



Parlamentul României
Senat

Bucharest, 30-th May 2011
Courtesy translation

OPINION

**of the ROMANIAN SENATE, on 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

The Senate of Romania has checked the compliance with the subsidiarity and proportionality principles of the **Proposal for a Council Regulation on jurisdiction, applicable law and recognition and enforcement of decisions in matters of matrimonial property regimes** - COM (2011) 126 final, according to the provisions of the Treaty of Lisbon (Protocol no.2).

Taking into account the report of our permanent Juridical Committee on Nominations, Discipline, Immunities and Validations, **the Plenum of the Senate**, during its session of the 30-th May 2011, has found that the mentioned proposal, elaborated according to Articles 81 paragraph (3) of the Treaty on the Functioning of the European Union (TFEU), **is in compliance with the subsidiarity principle and the principle of proportionality**, but after assessing the substance of the proposal the following amendments were adopted:

1. In Article 1, paragraph 3 after item (a) shall insert a new item (a¹), as follows:

“(a¹) the existence, validity or recognition of a marriage;”

2. In Article 18, paragraph 1, introductory part reads as follows:

”The spouses may, after at least one year of the marriage, make their matrimonial property regime subject to a law other than the one hitherto applicable. They may designate only one of the following laws:”

President of Senate
Mircea GEOANĂ