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The EU Regulations on the Property Regimes of International Couples Ilaria Viarengo, Pietro Franzina, 2020-06-26
This article by article Commentary on EU Regulations 2016 1103 and 2016 1104 critically examines the uniform rules adopted by the EU to deal with the property relations of international couples both married and in registered partnerships. Written by experts from a variety of European countries it offers a comprehensive side by side discussion of the two Regulations to provide context and a deeper understanding of the issues of jurisdiction applicable law and recognition of judgements covered. **Research Handbook on Family Property and the Law** Margaret Briggs, Andy Hayward, 2024-06-05 This pivotal Research Handbook analyses the interconnectedness of family property and the law through historical contemporary comparative and jurisdiction specific lenses. Authors analyse some of the most well known contested and politicised legal developments in the field of family property law. [Cross-border couples property regimes in action before courts. Understanding the eu regulations 1103 and 1104/2016 in practice](#) María José Cazorla González, Lucia Ruggeri, 2022 This book has the prime purpose of analysing practice through European and national case law from the entry into force of the Twin Regulations adding hypothetical cases in some of the countries participating in enhanced cooperation that do not yet provide for the direct application of the Regulations and resolving them by basing judgments on private international law. The European family today is diverse and proof of this is the different models and their evolution in recent decades with family relationships being based not only on those constituted by marriage but also on those formed by couples living together in a stable manner. **Le droit européen des relations patrimoniales de couple** Andrea Bonomi, Patrick Wautelet, 2021-05-06 La mobilité croissante des couples et des familles et l'internationalisation des patrimoines sont des phénomènes auxquels les praticiens du droit patrimonial de la famille sont de plus en plus souvent confrontés. Qu'il s'agisse de conseiller des futurs poux ou partenaires l'aube d'une union d'accompagner des couples qui s'interrogent sur les conséquences d'un déménagement sur leurs relations patrimoniales ou de procéder à la liquidation d'un patrimoine commun en cas de dissolution du couple il est nécessaire d'identifier la loi applicable aux relations patrimoniales au sein des couples. Bien souvent le praticien sera aussi amené à interroger sur la validité d'un contrat conclu par les poux ou partenaires l'étranger. En cas de litige il sera également nécessaire de déterminer la juridiction compétente voire de s'interroger sur les effets d'une décision étrangère. Ces questions sont rendues plus complexes par le temps long dans lequel s'inscrivent la plupart des relations de couple. Pour offrir une réponse à ces questions le législateur européen a adopté en 2016 deux règlements le premier vise les régimes matrimoniaux de couples mariés le second les relations patrimoniales entre partenaires. Cet ouvrage a comme ambition d'offrir une analyse détaillée des dispositions de ces deux règlements. L'analyse richement illustrée par des exemples qui puisent dans le droit comparé aborde les textes tant sous l'angle théorique que pratique. Fruit du travail d'une équipe internationale elle offre une lecture réellement européenne des textes. Le commentaire est particulièrement attentif aux

interactions entre les deux règlements analysés et les autres textes qui donnent forme au droit international privé européen et singulièrement le règlement successions. Les auteurs ont également tenu compte de l'apport de la Cour de justice au droit international privé européen. L'ouvrage constitue un guide précieux pour clarifier tous les praticiens : avocats, notaires, magistrats, juristes au service de banques, de fiduciaires, de family offices ou de conseils en gestion patrimoniale. Il pourra aussi être utile aux étudiants, chercheurs et universitaires qui s'intéressent au droit international privé et au droit des relations patrimoniales familiales.

Marital Agreements and Private Autonomy in Comparative Perspective Jens M Scherpe, 2012-02-24. This book deals with a subject that has recently been the focus of debate and law reform in many jurisdictions: how much scope should spouses have to conclude agreements concerning their financial affairs and under what circumstances should such agreements be binding and enforceable. These marital agreements include pre-nuptial, post-nuptial and separation agreements. The book is the result of a British Academy funded research project which investigated and compared the relevant law of England and Wales, Australia, Austria, Belgium, France, Germany, Ireland, the Netherlands, New Zealand, Scotland, Singapore, Spain, Sweden and the jurisdictions of the United States. In addition to chapters on these jurisdictions, the book includes a chapter on the English practitioner's view. It also provides a comparative analysis of the different matrimonial property regimes and the rules on marital agreements that explores underlying themes and principles and makes recommendations for regulating marital agreements. A key theme is the function and effect of marital agreements in the different jurisdictions. Thus each chapter first explains the underlying default rules for ancillary relief, matrimonial property and maintenance. It then analyses the current rules for marital agreements and gives a brief account of the private international law rules. The book provides a comprehensive source of reference on ancillary relief, matrimonial property and maintenance and the rules on pre-nuptial, post-nuptial and separation agreements in 14 jurisdictions. It offers guidance for academics and practitioners dealing with international matters and a basis for discussions on law reform. I applaud the vision and perseverance of Jens Scherpe in having conceived this book and with so much distinguished help in now bringing it to birth. I will be using it for many years and I warmly invite my fellow family lawyers across the world to do likewise. Foreword by The Rt Hon Lord Wilson of Culworth, Justice of the Supreme Court of the United Kingdom. This title is included in Bloomsbury Professional's Family Law online service.

Planning the Future of Cross Border Families Ilaria Viarengo, Francesca C Villata, 2020-10-15. This book is built upon the outcomes of the EU Fam's Project financially supported by the EU Civil Justice Programme and led by the University of Milan. Also involved are the Universities of Heidelberg, Osijek, Valencia and Verona, the MPI in Luxembourg, the Italian and Spanish Family Lawyers Associations and training academies for judges in Italy and Croatia. The book seeks to offer an exhaustive overview of the regulatory framework of private international law in family and succession matters. The book addresses current features of the Brussels IIa, Rome III, Maintenance and Succession Regulations, the 2007 Hague Protocol, the 2007 Hague Recovery Convention and new

Regulations on Property Regimes The contributions are authored by more than 30 experts in cross border family and succession matters They introduce social and cultural issues of cross border families set up the scope of all EU family and succession regulations examine rules on jurisdiction applicable law and recognition and enforcement regimes and focus on the current problems of EU family and succession law *lis pendens* in third States *forum necessitatis* Brexit and interactions with other legal instruments The book also contains national reports from 6 Member States and annexes of interest for both legal scholars and practitioners policy guidelines model clauses and protocols Core Statutes on Conflict of Laws

Emmanuel Maganaris,2022-08-11 Well selected and authoritative Hart Core Statutes provide the key materials needed by students in a format that is clear compact and very easy to use They are ideal for use in exams **Succession Upon Death:**

A Comparison of European and Turkish Private International Law Biset Sena Günes,2023-09-04 The European Succession Regulation which harmonized private international and procedural law rules of Member States in the field of succession has been examined by scholars in almost every detail It has however not attracted the same degree of attention from a third state perspective The aim of this book is to offer a comparative analysis of the Regulations s regime from a Turkish perspective Turkey is indeed an important third state for cross border succession cases for the EU having a great number of nationals within the European Union and being one of the third countries which have bilateral treaties on succession with the Member States which are still applicable according to Article 75 of the Regulation Biset Sena Günes addresses the differences between the provisions of the Regulation the Turkish PILA and the Turkish German Treaty of 1929 the most practically relevant one of the treaties with third states and indicates the interplay between the three legal texts

Diversity and Integration in Private International Law Veronica Ruiz Abou-Nigm,2019-08-21 No detailed description available for Diversity and Integration in Private International Law The Private International Law of Authentic Instruments Jonathan Fitch,2020-11-26 This helpful book will equip the lawyer whether notary barrister or solicitor with the legal information necessary to understand what an authentic instrument is and what it is not what it can and what it cannot be used to do in the course of contentious or noncontentious legal proceedings The book takes a two part approach Part one focuses on an explanation of the nature of the foreign legal concept of an authentic instrument setting out the modes of creation typical domestic evidentiary effects and the typical domestic options to challenge such authentic instruments Part two then examines and analyses authentic instruments under specific European Union private international law regulations focusing on the different cross border legal effects allowed and procedures that apply to each such Rigorous authoritative and comprehensive this will be an invaluable tool to all practitioners in the field **Research Handbook on International Family Law** Janeen M. Carruthers,Bobby W.M. Lindsay,2024-06-05 The Research Handbook on International Family Law brings together a carefully selected array of experts to address legal topics pertaining to family relationships in a cross border context and international family law disputes It shows how this independent field of study has developed and

continues to develop and adeptly surveys the practice and regulation of international family law **Research Handbook on European Property Law** Sjef van Erp, Katja Zimmermann, 2024-10-03 Bringing together global experts in the field this Research Handbook presents an overview of recent developments in property law in European jurisdictions and in European Union law It analyses the ways in which these frameworks adapt to modern challenges such as climate change digitalisation an ageing population and the effects of pandemics **The Gender of Capital** Céline Bessière, Sibylle Gollac, 2023-03-07 In countries with officially egalitarian property law women still accumulate less wealth than men Combining quantitative ethnographic and archival research The Gender of Capital explains how and why women of all classes are economically disadvantaged at crucial junctures in family life such as divorce inheritance and succession *Balkan Yearbook of European and International Law 2022* Ivana Kunda, Zlatan Meškić, Enis Omerović, Dušan V. Popović, 2023-05-12 The fourth volume of the Balkan Yearbook of European and International Law BYEIL presents nine new articles offering scholarly insights into a variety of legal issues with a special focus on the countries of Southeast Europe All six articles in the special section reflect the authors efforts to untangle difficult questions concerning family property in private international law Addressing a range of topics leading national experts in the respective areas discuss Bosnian and Herzegovinian Croatian Greek Lithuanian and Turkish law In turn the general sections on European law and international law include three articles on diverse topics in private and public law from a fresh take on the legal and practical effects of Brexit over EUTMs and the legal nature of cryptocurrencies in different jurisdictions to difficulties establishing the rule of law in Bosnia and Herzegovina *2011* Andrea Bonomi, Gian Paolo Romano, 2012-07-30 The current volume of the Yearbook of Private International Law includes three special sections The first one is devoted to the recent European developments in the area of family law like the proposal on the matrimonial property regimes in its relation with other EU instruments such as Brussels IIbis or Rome III Another special section deals with the very hotly debated question of the treatment of and access to foreign law The third one presents some recent reforms of national Private International Law systems National reports and court decisions complete the book Recent highlights include multiple nationalities in EU Private International Law the European Court of Human Rights and Private International Law parallel litigation in Europe and the US arbitration and the powers of English courts conflict of laws in emission trading res judicata effects of arbitral awards Le déclin du principe de l'immutabilité des régimes matrimoniaux Nicole Petroni-Maudière, 2004 *The European Account Preservation Order Regulation* Gilles Cuniberti, Sara Migliorini, 2018-05-03 The European Account Preservation Order EAPO Regulation provides a protective measure for creditors wishing to freeze the bank account of their debtor preventing the transferral or withdrawal of funds Courts can issue freezing measures over bank accounts located in other member states thereby establishing a new remedy for cross border debt recovery in Europe This book provides a detailed article by article commentary of the EAPO Regulation It describes its legislative history and structure and carries out a critical analysis of its provisions and recitals focusing on the

practical implementation of the instrument The commentary also provides additional focus on the interplay between the EAPo Regulation and the existing EU instruments and framework and examines specific issues that the implementation of the Regulation might raise in member states This is an important resource tool for practitioners legal scholars and students interested in the theoretical and practical implications of the EAPo Regulation

International Encyclopedia of Comparative Law , Les régimes matrimoniaux en droit comparé et en droit international privé Andrea

Bonomi,Marco Steiner,2006 EU Cross-Border Succession Law Bariatti, Stefania,Viarengo, Ilaria,Villata, Francesca

C.,2022-06-10 With cross border successions becoming increasingly common in the context of the European Union this timely book offers a systematic practical analysis of how cross border successions should be treated including examination of which courts may establish jurisdiction over succession disputes and which law governs such disputes Studying cross border successions in the context of estate planning and in the opening and liquidation of a succession it examines the specificities of the European Certificate of Succession contextualising it within its interface with the national laws and practice of EU Member States

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