Imovinske posljedice registriranih partnerstava
Property consequences of registered partnerships

Finska

1 Are there different forms of "registered partnerships" in this Member State? Explain the differences between the different forms?

In Finland there is only one type of registered partnership. People in same-sex relationships were able to register their partnerships until 2017.

The amendments to the Marriage Act and the Act on Registered Partnerships came into force in early March 2017. As a consequence it is no longer possible to register partnerships in Finland, but people in same-sex relationships can marry.

Couples in registered partnerships can, if they so wish, convert their partnership into a marriage if the partnership was registered in Finland. However, there is no obligation to convert registered partnerships into marriages, and couples may remain in a registered partnership if they so wish.

2 Is there a statutory property regime for registered partnerships in this Member State? What does it provide? To which forms of "registered partnership" does it apply?

The same provisions apply to the property regimes of registered partnerships as to those of marriage.

3 How can partners arrange their property regime? What are the formal requirements in this case?

Partners in registered partnerships may conclude a matrimonial property agreement before the registration of the partnership or during the registered partnership. The conversion of a registered partnership into a marriage does not affect the validity of a matrimonial property agreement concluded before the registration of the partnership or during the registered partnership.

4 Are there restrictions on the freedom to arrange a property regime?

The same provisions apply to the property regimes of registered partnerships as to those of marriage.

5 What are the legal effects of dissolution or annulment on the property consequences of the registered partnership?

Division of property resulting from the dissolution of a registered partnership is handled in the same way as the division of property resulting from a divorce.

The division or partition of property may take place during the cooling-off period for the dissolution of the registered partnership, as soon as the case is brought before the District Court. Either of the partners in a registered partnership may request that the division of property be carried out.

6 What are the effects of death on the property consequences of the registered partnership?

Divisions in the event of the death of either registered partner are handled in the same way as in the event of the death of a spouse, and a surviving partner has the same rights as a widowed spouse.

7 Which authority has the competence to decide in a case relating to the property consequences of the registered partnership?

In Finland, the authorities do not start proceedings on their own initiative. If the parties do not come to an agreement on the division, the District Court [*Käräjäoikeus*] appoints, on application, an executor to divide the assets.

8 What are the effects of the property consequences of the registered partnership on legal relationships between a partner and a third party?

The effects of the property regimes of a registered partnership on legal relationships between a partner and a third party are the same as the property regimes of a marriage on such legal relationships.

9 A short description of the procedure for the division, including partition, distribution and liquidation, of the property of the registered partnership in this Member State.

Divisions carried out following the dissolution of a registered partnership take the same form as those carried out following the dissolution of a marriage.

10 What is the procedure and documents or information typically required for the purpose of registration of immovable property?

Ownership of a property is registered by applying for registration of title. The registration of title is entered in the public title and mortgage register. Thereafter the owner is shown on the certificate of title.

If ownership of a property changes because of its division or partition, the original of the agreement to divide or partition the property, an explanation of the grounds for the division (such as notification from the District Court that a case involving the dissolution of the partnership has been brought before it), and any receipt of payment of transfer tax, must be sent to the National Land Survey of Finland [*Maanmittauslaitos*] for the purposes of applying for registration of title.

The period for registration of title of property divided because of the dissolution of a registered partnership begins when the division takes effect. The registration period is six months.

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