

International Encyclopaedia of Laws

Family and Succession Law - Outline

The Author

Table of contents

List of abbreviations

Preface

General Introduction

- §1. General background of the country (demographic data)
- §2. Historical background of family and succession law
- §3. Sources of family and succession law
 - I. Constitution
 - II. Legislation
 - III. Treaties
 - IV. Jurisprudence (Case Law)
- §4. The courts administering family and succession law

Part I. Persons

Chapter 1. The status of a person

- §1. Definition of a person
- §2. Capacity
- §3. Absentees

Chapter 2. Registration of civil status

- §1. The registrar
- §2. Registers and certificates

Chapter 3. Personality rights

Chapter 4. Names

- §1. Composition of a name (first name, surname, individual name, title of nobility)
- §2. Surname
 - I. Acquisition of the surname
 - II. Change of the surname
- §3. First name

Chapter 5. Nationality

Chapter 6. Domicile and residence

Chapter 7. Mentally handicapped persons

Part II. Family Law

Chapter 1. Marriage

- §1. The nature of marriage
- §2. The capacity to marry
- §3. Formalities of marriage
- §4. Effects of marriage
- §5. Void and voidable marriages

Chapter 2. Divorce

- §1. Grounds
- §2. Procedure

§3. Effects

Chapter 3. Cohabitation without marriage

Chapter 4. Filiation

§1. Children born in wedlock

§2. Children born out of wedlock

Chapter 5. Adoption

Chapter 6. Parental authority

Chapter 7. Guardianship

Chapter 8. Kinship and relationships of affinity

Part III. Matrimonial Property Law

Chapter 1. Rights and obligations of spouses

§1. General principles

§2. The household expenses

§3. The matrimonial home

§4. Transactions between spouses

Chapter 2. The marriage settlement

Chapter 3. The legal matrimonial regime

Chapter 4. Conventional matrimonial regimes

Part IV. Succession Law

Chapter 1. Intestate succession

§1. The opening of the succession

I. Death

II. Missing persons and absentees

§2. The heir

I. Capacity to succeed

II. Commorientes

III. Unworthiness to succeed

§3. The system of descent

I. The classes of heirs

A. Surviving spouse

B. Descendents

C. Ascendents

D. Collaterals

II. Representation

III. The anomalous succession

IV. Adoption

§4. The rights of the state on the bona vacantia

Chapter 2. Testamentary succession

§1. The capacity to make a will

§2. Different types of wills

§3. The joint will

§4. Revocation of a will

§5. Provisions in a will

§6. Restrictions

I. The legitim

II. Maintenance provisions

§7. Interpretation of a will

Chapter 3. Acts inter vivos related to the estate

§1. Estate planning

§2. Donations

§3. Trusts

§4. Insurance contracts

§5. Others

Chapter 4. Acquisition and administration of the estate

§1. The seisin¹

§2. The system of acquisition

§3. The administration of the estate

Selected bibliography

Index

1 Applies only to certain systems of the Roman Law family.