

Legal regime of unmarried couples in Europe

De facto unions, civil unions and registered partnerships, country by country

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Unions between persons of the same sex with effects similar to those of marriage

ITALY

TYPE OF UNION

CIVIL UNION

DATE OF INTRODUCTION

2016

IS PROOF OF COHABITATION REQUIRED?

Declaration by the parties before the civil registrar.

COUPLES COVERED

Exclusively for same-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Civil registrar.

PERSONAL EFFECTS

Same effects as marriage (including the rules on immigration), except for the duty of fidelity and joint adoption.

PROPERTY EFFECTS

Statutory regime of community of property. Possibility of agreeing contractual regimes by notarial deed or by declaration before the civil registrar. Succession and tax effects.

FORM OF DISSOLUTION

By joint declaration before the court in the event of disagreement.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes, on the same terms as marriage.

CZECH REPUBLIC

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2006

IS PROOF OF COHABITATION REQUIRED?

Declaration by the parties.

COUPLES COVERED

Exclusively for same-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Civil registrar.

PERSONAL EFFECTS

Produces no effects as regards filiation. There is a reciprocal duty of assistance. Allows a residence permit to be obtained.

PROPERTY EFFECTS

Powers of joint administration of property. Succession effects (the partner is a legal heir). Tax benefits. Same property regime as for spouses (community of property).

FORM OF DISSOLUTION

By court decision, at the request of one or both partners.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Where applicable, right to maintenance.

CROATIA

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2014

IS PROOF OF COHABITATION REQUIRED?

Simple declaration, made in the presence of two witnesses.

COUPLES COVERED

Exclusively for same-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Before the civil registrar, in the presence of two witnesses.

PERSONAL EFFECTS

Same effects as marriage, including those relating to filiation and immigration.

PROPERTY EFFECTS

Same property effects as marriage, including succession and tax effects. Same property regime.

FORM OF DISSOLUTION

By court decision, at the request of one or both partners.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes, on the same terms as marriage.

MONTENEGRO

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2020

IS PROOF OF COHABITATION REQUIRED?

No. The declaration by the parties is sufficient.

COUPLES COVERED

Exclusively for same-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Before the civil registrar.

PERSONAL EFFECTS

Produces personal effects, including those relating to filiation and to obtaining a residence permit.

PROPERTY EFFECTS

Effects similar to those of marriage: succession rights, same property regime and other legal consequences.

FORM OF DISSOLUTION

By mutual agreement or by court decision in the event of a dispute.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes, on the same terms as marriage.

AUSTRIA

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2010

IS PROOF OF COHABITATION REQUIRED?

Simple declaration by the parties.

COUPLES COVERED

For same-sex couples since 2019.

AUTHORITY COMPETENT FOR ITS FORMATION

Before the civil registrar.

PERSONAL EFFECTS

Effects similar to those of marriage.

PROPERTY EFFECTS

Same property regime as marriage. Succession effects (the partner is a legal heir). Tax benefits.

FORM OF DISSOLUTION

Exclusively by court decision.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes, on the same terms as marriage.

HUNGARY

TYPE OF UNION

REGISTERED PARTNERSHIP before the civil registrar / before a notary

DATE OF INTRODUCTION

2009

IS PROOF OF COHABITATION REQUIRED?

No. The declaration by the parties is sufficient.

COUPLES COVERED

Before the civil registry: same-sex couples only. Before a notary: open to all couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Civil registrar or notary, depending on the form.

PERSONAL EFFECTS

Partnerships formed before the civil registry produce effects similar to those of marriage.

PROPERTY EFFECTS

Those formed before the civil registry have effects similar to those of marriage: same property regime, succession effects, etc. The same is not true of those formed before a notary.

FORM OF DISSOLUTION

Before the civil registry: before a notary if there is agreement; before the court in the event of conflict. Before a notary: by notarial act.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes.

SWITZERLAND

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2007 Repealed by the Act of 1 July 2022, which opened marriage to same-sex couples.

IS PROOF OF COHABITATION REQUIRED?

Declaration by the parties.

COUPLES COVERED

Exclusively for same-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Before the civil registrar of the parties' place of residence.

PERSONAL EFFECTS

Effects as regards filiation (adoption and medically assisted reproduction) and obtaining a residence permit.

PROPERTY EFFECTS

Separation of property, unless otherwise agreed. Succession and tax effects.

FORM OF DISSOLUTION

Court proceedings.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes. One partner may claim maintenance from the other.

Unions open to all couples with effects similar to those of marriage

UNITED KINGDOM

TYPE OF UNION

CIVIL PARTNERSHIP

DATE OF INTRODUCTION

2004 Open to heterosexual couples since 2019.

IS PROOF OF COHABITATION REQUIRED?

Presence of two witnesses at the time of the declaration.

COUPLES COVERED

Open to same-sex and different-sex couples since 2019.

AUTHORITY COMPETENT FOR ITS FORMATION

Before the civil registrar, in the presence of two witnesses.

PERSONAL EFFECTS

Same effects as marriage.

PROPERTY EFFECTS

Same effects as marriage.

FORM OF DISSOLUTION

By court decision.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes, in accordance with the applicable regime.

SPAIN (regime of the Autonomous Communities)

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

1998 in Catalonia, the first Autonomous Community to introduce it.

IS PROOF OF COHABITATION REQUIRED?

Yes. Cohabitation may be proved by any means of evidence, for example by a sworn statement.

COUPLES COVERED

Open to same-sex and different-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Before a notary or before the competent authority, at the parties' choice. In Catalonia a notarial deed is required.

PERSONAL EFFECTS

Effects similar to those of marriage, including filiation (adoption, assisted reproduction, etc.) and residence permit.

PROPERTY EFFECTS

Effects similar to those of marriage: succession, tax, joint and several liability for debts, etc. There is no statutory property regime; a contractual one may be agreed.

FORM OF DISSOLUTION

By unilateral or joint declaration entered in the Register of De Facto Couples, or by marriage.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Only if agreed beforehand. Possibility of maintenance.

GREECE

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2008 Reform of 2015.

IS PROOF OF COHABITATION REQUIRED?

No.

COUPLES COVERED

Open to same-sex and different-sex couples since 2015.

AUTHORITY COMPETENT FOR ITS FORMATION

Exclusively before a notary.

PERSONAL EFFECTS

Effects similar to those of marriage, except adoption by same-sex couples.

PROPERTY EFFECTS

Effects similar to those of marriage. The surviving partner is an heir of the deceased.

FORM OF DISSOLUTION

By unilateral or joint declaration recorded in a notarial deed.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes.

ANDORRA

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2005

IS PROOF OF COHABITATION REQUIRED?

Simple declaration by the parties.

COUPLES COVERED

Open to same-sex and different-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Civil registrar.

PERSONAL EFFECTS

Effects similar to those of marriage, including filiation and immigration (residence permit).

PROPERTY EFFECTS

Effects similar to those of marriage: succession rights, tax benefits, etc. Same property regime as marriage.

FORM OF DISSOLUTION

By entry of the dissolution in the civil registry.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes.

MALTA

TYPE OF UNION

CIVIL UNION

DATE OF INTRODUCTION

2014

IS PROOF OF COHABITATION REQUIRED?

Simple declaration by the parties.

COUPLES COVERED

Open to same-sex and different-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Civil registrar.

PERSONAL EFFECTS

Effects similar to those of marriage, including filiation and immigration (residence permit).

PROPERTY EFFECTS

Effects similar to those of marriage: succession rights, tax benefits, etc. Same property regime as marriage.

FORM OF DISSOLUTION

In accordance with the regime laid down for marriage.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes, on the same terms as marriage.

SLOVENIA

TYPE OF UNION

COHABITATION

DATE OF INTRODUCTION

2016

IS PROOF OF COHABITATION REQUIRED?

No.

COUPLES COVERED

Open to all couples.

AUTHORITY COMPETENT FOR ITS FORMATION

At the parties' choice, before a notary or another competent authority.

PERSONAL EFFECTS

Same effects as marriage.

PROPERTY EFFECTS

Same effects as marriage.

FORM OF DISSOLUTION

There is no specific procedure for the dissolution of the cohabitation.

COMPENSATION IN THE EVENT OF DISSOLUTION?

Yes.

Unions whose legal regime differs from that of marriage

FRANCE

TYPE OF UNION

PACS (CIVIL SOLIDARITY PACT)

DATE OF INTRODUCTION

1999 Reform of 2006.

IS PROOF OF COHABITATION REQUIRED?

No. Declaration by the parties.

COUPLES COVERED

Open to same-sex and different-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Before the civil registrar of the municipality or before a notary.

PERSONAL EFFECTS

There is no duty of fidelity and no possibility of joint adoption, which is reserved for marriage.

PROPERTY EFFECTS

In principle, separation of property, with the option of community. No succession effects, except a right over the home, and tax effects equal to those of marriage. There is a primary regime: joint and several liability and contribution to household expenses.

FORM OF DISSOLUTION

By unilateral or joint declaration.

COMPENSATION IN THE EVENT OF DISSOLUTION?

No.

LATVIA

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2024

IS PROOF OF COHABITATION REQUIRED?

Yes.

COUPLES COVERED

Open to same-sex and different-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Exclusively before a notary.

PERSONAL EFFECTS

Effects as regards social security (pensions). No effects on filiation or on obtaining a residence permit.

PROPERTY EFFECTS

No co-ownership or community of property. No succession effects. Tax effects similar to those of marriage.

FORM OF DISSOLUTION

By court decision or by mutual agreement recorded in a notarial deed.

COMPENSATION IN THE EVENT OF DISSOLUTION?

No.

BELGIUM

TYPE OF UNION

LEGAL COHABITATION

DATE OF INTRODUCTION

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IS PROOF OF COHABITATION REQUIRED?

Simple declaration.

COUPLES COVERED

Open to same-sex and different-sex couples.

AUTHORITY COMPETENT FOR ITS FORMATION

Declaration before the civil registrar. The parties may regulate their property regime by contract before a notary.

PERSONAL EFFECTS

Produces no personal effects comparable to those of marriage.

PROPERTY EFFECTS

Separation of property. Special protection of the family home. No succession effects, except the usufruct of the shared home.

FORM OF DISSOLUTION

By unilateral or joint declaration before the civil registrar.

COMPENSATION IN THE EVENT OF DISSOLUTION?

No.

ALBANIA

TYPE OF UNION

REGISTERED PARTNERSHIP

DATE OF INTRODUCTION

2009

IS PROOF OF COHABITATION REQUIRED?

Yes. Cohabitation must be proved.

COUPLES COVERED

Opening to same-sex couples is not indicated.

AUTHORITY COMPETENT FOR ITS FORMATION

Before a notary.

PERSONAL EFFECTS

No effects on filiation or on obtaining a residence permit.

PROPERTY EFFECTS

No property, succession or tax effects.

FORM OF DISSOLUTION

No answer was provided.

COMPENSATION IN THE EVENT OF DISSOLUTION?

No answer was provided.

Countries without legislation on registered partnerships: Bosnia and Herzegovina, Bulgaria, Georgia, Lithuania, North Macedonia, Poland, Romania, Serbia, Slovakia, Turkey and Ukraine. Germany abolished the registered partnership regime in 2017, when it opened marriage to same-sex and different-sex couples.

Switzerland: since the entry into force of the Act of 1 July 2022, which opened marriage to all couples, it is no longer possible to form new registered partnerships.