

**Pablo QUINZÁ REDONDO**, *Uniones registradas en la Unión Europea. el Reglamento (UE) N° 2016/1104 en perspectiva española*, Tirant lo Blanch, Valencia, 2022, 191 pp.

The creation of a system of private international law rules in the European Union, and more particularly in the area of international family law, reached an important milestone with the adoption of two regulations related to the economy of the family: Council Regulation (EU) 2016/1103 of 24 June 2016, implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes; and Council Regulation (EU) 2016/1104 of 24 June 2016, implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships.

Since the drafting process of these regulations began, and even more after their entry into force and subsequent application, a large number of publications have been devoted to their analysis. Important books have been published, with an article-by-article examination of both regulations, as well as monographs or scholarly articles about particular issues, but perhaps with greater attention at least in Spain to the regulation on matrimonial property regimes. In this context, the book of Prof. Quinzá Redondo should be welcomed, as it is a notable contribution for a better understanding of Regulation 2016/1104 on the property consequences of registered partnerships. Furthermore, it should be noted that the book is focused on the application of the regulation in Spain, something which raises many questions.

The book is structured in four main sections. The first, of an introductory nature, is concerned with highlighting the complexity of registered partnerships, whose most defining characteristic is heterogeneity. Not only may these unions receive different denominations, but also the formal or material requirements for their constitution may differ, or even the aspects relating to their property consequences or dissolution. This heterogeneity is presented with a comparative law analysis regarding EU Member States and, later on, Spain, where registered partnerships are not regulated at a national level but rather by each Autonomous Community. The presentation of the great regulatory differences existing within our country — where there are Autonomous Communities with and without competences in civil law, among other differences detailed by the author — constitute the necessary prelude to become aware of the practical difficulties that the application of Regulation 2016/1104 faces in Spain.

The following section is focused on the analysis of the scope of application of Regulation 2016/1104. The author follows the usual pattern in the study of EU regulations, delimiting its scope of application from a territorial, personal, material, and temporal perspective but without forgetting the main purpose of this monograph; that is, the application of this regulation in Spain. In this sense, Prof. Quinzá Redondo reflects and gives his opinion about the existing doctrinal debate of whether the registration of the couple should have constitutive or merely declarative effects for the application of the

regulation, considering the impact that this could have on the actual application of this regulation in Spain. He also refers to the legal issues which could be included in the “property consequences” of registered partnerships when analysing the lack of a proper response that we find in most of the autonomous communities’ regulations.

The book continues with a section dedicated to the study of international jurisdiction, in which the author carries out a very detailed analysis of the different fora offered by Regulation 2016/1104 and of the diversity of situations which may arise with its application. In relation to Spanish particularities, it is worth stressing the reflections on Article 5, which link the property consequences connected with the dissolution or annulment of the registered partnership to the jurisdictions seized to hear this issue, given that in Spain there is no judicial procedure in this regard. Beyond these particularities, the reflections on the alternative forum of jurisdiction in Article 9, which allows the court of a Member State to decline jurisdiction when the registered partnership is not recognized in its legal system, are also of special interest. This article offers a compromise solution to adapt the application of Regulation 2016/1104 to the diversity of family law existing within the European Union, which has also been incorporated in Regulation 2016/1103 on the matrimonial property regimes but not in Regulation 2019/1111.

The last section of the book is centred on questions of applicable law, where the author carries out a detailed analysis of the provisions relating to the “choice of the applicable law,” the “applicable law in the absence of choice by the parties,” and the territorial conflict of laws within Spain as a state with more than one legal system. In this case, the reference to the internal conflict of law rules made in Article 33 of Regulation 2016/1104 to determine the relevant territorial unit and its applicable rules of law finds no legal response in Spanish law, unlike successions and matrimonial property regimes. The author refers to the subsidiary connections offered by the regulation itself and how they should be applied, providing also interesting insights into the issues that may arise in relation to unilateral conflict rules contained in some autonomous communities’ regulations.

In sum, the application of Regulation 2016/1104 faces numerous challenges in our country, characterized by a diversity of Autonomous Communities’ regulations, to which the judges and all legal practitioners will have to provide proper solutions. *Uniones registradas en la Unión Europea. el Reglamento (UE) N° 2016/1104 en perspectiva española* is a valuable resource, for which the Prof. Quinzá Redondo deserves high praise, and by extension, the Private International Law group of the University of Valencia, led by Prof. Esplugues Mota, which makes so many important contributions to Spanish legal literature.

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