

## Loi sur le partenariat enregistré

(publiée le 23 juin 1994 - entrée en vigueur le 1 janvier 1995)

# The Registered Partnership Act

Issued on 23 June 1994

In accordance with the decision of the Parliament the following is enacted:

## Chapter 1 : Registration of partnership

### Section 1

Two persons of the same sex may request the registration of their partnership.

### Section 2

Registration may only take place if at least one of the partners is a Swedish citizen, domiciled in Sweden.

### Section 3

Registration may not take place in the case of a person who is under the age of 18 years or of persons who are related to one another in the direct ascending or descending line or who are sisters or brothers of the whole blood.

Neither may registration take place in the case of sisters or brothers of the half blood without the permission of the Government or such authority as is stipulated by the Government.

Registration may not take place in the case of a person who is married or already registered as a partner.

The right to register a partnership shall be determined according to Swedish law.

### Section 4

Before registration takes place, inquiry shall be made as to whether there is any impediment to registration.

### Section 5

The provisions of Chapter 3 and Chapter 15 of the Marriage Code applicable to the procedure for inquiries into impediments to marriage shall apply correspondingly to this inquiry.

### Section 6

Registration shall take place in the presence of witnesses.

### Section 7

At the registration both partners shall be present at the same time. Each of them separately shall, in response to a question put to them by the person conducting the registration, make it known that they consent to the registration. The person conducting the registration shall thereafter declare that they are registered partners.

A registration is invalid if it has not taken place as indicated in the first paragraph or if the person conducting the registration was not authorized to perform the registration.

A registration which is invalid under the second paragraph may be approved by the Government if there are extraordinary reasons for such approval. The matter may only be considered on the application of one of the partners or, if either of them has died, of the heirs of the deceased.

### Section 8

Registration may be conducted by a legally qualified judge of a district court or a person appointed by a county administrative board.

### Section 9

In other respects the provisions of Chapter 4, Sections 5, 7 and 8, of the Marriage Code and regulations issued by the Government apply to registration.

Decisions concerning registration may be appealed against in accordance with the provisions of Chapter 15 Sections 3 and 4 of the Marriage Code.

Chapter 1, Sections 4-9, of the Act concerning certain International Legal Relationships relating to Marriage and Guardianship (1904:26 p. 1) apply to international circumstances relating to registration.

## SUEDE

### Loi sur le partenariat enregistré

(publiée le 23 juin 1994 - entrée en vigueur le 1 janvier 1995)

#### Chapter 2 : Dissolution of registered partnership

##### Section 1

A registered partnership is dissolved by the death of one of the partners or by a court decision.

##### Section 2

The provisions of Chapter 5 of the Marriage Code apply correspondingly to issues concerning the dissolution of a registered partnership.

##### Section 3

Cases concerning the dissolution of registered partnerships and cases involving proceedings to determine whether or not a registered partnership subsists are partnership cases. Provisions stipulated by statute or other legislation relating to matrimonial cases also apply to issues concerning partnership cases.

##### Section 4

Partnership cases may always be considered by a Swedish court if registration has taken place under this Act.

#### Chapter 3 : Legal effects of registered partnership

##### Section 1

Registered partnership has the same legal effects as marriage, except as provided by Sections 2-4.

Provisions of a statute or other legislation related to marriage and spouses shall be applied in a corresponding manner to registered partnerships and registered partners unless otherwise provided by the rules concerning exceptions contained in Sections 2-4.

##### Section 2

Registered partners may neither jointly nor individually adopt children under Chapter 4 of the Code on Parents, Children and Guardians. Nor may registered partners be appointed to jointly exercise custody of a minor in the capacity of specially appointed guardians under Chapter 13, Section 8 of the Code on Parents, Children and Guardians.

The Insemination Act (1984:1140) and the Fertilization outside the Body Act (1988:711) do not apply to registered partners.

##### Section 3

Provisions applicable to spouses, the application of which involves special treatment of one spouse solely by reason of that spouse's sex, do not apply to registered partners.

##### Section 4

The provisions of the Ordinance concerning Certain International Legal Relationships relating to Marriage, Adoption and Guardianship (1931:429) do not apply to registered partnerships.

This Act enters into force on 1 January 1995.

On behalf of the Government  
CARL BILDT  
GUN HELLSVIK, Ministry of Justice