

**PROHIBITION OF ENTERING A MARRIAGE IN THE CODE OF CANON LAW
OF 1983 AND IN INSTRUCTION *DIGNITAS CONNUBII***

SUMMARY

It is necessary to meet the several prerequisites for legally binding prohibition of entering a marriage. The first prerequisite is prohibition issued by a competent church authority – the tribunal of first instance or the tribunal of appeal, the second one is prohibition addressed to certain person – which causes the nullity of the marriage concerned, or people – if this cause concerned each parties. Reasonable causes for the grounds of imposing a prohibition determine the third significant element. Legislator mentions judgment of nullity by reason of a permanent incapacity and absolutely impotent. In these circumstances a vetitum is obligatory, however there is also vetitum possibility by declaration of nullity by reason of simulation or deception. It is necessary to give rational arguments by a Tribunal while adding a vetitum to the sentence. In the case at issue tribunal should consider all the circumstances significant for the case, so that *moralis certitude* was achieved.

Key words: marriage, clause, sentence, prohibition