



Name of Country and Jurisdiction:

Liechtenstein

- 1. What forms of legally recognized relationships are available?
- 2. What are the requirements to be able to enter into the above relationship?
- 3. Differences between marriage and civil unions and how the two sets of laws interact.
- 4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?
- 5. When a couple comes to Liechtenstein, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?
- 6. How can each form of relationship be dissolved? What is the residency requirement or other link to Liechtenstein for an authority to grant a divorce/dissolution?



1. What forms of legally recognized relationships are available?



LEGAL RECOGNITION FOR OPPOSITE-SEX COUPLE	GEOGRAPHY	LAW	AVAILABLE TO SAME-SEX COUPLE?
Marriage, registered	Liechtenstein	<ul style="list-style-type: none"> • Marriage Act of 1973 (<i>Ehegesetz</i> 1973). • Regulations on the Marriage Act of 1973 (<i>Verordnungen zum Ehegesetz</i> 1974). 	No

Same-sex couples in Liechtenstein may enter into registered partnerships in accordance with the Act on the Registered Partnership of Same-Sex Couples of 2011 (*Gesetz über die eingetragene Partnerschaft gleichgeschlechtlicher Paare* 2011) and the Regulations on the Registered Partnership of Same-Sex Couples of 2011 (*Verordnung über die eingetragene Partnerschaft gleichgeschlechtlicher Paare* 2011).

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2. What are the requirements to be able to enter into the above relationship?

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(i) Geographic requirements:

FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
Registered partnership	At least one of the partners must have his or her habitual abode in Liechtenstein or must be a Liechtenstein citizen.

(ii) Other substantive eligibility criteria:

FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
Registered partnership	<ul style="list-style-type: none"> • Both partners must be at least 18 years old. • Both partners must be capable of exercising independent judgment and must be of sound mind. Otherwise, a legal representative is required. • Both partners must show that they are not already living in a registered partnership or married. A pre-existing registered partnership or marriage must be dissolved or a divorce must be granted before the new registered partnership can be entered into. • The partners must not be closely related (i.e., blood relatives, full or half-siblings, uncle/nephew, aunt/niece, adoptive parent/child). • The purpose of the partnership must be to create a legitimate life partnership rather than to circumvent laws on immigration and residency. • The intention to enter into a registered partnership must be announced to the central civil registry office in Vaduz by the parties in person, or when they can prove this is not possible, in writing, and they must complete the appropriate application form. The parties must declare that all of the information in the application is correct and complete, that they fulfill the necessary conditions for entering the registered partnership, and that there is nothing to legally prevent them from doing so. • Original copies of certain documents (which differ according to the nationality of the parties) should be sent to the registry office no earlier than six months and no later than three weeks before the planned date of the establishment of the registered partnership. Once the registry office is satisfied that the parties can enter into the registered partnership, it will notify them of this fact. The service must take place no fewer than 14 days and no more than six months from the date that the registry office has notified the parties. Unless a doctor certifies that a party is unable to attend on grounds of ill health, the service takes place publicly in the registry office. The registered-partnership certificate is then signed by the parties, and the partnership is listed in the partnership register.

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3. If both marriage and civil unions exist:

- (a) Identify any significant differences in eligibility; and
- (b) Briefly highlight how they interact if both are in effect (e.g., in some countries, entering into a marriage with the same or a different person automatically dissolves any civil union that the two parties were previously party to, making the latter vulnerable and potentially circumventing separation laws).
- (c) If both marriage and civil unions are available to same-sex couples, briefly highlight areas where major differences exist between marriage and civil unions (e.g., taxes, adoption, immigration, etc.).

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(a)–(c)	Not applicable; same-sex marriages are not available in Liechtenstein.
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4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?

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FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
Registered partnership	If either partner is already in a registered partnership or marriage, the new registered partnership cannot be formed until the previous registered partnership has been dissolved or, in the case of marriage, a divorce has been granted.

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5. When a couple comes to Liechtenstein, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?

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FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
Registered partnership	The registered partnership is recognized only when the partners register the foreign registered partnership with the civil registry office in Vaduz. This can be done by providing the original registered-partnership certificate, completing the appropriate form, and paying a fee of CHF 150.



6. How can each form of relationship be dissolved? What is the residency requirement or other link to Liechtenstein for an authority to grant a divorce/dissolution?



FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
Registered partnership	<p>In order to dissolve a registered partnership, both partners must request dissolution. A court will consider whether the partners have exercised independent free will and given careful consideration to the matter. A request for dissolution cannot be made until one year has elapsed since the date the partnership was listed in the partnership register.</p> <p>Alternatively, a partner may ask the court to dissolve the registered partnership if the partners have been living apart for at least one year.</p> <p>A partner may also ask the court to dissolve the partnership on grounds of unreasonableness where that partner cannot reasonably be expected to carry on in the registered partnership, given the particular circumstances.</p>

Sources:

Primary

- Marriage Act of 1973 (*Ehegesetz 1973*), available at <https://www.gesetze.li/lilexprod/lgsystpage2.jsp?formname=showlaw&lgbid=1974020000&gueltigdate=21042017>.
- Regulations on the Marriage Act of 1973 (*Verordnungen zum Ehegesetz—Verkündung, Trauung und Führung des Eheregisters 1974*), available at <https://www.gesetze.li/lilexprod/lgsystpage2.jsp?formname=showlaw&lgbid=1974028000&gueltigdate=21042017>.
- Act on the Registered Partnership of Same-Sex Couples of 2011 (*Gesetz über die eingetragene Partnerschaft gleichgeschlechtlicher Paare 2011*), available at <https://www.gesetze.li/lilexprod/showpdf.jsp?media=pdf&lgbid=2011350000&gueltigdate=21042017>.
- Regulations on the Registered Partnership of Same-Sex Couples of 2011, *Verordnung über die eingetragene Partnerschaft gleichgeschlechtlicher Paare 2011*, available in German at <http://www.llv.li/files/scg/pdf-llv-scg-2011402.pdf>.

Secondary

- Documents from the State Administration of Liechtenstein (*Landesverwaltung Fürstentum Liechtenstein*), Marriage, <http://www.llv.li>.
- Documents from the State Administration of Liechtenstein (*Landesverwaltung Fürstentum Liechtenstein*), Registered Partnerships, <http://www.llv.li>.
- Private client law in Liechtenstein: Overview, <http://uk.practicallaw.com/8-523-1317?source=relatedcontent>.

