

Objective

In 2016, two EU Regulations covering all civil-law aspects of matrimonial property regimes and the property consequences of registered partnerships were adopted on the basis of enhanced cooperation. They include rules on jurisdiction, applicable law, recognition and enforcement.

Knowledge about the applicable property regime is indispensable in case of the couple's separation, divorce, death of one of the spouses or when drafting a will.

Key topics

The conference will give an in-depth analysis on

- EU Regulation 2016/1103 on matrimonial property regimes of 24 June 2016
- EU Regulation 2016/1104 on property consequences of registered partnerships of 24 June 2016

and illustrate their interplay with the

- EU Succession Regulation 650/2012 applicable since 17 August 2015

by way of presentations, different scenarios, case studies and an interactive workshop.

Who should attend?

Lawyers in private practice dealing with family and/or succession law, notaries, judges, academics.

Travel to Trier:

Shuttle services from Luxembourg airport to the ERA Conference Centre can be booked at special rates with our partner Finkelgruens Taxi: www.finkelgruens-taxi.de/era

Speakers

Julie Francastel, Head of Brussels Office, *Bundesnotarkammer*, Brussels

Pietro Franzina, Associate Professor at the University of Ferrara

Costanza Honorati, Professor of EU Law, University of Milan – Bicocca, Milan

Peter Junggeburth, *Rechtsanwalt*, Junggeburth & Becker, Berlin

Jens Kleinschmidt, Professor at the University of Trier

Jan-Ger Knot, Private International Law Specialist for the Notaries, PlasBossinade; Assistant Professor at the University of Groningen

Dieter Martiny, Prof. em., European University Viadrina Frankfurt (Oder)

Alex Ruffel, Partner, Irwin Mitchell LLP, London

Tobias Somary, Partner, Attorney at Law, Certified Specialist SBA Inheritance Law, CMS von Erlach Poncet Ltd, Zurich

Alain Steichen, Partner, *Avocat à la Cour*, Bonn Steichen & Partners, Luxembourg; Professor at the University of Luxembourg

Ian Sumner, Lecturer at the University of Leiden; Voorts Legal Services, Utrecht

María Vilar Badia, Legislative Officer, DG for Justice and Consumers – Civil Justice Policy, European Commission, Brussels

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PROPERTY REGIMES OF INTERNATIONAL COUPLES AND THE LAW OF SUCCESSION

The New EU Regulations on (Matrimonial) Property Regimes and Succession Regulation

Trier, 9-10 March 2017

ERA Conference Centre
Metzer Allee 4, Trier, Germany

Conference organiser:

Dr Angelika Fuchs, ERA

Languages:

English and German (with simultaneous interpretation)

Event number:

117D48



Thursday, 9 March 2017

- 08:30 Arrival and registration
- 09:00 **Welcome and introduction**
Angelika Fuchs
- Moderator: *Costanza Honorati*
- I. SETTING THE SCENE**
- 09:05 **Enhanced cooperation in family matters: genesis of the Regulations**
Maria Vilar Badia
- 09:20 Discussion
- 09:30 **A comprehensive set of EU rules on international family estate law**
Scope of the new EU Regulations on property regimes, maintenance, Succession Regulation and Rome I for donations *inter vivos*
Dieter Martiny
- 10:00 Discussion
- 10:15 Coffee break
- Moderator: *Pietro Franzina*
- II. NEW RULES ON MATRIMONIAL PROPERTY**
- 10:45 **Jurisdiction in case of death or divorce and in all other cases**
Costanza Honorati
- 11:10 Discussion
- 11:20 **Applicable law, its scope and effects in respect of third parties**
Ian Sumner

- 11:40 **Which choices can be made?**
Self-determination in family estate law
Ian Sumner
- 12:00 Discussion
- 12:20 **Special rules for property consequences of registered partnerships**
Maria Vilar Badia
- 12:45 Discussion
- 13:00 Lunch
- III. CROSSOVER: PROPERTY REGIMES AND SUCCESSION LAW**
- 14:00 **WORKSHOP: Making the right choice – party autonomy in property & succession law**
Participants will be able to deepen their knowledge through case studies specifically devised for this conference focusing on situations at the interface between property regimes and succession law, including formulation aids when choosing the court and the applicable law.
Pietro Franzina
- 15:30 Coffee break
- Moderator: *Ian Sumner*
- 15:45 Results of the workshop and discussion
- 16:30 **Equalisation of accrued gains and pension rights adjustment**
Peter Junggeburth
- 17:00 Discussion
- 17:20 End of the first conference day
- 19:00 Evening programme and conference dinner

Friday, 10 March 2017

- IV. PLANNING CROSS-BORDER SUCCESSIONS**
- Moderator: *Jens Kleinschmidt*
- 09:00 **Options for drafting a last will under the EU Succession Regulation: first experiences**
Julie Francastel
- 09:30 **European Certificate of Succession and the division of the estate**
Jan-Ger Knot
- 10:00 Discussion
- 10:15 Coffee break
- 10:45 **Paying inheritance tax twice?**
Cross-border tax issues and possible solutions
Alain Steichen
- 11:15 Discussion
- 11:30 **HANDS-ON EXPERIENCE: Planning cross-border successions with a view to third states and offshore jurisdictions**
EU and Switzerland: *Tobias Somary*
UK before & after BREXIT and offshore jurisdictions: *Alex Ruffel*
- 12:30 Joint discussion
- 12:50 **Concluding remarks and open issues**
Dieter Martiny
- 13:00 Lunch and end of the conference

Programme may be subject to amendment.
For programme updates: www.era.int