



# FINAL CONFERENCE

## EU Cross-Border Succession Law



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



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# Presentation of the Regulation and of its Scope

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Regulation (EU) n° 650/2012 aims at simplifying international successions and, in particular:

- Simplifying the planning of succession;
- Making it easier for the heirs, legatees, and administrators of the estate to exercise their rights

*(recitals n° 7 and 37)*

**The Tools Made Available To Bring About Such  
Simplification:**

**4 lines of action**

## **The first line of action:**

Adopting a unitary approach in regulating succession  
*(Articles 4, 21.1, 22.1 Reg., and Recitals n° 37)*

## **The second line of action:**

Correspondence between *forum* and *ius*  
(*Articles 4-9 Reg., Recitals n° 23, 27-28*)

## **The third line of action:**

Free circulation of decisions, authentic instruments,

And court settlements in the European judicial area

*(Articles 3.2, 39-60 Reg., Recitals n° 20-22, 59-66)*

**Fourth line of action:**

The European Certificate of Succession (ECS)

*(Articles 62-73 Reg., n° 67-72)*

# **Limits to the application of Regulation (EU) n° 650/2012**



***Ratione temporis* limits. In particular,  
the transitional provisions on:**

- The choice of the law applicable to the succession;
- The admissibility and validity of dispositions of property upon death  
(*Art. 83 Reg.*)

***Ratione personae limits:***

Are DK, IR and the UK EU Member States for the purposes of Regulation (EU) 650/2012?

*(Art. 34 Reg., Recitals n° 57, 82 and 83)*

***Ratione materiae limits:***

In particular, matrimonial property regimes with reference to  
the effects of the ECS

*(Articles 1.2, par. d, 63.2, par. a and b, 65.3, par. j, 68, par.  
h, Recitals n° 12 and 71,  
Forms IV and V enclosed to Implementing Regulation (EU)  
n° 1329/2014)*