1) The age of majority is eighteen years.
- (2) Upon attaining the age of majority, a person acquires full capacity to perform all juridical acts and to exercise all civil rights, unless subject to a restriction imposed by law or a judicial declaration of incapacity.
- (3) Age is computed from the day of birth; a person attains a given age at the commencement of the corresponding anniversary of their birth.
- (4) Where the date of birth is unknown or uncertain, the competent authority shall determine an assumed date of birth for the purposes of computing age, having regard to available evidence including medical opinion. The assumed date shall be recorded in the civil status register with a notation that it rests on an estimate.
- (5) A person who has attained the age of majority may not subsequently be treated as a minor, save under a declaration of incapacity in accordance with Chapter 4 of this Title.

Article 10 — Minority and Parental Authority

- (1) A person who has not attained the age of majority is a minor.
- (2) A minor is subject to parental authority or, in the absence of parents, to guardianship as provided in this Code.
- (3) The person exercising parental authority represents the minor in all civil acts, administers the minor's property, and is responsible for the minor's care and upbringing.
- (4) The capacity of a minor to act is graduated according to age:
 - (a) A minor under the age of seven has no capacity to perform juridical acts; all acts are performed on the minor's behalf by the legal representative.
 - (b) A minor aged seven to fifteen may perform juridical acts that are purely beneficial to them and acts of trivial value appropriate to their age and circumstances. All other acts require the consent or ratification of the legal representative.
 - (c) A minor aged sixteen or seventeen may, with the general or specific consent of the person exercising parental authority, perform ordinary juridical acts of daily life. Ordinary acts of daily life include:
 - (i) Contracts for necessities appropriate to the minor's circumstances.
 - (ii) Employment contracts, subject to applicable labour protections.
 - (iii) Opening and operating a deposit account in the minor's own name.
 - (iv) Acts of administration concerning property that the minor has acquired by their own labour or industry.
- (5) Juridical acts performed by a minor without the requisite representation or consent are voidable at the instance of the minor, the legal representative, or any party entitled by law to invoke the defect. However:
 - (a) The other party may not invoke the minority of the person with whom they dealt.
 - (b) A minor who fraudulently misrepresents their age may not invoke their own minority to annul an act, unless the other party knew or ought to have known of the minority.
 - (c) An act voidable for minority may be ratified by the minor upon attaining majority, or by the legal representative while the minority subsists.
- (6) The legal representative shall not, without the authorisation of a competent authority:
 - (a) Alienate or encumber the minor's property, except movables of insignificant value.
 - (b) Renounce rights on behalf of the minor.

- (c) Accept an inheritance on behalf of the minor other than under benefit of inventory.
 - (d) Compromise or submit to arbitration any claim belonging to the minor.
- (7) The detailed rights and duties arising from parental authority, including exercise, delegation, suspension, and termination, are regulated by the law of family relations.

Article 11 — Emancipation

- (1) A minor who has attained the age of sixteen may be emancipated by:
- (a) Marriage lawfully contracted.
 - (b) Decree of a competent authority, upon application by the minor with the consent of the person exercising parental authority, or in the absence of such consent, where the authority is satisfied that emancipation serves the best interests of the minor.
- (2) An application for emancipation by decree shall set out the grounds on which emancipation is sought. The competent authority shall consider:
- (a) The maturity and judgement of the minor.
 - (b) The minor's ability to manage their own affairs and support themselves.
 - (c) The views of the person exercising parental authority, and the reasons for any refusal of consent.
 - (d) The overall welfare and best interests of the minor.
- (3) Emancipation confers upon the minor full capacity to act, equivalent to that of a person of full age, subject to the following exceptions:
- (a) An emancipated minor may not act as guardian or curator for another person.
 - (b) An emancipated minor may not make gifts exceeding limits prescribed by regulation.
 - (c) An emancipated minor may not stand as surety or guarantor without the authorisation of a competent authority.
- (4) An emancipated minor exercises parental authority over their own children, if any, with the same rights and duties as a person of full age.
- (5) Emancipation is irrevocable, save where it was obtained by fraud or material misrepresentation, in which case it may be annulled by decree of a competent authority. Annulment does not affect the validity of acts performed in good faith between the date of emancipation and the date of annulment.
- (6) Emancipation by marriage subsists even if the marriage is subsequently dissolved, unless the emancipated minor has not yet attained the age of majority and a competent authority orders the restoration of parental authority in the best interests of the minor.

- (7) Emancipation shall be recorded in the civil status register and takes effect from the date of the marriage or the date of the decree, as the case may be.

Chapter 04 — Incapacity and Protective Measures

Article 12 — Grounds for Incapacity

- (1) A person of full age may be declared incapable of managing their own affairs, in whole or in part, where they suffer from:
 - (a) A mental illness or disorder that substantially impairs their judgement or volition.
 - (b) A physical disability that renders them unable to express their will.
 - (c) Habitual intoxication by alcohol or other substances, to the degree that their judgement or conduct is seriously and persistently impaired.
 - (d) Any other condition that, by reason of its nature and severity, prevents the person from understanding the consequences of their acts or from acting in accordance with that understanding.
- (2) A declaration of incapacity may be made only by decree of a competent authority, upon application by:
 - (a) The person concerned.
 - (b) The spouse or registered partner of the person.
 - (c) A parent, child, or sibling of the person.
 - (d) Any other close relative within the degrees prescribed by law.
 - (e) A public officer designated by law to protect the interests of incapable persons.
- (3) The proceedings for a declaration of incapacity shall observe the following safeguards:
 - (a) The person whose capacity is in question shall be heard in person by the competent authority, unless hearing is impossible by reason of their condition, in which case the authority shall visit or otherwise observe the person.
 - (b) The competent authority shall obtain at least one independent medical or expert report on the person's condition.
 - (c) The person may be assisted by counsel of their own choosing, or counsel shall be appointed for them if they are unable to arrange representation.
 - (d) Any person with a legitimate interest may submit observations to the competent authority.

- (4) A declaration of incapacity shall specify:
 - (a) Whether the incapacity is total or partial.
 - (b) In the case of partial incapacity, the categories of acts that the person remains capable of performing independently, and those for which assistance is required.
 - (c) The protective measure to be applied, guardianship or curatorship, and the identity of the person appointed.
- (5) Every declaration of incapacity shall be reviewed at intervals not exceeding three years, or at any time upon application by the incapable person, their guardian or curator, or any person entitled to apply under paragraph 2. The declaration shall be revoked, modified, or confirmed following review.
- (6) A declaration of incapacity shall be recorded in the civil status register and notified to the person concerned and to any person appointed as guardian or curator.

Article 13 — Guardianship and Curatorship

- (1) A person declared totally incapable shall be placed under guardianship. The guardian represents the incapable person in all civil acts and administers their property.
- (2) A person declared partially incapable shall be placed under curatorship. The curator assists the incapable person in those acts for which independent capacity has been withdrawn, while the person retains the right to act independently in all other matters.
- (3) The guardian or curator is appointed by decree of a competent authority, with preference given, in order, to:
 - (a) The person designated by the incapable person in an advance directive made while they possessed full capacity.
 - (b) The spouse or registered partner of the incapable person, provided there is no conflict of interest.
 - (c) A parent or child of the incapable person.
 - (d) A sibling or other close relative.
 - (e) Any other suitable person willing to assume the office.
 - (f) A professional guardian or public officer designated by law, as a measure of last resort.
- (4) The following persons may not serve as guardian or curator:
 - (a) Minors or persons who are themselves subject to a declaration of incapacity.
 - (b) Persons who have been removed from a prior guardianship or curatorship for cause.

- (c) Persons who have an unresolved conflict of interest with the incapable person.
 - (d) Persons who have been convicted of an offence involving dishonesty, violence, or exploitation.
- (5) The guardian or curator has a duty to:
 - (a) Act in the best interests of the incapable person in all matters.
 - (b) Preserve and prudently administer the patrimony of the incapable person.
 - (c) Respect the dignity, preferences, and remaining autonomy of the incapable person, and involve them in decisions so far as is practicable.
 - (d) Provide for the care of the incapable person, including medical treatment, housing, and social support.
 - (e) Maintain contact between the incapable person and their family, unless contrary to the person's welfare.
- (6) The guardian or curator shall render accounts of their administration to the competent authority at intervals not exceeding one year. The accounts shall include an inventory of assets, a record of income and expenditure, and a report on the welfare of the incapable person.
- (7) The guardian or curator shall not, without the prior authorisation of the competent authority:
 - (a) Alienate, encumber, or lease for a term exceeding three years any significant asset of the incapable person.
 - (b) Borrow on behalf of the incapable person.
 - (c) Compromise, settle, or submit to arbitration any claim involving the incapable person.
 - (d) Make gifts from the estate of the incapable person, except customary gifts of modest value.
 - (e) Renounce any right or inheritance on behalf of the incapable person.
- (8) The competent authority may remove and replace a guardian or curator for cause, including neglect, abuse, mismanagement, conflict of interest, or supervening incapacity. The removed guardian or curator shall render a final account and deliver all property to the successor.
- (9) The office of guardian or curator terminates upon:
 - (a) Revocation of the declaration of incapacity.
 - (b) Death of the incapable person.
 - (c) Death, incapacity, or resignation of the guardian or curator, accepted by the competent authority.
 - (d) Removal by the competent authority.

Article 14 — Effects of Incapacity on Juridical Acts

- (1) Juridical acts performed by a person declared totally incapable without representation by their guardian are void. However:
 - (a) Acts of daily necessity performed by the incapable person, such as purchases of food, clothing, or essential supplies, may be upheld if they were performed on reasonable terms and were not prejudicial to the person's interests.
 - (b) The competent authority may, in exceptional circumstances, validate a void act if annulment would cause disproportionate hardship and the act was not manifestly unfair to the incapable person.
- (2) Juridical acts performed by a person declared partially incapable without the assistance of their curator, in matters for which assistance is required, are voidable at the instance of the incapable person, the curator, or any party entitled by law to invoke the defect.
- (3) Juridical acts performed before a declaration of incapacity may be annulled if it is established that:
 - (a) The person was, at the time of the act, in a condition that would have warranted a declaration of incapacity; and
 - (b) The other party knew or ought to have known of that condition; or
 - (c) The act was manifestly prejudicial to the person and the terms of the act, viewed objectively, indicate that the person's impaired state was exploited.
- (4) The right to annul a juridical act on the ground of incapacity is extinguished:
 - (a) Three years after the declaration of incapacity, for acts performed before the declaration.
 - (b) Three years after the revocation of the declaration, for acts performed during the incapacity.
 - (c) In all cases, by express or tacit ratification once full capacity has been restored.
- (5) Annulment of a juridical act on the ground of incapacity does not affect the rights of third parties who acquired rights in good faith and for value before the annulment. A third party acts in good faith if they did not know and had no reason to know of the incapacity or of the defect in the act.
- (6) Upon revocation of a declaration of incapacity, the person recovers full capacity to act. Acts performed after revocation are not affected by the former incapacity.
- (7) The incapable person is liable to restore any enrichment obtained under an annulled act, to the extent that the enrichment subsists or has been applied for their benefit.

Article 15 — Advance Directives

- (1) Any person of full age and full capacity may execute an advance directive in which they:
 - (a) Designate one or more persons to serve as guardian or curator in the event of their future incapacity, and may designate alternates in order of preference.
 - (b) Express their wishes and preferences concerning their personal care, medical treatment, residence, and the administration of their property in the event of incapacity.
 - (c) Confer upon a designated person a continuing power of administration over specified assets or affairs, to take effect upon a declaration of incapacity.
- (2) An advance directive must be:
 - (a) In writing.
 - (b) Dated and signed by the person making it, or signed on their behalf in their presence and at their direction if they are unable to sign.
 - (c) Witnessed by two persons of full age and full capacity who have no personal interest in the directive.
- (3) An advance directive may be registered with the civil status authorities. Registration creates a presumption that the competent authority has been notified of the directive when proceedings for a declaration of incapacity are commenced.
- (4) The competent authority shall give effect to an advance directive so far as is consistent with the welfare of the incapable person and with the law. The authority may depart from the directive only where:
 - (a) The designated person is unable or unwilling to serve, or is disqualified under this Code.
 - (b) Circumstances have changed materially since the directive was made, such that adherence would be contrary to the welfare of the person.
 - (c) The directive contains provisions that are unlawful or contrary to public order.
- (5) An advance directive may be revoked or amended at any time by the person who made it, provided they retain the capacity to do so. Revocation or amendment must be in writing and is effective upon execution, whether or not the original directive has been registered.
- (6) Where a continuing power of administration has been conferred under paragraph 1(c), the person exercising that power is subject to the same duties and restrictions as a curator under this Code, unless the directive expressly provides otherwise in a manner consistent with the law.

Chapter 05 — Absence and Presumption of Death

Article 16 — Declaration of Absence

- (1) Where a person has disappeared from their domicile or last known residence and no reliable information of their existence has been received for a continuous period of one year, any interested party or a public officer designated by law may apply to a competent authority for a declaration of absence.
- (2) Before making a declaration of absence, the competent authority shall:
 - (a) Cause inquiries to be made through all reasonably available channels, including communications to the person's last known domicile and to any known contacts or associates.
 - (b) Where practicable, cause public notice to be given inviting the missing person or any person with knowledge of them to come forward, allowing a reasonable period, not less than three months, for response.
 - (c) Consider any evidence submitted by the applicant or by other interested parties.
- (3) A declaration of absence does not extinguish the legal personality of the absentee; the absentee remains the holder of all rights and subject to all obligations.
- (4) The effects of a declaration of absence on the personal relationships of the absentee are as follows:
 - (a) The marriage of the absentee subsists. The spouse of the absentee may apply to a competent authority for such provisional measures as are necessary for the protection of the family's interests, including authority to act alone in matters ordinarily requiring the consent of both spouses.
 - (b) Parental authority exercised by the absentee is suspended. The other parent exercises parental authority alone, or, in the absence of another parent, a guardian shall be appointed for the children.
 - (c) Contractual obligations of the absentee remain in force. The other parties to such obligations may apply to the competent authority for such relief as is equitable, including suspension of performance where the absentee's personal participation is essential.
- (5) A declaration of absence shall be recorded in the civil status register.
- (6) A declaration of absence may be revoked at any time if the absentee reappears or if reliable information of their existence is received. Revocation restores the status quo ante, subject to the validity of acts lawfully performed during the absence.

Article 17 — Administration of the Absentee's Estate

- (1) Upon a declaration of absence, the competent authority shall appoint an administrator to manage the property and affairs of the absentee. The appointment shall follow the order of preference established for guardians under Article 13 of this Title, adapted as appropriate.
- (2) The administrator has the duty to:
 - (a) Preserve the absentee's estate and protect it from loss, deterioration, or waste.
 - (b) Collect income, rents, and other amounts due to the absentee.
 - (c) Discharge obligations falling due, including debts, taxes, and maintenance obligations owed by the absentee.
 - (d) Represent the absentee in legal proceedings, both as claimant and as defendant, where necessary to protect the estate.
 - (e) Continue the ordinary management of any business or enterprise belonging to the absentee, unless the competent authority directs otherwise.
- (3) The administrator may not alienate, mortgage, or otherwise dispose of the absentee's property except with the prior authorisation of the competent authority, granted only where:
 - (a) Disposal is necessary to prevent loss or deterioration of a perishable or depreciating asset.
 - (b) Disposal is necessary to meet obligations of the estate that cannot otherwise be satisfied.
 - (c) Disposal is manifestly in the interest of the absentee or of the estate.
- (4) The administrator shall render accounts of their administration to the competent authority at intervals not exceeding one year, including an inventory of assets, a record of income and expenditure, and a statement of the condition of the estate.
- (5) The administrator is entitled to reasonable remuneration for their services, as determined by the competent authority, payable from the income of the estate.
- (6) If the absentee returns or their existence is established:
 - (a) The administration ceases upon notification to the administrator.
 - (b) The estate is restored to the absentee in its current condition.
 - (c) The absentee is entitled to a full account of the administration.
 - (d) The absentee is bound by acts lawfully performed by the administrator within the scope of their authority.
 - (e) The administrator is liable for losses caused by negligence or breach of duty, but not for losses arising from prudent administration.
- (7) The provisions governing guardians and curators apply to administrators of an absentee's estate to the extent that they are not inconsistent with this Chapter.

Article 18 — Presumption of Death

- (1) Where a person has been declared absent and a further period of five years has elapsed without reliable information of their existence, any interested party or a public officer may apply to a competent authority for a decree of presumed death.
- (2) Where a person has disappeared in circumstances of particular peril, including shipwreck, armed conflict, natural disaster, or other calamity, an application for a decree of presumed death may be made after two years from the date of the event, without a prior declaration of absence being required.
- (3) Before making a decree of presumed death, the competent authority shall:
 - (a) Cause public notice to be given, allowing a period of not less than six months for any person to come forward with information.
 - (b) Consider all available evidence, including the circumstances of the disappearance, the age and health of the missing person, and the results of any searches conducted.
 - (c) Hear any interested party who wishes to make representations.
- (4) The decree shall fix a presumed date of death, being:
 - (a) The date on which the person was last known to be alive, where the circumstances of death are uncertain; or
 - (b) The date of the perilous event, where the person disappeared in circumstances of particular peril.
- (5) A decree of presumed death has the same legal effects as a proven death for the purposes of:
 - (a) Succession: the estate of the person presumed dead is opened and distributed in accordance with the law of succession.
 - (b) Marriage: the marriage is dissolved as if by death, and the surviving spouse is free to remarry.
 - (c) Parental authority: parental authority of the person presumed dead is extinguished.
 - (d) Contractual obligations: obligations personal to the deceased are extinguished; transmissible obligations pass to the estate.
 - (e) All other civil matters: the decree produces the effects of death from the presumed date fixed therein.
- (6) A decree of presumed death shall be recorded in the civil status register as a death entry, with a notation that it rests on a presumption.

- (7) If the person presumed dead is subsequently found to be alive:
- (a) They may apply to the competent authority for annulment of the decree. The annulment shall be recorded in the civil status register.
 - (b) They are entitled to recover their property in the condition in which it is found, including:
 - (i) Property still held by heirs or legatees, in its current condition.
 - (ii) The price or proceeds of any property that has been alienated, to the extent that such proceeds remain identifiable in the hands of the heirs.
 - (iii) Property acquired by heirs through reinvestment of the proceeds of the estate, to the extent traceable.
 - (c) The person may not recover property from third parties who acquired it in good faith and for value from the heirs.
 - (d) Any marriage contracted by the spouse of the person presumed dead after the decree remains valid. The former marriage is not revived, but either the returning person or the spouse may apply for such relief as equity requires.
 - (e) The returning person resumes legal personality and civil capacity from the date of annulment of the decree. They are not liable for obligations incurred by the estate or the heirs during the period of presumed death, save to the extent that they have recovered property from the estate.

Title 02 — Family Law

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Chapter 01 — Marriage Formation and Requirements

Article 19 — Right to Marry

- (1) Every person of marriageable age has the right to marry freely, without restriction as to sex, gender, race, nationality, or religion.
- (2) Marriage, for the purposes of Kaharagian law, is the voluntary union of two persons, established in accordance with the requirements of this Chapter and registered with the competent authority.
- (3) A marriage validly contracted under Kaharagian law creates personal status effects binding upon the spouses and recognised by all organs and authorities of the State.
- (4) No person may be compelled to enter into marriage. A marriage contracted without the free and full consent of both parties is voidable in accordance with Article 22.
- (5) The right to marry may be exercised by any Kaharagian national, and by any person who submits to the jurisdiction of the State in accordance with the Fundamental Laws, subject to the requirements set out in this Chapter.

Article 20 — Requirements for Marriage

- (1) A marriage may be contracted only where each of the following requirements is satisfied:
 - (a) Both parties have attained the age of eighteen years, or have attained the age of sixteen years and have obtained the consent required by paragraph 2
 - (b) Both parties give their free and full consent to the marriage
 - (c) Neither party is currently married or bound by a registered partnership that has not been dissolved
 - (d) The parties are not related within the prohibited degrees set out in paragraph 3
 - (e) Neither party is subject to a declaration of incapacity that removes the capacity to marry.
- (2) A person who has attained the age of sixteen but has not yet attained the age of eighteen may marry only with:
 - (a) The written consent of both parents exercising parental authority, or of the guardian, or, where only one parent exercises parental authority, the written consent of that parent
 - (b) The authorisation of the Royal Chancellery, which shall be granted only where the Chancellery is satisfied that the marriage is in the interest and welfare of the minor, having regard to all the circumstances.

- (3) Marriage is prohibited between:
 - (a) Persons related in the direct line, whether by blood or by adoption, without limit of degree
 - (b) Siblings and half-siblings, whether by blood or by adoption
 - (c) Such other degrees of relationship as the Sovereign may prescribe by decree.
- (4) The Royal Chancellery may, upon application and for grave and exceptional reasons, grant a dispensation from the impediment of relationship set out in paragraph 3(c), but not from the impediments in paragraphs 3(a) or 3(b).
- (5) Where a requirement of this Article is not satisfied, the marriage is void or voidable in accordance with Article 22.

Article 21 — Solemnization and Registration

- (1) Marriage under Kaharagian law is exclusively a civil institution. Only a marriage solemnized before an officiant authorised by the State, or a foreign marriage recognised under paragraph 8, has legal effect. A religious ceremony, of whatever faith, does not of itself constitute a marriage under this Code.
- (2) Marriage is solemnized by the exchange of declarations of consent before an officiant authorised by the State.
- (3) An officiant is authorised to solemnize marriages by appointment of the Royal Chancellery or by designation in a sovereign decree.
- (4) A Kaharagian national may petition the Royal Chancellery for a Warrant of Civil Officiation authorising a named religious minister, elder, or other religious figure to solemnize civil marriages under this Code. The Chancellery shall grant the Warrant where the proposed officiant is of full age and capacity, consents to act, and undertakes to comply with the civil requirements of this Chapter. A Warrant may be limited in duration or scope and may be revoked by the Chancellery for cause.
- (5) The solemnization shall take place in the presence of at least two witnesses who are of full age and legal capacity.
- (6) The solemnization may be conducted by virtual means, in accordance with the Fundamental Laws, provided that all parties, the officiant, and the witnesses are able to see and hear one another in real time and that the proceedings are recorded in a durable form.
- (7) The officiant shall, immediately after solemnization, cause the marriage to be registered in the civil status register in accordance with Article 7. The marriage takes effect for all purposes from the date and time of registration.
- (8) Where a marriage is contracted between Kaharagian nationals, or between a Kaharagian national and a foreign national, under the law of a foreign jurisdiction, the Royal Chancellery shall, upon application accompanied by such

documents as it may require, recognise the marriage and cause it to be entered in the civil status register, provided that the marriage does not contravene any requirement of Kaharagian public order. A marriage performed abroad by religious ceremony is recognised under this paragraph only if it was also registered as a civil marriage under the law of the jurisdiction in which it took place.

- (9) A marriage not solemnized in accordance with this Article, and not recognised under paragraph 8, has no legal effect under Kaharagian law.

Article 22 — Nullity of Marriage

- (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.
- (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.

Article 23 — Effects of Marriage

- (1) Marriage creates between the spouses a bond of mutual rights and obligations, as provided by this Code and the laws of the State.
- (2) The spouses owe each other:
 - (a) Fidelity
 - (b) Mutual support and assistance
 - (c) Contribution to the charges and management of the household and family welfare
 - (d) Respect for the dignity and autonomy of the other spouse.
- (3) Each spouse retains full legal capacity and may independently perform juridical acts, acquire and dispose of property, and exercise a profession or occupation.
- (4) Upon marriage, each spouse retains their own name. A spouse may elect to use the family name of the other spouse, or a combination of both names, as a name of usage, in accordance with Article 3.
- (5) The spouses are jointly responsible for the needs of the household and the maintenance of the family. Either spouse may bind the other with respect to debts incurred for ordinary household necessities, unless the third party knew or ought to have known that the other spouse had expressly objected.
- (6) The spouses shall determine by agreement the arrangements for their common life, including their place of residence. In the absence of agreement, neither spouse may impose a place of residence upon the other.
- (7) Marriage does not of itself affect the nationality of either spouse. The acquisition of nationality by marriage is governed by the Nationality Code.

Chapter 02 — Matrimonial Property**Article 24 — Matrimonial Property Regime**

- (1) The matrimonial property regime governs the ownership, administration, and division of property between spouses during and upon dissolution of the marriage.
- (2) The spouses may choose their matrimonial property regime by written agreement concluded before or during the marriage. The agreement shall be registered with the Royal Chancellery.

- (3) The following regimes are recognised:
 - (a) Separation of property, under which each spouse retains sole ownership, administration, and disposition of all property acquired before and during the marriage
 - (b) Community of acquisitions, under which property acquired by either spouse during the marriage is owned jointly in equal shares, while property owned before the marriage and property acquired by gift or inheritance during the marriage remains the separate property of the acquiring spouse.
- (4) In the absence of a written agreement, the regime of separation of property applies.
- (5) The spouses may change their matrimonial property regime during the marriage by a new written agreement registered with the Chancellery. The change takes effect between the spouses from the date of registration and against third parties from the date of publication or notification.
- (6) The choice or change of matrimonial property regime does not affect the rights of third parties who dealt with either spouse without knowledge of the regime. Third parties may rely on the regime recorded in the register.
- (7) Under the regime of community of acquisitions, debts incurred by either spouse during the marriage for the benefit of the household or the family are borne jointly. Personal debts remain the obligation of the spouse who incurred them.
- (8) Where the spouses are subject to the mandatory matrimonial property rules of a host jurisdiction by reason of their domicile or the location of their property, the rules of the host jurisdiction prevail to the extent mandatorily applicable, in accordance with Article 45 of the Fundamental Laws.

Article 25 — Family Dwelling and Household

- (1) Where the spouses share a household, neither spouse may, without the consent of the other, alienate, encumber, or otherwise dispose of the rights in the family dwelling, whether the dwelling is owned by one or both spouses.
- (2) Consent under paragraph 1 must be given in writing. Where consent is unreasonably withheld, the Royal Chancellery may, upon application, authorise the disposition if it is in the interest of the family.
- (3) Upon dissolution of the marriage, the household goods acquired during the marriage for the common use of the family shall be divided equitably between the spouses, having regard to the needs of each spouse and of any children of the marriage.
- (4) Where the division of the family dwelling or household goods is governed by the mandatory law of the host jurisdiction in which the property is situated, the law of that jurisdiction prevails.

Chapter 03 — Dissolution of Marriage

Article 26 — Modes of Dissolution

- (1) A marriage registered under Kaharagian law is dissolved by:
 - (a) The death of one of the spouses
 - (b) A decree of presumption of death, in accordance with Article 18
 - (c) Divorce, in accordance with Article 27
 - (d) A declaration of nullity, in accordance with Article 22.
- (2) Dissolution takes effect upon registration in the civil status register. The Royal Chancellery shall cause the dissolution to be recorded without delay.
- (3) The effects of dissolution upon the personal status of the spouses, upon their property, and upon their children are governed by this Chapter, by Chapter 2 (Matrimonial Property), Chapter 5 (Parental Authority and Custody), and Chapter 6 (Maintenance Obligations).

Article 27 — Divorce

- (1) A marriage may be dissolved by divorce upon application to the Royal Chancellery, by mutual consent or upon the petition of one spouse.
- (2) Divorce by mutual consent is granted upon the joint application of both spouses, accompanied by an agreement between them on:
 - (a) The division of property, in accordance with the applicable matrimonial property regime
 - (b) The custody and access arrangements for any children of the marriage
 - (c) The maintenance obligations, if any, of each spouse
 - (d) Such other matters as the Chancellery may require.
- (3) Divorce upon the petition of one spouse may be granted where:
 - (a) The marriage has irretrievably broken down, as evidenced by a continuous separation of the spouses for a period of at least one year
 - (b) The other spouse has committed a serious fault, including abandonment, abuse, or a grave and persistent violation of the obligations of marriage.
- (4) The Royal Chancellery shall, before granting a divorce, offer the parties an opportunity for conciliation, unless both parties waive conciliation in writing or a party alleges abuse or violence rendering conciliation contrary to their safety or dignity.
- (5) The Chancellery shall not grant a divorce unless it is satisfied that adequate provision has been made or will be made for the maintenance and welfare of any children of the marriage.

- (6) The Royal Chancellery may recognise a divorce validly granted under the law of a foreign jurisdiction, upon application accompanied by such documents as it may require, provided that the divorce does not contravene Kaharagian public order and that the rights of both parties were adequately protected in the foreign proceeding.

Article 28 — Effects of Dissolution

- (1) Upon dissolution of the marriage, each spouse resumes full independence of personal status.
- (2) The property of the spouses shall be divided in accordance with the applicable matrimonial property regime and, where applicable, the agreement reached under Article 27(2) or the determination of the Royal Chancellery.
- (3) Maintenance obligations between the former spouses are governed by Chapter 6 of this Title.
- (4) Parental authority, custody, and access in respect of children of the marriage are governed by Chapter 5 of this Title and are not affected by the dissolution of the marriage, save as otherwise determined.
- (5) A spouse who, upon marriage, adopted the family name of the other spouse or a combination of names may, upon dissolution, revert to the name held before the marriage by declaration to the Chancellery. The reversion shall be recorded in the civil status register.
- (6) Rights and obligations arising from the marriage that, by their nature, survive dissolution, including maintenance obligations, property settlements, and obligations towards children, continue in force notwithstanding the dissolution.

Chapter 04 — Parentage

Article 29 — Establishment of Parentage

- (1) Parentage is the legal relationship between a parent and a child, carrying the rights and obligations set out in this Code and in the laws of the State.
- (2) Maternity is established by:
 - (a) Birth, in respect of the person who gave birth to the child
 - (b) Adoption, in accordance with Article 31.
- (3) Paternity or second parentage is established by:
 - (a) Presumption of marriage: a child born during the marriage, or within three hundred days of the dissolution of the marriage, is presumed to be the child of the spouse of the person who gave birth
 - (b) Acknowledgement, in accordance with Article 30

- (c) Administrative or judicial determination, upon application to the Royal Chancellery or a competent authority
 - (d) Adoption, in accordance with Article 31.
- (4) The presumption of parentage under paragraph 3(a) may be rebutted by any admissible evidence, including biological evidence, upon application to the Chancellery by any person having a legitimate interest.
 - (5) Where a child is conceived by means of assisted reproduction with the consent of both intended parents, the consenting partner is the legal parent of the child from birth, regardless of biological connection. Consent must be in writing and recorded with the Chancellery.
 - (6) Parentage, once established, shall be recorded in the civil status register in accordance with Article 7.

Article 30 — Acknowledgement of Parentage

- (1) Any person may acknowledge a child as their own by a declaration made before the Royal Chancellery, in writing or by such other durable form as the Chancellery may accept.
- (2) Acknowledgement of a child who has been acknowledged or whose parentage has been established by another person requires the prior consent of the other established parent, unless that parent is deceased, incapacitated, or cannot be located after reasonable inquiry.
- (3) Acknowledgement of a child who has attained the age of sixteen requires the consent of the child.
- (4) The Chancellery shall register the acknowledgement in the civil status register, noting the date and the identity of the acknowledging parent.
- (5) An acknowledgement may be contested within one year of its registration, by any person having a legitimate interest, on the ground that the acknowledging person is not the biological parent or that the acknowledgement was procured by fraud, duress, or error. After the expiry of the one-year period, the acknowledgement may not be contested except where it is established that the acknowledgement was procured by fraud.
- (6) The contestation of an acknowledgement does not affect rights acquired in good faith by the child during the period in which the acknowledgement was in force.

Article 31 — Adoption

- (1) Adoption establishes a parent-child relationship equivalent to parentage by birth, unless this Article provides otherwise.

- (2) The following requirements must be satisfied for adoption:
 - (a) The adopter must have attained the age of majority and must be at least eighteen years older than the adoptee, except where the adoptee is the child of the adopter's spouse, in which case the age difference must be at least fifteen years
 - (b) The adoptee who has attained the age of twelve must consent to the adoption
 - (c) Where the adoptee is a minor, the parents exercising parental authority, or the guardian, must consent to the adoption, unless parental authority has been terminated or the parent cannot be located after reasonable inquiry
 - (d) The adoption must be in the best interest of the adoptee, having regard to all the circumstances.
- (3) The adoption of a minor child requires a sovereign decree, in accordance with the Nationality Code. The Royal Chancellery shall satisfy itself that the requirements of this Article are met before recommending the decree to the Sovereign.
- (4) The adoption of a person who has attained the age of majority may be effected by written agreement between the adopter and the adoptee, registered with the Royal Chancellery. Adult adoption does not require a sovereign decree.
- (5) Upon adoption, the adopted person acquires the legal status of a child of the adopter and ceases, for the purposes of Kharagian law, to be the child of the former parents, unless the decree or agreement provides for a simple adoption that preserves ties with the family of origin.
- (6) A simple adoption, where permitted, maintains the adopted person's legal relationship with their family of origin alongside the new adoptive relationship. The respective rights and obligations of the families of origin and adoption shall be determined by the terms of the decree or agreement and by law.
- (7) An adoption validly granted by a foreign jurisdiction and recognised by the State shall have effect under Kharagian law as if it had been granted under this Article, upon registration with the Chancellery.
- (8) Adoption may be revoked only in exceptional circumstances, upon application to the Chancellery, where continuation of the adoptive relationship would be gravely contrary to the interests of the adopted person.

Chapter 05 — Parental Authority and Custody

Article 32 — Exercise of Parental Authority

- (1) Both parents exercise parental authority jointly over their minor children, whether born during or outside of marriage, provided that parentage has been established in respect of each parent.
- (2) Parental authority comprises:
 - (a) The duty and right of care, including the physical, emotional, and moral welfare of the child
 - (b) The duty and right to educate the child and to guide the child's religious and cultural upbringing
 - (c) The duty and right to represent the child in all juridical acts, in accordance with Article 10
 - (d) The duty and right to administer the child's property, subject to the restrictions set out in Article 10
 - (e) The duty to maintain the child, in accordance with Chapter 6.
- (3) In all matters concerning the exercise of parental authority, the best interests of the child shall be the paramount consideration, in accordance with the Fundamental Laws.
- (4) Where the parents are unable to agree on a matter of parental authority, either parent may apply to the Royal Chancellery for a determination. The Chancellery shall decide the matter having regard to the best interests of the child.
- (5) Parental authority may be exercised by one parent alone where:
 - (a) The other parent is deceased, incapacitated, or absent
 - (b) The other parent's parental authority has been suspended or terminated
 - (c) A determination of the Chancellery so provides.
- (6) Parental authority is suspended or terminated by:
 - (a) The death of the parent
 - (b) A declaration of incapacity that renders the parent unable to exercise authority
 - (c) A determination of the Chancellery, upon application by the other parent, a guardian, or any person having a legitimate interest, on the ground of abuse, neglect, abandonment, or other grave fault that renders the continued exercise of authority contrary to the welfare of the child
 - (d) The adoption of the child by another person, in accordance with Article 31.
- (7) This Article supplements the provisions on parental authority in Article 10. Where a provision of Article 10 addresses a matter more specifically, that provision prevails.

Article 33 — Custody and Access

- (1) Where the parents of a child do not live together, whether by reason of divorce, separation, or otherwise, they shall agree on the arrangements for the custody of and access to the child.
- (2) Custody includes the right and duty to have the child reside with the custodial parent and to make day-to-day decisions concerning the child's welfare.
- (3) In the absence of agreement between the parents, the Royal Chancellery shall, upon application, determine the custody and access arrangements, having regard to:
 - (a) The best interests of the child, as the paramount consideration
 - (b) The wishes of the child, if the child is of sufficient age and maturity to express a view
 - (c) The ability and willingness of each parent to provide care and a stable environment
 - (d) The existing relationship of the child with each parent and with other persons of significance to the child
 - (e) Any history of abuse, neglect, or violence by either parent.
- (4) Joint custody is preferred where it is in the best interests of the child and where both parents are able to cooperate in the exercise of shared responsibility.
- (5) The non-custodial parent has the right of regular access to the child, unless the Chancellery determines that access would be contrary to the welfare of the child.
- (6) Custody and access arrangements may be modified by agreement of the parents or by determination of the Chancellery upon a material change of circumstances.
- (7) The Royal Chancellery shall, where practicable, seek the cooperation of host jurisdictions in the recognition and enforcement of custody and access orders, in accordance with the Fundamental Laws.

Chapter 06 — Maintenance Obligations

Article 34 — Obligation of Maintenance

- (1) Spouses owe each other maintenance during the subsistence of the marriage.

- (2) Upon divorce or annulment, a former spouse who lacks sufficient means to provide for their own reasonable needs may be entitled to maintenance from the other former spouse, having regard to:
 - (a) The duration of the marriage
 - (b) The standard of living enjoyed during the marriage
 - (c) The age, health, and earning capacity of each former spouse
 - (d) The contributions of each spouse to the marriage, including homemaking, child-rearing, and support for the other spouse's career or education
 - (e) Such other factors as are relevant to a just determination.
- (3) Post-divorce maintenance may be awarded for a fixed period, to allow the receiving spouse to achieve economic independence, or for an indefinite period where the circumstances so require.
- (4) Parents are obliged to maintain their minor children. This obligation is not affected by the dissolution of the marriage or by whether the child was born during or outside of marriage.
- (5) The obligation of parents to maintain extends to adult children who are:
 - (a) Incapacitated and unable to provide for themselves
 - (b) Engaged in education or vocational training, until the age of twenty-five years, to the extent that the child is unable to meet the costs from their own resources.
- (6) Adult children are obliged to maintain their parents who are in need, to the extent of their ability, having regard to their own obligations and resources.
- (7) Maintenance obligations under this Article may be modified by the Royal Chancellery upon a material change of circumstances.

Article 35 — Determination and Enforcement

- (1) The amount and terms of maintenance may be determined by agreement between the parties. Any such agreement shall be in writing and registered with the Royal Chancellery.
- (2) In the absence of agreement, the Royal Chancellery shall, upon application by either party, determine the amount and terms of maintenance, having regard to:
 - (a) The reasonable needs of the person entitled to maintenance
 - (b) The means, earning capacity, and obligations of the person liable for maintenance
 - (c) The factors set out in Article 34 relevant to the particular obligation.
- (3) Maintenance shall be proportionate to the needs of the creditor and the means of the debtor, and shall be subject to periodic review.

- (4) A determination of maintenance by the Chancellery, or an agreement registered with the Chancellery, constitutes an official record of the obligation and may be relied upon by either party in any jurisdiction.
- (5) The State shall, where practicable, seek the cooperation of host jurisdictions in the recognition and enforcement of maintenance obligations determined under Kaharagian law, in accordance with Article 47 of the Fundamental Laws.
- (6) Where a maintenance obligation is governed by the mandatory law of a host jurisdiction by reason of the domicile of the parties or the location of assets, the law of that jurisdiction prevails to the extent mandatorily applicable.

Title 03 — Property

Articles 36–40

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Chapter 01 — General Provisions

Article 36 — General Principles of Property

- (1) Property is the right of a person to use, enjoy, and dispose of a thing, subject to the restrictions imposed by law.
- (2) Kaharagian law governs the property of its nationals to the extent that the law of the place where the property is situated does not mandatorily apply.
- (3) The State does not exercise sovereignty over territory. Accordingly, this Code does not govern immovable property, which is subject in all respects to the law of the jurisdiction in which it is situated.
- (4) This Title governs movable property, intangible property, and digital assets to the extent that such property is not subject to the mandatory law of another jurisdiction.
- (5) Ownership may be held individually or jointly. Joint owners share in the property according to their respective shares, which are presumed equal unless otherwise established.
- (6) The acquisition, transfer, and encumbrance of property are, in the absence of specific Kaharagian legislation, governed by the law applicable under the conflict-of-laws rules established by Article 45 of the Fundamental Laws.

Article 37 — Acquisition, Transfer, and Loss of Ownership

- (1) Ownership of movable property is acquired by creation, contract, succession, gift, prescription where recognised by the applicable law, or any other mode recognised by law.
- (2) Transfer of ownership between parties takes effect by agreement. As against third parties, transfer takes effect according to the rules of the jurisdiction in which the property is situated or, for intangible property, from the date the transfer is recorded or notified as the law requires.
- (3) No person may be deprived of property except for public purposes and upon fair compensation, or as otherwise provided by law.
- (4) Ownership is lost by alienation, abandonment, destruction of the thing, or operation of law.

Chapter 02 — Movable and Intangible Property

Article 38 — Movable Property

- (1) Movable property comprises all corporeal things that can be moved from one place to another, and all rights not attached to immovable property.
- (2) Where movable property is situated in a foreign jurisdiction, matters of possession, security interests, and enforcement are governed by the law of that jurisdiction to the extent mandatorily applicable.
- (3) A person who possesses movable property in good faith and for value, relying upon an apparent right of the transferor, acquires good title unless the property was stolen or lost.

Article 39 — Intangible Property

- (1) Intangible property comprises rights and interests that have no physical existence, including claims, intellectual creations, commercial interests, and financial instruments.
- (2) The ownership and transfer of intellectual property are governed by the law of the jurisdiction granting protection, or by such treaties and conventions as may apply.
- (3) Claims and receivables may be assigned by written agreement between the assignor and the assignee. The assignment is effective against the debtor from the date of notification to the debtor.

Article 40 — Digital Assets

- (1) A digital asset is any digital representation of value or of a right that may be transferred, stored, or traded by electronic means.
- (2) Digital assets are movable property for the purposes of this Code. The owner of a digital asset has the right to use, transfer, and dispose of it in the same manner as any other movable property, subject to the terms governing the asset and the applicable law.
- (3) Control of a digital asset, established by possession of the private key, access credential, or other means of exclusive disposition, constitutes possession for the purposes of this Code.
- (4) Transfer of a digital asset takes effect upon delivery, which is established by the transferee's acquisition of control.
- (5) The Royal Chancellery may maintain a register of digital assets of particular significance to the State or its nationals. Registration creates a presumption of ownership.

Title 04 — Obligations and Contracts

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Chapter 01 — Obligations in General

Article 41 — Sources of Obligations

- (1) An obligation is a juridical bond by which one person is bound to perform or to refrain from performing an act in favour of another.
- (2) Obligations arise from contract, unilateral declaration, unjust enrichment, wrongful act, or operation of law.
- (3) Every obligation has a creditor, a debtor, and a prestation, which is the act or forbearance owed.
- (4) Matters of non-contractual liability and unjust enrichment not specifically regulated by this Code are governed by the law applicable under the conflict-of-laws rules established by Article 45 of the Fundamental Laws.

Article 42 — General Rules on Obligations

- (1) Obligations must be performed in good faith and in accordance with their terms.
- (2) The debtor is liable for loss caused to the creditor by non-performance, unless the debtor proves that non-performance was due to a circumstance beyond the debtor's control that could not reasonably have been foreseen or avoided.
- (3) Where an obligation admits of several modes of performance, the debtor may choose the mode unless the parties have agreed otherwise or the law provides otherwise.
- (4) An obligation to pay a sum of money is denominated in the currency specified by the parties or, in the absence of specification, in the currency of the creditor's domicile.
- (5) Obligations may be joint or several. Where two or more debtors are bound to the same prestation and the obligation is joint and several, the creditor may demand performance from any one of them. The debtor who performs has recourse against the others for their shares.

Chapter 02 — Formation of Contracts

Article 43 — Formation of Contracts

- (1) A contract is formed by the exchange of concordant declarations of will: an offer and an acceptance.
- (2) An offer is a proposal sufficiently definite as to its essential terms, made with the intention of being bound upon acceptance. An offer may be revoked at any time before acceptance, unless the offeror has undertaken to hold it open for a stated period.

- (3) Acceptance is the unqualified assent to the terms of the offer. An acceptance that modifies the terms of the offer is a counter-offer.
- (4) A contract is concluded at the moment when acceptance reaches the offeror, or at such earlier moment as the parties have agreed.
- (5) Silence does not constitute acceptance unless the parties have so agreed by prior course of dealing or established practice.

Article 44 — Form and Electronic Contracts

- (1) A contract may be concluded in any form unless the law requires a particular form for validity.
- (2) Where the law requires writing, the requirement is satisfied by any durable medium that records the content and identifies the parties, including electronic communication.
- (3) An electronic signature, as recognised under Article 46 of the Fundamental Laws, satisfies any requirement for a signature.
- (4) A contract concluded by electronic means has the same legal effect as a contract concluded by other means.
- (5) Where a contract is concluded through an automated system acting on behalf of a party, the party is bound by the contract as if the party had acted personally, provided that the system operated within the scope of the party's instructions.

Article 45 — Validity and Defects of Consent

- (1) A contract requires the free and informed consent of each party. Consent is defective where it is vitiated by error, fraud, duress, or undue influence.
- (2) Error renders a contract voidable where the error concerns the substance of the thing, the identity of the other party, or another matter that was determinative of the consent, and the other party knew or ought to have known of the error's importance.
- (3) Fraud renders a contract voidable where one party induced the other's consent by deliberate misrepresentation or concealment of a material fact.
- (4) Duress renders a contract voidable where one party obtained the other's consent by threat of unlawful harm to the person, honour, or property of that party or of a close relation.
- (5) Undue influence renders a contract voidable where one party exploited a position of trust, dependence, or authority to obtain terms that the other party would not freely have accepted.
- (6) A contract whose object is impossible, unlawful, or contrary to public order is void.
- (7) An action to annul a voidable contract must be brought within two years of the discovery of the defect.

Chapter 03 — Effects and Performance

Article 46 — Effects of Contracts

- (1) A valid contract has the force of law between the parties. It may be modified or revoked only by mutual consent or on grounds provided by law.
- (2) Contracts bind the parties and their successors in title, unless the obligation is personal in character.
- (3) Contracts may not impose obligations on third parties without their consent. A contract may confer a benefit on a third party, who may enforce it once the third party has accepted the benefit or relied upon it.
- (4) Where a contract is ambiguous, it is interpreted according to the common intention of the parties. If that intention cannot be ascertained, the contract is interpreted according to its ordinary meaning, having regard to the context, the nature of the transaction, and the usages of the relevant trade or profession.

Article 47 — Performance

- (1) The debtor must perform the obligation at the time, place, and in the manner stipulated by the contract.
- (2) In the absence of stipulation, performance is due within a reasonable time, at the domicile of the debtor, and in the manner consistent with good faith and the nature of the obligation.
- (3) The creditor is bound to accept performance that conforms to the contract. Unjustified refusal to accept conforming performance discharges the debtor from liability for delay.
- (4) Where the contract does not fix a time for performance, either party may require performance upon giving reasonable notice.

Article 48 — Non-Performance and Remedies

- (1) Where the debtor fails to perform, the creditor may:
 - (a) Demand specific performance, where this is not impossible or disproportionately onerous.
 - (b) Claim damages for loss suffered as a result of the non-performance.
 - (c) Withhold the creditor's own performance, where the obligations are reciprocal.
 - (d) Terminate the contract, where the non-performance is fundamental.
- (2) Non-performance is fundamental where it substantially deprives the creditor of what the creditor was entitled to expect under the contract.
- (3) Damages comprise the loss actually suffered and the gain of which the creditor was deprived, to the extent that such loss was foreseeable at the time of contracting.

- (4) The creditor must take reasonable steps to mitigate loss. Loss that could have been avoided by reasonable measures is not recoverable.

Chapter 04 — Extinction of Obligations

Article 49 — Extinction of Obligations

- (1) An obligation is extinguished by performance, release, set-off, novation, merger, impossibility not attributable to the debtor, prescription, or any other mode recognised by law.
- (2) Prescription of contractual claims occurs after five years from the date on which the creditor knew or ought to have known of the right to claim, unless the law provides a different period.
- (3) Prescription is suspended during any period in which the creditor is prevented from exercising the claim by force majeure, or during the minority or incapacity of the creditor where no legal representative has been appointed.
- (4) Prescription is interrupted by the commencement of proceedings, by a written acknowledgment of the debt by the debtor, or by any act of the debtor from which an acknowledgment may be inferred. Upon interruption, a new prescription period of the same duration begins to run.
- (5) No claim may be brought more than fifteen years after the act or omission giving rise to the claim, regardless of when the creditor became aware of the claim.
- (6) Claims arising from unjust enrichment or wrongful acts prescribe after three years from the date on which the creditor knew or ought to have known of the right to claim and of the identity of the debtor.
- (7) Where two persons owe each other debts of the same kind and both debts are due, either party may declare set-off to the extent of the lesser debt.
- (8) Novation extinguishes an obligation and replaces it with a new one. Novation does not extinguish accessory obligations unless the parties so agree.

Title 05 — Succession

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Chapter 01 — General Provisions

Article 50 — General Principles of Succession

- (1) Upon the death of a person, the estate of the deceased passes to the heirs according to the provisions of this Title, subject to the conflict-of-laws rules established by Article 45 of the Fundamental Laws.
- (2) The estate comprises all the rights, obligations, and property of the deceased that are transmissible by law. Rights and obligations that are personal to the deceased are extinguished upon death.
- (3) No person may dispose of the whole or any part of the estate of a living person, whether by contract or otherwise. Any such agreement is void.
- (4) An heir may accept or renounce the succession. Acceptance may be unconditional or under benefit of inventory. Acceptance may be express or implied by conduct. Renunciation must be by written declaration filed with the Royal Chancellery.
- (5) An heir who accepts the succession under benefit of inventory is liable for the debts of the deceased only to the extent of the value of the estate received. An heir who accepts unconditionally is liable for the debts of the deceased without limitation.

Article 51 — Capacity to Inherit

- (1) Any person who is alive at the moment of the deceased's death, or who is conceived before the death and subsequently born alive, may inherit.
- (2) A juridical person may inherit by testamentary disposition.
- (3) The following persons are unworthy to inherit:
 - (a) A person who has been convicted of intentionally causing or attempting to cause the death of the deceased.
 - (b) A person who, by fraud, duress, or undue influence, caused the deceased to make, alter, or revoke a testamentary disposition.
 - (c) A person who knowingly concealed, destroyed, or falsified a testamentary disposition of the deceased.
- (4) Unworthiness may be declared by the Royal Chancellery upon application by any interested person. An unworthy heir is treated as having predeceased.
- (5) The deceased may, by express testamentary provision, pardon the unworthy person.

Chapter 02 — Intestate Succession

Article 52 — Order of Intestate Succession

- (1) Where the deceased has left no valid testamentary disposition, or to the extent that the disposition does not exhaust the estate, the estate passes according to the following order:
 - (a) First order: the children of the deceased, in equal shares. The descendants of a predeceased child take that child's share by representation.
 - (b) Second order: the parents of the deceased, in equal shares. If only one parent survives, that parent takes the whole share of this order.
 - (c) Third order: the siblings of the deceased, in equal shares. The descendants of a predeceased sibling take that sibling's share by representation.
 - (d) Fourth order: the grandparents of the deceased, in equal shares.
 - (e) Fifth order: more remote relatives to the fourth degree of kinship.
- (2) Each order excludes the succeeding orders. The estate passes to the next order only where no heir of the preceding order survives or accepts.
- (3) Where no heir within any order survives or accepts, the estate passes to the State.

Article 53 — Rights of the Surviving Spouse

- (1) The surviving spouse or registered partner is entitled to:
 - (a) Where heirs of the first order survive: one-quarter of the estate in full ownership.
 - (b) Where heirs of the second order survive: one-half of the estate in full ownership.
 - (c) Where no heirs of the first or second order survive: the whole estate.
- (2) The spouse's share is in addition to any right arising under the matrimonial property regime.
- (3) A spouse from whom the deceased was separated by divorce or annulment at the time of death has no right of intestate succession.

Article 54 — Representation and Accretion

- (1) Representation occurs when the descendants of a predeceased heir step into the place and degree of that heir and receive the share that the heir would have received.
- (2) Representation operates without limit of degree in the direct descending line.
- (3) Where a co-heir renounces or is unworthy, and representation does not apply, the renounced or forfeited share accretes to the other heirs of the same order in proportion to their shares.

Chapter 03 — Testamentary Succession

Article 55 — Freedom of Testation and Reserved Portion

- (1) Every person of full age and sound mind may dispose of the whole or any part of the estate by testamentary disposition, subject to the reserved portion.
- (2) The reserved portion is the fraction of the estate that the law reserves for the forced heirs. Forced heirs are the children and the surviving spouse or registered partner of the deceased.
- (3) The reserved portion is:
 - (a) For the children collectively: one-half of the estate, to be divided equally among them.
 - (b) For the surviving spouse or registered partner: one-quarter of the estate.
- (4) The reserved portion is calculated on the net estate after deduction of debts and funeral expenses.
- (5) A testamentary disposition that infringes the reserved portion is not void but may be reduced, upon the application of a forced heir, to the extent necessary to restore the reserved portion.
- (6) A forced heir may waive the reserved portion by written declaration filed with the Royal Chancellery after the death of the deceased. A waiver made before death is void.

Article 56 — Form of Testamentary Dispositions

- (1) A testamentary disposition may be made by:
 - (a) Holographic will: written entirely by the hand of the testator, dated, and signed.
 - (b) Witnessed will: made in writing, signed by the testator or by another at the testator's direction and in the testator's presence, and witnessed by two persons of full age and capacity.
 - (c) Notarial or official will: received by a competent authority or public officer authorised for the purpose.
 - (d) Digital will: executed and authenticated through secure electronic means as prescribed by law, subject to Article 46 of the Fundamental Laws.
- (2) A testamentary disposition may be revoked or amended at any time by a subsequent disposition executed in one of the forms listed above, or by physical destruction of the document by the testator with the intention of revoking it.
- (3) A testamentary disposition is interpreted according to the true intention of the testator. Where the intention is doubtful, the disposition is interpreted in favour of the heir or legatee.

Chapter 04 — Administration and Partition

Article 57 — Administration and Partition of the Estate

- (1) Upon the opening of the succession, the Royal Chancellery may appoint an administrator of the estate upon the application of any interested person or on its own initiative where the circumstances require.
- (2) The administrator shall:
 - (a) Inventory the assets and liabilities of the estate.
 - (b) Discharge the debts and obligations of the deceased from the estate.
 - (c) Distribute the remaining estate to the heirs and legatees according to the testamentary disposition or the rules of intestate succession.
- (3) The heirs may agree upon the partition of the estate among themselves. Where they cannot agree, any heir may apply to the Royal Chancellery for a determination.
- (4) Where the estate includes property situated in a foreign jurisdiction, the administration and partition of that property is subject to the law of that jurisdiction to the extent mandatorily applicable. The administrator shall cooperate with the authorities of such jurisdictions.
- (5) The costs of administration, including the administrator's reasonable remuneration, are borne by the estate.

Title 06 — Private International Law

Articles 58–63

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Chapter 01 — Applicable Law

Article 58 — Scope and General Principles

- (1) This Title governs the determination of the applicable law, the recognition of foreign juridical acts and judgments, and the cooperation of the State with foreign jurisdictions in civil matters, in elaboration of Article 45 of the Fundamental Laws.
- (2) The characterisation of a legal relationship for the purposes of determining the applicable law is made according to Kaharagian law.
- (3) Where the applicable law is that of a foreign jurisdiction, the reference is to the substantive internal law of that jurisdiction, excluding its conflict-of-laws rules, unless Article 45(7) of the Fundamental Laws provides otherwise.
- (4) The application of foreign law may be refused where its application would be manifestly incompatible with the public order of Kaharagia.

Article 59 — Applicable Law: Specific Rules

- (1) Personal status, including legal capacity, name, and family relations, is governed by the national law of the person concerned, that is, by Kaharagian law for Kaharagian nationals.
- (2) Marriage and its effects are governed by the national law common to both spouses at the time of the marriage or, failing a common nationality, by the law of the spouses' common domicile or, failing that, by the law of the jurisdiction with which the marriage is most closely connected.
- (3) The matrimonial property regime is governed by the law chosen by the spouses in their matrimonial property agreement. In the absence of choice, Article 24 of this Code applies, subject to the mandatory law of the jurisdiction in which property is situated.
- (4) Parentage is governed by the national law of the child at the time of birth. Adoption is governed by the national law of the adopter.
- (5) Contractual obligations are governed in accordance with Article 45(3) of the Fundamental Laws.
- (6) Non-contractual obligations are governed by the law of the jurisdiction in which the act giving rise to liability occurred.
- (7) Succession is governed in accordance with Article 45(5) of the Fundamental Laws.

Chapter 02 — Recognition of Foreign Acts and Judgments

Article 60 — Recognition of Foreign Juridical Acts

- (1) A juridical act validly performed under the law of the jurisdiction in which it was performed is recognised as valid in Kaharagia, provided that:
 - (a) The act does not contravene the public order of Kaharagia.
 - (b) The act is authenticated in the manner required by the law of the place of performance, or by apostille, legalisation, or consular certification.
- (2) Foreign civil status events, including births, marriages, divorces, and deaths, are recognised upon registration in the civil status register in accordance with Article 7 of this Code.
- (3) Recognition does not confer greater rights than the person would enjoy under Kaharagian law had the act been performed under this Code.

Article 61 — Recognition and Effect of Foreign Judgments

- (1) A judgment rendered by a competent authority of a foreign jurisdiction is recognised in Kaharagia where:
 - (a) The foreign authority had jurisdiction under its own law and under principles generally accepted in private international law.
 - (b) The judgment is final and enforceable in the jurisdiction of origin.
 - (c) The parties were given reasonable notice and a fair opportunity to be heard.
 - (d) The judgment does not contravene the public order of Kaharagia.
 - (e) The judgment is not irreconcilable with a prior judgment recognised in Kaharagia between the same parties.
- (2) Recognition is declaratory. The Royal Chancellery records recognised judgments and gives effect to them in the civil status register and other records of the State as appropriate.
- (3) Kaharagia does not possess enforcement mechanisms of the kind available to territorial states. Where a foreign judgment requires enforcement, the parties must seek enforcement through the authorities of the jurisdiction in which enforcement is sought.

Chapter 03 — Cooperation and Public Order

Article 62 — Cooperation with Foreign Jurisdictions

- (1) The Royal Chancellery shall, where practicable, cooperate with the authorities of foreign jurisdictions in civil matters affecting Kaharagian nationals, including the service of documents, the taking of evidence, and the exchange of civil status information.
- (2) Cooperation is subject to the public order of Kaharagia and to the protection of the personal data of the persons concerned.
- (3) The State may conclude agreements with foreign jurisdictions or international organisations for the purposes of mutual legal assistance, recognition of judgments, and cooperation in civil matters.
- (4) Where this Code refers to cooperation with a host jurisdiction and the host jurisdiction does not reciprocate, the Royal Chancellery shall take such alternative measures as are available to protect the interests of the persons concerned.

Article 63 — Public Order

- (1) For the purposes of this Title, the public order of Kaharagia comprises the fundamental principles of justice, the rights guaranteed by the Fundamental Laws, and the essential values of the State.
- (2) The public order exception is to be applied restrictively. The mere fact that a foreign law differs from Kaharagian law does not of itself constitute a contravention of public order.
- (3) Where the application of foreign law or the recognition of a foreign act or judgment is refused on grounds of public order, the Royal Chancellery shall apply Kaharagian law in its place, or take such other measures as justice requires.

Table of Cross-References

Every reference this Code makes to an Article, of this or of another instrument. References are to Articles.

Art. 17 (18)	Art. 13	Art. 32 (31)	Arts 10, 31
Art. 19 (22)	Art. 22	Art. 35 (33)	Art. 34; FN Art. 47
Art. 20 (22)	Art. 22	Art. 36 (36)	FN Art. 45
Art. 21 (23)	Art. 7	Art. 41 (40)	FN Art. 45
Art. 22 (24)	Arts 20, 21	Art. 44 (41)	FN Art. 46
Art. 23 (25)	Art. 3	Art. 50 (46)	FN Art. 45
Art. 24 (25)	FN Art. 45	Art. 56 (48)	FN Art. 46
Art. 26 (27)	Arts 18, 22, 27	Art. 58 (52)	FN Art. 45
Art. 28 (28)	Art. 27	Art. 59 (52)	Art. 24; FN Art. 45
Art. 29 (28)	Arts 7, 30, 31	Art. 60 (53)	Art. 7

Glossary

Terms used in this Code, as defined in KáhaLex, with the Articles in which each is used and the pages they begin on. Where a definition cites an Article, the citation names the instrument it belongs to.

accretion The rule by which, where a co-heir renounces or is unworthy and representation does not apply, the renounced or forfeited share accretes to the other heirs of the same order in proportion to their shares (**CC Art. 54**). *Art. 54 (47)*

adoption The establishment of a parent-child relationship equivalent to parentage by birth (**CC Art. 31**). The adopter must have attained majority and be at least eighteen years older than the adoptee, reduced to fifteen years where the adoptee is the child of the adopter's spouse. *Arts 3 (3), 7 (7), 20 (22), 29 (28), 31, 32 (29–31), 59 (52)*

advance directive A written instrument by which a person, while still capable, appoints a future guardian or records wishes for their care and affairs should they lose capacity (**CC Art. 15**). *Arts 13 (13), 15 (16)*

capacity The ability to hold rights (passive capacity, from birth) and to exercise them by one's own acts (active capacity, acquired with age and soundness of mind). Full active capacity is attained at majority or on emancipation (**CC Art. 2**). *Arts 1, 2 (2), 5–7 (6–7), 9–15 (9–16), 18 (19), 20–23 (22–25), 34, 35 (32–33), 51 (46), 56 (48), 59 (52)*

civil status A person's condition and family relationships as recorded by the State: birth, name, partnership, marriage, parentage, and death. It is proved by certified extracts from the registers (**FN Art. 31, CC Art. 7**). *Arts 3, 4 (3–5), 7–9 (7–9), 11, 12 (11–12), 15, 16 (16–17), 18 (19), 21, 22 (23–24), 26 (27), 28–30 (28–29), 60–62 (53–54)*

competent authority The authority the law designates to decide or administer a matter: the Royal Chancellery, or a person or office to which it has lawfully delegated the function (**CC Art. 1, CR Art. 2**). *Arts 1 (2), 3, 4 (3–5), 7–19 (7–22), 29 (28), 56 (48), 61 (53)*

consent A person's free and informed agreement to something. In data protection, a freely given, specific, informed, and unambiguous agreement, by a clear affirmative act, to the processing of personal data (**DPC Art. 7**); in criminal law, the voluntary agreement to a sexual act (**CR Art. 28**). *Arts 6 (6), 10, 11 (10–11), 16 (17), 19–22 (22–24), 25 (26), 27 (27), 29–31 (28–29), 45, 46 (41–42)*

contract An agreement formed by an offer and a matching acceptance, binding the parties as law between them; silence is not acceptance (**CC Art. 43**). *Arts 2 (2), 5 (6), 10 (10), 37 (36), 41 (40), 43–48 (40–42), 50 (46)*

custody The right and duty to have a child reside with the custodial parent and to make day-to-day decisions concerning the child's welfare (**CC Art. 33**). Where parents do not live together they must agree the arrangements for custody and access, failing which the Royal Chancellery determines them in the interest of the child. *Arts 7 (7), 26–28 (27–28), 33 (32)*

declaration of absence A formal finding that a person has been missing for at least a year, allowing their estate to be administered while their legal personality is preserved (**CC Art. 16**). *Arts 16–18 (17–19)*

digital asset A thing existing in digital form, treated as movable property. Control of the private key is treated as possession, and title passes on the acquisition of control (**CC Art. 40**). *Arts 36 (36), 40 (37)*

divorce The dissolution of a marriage on application to the Royal Chancellery, either by mutual consent or on the petition of one spouse (CC Art. 27). Divorce by mutual consent requires an agreement on the division of property, the custody of and access to any children, and maintenance. See also CC Art. 26 (modes of dissolution) and CC Art. 28 (effects). Arts 26–28 (27–28), 33, 34 (32), 53 (47), 60 (53)

domicile A person's declared principal residence; a person has only one at a time. Because the State holds no territory, a national's domicile is ordinarily in a host jurisdiction (CC Art. 4). Arts 4 (5), 7 (7), 16 (17), 24 (25), 35 (33), 42 (40), 47 (42), 59 (52)

emancipation The conferral of near-full capacity on a minor who has reached sixteen, by marriage or by decree; it ends parental authority and guardianship but reserves certain acts (CC Art. 11). Arts 2 (2), 7 (7), 11 (11)

estate The transmissible rights and obligations of a deceased person, which pass to the heirs on death. An heir may accept plainly, accept under benefit of inventory, or renounce (CC Art. 50). Arts 1 (2), 4 (5), 6 (6), 13 (13), 17, 18 (18–19), 37 (36), 50 (46), 52, 53 (47), 55 (48), 57 (49), 59 (52)

Fundamental Laws The supreme law of the State, against which every other norm is measured; an inconsistent norm is void to the extent of the inconsistency. Only the Sovereign may amend them, by the procedure in Title 10 (FN Art. 6, FN Art. 38). Arts 5 (6), 7, 8 (7–8), 19 (22), 21 (23), 24 (25), 32, 33 (31–32), 35, 36 (33–36), 41 (40), 44 (41), 50 (46), 56 (48), 58, 59 (52), 63 (54)

guardianship Protective regimes for a person who lacks capacity: guardianship for total incapacity, curatorship for partial incapacity. The guardian or curator manages the person's affairs under supervision and accounts yearly (CC Art. 13). Arts 3, 4 (3–5), 7 (7), 10–17 (10–18), 20 (22), 22 (24), 31, 32 (29–31)

honorary national A person on whom nationality is conferred by the Sovereign as a distinction; honorary nationality does not carry the ordinary obligations of allegiance (Nat Art. 3). Art. 5 (6)

host jurisdiction The State or territory in which a Kaharagian national is physically present, or in which a thing is situated. The mandatory law of the host jurisdiction prevails where it applies (FN Art. 47, CC Art. 4). Arts 4 (5), 24, 25 (25–26), 33 (32), 35 (33), 62 (54)

intangible property Rights and interests having no physical existence, including claims, intellectual creations, commercial interests, and financial instruments (CC Art. 39). Intellectual property is governed by the law of the jurisdiction granting protection, or by any applicable treaty. Arts 36, 37 (36), 39 (37)

intestate succession The distribution of an estate where there is no valid will, following fixed orders of heirs (children, then parents, then siblings, and so on), each order excluding the next (CC Art. 52). Arts 52, 53 (47), 57 (49)

juridical act An act by which a person intentionally creates, alters, or extinguishes rights or obligations. The capacity to perform juridical acts is graduated by age and soundness of mind (CC Art. 2, CC Art. 10), and an act performed without the requisite capacity is voidable at the instance of the person concerned (CC Art. 14). Arts 2 (2), 4, 5 (5–6), 9, 10 (9–10), 14 (15), 23 (25), 32 (31), 58 (52), 60 (53)

legal personality The capacity to be a subject of rights and obligations under the law. Defined for natural persons by CC Art. 1 and for the State itself by FN Art. 1. Cannot be revoked or extinguished while the person lives. Arts 1 (2), 16 (17), 18 (19)

maintenance The obligation to provide for the needs of a spouse, a child, or a needy parent, in proportion to the needs of the one and the means of the other (CC Art. 34). Arts 6 (6), 17 (18), 23 (25), 26–28 (27–28), 34, 35 (32–33)

- majority** The age of eighteen, on attaining which a person acquires full capacity to act for themselves (**CC Art. 9**). *Arts 2 (2), 9–11 (9–11), 31 (29)*
- marriage** The voluntary union of two persons, established in accordance with the requirements of Title 02, Chapter 01 and registered with the competent authority (**CC Art. 19**). Every person of marriageable age may marry freely, without restriction as to sex, gender, race, nationality, or religion (**CC Art. 19**); the conditions of age, capacity, consent, and absence of impediment are set out in **CC Art. 20**. *Arts 3 (3), 6, 7 (6–7), 11 (11), 16 (17), 18–29 (19–28), 32 (31), 34 (32), 59, 60 (52–53)*
- matrimonial property regime** The rules governing spouses' property, chosen by registered agreement. The default regime is separation of property, with community of acquisitions available as an option (**CC Art. 24**). *Arts 24 (25), 27, 28 (27–28), 53 (47), 59 (52)*
- movable property** All corporeal things that can be moved from one place to another, together with all rights not attached to immovable property (**CC Art. 38**). Where such property lies in a foreign jurisdiction, possession, security interests, and enforcement follow the law of that jurisdiction so far as it is mandatorily applicable. *Arts 5 (6), 36–38 (36–37), 40 (37)*
- nasciturus** A child already conceived but not yet born, whose rights are held in suspense and vest on live birth (**CC Art. 1**, **CC Art. 51**). *Arts 1 (2), 51 (46)*
- nationality** The legal bond between a person, the Sovereign, and the community of Kaharagia, founded on the Sovereign's consent and the individual's acceptance and independent of territory or residence (**Nat Art. 1**). *Arts 5 (6), 7 (7), 19 (22), 22, 23 (24–25), 31 (29), 59 (52)*
- nullity** The invalidity of a marriage, whether void (of no effect from the outset, as in incest or bigamy) or voidable (valid until annulled, as for defective consent). The status of children and of a good-faith spouse is protected (**CC Art. 22**). *Arts 22 (24), 26 (27)*
- obligation** A legal bond requiring one person (the debtor) to render a performance to another (the creditor). It may arise from contract, unilateral declaration, unjust enrichment, a wrongful act, or the law (**CC Art. 41**). *Arts 1–3 (2–3), 5–7 (6–7), 16–18 (17–19), 23, 24 (25), 26–29 (27–28), 31 (29), 34, 35 (32–33), 41, 42 (40), 46–50 (42–46), 57 (49), 59 (52)*
- offence** An act or omission that the law forbids and makes punishable, classed by gravity as minor, serious, or grave; the classing fixes the applicable penalty and limitation period (**CR Art. 12**, **CR Art. 14**). *Art. 13 (13)*
- ownership** The right to hold, use, and dispose of property. Ownership of movable property is acquired by creation, contract, succession, gift, or prescription where recognised by the applicable law (**CC Art. 37**); transfer takes effect between the parties by agreement, and against third parties according to the law of the place where the property is situated. *Arts 24 (25), 36, 37 (36), 39, 40 (37), 53 (47)*
- parentage** The legal relationship between a parent and a child, established by birth, acknowledgement, judicial determination, or adoption (**CC Art. 29**). Acknowledgement is made by declaration before the Royal Chancellery or by will (**CC Art. 30**). *Arts 3 (3), 7 (7), 22 (24), 29–32 (28–31), 59 (52)*
- parental authority** The rights and duties of parents to care for, educate, represent, and manage the property of their minor child, exercised jointly and always in the child's best interests (**CC Art. 32**). *Arts 2–4 (2–5), 10, 11 (10–11), 16 (17), 18 (19), 20 (22), 26 (27), 28 (28), 31, 32 (29–31)*

- personal data** Any information relating to an identified or identifiable individual, the data subject. Sensitive personal data is a special category subject to stricter conditions (DPC Art. 2, DPC Art. 4). Art. 62 (54)
- prescription** The extinction of a claim by the lapse of time: as a rule five years from knowledge for contractual claims (with a fifteen-year long-stop), and three years for enrichment or wrongful-act claims (CC Art. 49). Arts 37 (36), 49 (43)
- presumption of death** A decree finding a missing person presumed dead, made where a declaration of absence has been followed by a further five years without reliable information, or after two years where the person disappeared in circumstances of particular peril; it has the same legal effects as a proven death (CC Art. 18). Arts 7 (7), 18 (19), 26 (27)
- protected person** A person to whom the State extends protection short of full nationality, for example a marriage applicant during a probationary period. A protected person's capacity is more limited than a full national's (Nat Art. 3, CC Art. 5). Art. 5 (6)
- public officer** A person who holds an office, appointment, commission, or delegation of authority under Kaharagian law, whether permanent or temporary, remunerated or voluntary (CR Art. 2). Arts 12, 13 (12–13), 16 (17), 18 (19), 56 (48)
- public order** The body of fundamental principles of justice, and the rights guaranteed by the Fundamental Laws, which a foreign law or judgment may not offend; where it does, Kaharagian law is applied instead (CC Art. 63). Arts 8 (8), 15 (16), 21 (23), 27 (27), 45 (41), 58 (52), 60–63 (53–54)
- recognised legal person** A corporation, association, foundation, trust, partnership, or other juridical entity constituted or recognised under Kaharagian law; it may bear rights and, in criminal law, be subject to sanction (CR Art. 2). Art. 51 (46)
- registered partnership** A registered union carrying the same civil effects as marriage, for those who cannot or do not wish to marry; “spouse” is read to include a registered partner (CC Art. 6). Arts 6 (6), 12, 13 (12–13), 20 (22), 22 (24), 53 (47), 55 (48)
- renunciation** The voluntary giving-up of Kaharagian nationality by a person who holds another nationality; it takes effect only upon acceptance by sovereign decree, and shall not be accepted where it would render the person stateless unless the Sovereign expressly authorises it for exceptional reasons (Nat Art. 15). Arts 2 (2), 50 (46)
- representation** In succession, the rule by which the descendants of a predeceased heir step into that heir's place and degree and take the share the heir would have received (CC Art. 54). It operates without limit of degree in the direct descending line. Arts 10 (10), 12 (12), 14 (15), 18 (19), 40 (37), 52 (47), 54 (47)
- reserved portion** The share of an estate that the law reserves for close heirs and of which they cannot be deprived by will: collectively one half for children and one quarter for a spouse or partner (CC Art. 55). Art. 55 (48)
- Royal Chancellery** The principal administrative office of the Sovereign, acting as the competent authority for the State's registers (of civil status, nationality, and the registration of honours) and for the other acts the law entrusts to it. It registers acts and events, authorises the dispositions the law reserves to it, and keeps the public registers. Arts 1 (2), 6 (6), 20–22 (22–24), 24–35 (25–33), 40 (37), 50, 51 (46), 55 (48), 57 (49), 61–63 (53–54)
- Sovereign** The reigning Prince of Kaharagia, head of state and source of executive authority. Where the law requires sovereign assent (e.g. a sovereign decree), it refers to a formal act signed by the Sovereign in person. Arts 1 (2), 20, 21 (22–23), 31 (29)
- Sovereign Decree** An instrument made by the Sovereign in exercise of sovereign authority (FN Art. 38). It is the highest form of law in Kaharagia and prevails over

the Fundamental Laws and Principles, every Code, Act, Regulation and other instrument to the extent of any inconsistency (FN Art. 6). Arts 21 (23), 31 (29)

State, the The sovereign legal person of Kaharagia, perpetual and distinct from the person of the Sovereign. Its official name is “the State of the Kaharagians”; “Kaharagia” and “the Principality of Kaharagia” are also used. It holds no territory of its own; its jurisdiction is personal and consensual (FN Art. 1, FN Art. 4). Arts 4, 5 (5–6), 19 (22), 21 (23), 23 (25), 29 (28), 31 (29), 35, 36 (33–36), 40 (37), 52 (47), 58 (52), 61–63 (53–54)

testamentary disposition A disposition of the estate taking effect on death, made in one of the forms permitted by CC Art. 56 — a holographic will written entirely by the hand of the testator, dated and signed; a witnessed will signed before two witnesses; or a will authenticated before a public officer. It may be revoked or amended at any time, and is subject to the reserved portion (CC Art. 55). Arts 51, 52 (46–47), 55–57 (48–49)

third party A person who is not a party to the contract, act or proceeding in question. In data protection, a person or body other than the data subject, the controller, the processor, and those acting under their direct authority (DPC Art. 2). Arts 14 (15), 23 (25), 46 (42)

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