



**Ad-Hoc Query on registered partnership**

**Requested by ES EMN NCP on 30<sup>th</sup> September 2013**

**Compilation produced on [15/11/2013]**

**Responses from Belgium, Bulgaria, Croatia, Finland, France, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Slovak Republic, Spain, Sweden plus United Kingdom (17 in Total)**

*Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

**1. Background Information**

In connection with the registered partnership legislation, Spain would like to collect information on how this issue is being dealt with in other MSs legislation. It would be very much appreciated if we could receive the answers by **30<sup>th</sup> October 2013**.

**2. Responses**

		<p><b>Wider Dissemination?</b></p>	<ol style="list-style-type: none"> <li>1. Are there public registers in your country in which cohabiting partnership must register to be considered as such?</li> <li>2. If they exist, is there a unique general register or different territorial registers? And if there are territorial registers, are they interconnected and share their records?</li> <li>3. Which requirements must be met in order to register a cohabiting partnership?</li> </ol>
--	--	------------------------------------	--

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			4. If there are not such registers, which are the requirements for a steady partnership to be recognised as a cohabiting partnership?
	Belgium	Yes	<p><u>Background information:</u> In Belgium, registered partnership equivalent to marriage is called “<b>legal cohabitation</b>”</p> <ol style="list-style-type: none"> <li>1. Legal cohabitation is registered in the <b>population register</b> (and not in the civil status register as legal cohabitation doesn't change the status of persons concerned).</li> <li>2. Legal cohabitation is initially registered in population registers under the responsibility of local authorities (<b>municipal population registers</b>) and later included in the <b>national register of natural persons</b>. Information integrated in the different municipal population registers are <b>interconnected</b> in the above mentioned national register.</li> <li>3. Under Belgian law, legal cohabitation may be registered if cohabitants meet the following conditions: <ul style="list-style-type: none"> <li>➤ Have a <b>common habitual residence (in the municipality</b> where the legal cohabitation is being registered)</li> <li>➤ Have the <b>legal capacity</b> and not be a minor</li> <li>➤ <b>Not be married or in another legal cohabitation</b></li> </ul> <p>The following documents are generally required:</p> <ul style="list-style-type: none"> <li>➤ Identity cards or passports of cohabitants</li> <li>➤ Proof of celibacy or evidence of previous marriage nullity</li> <li>➤ Notarization of agreements (if it was done so)</li> </ul> </li> <li>4. /</li> </ol> <p><u>Additional note:</u> A <b>Circular from 6 September 2013</b>, published in the Belgian Official Gazette on 23 September 2013, provides inter alia for (1) causes of nullity for legal cohabitations of convenience and (2) the possibility for the <b>registrars of municipalities to refuse to register a legal cohabitation of convenience</b> (if he/she suspects that the intention of at least one of the persons concerned is not the creation of a sustainable community of life but rather obtaining an advantage in terms of residence).</p>
	Bulgaria	Yes	<ol style="list-style-type: none"> <li>1. No</li> <li>2. n/a</li> <li>3. n/a</li> <li>4. In case of need for a steady partnership to be formally recognised as a cohabiting partnership, both partners fill in and sign a declaration in that sense. The declaration, which may be registered at a notary office depending on the purpose of use, serves as</li> </ol>

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			a proof for the cohabiting partnership of the partners.
	<b>Croatia</b>		<ol style="list-style-type: none"> <li>1. No Registers of Common-law Marriages are being kept in the Republic of Croatia. The Common-law Marriages are neither registered in the Register of Marriages.</li> <li>2. They do not exist.</li> <li>3. There do not exist the conditions for recording.</li> <li>4. Article 3 of the Family Act (Official Gazette No 116/03, 17/04, 136/04, 107/07 and 61/11) lays down that the provisions of this Act relating to the effects of Common-law Marriages apply to a life partnership of an unmarried woman and an unmarried man, where the partnership has lasted for at least three years or shorter if in it, a common child has been born.</li> </ol>
	<b>Finland</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. Yes/No. Officially there is no register for cohabiting partnership but the national Population Information System contains information about familial relationships (persons living in marriage like conditions and in the same address). The Finnish Population Information System is a computerised national register that contains basic information about Finnish citizens and foreign citizens residing permanently in Finland. Also recorded is information about buildings, construction projects, residences and real estate. The Population Information System is the most-used basic register in Finland. Local register offices are local state administrative authorities. There are 11 local register offices in Finland. The operational area of each local register office is comprised of one or more jurisdictional districts.</li> <li>2. One unique register (Population Information System).</li> <li>3. The basic data on foreigners residing in Finland are entered in the Population Information System. Registered information includes name, date of birth, nationality, <b>familial relationships</b> and address. A Finnish municipality of residence is registered for a foreigner who has moved to Finland if he or she plans on staying here permanently and if he or she has a residence permit for at least one year. Citizens of Nordic countries do not need residence permits.</li> </ol> <p>Under the law, a foreigner is required to register the same information as Finnish citizens if he or she resides in Finland for at least one year. The registration takes place at the local register office. The registered information is used, amongst other things, in the organisation of elections, and for taxation, health care, juridical administration and statistical purposes.</p> <p>In order for a document issued abroad (excluding the Nordic countries) and by a foreign authority to have the intended legal effect in Finland, it must be legalised. The legalisation of a document is a measure relating to the customer's legal protection, ensuring that the party issuing the certificate is entitled to do so under the laws of the issuing country and that the document contains the appropriate information and is valid in the country where it has been issued. For example with regard to marriage certificates, it is important that the officiating party is entitled to marry couples under the legislation of the country where the marriage has taken place.</p>

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>Legalisation takes place by two different means depending on whether the relevant country is a signatory to the Hague Convention of 1961. Documents supplied by countries that have ratified the Hague Convention are legalised by the issuance of a so-called Apostille Certificate (stamp or paper certificate). Documents issued by other countries are legalised through the so-called Grand Legalisation procedure.</p> <p>If the country issuing a document is not a signatory to the Hague Convention, a document is legalised by the foreign ministry of the issuing country certifying that it has been issued by the proper authority, after which a competent Finnish mission in that country legalises the document by attaching a certificate of the competence of that foreign ministry official to issue such certificates. If there is no Finnish mission in the country, a local mission of another Nordic country can legalise a document that has been legalised by the foreign ministry of the relevant country. This practice is based on a mutual agreement between the Nordic countries.</p> <p><b>A civil partnership</b> can be registered in Finland as long as one of the parties is a Finnish citizen and has residence in Finland or if both parties have had residence in Finland for the duration of the previous two years.</p> <p>Prior to the registration of civil partnership, a foreign citizen must present the Register Office with a certificate from his or her country of origin demonstrating that there are no impediments to the civil partnership.</p> <p>The certificate must be legalised according to the provisions of the Finnish Marriage Decree. The investigation of impediments is carried out according to Finnish law.</p> <p>Citizens of countries where legislation provides for the registration of civil partnership with largely the same legal effects as in Finland (such as the Netherlands, Nordic Countries and Germany) are treated as Finnish citizens.</p>
	<b>France</b>	<b>Yes</b>	<p>Registered partnerships (the so called civilian pact of solidarity = PACS), concluded with a French person or the holder of a residence document, are a way to assess personal links with France in the view of receiving a residence document. However, the PACS does not rightfully give way to the issuance of a residence document for a foreign national partner.</p> <ol style="list-style-type: none"> <li>1. Yes, the PACS is registered: <ul style="list-style-type: none"> <li>- if the common residence is in France, either by the district court, or by a notary;</li> <li>- if the common residence is abroad, by the competent French consulate or embassy.</li> </ul> </li> <li>2. The services in charge of civil registers register the PACS (i.e. the Registry of the district court of the birthplace of each partner) and the Registry of the district court of Paris for foreign nationals who concluded a PACS.</li> <li>3. Each partner must provide a birth certificate (no older than 3 months, or 6 months if the person is a foreign national born abroad), a proof of identity and a sworn statement proving that there is no family or alliance relationship between the two</li> </ol>

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>partners and that states their common place of residence.          If one of the partners is a foreign national born abroad, he/she must provide:</p> <ul style="list-style-type: none"> <li>- a certificate of no-partnership no older than 3 months, issued by the district court of Paris;</li> <li>- a certificate of custom established by the diplomatic or consular authorities of his/her country of origin, which states the legislation of this country and describes the civil-status documents proving that the foreign national is over 18, single and legally able to contract;</li> <li>- appropriate civil-status documents no older than 6 months and translated in French by a sworn translator or a consular authority;</li> <li>- if the partner has been living in France for more than a year, his/her attestation of non-inscription to the civil register, which allows to check that he/she is under no guardianship or deputyship.</li> </ul> <p>4. /</p>
	<b>Greece</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. A cohabiting partnership is concluded with a notarial deed</li> <li>2. The cohabiting partnership registry events are recorded by local registry offices. The local registry offices are linked with the Central Information Management System Registrations Functioning in Ministry of Interior.</li> <li>3. For the conclusion of a cohabiting partnership needs full legal capacity of persons living together. A cohabiting partnership can't be register:             <ol style="list-style-type: none"> <li>a) if there is an earlier marriage or earlier cohabiting partnership of persons living together or of one of them,</li> <li>b) between blood relatives in a straight line indefinitely, collaterally and between relatives by marriage in a straight line indefinitely,</li> <li>c) between the adopter and the adopted.</li> </ol> </li> </ol>
	<b>Hungary</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. In Hungary registered partnership is a form of partnership which, similarly to marriage is established by act of will manifested before a state agent and following a registration. Presently there is no electronic registration in Hungary for the four types of events (birth, marriage, registered partnership and death) registered by registrars, it is therefore only registered in a book format of registry till July 2014, when electronic registration of events registered by registrars is going to be set up. Yet when registration is carried out by the registrar, a certificate is issued, a specimen of which can be found here: <a href="http://igazsagugyiinformaciok.kormany.hu/download/a/60/60000/nemzetisegi_bet_2012.jpg">http://igazsagugyiinformaciok.kormany.hu/download/a/60/60000/nemzetisegi_bet_2012.jpg</a> Pursuant to Act XXIX of 2009 Article 3 (1) on registered partnership provisions applicable to spouses apply for registered partnerships as well unless otherwise specified by law, and the registered partner may obtain a residence permit for the purpose of family reunification.</li> <li>2. As it is not done electronically presently, there are only territorial registers existing in book formats.</li> <li>3. The registered partnership enters into force with the statement of parties of same sex who are above 18 years of age before the</li> </ol>

EMN Ad-Hoc Query on registered partnership

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>registrar. The Constitutional Court annulled Act CLXXXIV of 2007 on registered partnership due to the fact that the registered partnership between a man and a woman - who have the opportunity to conclude a marriage - shall be regarded as a duplication of marriage which is defended by virtue of law. Nevertheless the Constitutional Court has emphasized that the recognition and protection of the registered partnership of people with same sex may be deducted from the right for human dignity and, consequently, the establishment of registered partnership for people with same sex is not unconstitutional. Consequently the present Act XXIX of 2009 on registered partnerships requires the registered partners to be of the same sex.</p> <p>4. Apart from the registered partnership being equal with marriage another form of official procedure exists in Hungary that allows couples to have their statement of being in a cohabitation partnership verified by a notary public. As this official verification of statement does not equal with marriage, it can be requested both by same and different sex couples. As a result of the verification of the common statement of a couple of being in a cohabitation partnership an official document by the public notary is issued, furthermore the verified statement is being registered in the Registry on Partnership Statements kept by the Hungarian National Chamber of Notaries. Yet this verified statement or its registry mainly has effects as for civil law matters and does not constitute a partnership equalling marriage.</p>
	<b>Italy</b>	<b>Yes</b>	In Italy cohabiting partnerships do not have a recognised status and no official registration procedure is applied.
	<b>Latvia</b>	<b>Yes</b>	<p>1. No</p> <p>2. –</p> <p>3. –</p> <p>4. In relation to the <i>cohabiting partnership</i> there is only one regulation in Latvia - <i>Procedures for the Entry and Residence in the Republic of Latvia of Citizens of the Union and their Family Members</i>.</p> <p>In order to apply for a registration certificate or a permanent registration card, where the family member is a Union citizen, or a residence permit or permanent residence permit, where the family member is not a Union citizen, the family member of the Union citizen shall present a document certifying the fact of registered partnership. Applying for a registration certificate or a residence permit family member of Union citizen shall present a document certifying the birth of a child in a non-registered partnership or documents certifying that the non-registered partnership has lasted for at least two years, including documents on a joint mortgage financing facility, real property or household.</p>
	<b>Lithuania</b>	<b>Yes</b>	Lithuania does not recognise registered partnerships.
	<b>Luxembourg</b>	<b>Yes</b>	<p>1. In Luxembourg, cohabiting partnership must be registered to have their status recognized. They have to be registered at the civil registrar of the municipality of residence of the partners in the case the partnership is concluded in Luxembourg. However, all civil partnerships concluded in Luxembourg or abroad must be registered in the civil index kept under the authority of the General public prosecutor in order to be opposable to a third party.</p>

**Disclaimer:** *The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

			<p>2. The civil index is a unique general register in which all partnerships are registered: 1) all national partnerships, and 2) foreign partnerships that are recognized in Luxembourg. Only the registration in the civil index makes a partnership opposable to a third party (e.g. administrations).</p> <p>3. It is important to distinguish between a partnership that is concluded in Luxembourg and abroad.</p> <p>Partnership concluded in Luxembourg: To begin the preliminary formalities they must present themselves to the civil registrar of their place of residence and make a personal and joint declaration. They will then be given a list of documents to provide. All documents must be in French, German or English, documents in any other language must be translated by an official translator. Foreigners may have to provide additional documents.</p> <p>Documents required:</p> <ol style="list-style-type: none"> <li>a. Identity card or passport.</li> <li>b. Residence certificate established by the Municipality of the place of residence. A TCN can only obtain a residence certificate only if he has a valid authorisation of stay in Luxembourg</li> <li>c. Full birth certificate (Acte de naissance intégral), less than 3 months old if supplied in Luxembourg, or less than six months old if supplied abroad. Partners that don't have a birth certificate from a Luxembourgish municipality have to provide a certificate declaring that they are not already in a partnership contract, issued by the civil index kept under the authority of the General public prosecutor.</li> <li>d. A certificate of single-status (certificat de célibat) less than three months old.</li> <li>e. An affidavit stating that neither of the future partners is related in any way. A template is available at the Municipality and is generally filled in and signed at the time the partnership is registered.</li> <li>f. Foreigners must provide a "certificat de coutume" or a certificate from the appropriate authorities in their country of origin (usually their Embassy) stating that they are not already in a civil partnership of any kind. If either of the couple has been divorced or widowed they should supply proof in the form of a certified copy of the final divorce decree or an "acte de décès" (in the case of widowhood).</li> </ol> <p>Once the documents have been verified by the civil registrar the declaration can be registered immediately.</p> <p>Following the declaration each partner receives a certificate stating that they are officially registered in a partnership. A copy of the declaration is sent to the public prosecutor office (Parquet Général) within three days by the civil registrar.</p> <p>Partnership concluded abroad: Partnerships concluded or celebrated abroad to be recognized in Luxembourg must be registered in the civil index kept under the authority of the General public prosecutor. Once it is registered it will have the same validity that a partnership concluded in Luxembourg.</p> <p>To register the partnership concluded abroad the parties must address a request to register the partnership to the public prosecutor office. However, the parties must prove that at the date of conclusion of the partnership the following conditions were fulfilled:</p> <ol style="list-style-type: none"> <li>a) both parties were capable to conclude the partnership;</li> <li>b) both parties were single (they were not married or were not already in a partnership contract at the moment of the conclusion</li> </ol>
--	--	--	--

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>of the partnership)</p> <p>c) For the TCN, legal residence in Luxembourg</p> <p>The parties are also compelled to present the following documents to the civil registrar of the public prosecutor office:</p> <p>a) the original of the partnership registered abroad or a certificate of inscription of the partnership (independently of the denomination that it carries). The document must have an apostil or the signature of the issuing authority must be legalized. The competent authority of the country of where the partnership was concluded must make the apostil or the legalisation. If the document. If the document is not written in French, German or English an official translation must be attached.</p> <p>b) Full birth certificate (Acte de naissance integral) less than 3 months old of both partners;</p> <p>c) For the Luxemburgish nationals a copy of the passport or the identity card. For the European nationals a copy of the passport or the identity card and a residence certificate of each one of the partners. In the case of TCN a certified copy of the passport with a D-Visa if it is necessary, an authorisation of stay.</p> <p>d) The request must indicate the address where the certificate of partnership must be sent.</p> <p>4. N/A</p>
	<b>Netherlands</b>	<b>Yes</b>	<p>1. In the Netherlands partners can choose from two different forms of living arrangement that are regulated by law: they can marry, or enter into a registered partnership. It is also possible to sign a cohabitation agreement, and of course to live together without signing any formal agreement.</p> <p>Partners who do not wish to marry may opt for <u>registered partnership</u> instead. Marriage and registered partnership are very similar in this country: the partners have almost identical rights under the two systems. The most important difference between marriage and registered partnership relates to the children that are born during the registered partnership. If a man and a woman are married, the husband automatically becomes the lawful father of a child who is born to his wife. In the case of a registered partnership, the man does not automatically become the lawful father of a child born to his partner; to acquire this status, he must officially acknowledge each child separately.</p> <p>It is compulsory to register a marriage or a registered partnership with the Civil Registry. Marriages and registered partnerships have to be recorded in the Register of Births, Deaths, Marriages and Registered Partnerships and in the Municipal Personal Records Database, which is a public register.</p> <p>Another option in the Netherlands is a <u>cohabitation agreement</u>. This is a written agreement settling certain matters relating to living together. It is sensible to have a notary draw up an official contract. In some cases, you may need a notarised cohabitation agreement in order to qualify for certain benefits such as partner pension schemes and fringe benefits. When a man and a woman who have concluded a cohabitation agreement have a child, the woman is automatically the lawful mother. The man has to officially acknowledge paternity before he is regarded as the lawful father.</p>

***Disclaimer:*** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>If partners live together <u>without any cohabitation agreement</u>, nothing is regulated by law. Even so, living together does have consequences for the rules applied by certain institutions, such as the Tax and Customs Administration. A prerequisite is, however, that these partners are registered in the Municipal Personal Records Database (GBA) at the same address.</p> <p>Since April 2001, couples of the same sex or different sexes can be married, or form a registered partnership or enter into a cohabitation agreement, in the Netherlands.</p> <p>2. Marriages and registered partnerships have to be recorded in the Register of Births, Deaths, Marriages and Registered Partnerships and in the Municipal Personal Records Database, which is a unique general register.</p> <p>Cohabitation agreements do not have to be recorded in any official register. It is sensible for partners who have concluded a cohabitation agreement to have an agreement drawn up by a notary.</p> <p>For partners who live together without any cohabitation agreement and who are registered in the Municipal Personal Records Database (GBA) at the same address nothing is regulated by law. Even so, living together does have consequences for the rules applied by certain institutions, such as the Tax and Customs Administration.</p> <p>3. Anyone who has a Dutch nationality can get married or enter into a registered partnership in the Netherlands, regardless of whether they live in the Netherlands and regardless of their partner's nationality.</p> <p>Two foreign nationals may marry or enter into a registered partnership in the Netherlands if one of them legally resides in the Netherlands. In fact, to prevent marriages of convenience, non-Dutch nationals who wish to marry or enter into a registered partnership must either have a permanent residence permit or obtain a statement from the Aliens Police regarding their status under the Aliens Act.</p> <p>Couples of the same sex are also allowed to marry or enter into a registered partnership in the Netherlands.</p> <p>Before couples can register their partnership, they first need to register their intention by submitting a "Notice of Intent" to the local municipality of the city of residence of one of the partners involved. This has to be done at least two weeks before the intended date of the partnership registration which must take place within one year of submitting the notice.</p> <p>The documents needed may vary depending on nationality, previous marriages and residence status in the Netherlands. General required documents for both partners are similar to the ones requested for the marriage.</p> <p>General required documents for both partners include: (a) a full birth certificate; (b) proof of identity; (c) a marriage certificate in the case of a previous marriage with a divorce decree in the case of a previous divorce or death certificate in the case of being widowed and (d) completed witness forms for two to four witnesses (they must be 18 years of age at the time or older) should be presented at this time.</p>
--	--	--	--

EMN Ad-Hoc Query on registered partnership

**Disclaimer:** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			4. -
	Portugal	Yes	<ol style="list-style-type: none"> <li>1. No.</li> <li>2. N/A.</li> <li>3. N/A.</li> <li>4. In the absence of law or regulation that requires specific documentary evidence, the <i>de facto</i> union is proved by any legal means permissible. In the case of the <i>de facto</i> union is proved by the statement issued by the parish authority, the document must be accompanied by a declaration of both members of the partnership, under oath, that they live in the <i>de facto</i> union for more than two years, and a full copy of the registration of birth certificates of each.</li> </ol>
	Slovak Republic	Yes	<ol style="list-style-type: none"> <li>1. According to the Slovak legislation marriage is the only bond between man and a woman regulated by the law. Based on the Family Act marriage is a bond between two persons of different gender and is the only form of cohabitation of these persons which is explicitly regulated by the Family Act and which has number of legal consequences. In the Slovak legislation we can find also references to other relations between male and female which are described as cohabitation of partners, close persons or cohabitating persons, etc. and bring along certain legal consequences e.g. in the field of civil law, social security/common household, flat rental, inheritance, etc. However these relations are not regulated by the legal act thus are in disadvantaged position compared to traditional marriage, caused by non-existence of a registration of such bond, non-uniform way of demonstrating such bond, etc. Legal provisions of the Family Act thus can not be applied to any other form of a bond between man and woman or a bond between persons of the same gender. The Slovak legislation does not recognise the term “registered partnership” and thus this can not be confirmed by an official document. However it is to be noted that the Act No. 404/2011 on Residence of Aliens is an exception in this regard. This Act has transposed Art. 3, par. 2, letter b) of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. Pursuant to Art. 2, par. 5 of this Act, a family member of a EU national is understood as a third-country national who is his/her partner with whom the EU national is in a permanent, duly certified relationship. The SR, however, has not transposed Art. 2, par. 2, letter b) of Directive 2004/38/EC concerning registered partnership of same-sex persons, since the Slovak legislation does not consider such form of cohabitation equivalent to marriage.</li> <li>2. The legislation of the SR does not provide for any form of public register (central or regional) in order to register the cohabitation of natural persons.</li> <li>3. NA</li> <li>4. In practice it is recommended to persons who need to prove their cohabitation (different gender) to have a signed declaration on</li> </ol>

EMN Ad-Hoc Query on registered partnership

**Disclaimer:** *The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

			word of honour which is attested and accompany it with a confirmation on residence or common household. It is up to the recipient of such documentation to decide whether it will be applied to the respective situation with legal consequences (e.g. based on the Civil Code or Act on Execution of Punishment in the Form of Imprisonment, etc.). As for the residence of foreigners see also answer 1.
	<b>Spain</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. In Spain, cohabiting partnership must be registered to have this status recognised.</li> <li>2. In Spain there is no central register.</li> <li>3. Regulation falls under the competence of the Regional Authorities.</li> <li>4. Registration must take place in the register office.</li> </ol>
	<b>Sweden</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. No, but the persons must be registered as living together, on the same address, in the general population registry.</li> <li>2. The population registry is central for the whole country and covers everyone living in Sweden.</li> <li>3. N/A</li> <li>4. That they are living together, sharing the same address</li> </ol>
	<b>United Kingdom</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. No, in the UK there is no public register for co habiting partners. The legally recognised status of couples is limited to marriage or civil partnerships (same sex).</li> <li>2. N/A</li> <li>3. N/A</li> <li>4. For immigration applications to enter or remain in the UK, the UK takes into account a couple's relationship if they are not married or in a civil partnership, but are in an established relationship. For example, in the UK we consider "durable" relationships for applications under the EEA regulations. For applications under the Immigration Rules we define a partner as "a person (who) has been living together with the applicant in a relationship akin to a marriage or civil partnership for at least two years prior to the date of application".</li> </ol>

\*\*\*\*\*