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WHEN A CONTRACT IS NOT VALID: KEY INSIGHTS ON NULLITY, VOIDABILITY AND TERMINATION

CONTRACTS

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CONTRACT NULLITY

A null contract lacks legal effects from its origin due to the absence of essential requirements, illegality of the object or cause, non-compliance with the form required by law, or violation of mandatory rules.

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CONTRACT VOIDABILITY

Voidability allows a contract that is initially valid to be declared invalid due to defects in consent (error, fraud, coercion) or incapacity of the parties. It requires a judicial action to be effective.

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CONTRACT TERMINATION

Termination allows the ending of the contract due to supervening circumstances that make its fulfillment impossible or unfair, such as harm, serious breach, or unforeseen events.

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LEGAL CONSEQUENCES:

Nullity means the contract never existed, voidability allows correction through ratification, and termination extinguishes the contract from the moment it is declared, possibly involving the restitution of benefits.

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