Harris: "The Proposed EU Regulation on Succession and Wills: Prospects and Challenges"

As has already been noted on this site, the European Commission will present its proposed Regulation on Succession and Wills on 24th March 2009. In anticipation of that announcement, Professor Jonathan Harris (who has been advising the UK Ministry of Justice throughout the process) has written a lengthy article on the proposed Regulation: "**The Proposed EU Regulation on Succession and Wills: Prospects and Challenges**" (2008) 22 Trust Law International 181-235. The scope of the article is described thus:

> *In March 2005, the European Commission issued its Green Paper on Succession and Wills. In it, it argued that:*
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> *'… the growing mobility of people in an area without internal frontiers and the increasing frequency of unions between nationals of different Member States, often entailing the acquisition of property in the territory of several Union countries, are a major source of complication in succession to estates. The difficulties facing those involved in a transnational succession mostly flow from the divergence in substantive rules, procedural rules and conflict rules in the Member States. Succession is excluded from Community rules of private international law adopted so far. There is accordingly a clear need for the adoption of harmonised European rules.'*
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> *In the spring of 2009, it is expected to publish a draft Regulation in this area. This article reflects upon the challenges that the Regulation is likely to present, particularly for the UK.*

The full text of the article is available to Westlaw subscribers, as well as Trust Law International subscribers. Highly recommended reading for all those interested in the proposed Regulation.