

Courtesy translation

O P I N I O N
OF THE SENATE OF THE REPUBLIC OF POLAND
of 26 May 2011
on the non-compliance with the principle of subsidiarity
of the proposal for a Council regulation
on jurisdiction, applicable law, and the recognition and enforcement of decisions
regarding the property consequences of registered partnerships
COM (2011) 127

The Senate, having considered the proposal for a Council Regulation on jurisdiction, applicable law, and the recognition and enforcement of decisions regarding the property consequences of registered partnerships, states that the proposed regulation is not in compliance with the principle of subsidiarity referred to in Article 5 (3) of the Treaty on European Union.

The institution of registered civil partnership is acknowledged in fewer than half the Member States. The number of registered civil partnerships, in particular “international” ones, is still rather limited. In such a situation, there are no reasonable grounds for taking action at EU level focused on the regulatory unification, over the whole territory of the European Union, of the rules governing jurisdiction, applicable law, and the recognition and enforcement of court decisions respecting the property consequences of such unions.

MARSHAL OF THE SENATE

Bogdan BORUSEWICZ