

Formal and informal partnerships in Hungary in the context of civil law and PIL rules

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Setting the scene

Legally recognized partnerships in Hungary

Hungarian Civil Code (2013)

Hungarian Act on Private International Law (2017)

Level of protection is different – marriage is privileged

Hungarian Basic Law

Partnerships in HCC

Marriage – Family Law Book of HCC

Registered partnership – independent legal Act (2009) (HCC)

Informal partnership (cohabitation) – Law of Obligations AND Family Law Book of HCC

Different legal consequences

Creating family?

Partnerships in HPIL

Marriage – Chapter III, Family Law

Registered partnership – Chapter IV, Informal partners, registered partners

Informal partnership (cohabitation) – Chapter IV, Informal partners, registered partners

Different solutions

Property relations of partners – civil law perspective

Matrimonial property law and property relations of partners outside of marriage

Marriage – regime of community of acquisitions (default)

Registered partnership – regime of community of acquisitions (default)

Informal partnership (cohabitation) – regime similar to regime of participation of acquisitions (default)

Property relations of partners– perspective of PIL

Regulation on Matrimonial Property Regimes and Regulation on Property Relations of Registered Partners (**Regs 1103/2016 and 1104/2016**) – Hungary did not accede

HPIL has importance

choice of law as a newly introduced possibility

Marriage; Registered partnership; Informal partnership (cohabitation)

Maintenance – civil law perspective

Maintenance of spouse, registered partner, cohabitant and ex spouse/partner

Marriage – maintenance (also of former spouse) is regulated in HCC

Registered partnership – rules of HCC have to be applied

Informal partnership (cohabitation) – maintenance of ex-cohabitant is regulated
in Family Law Book

Maintenance – perspective of PIL

Maintenance Regulation [Council Regulation No. 4/2009]

and the **2007 Hague Convention**

Marriage – MR and 2007 Hague Convention

Registered partnership – discussed

Informal partnership (cohabitation) – discussed

Thank you for your attention!

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