



UNIVERSITÀ
DEGLI STUDI
FIRENZE

DSG
DIPARTIMENTO
DI SCIENZE GIURIDICHE

Friday, 1 december, 2017 | 2-6 pm
Villa Ruspoli | aula rossa
piazza Indipendenza 9 - Firenze

GOVERNING INHERITANCE STATUTES AFTER THE ENTRY INTO FORCE OF EU SUCCESSION REGULATION

INTERNATIONAL COLLOQUIUM

After the entry into force of the Regulation No 650/2012 on Successions, it is now imperative to take into consideration its preliminary (during the first years of implementation) impact on EU Member States' case-law and legal practice, paying particular attention to the meaning given in some countries to general clauses such as the public policy / ordre public clause, in order to foster the Regulation's uniform and correct application. Moreover it is highly probable that, in the first years of its application, legal practitioners will have to face new challenges, linked to current societal changes:

- (i) global migrations pose the problem of the relevance, from a Successions Law point of view, to be attributed to some alien marriages, such as informal marriages, forced marriages, polygamous marriages;
- (ii) there are European countries that allow same-sex civil partnerships but not same-sex marriages, and so have difficulties in dealing with the inheritance law effects of these marriages, if contracted abroad;
- (iii) succession issues will be interested also by the Regulation 1103 of 24 June 2016;
- (iv) the adoption of alien contractual schemes in the matter of family property regimes, such as Prenuptial Agreements with provisions regarding Successions, or Inheritance Trusts, or Testamentary Rent to Buy for a Company in Small and Medium Family Enterprises, can lead to inheritance law effects that may result contrasting with the public policy principles of some European countries;
- (v) new and emerging technologies create new links between different legal systems and new inheritance law issues.

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