

NATIONAL ASSEMBLY

CONSTITUTION OF 4 OCTOBER 1958

FOURTEENTH LEGISLATURE

Information report by Mr Arnaud Leroy, committee meeting of 4 May 2016

CONCLUSIONS

ADOPTED

BY THE EUROPEAN AFFAIRS COMMITTEE¹

on the regulations on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes,

¹ The European Affairs Committee is made up of: M^{me} Danielle AUROI, *présidente* ; M. Christophe CARESCHE, M^{me} Marietta KARAMANLI, MM. Jérôme LAMBERT, Pierre LEQUILLER, *vice-présidents* ; M. Philip CORDERY, M^{me} Sandrine DOUCET, MM. Arnaud LEROY, André SCHNEIDER, *secrétaires* ; MM. Ibrahim ABOUBACAR, Kader ARIF, Philippe BIES, Jean-Luc BLEUNVEN, Alain BOCQUET, Jean-Jacques BRIDEY, M^{mes} Isabelle BRUNEAU, Nathalie CHABANNE, MM. Jacques CRESTA, M^{me} Seybah DAGOMA, MM. Yves DANIEL, Bernard DEFLESSELLES, William DUMAS, M^{me} Marie-Louise FORT, MM. Yves FROMION, Hervé GAYMARD, Jean-Patrick GILLE, M^{me} Chantal GUITTET, MM. Razzy HAMMADI, Michel HERBILLON, Laurent KALINOWSKI, Marc LAFFINEUR, Charles de LA VERPILLIÈRE, Christophe LÉONARD, Jean LEONETTI, M^{me} Audrey LINKENHELD, MM. Lionnel LUCA, Philippe Armand MARTIN, Jean-Claude MIGNON, Jacques MYARD, Rémi PAUVROS, Michel PIRON, Joaquim PUEYO, Didier QUENTIN, Arnaud RICHARD, M^{me} Sophie ROHFRICTSCH, MM. Jean-Louis ROUMEGAS, Rudy SALLES, Gilles SAVARY.

After the debate following the presentation of Mr Arnaud Leroy's paper on the proposals for Council regulations on the regulations on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes and the property consequences of registered partnerships (COM (2016) 106 final, COM (2016) 107 final and COM (2016) 108 final).

The European Affairs Committee,

In the light of Article 88-4 of the Constitution,

In the light of Article 81 of the Treaty on the Functioning of the European Union,

In the light of the proposal for a Council regulation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes (COM [2011] 126 final/no. E 6157),

In the light of the proposal for a Council regulation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships (COM [2011] 127 final/no. E 6158),

In the light of the proposal for a Council regulation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes (COM [2016] 106/no. E 11007),

In the light of the proposal for a Council regulation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships (COM [2016] 107 no. E 11008),

In the light of the proposal for a Council decision authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships (COM [2016] 108/no.E 1109),

1. Regrets deeply the failure of the negotiations on the two proposals for regulations presented by the European Commission on 16 March 2011 on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes and the property consequences of registered partnerships;

2. Welcomes the decision of the seventeen Member States of the European Union, including France, to send a request to the European Commission stating their desire to set enhanced cooperation in place among themselves in this field;

3. Deems it essential that these two regulations be adopted before the end of the Dutch presidency of the Council of the European Union;

4. Considers that the proposal for a regulation on matrimonial property regimes and that on the property consequences of registered partnerships are inseparable, and must be adopted simultaneously.