

BIICL Event: The UK's Rejection of the New EU Regulation on International Successions

The EU has adopted a new Regulation on international successions (Regulation (EU) No 650/2012). In short, its main features are the following: It provides for court competence of the courts of the Member State in which the deceased had his habitual residence in the moment of death and declares the law of that Member State applicable to the succession as a whole. The Regulation also provides for a limited choice of the law of the deceased's nationality. In that event, an alignment of court competence and applicable law can be reached through specific mechanisms. The cross-border circulation of authentic instruments is simplified and a European Certificate of Succession newly introduced.

Although the UK is not taking part in the adoption of the Regulation, there are scenarios in which UK citizens moving abroad or possessing property abroad might be affected by the Regulation. This can give rise to a difficult interplay of the Regulation with the private international law provisions in the UK.

Speakers from the continent and the UK will present the Regulation and its main advantages and shortcomings. They will then focus on the difficulties which arise in a cross border context involving UK citizens and discuss the need for law reform.

Participants:

Robert Bray, European Parliament

Professor Andrea Bonomi, University of Lausanne

Dr Anatol Dutta, Max Planck Institute for Comparative and International Private Law, Hamburg

Professor Jonathan Harris, King's College; Serle Court, London

Richard Frimston, Partner, Russell Cooke, London

Oliver Parker, Ministry of Justice, London

Representative of Notaries of Europe (CNEU), Brussels

Venue:

British Institute of International and Comparative Law, Charles Clore House, 17
Russell Square,
London, WC1B 5JP

Date:

Thursday 8 November 2012, 14:00 to 18:30