The EU Regulation no. 650/2012: the European way in cross-border successions

SEMINAR AND EXCHANGE OF BEST PRACTICES

Ludwig-Maximilians-Universität Munich
Hauptgebäude. 1. Obergeschoss, Senatssaal (E 110)
Geschwister-Scholl-Platz 1 - 80539 Munich
23 JUNE 2015 | h. 9.00 am

The project is co-funded by the Civil Justice Programme of the European Union
The project
The project, lasting from April 2014 to March 2016, is devoted to Regulation (EU) No 650/2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession (Succession Regulation).
On the basis of a comparative approach, the activity focuses on the future impact of the Regulation on national legal systems and the related national and European case law with the aim of assessing the changes that the Regulation will introduce to legal practice, arising awareness within the legal professionals (notaries, lawyers and court judges), providing training and disseminating information in order to promote future uniformity in the application of its provisions.

Main activities
- Opening conference in Rome
- Three seminars and best practice exchanges in Madrid, Bucharest and Munich
- Closing Conference in Milan
- White paper involving research and field work, also employing quantitative research methods
- Practice paper on identified case-studies
- External evaluation, through mid-term and final evaluation reports

Target group
Legal practitioners and academics

Beneficiaries
EU citizens and individuals established within the EU Member States bound by the Regulation

Expected results
The project contributes to the uniform application of EU law through training of legal practitioners on the Succession Regulation. The uniform application and the consequent increased legal certainty will ultimately grant certainty that that planning of assets allocation after one’s death is respected and recognised in all such countries.

9:00 - 9:30 WELCOME COFFEE

9:30 - 11:15 SEMINAR

General greetings
Stephan Lorenz Dean of the Faculty of Law of the Ludwig-Maximilians-University (LMU), Munich

Moderator
Peter KINDER Professor of Private International Law and Comparative Law at the Institute for International Law, LMU Munich

The choice of the applicable law in the EU Regulation
Ilaria Viarengo Professor at the Department of International, Legal, Historical and Political Studies, University of Milan

Proximity and predictability under European Succession Regulation. The EU Regulation with reference to third countries and the UK. Habitual residence in notarial practice - to be confirmed
Dan Andrei Popescu Civil law notary and professor of Private International Law at the “Babeș-Bolyai” University of Cluj

Questions and answers - first part
11:15-11:30 Coffee break
11:30 - 13:30 SEMINAR

Matrimonial property in international succession cases
Anna Reis Student assistant at the Institute of International Law, LMU Munich

The destiny of company shares in international succession cases
David Paulus Research Assistant at the Institute of International Law, LMU Munich

The relation between the European Certificate of Successions and similar national certificates
Lorenzo Prats Albentosa Professor in Civil Law at the Universidad Autónoma de Barcelona

Questions and answers - second part
13:30 - 14:30 Lunch break
14:30 - 17:30 BEST PRACTICES EXCHANGE

Moderator
Carmelo Di Marco Civil law notary in Pavia and President of Federnotai

Introducing and presenting four practical cases
Daniele Muritano Civil law notary in Empoli, TEP

The speakers of the morning session discuss on selected practical cases

Practical Perspective on EU Rules on Jurisdiction in Succession Matters
Francesco Pescio Assistant professor in International Law, University of Genoa

Questions and answers - first part
The logo symbolises as, under the European Commission guidance, divergences among national legislations on the subject of international successions can be uniformed up to the level of becoming one and only living body with strong roots, the Regulation, that in its application, will manage to grant certainty in the context of a dynamic approach, differentiated per Member State.

THE PROJECT IS IMPLEMENTED BY
COORDINATOR

UNIVERSITÀ DEGLI STUDI DI MILANO
DIPARTIMENTO DI DIRITTO PUBBLICO ITALIANO E SOVRANAZIONALE

UNIVERSITÀ DEGLI STUDI DI MILANO
DIPARTIMENTO DI STUDI INTERNAZIONALI, GIURIDICI E STORICO-POLITICI

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