



EULawInEN

EU LAW TRAINING IN ENGLISH LANGUAGE:
BLENDED AND INTEGRATED CONTENT AND LANGUAGE TRAINING
FOR EUROPEAN NOTARIES AND JUDGES



This Project is funded
by the European Union's
Justice Programme 2014-2020

Antonio Areniello

Civil law notary in Naples
President of the Fondazione Italiana del Notariato
Member of the Consiglio Nazionale del Notariato

This Project is implemented by Coordinator



Fondazione
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Partners



CASSA NAZIONALE DEL NOTARIATO



Magyar Országos
Közjegyzői Kamara



Notary Chamber of Bulgaria



International
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Judges

promoting an independent judiciary worldwide

Good afternoon fellow colleagues and esteemed guests.

It is my pleasure to bring the greetings from the Fondazione Italiana del Notariato - which I have the honour of presiding - to all participants of this seminar that today brings together judges and notaries to deepen their knowledge on succession and family law in Europe through the use of legal English that is also to be improved in the process.

I would like to thank Professor Claudio Consolo, member of the Steering Committee of the Scuola Superiore della Magistratura, for joining the seminar, as well as all Project partners - the Cassa Nazionale del Notariato, the Hungarian Chamber of Civil Law Notaries, the Bulgarian Notary Chamber, the International Association of Judges – that have supported the Fondazione during the entire duration of the Project, in the framework of which the today seminar is held, collaborating to achieve common objectives.



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The two-year Project, co-financed by the European Commission, has made it possible to train legal professionals in three European countries, taking up the challenge of an integrated learning of legal content in a foreign language, adopting the C.L.I.L. methodology - Content and Language Integrated Learning. Please allow me to thank my colleague Brunella Carriero that had the intuition of the Project proposal and was able to implement it as Scientific Coordinator of the Project with high competence and passion.

The main topics discussed concern the EU Regulation 650/2012 and the EU Regulations 1103 and 1104/2016. The selected subjects and the adoption of the overall approach are aimed at providing legal professionals with practical and theoretical support, with reference to matters that have been renewed since a relatively short time and require to be deepened. All initiatives aimed at this are therefore to be supported.



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As it is known, European legal discipline in general and, more specifically, the one referring to the Regulations no. 650 of 2012 (regarding succession with elements of transnationality), no. 1103 and no. 1104 of 2016 (regarding matrimonial property regimes and registered partnerships) have the main purpose to promote freedom of movement and, at the same time, univocal principles to regulate succession and property regimes.

For this purpose, the connection criterion has been modified. Formerly it was essentially based on citizenship (of the deceased and of the couple) and rooted in the concept of last (in the case of the deceased) or first (in the case of the couple) habitual residence. However, legal professionals take into due account the difficulty of declining the concept of "habitual residence", whose defining methods in fact need to be further explored.

Nowadays there are still many problems related to the application of the Regulations in matters of matrimonial property regimes and registered partnerships, which recently entered into force (January 2019). Their assimilation process requires even more time to be undertaken. These difficulties are exacerbated by the fact that the above Regulations are the result of enhanced cooperation only among a certain number of Member States of the European Union.



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Today's presentations of Professor Elena Ioriatti, Charlotte Oliver, Solicitor in England Wales and Avvocato in Italy, and of the colleague Daniele Muritano, are provided within this framework. They have had a very important role during the entire Project as they have been the Train of Trainers Experts of 12 among notaries and judges who became trainers themselves at the six seminars held during the two years in Bulgaria, Hungary and Italy. Among others, Gábor Hodosi, Pepa Tsakova, Verginia Micheva and Andrea Mohos will hold their presentations tomorrow in light of a productive exchange of experiences and best practices between European legal professionals.

The last part of the seminar will be dedicated to the discussion of practical cases provided by the colleagues Giulia Proietti, Ugo Friedmann, Alessandro Taddei and the judge Dario Cavallari. Closing remarks will be provided by the Representatives of all Project Partners: the civil law notary Brunella Carriero, the President of the Cassa Nazionale del Notariato Francesco Giambattista Nardone, the Secretary General of the International Association of Judges Giacomo Oberto, the civil law notaries Gábor Hodosi and Ivaylo Ivanov, respectively representing the Hungarian Chamber of Civil Law Notaries and the Bulgarian Notary Chamber.



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Please do visit the dedicated Project website and all the training materials that will be presented at the end of the seminar by the Senior Project Manager Alessandra Bianca, whom I would like to thank for the precious work she has carried out.

Before closing, please allow me to present you with two very brief remarks on two projects undertaken by the Italian Notariat, that has always been particularly sensitive to the dissemination of European and international legal culture: on the one hand, the explanatory vademecum of the European Certificate of Succession, published in 2015 and recently updated with elements and suggestions from a technical and editorial point of view. On the other hand, the translation into Italian and its subsequent dissemination, together with the Institut de Recherches et d'Etudes Notariales Européen (IRENE), of the publication regarding the requirements for the validity of a notary's power of attorney. This provides for theoretical and practical suggestions to allow a notary receiving a power of attorney from abroad to capture the reliability elements in a quick and sure manner.



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I am certain that, even without our physical presence, made impossible by the ongoing international health emergency, all the speakers – I do thank for their participation today - will be able to raise the audience's interest and stimulate discussion for further mutual enrichment. I would like to thank you all very much for your kind attention and wish you to fully enjoy our seminar with the related exchange of best practices.



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