

## **Act on Registered Partnerships**

(950/2001; amendments up to 1229/2001 included)

### **Chapter 1 — Registration of partnership**

#### Section 1

The partnership of two persons of the same sex and over 18 years of age may be registered as provided in this Act.

#### Section 2

- (1) Partnership shall not be registered, if:
  - (1) a partner already is in a registered partnership, or is married; or
  - (2) the partners have a family relationship which forms an impediment to marriage in accordance with sections 7-9 of the Marriage Act (234/1929; *avioliittolaki*).
- (2) Notwithstanding an impediment to registration based on a family relationship, the Ministry of Justice may grant a dispensation for the registration of partnership observing, correspondingly, the provisions in sections 8 and 9 of the Marriage Act on the granting of a dispensation.

#### Section 3

The State Local Office shall examine that there is no statutory impediment to the registration of partnership. In other respects, the examination of impediments to registration shall be governed by the provisions in sections 11—13 of the Marriage Act on the examination of impediments to marriage.

#### Section 4

- (1) Partnership shall be registered by an authority entitled to perform civil marriage ceremonies.
- (2) Partnership shall not be registered, if the authority referred to in subsection (1) is aware of a circumstance preventing registration, or if he or she notes that a partner, owing to a disturbed state of mind, obviously cannot understand the significance of the matter.
- (3) The authority referred to in subsection (1) shall before the registration of partnership make sure that the impediments to registration have been examined as provided in section 3. If the certificate of the examination of impediments has

been issued more than four months earlier, partnership shall not be registered on the basis of that certificate.

#### Section 5

Partnership shall be registered by way of the partners jointly signing the partnership document in the presence of the authority referred to in section 4(1) and that authority verifying the same with a countersignature.

#### Section 6

- (1) The registration of partnership shall be void if it has not taken place as provided in section 5 or if it has not been registered by an authority referred to in section 4(1).
- (2) For extremely weighty reasons, the President of the Republic may decide that a registration that is void under subsection (1) is nevertheless to be considered valid. The petition to this effect may be filed by either partner or, if one of them has died, his or her heirs.

### Chapter 2 — **Dissolution of a registered partnership**

#### Section 7

- (1) A registered partnership shall be dissolved when one partner dies or is declared dead, or when it is dissolved by court order.
- (2) The dissolution of a registered partnership shall be governed by the provisions of the Marriage Act on divorce.

### Chapter 3 — **Legal effects of the registration of partnership**

#### Section 8

- (1) The registration of partnership shall have the same legal effects as the conclusion of marriage, unless otherwise provided.
- (2) The dissolution of a registered partnership shall have the same legal effects as the dissolution of marriage, unless otherwise provided.
- (3) A provision in an Act or a Decree applicable to marriage applies likewise to a registered partnership, unless otherwise provided.
- (4) A provision in an Act or a Decree applicable to a spouse applies likewise to a partner in a partnership referred to in this Act, unless otherwise provided. Partners who intend to register their partnership shall be subject to the provisions applicable to engaged persons, unless otherwise provided.

## Section 9

- (1) The provisions of the Paternity Act (700/1975; *isyyslaki*) on the establishment of paternity on the basis of marriage do not apply in a registered partnership, nor do any other provisions applicable to a spouse exclusively by virtue of his or her sex.
- (2) The provisions of the Adoption Act (153/1985; *laki lapseksiottamisesta*) on the right of a spouse to adopt do not apply in a registered partnership, nor do the provisions of the Names Act (694/1985; *nimilaki*) on the family name of a spouse.

## Chapter 4 — **Rules of private international law**

### Section 10

- (1) Partnership may be registered in Finland only if:
  - (1) at least one of the partners is a Finnish citizen and habitually resident in Finland; or
  - (2) both parties have been habitually resident in Finland for two years immediately before the registration.
- (2) In the application of subsection (1), citizenship of a foreign state whose legislation allows for the registration of partnership with mainly the same legal effects as provided in this Act shall correspond to Finnish citizenship. Such foreign states shall be designated by Governmental Decree.

### Section 11

The right to the registration of partnership before a Finnish authority shall be determined in accordance with the laws of Finland.

### Section 12

The registered partnership of two persons of the same sex that has been registered in a foreign state shall be valid in Finland if it is valid in the state where it was registered.

### Section 13 (1229/2001)

A matter pertaining to the dissolution of a registered partnership may be ruled admissible in Finland, if:

- (1) the partnership has been registered in Finland; or
- (2) the partner has such a connection to Finland that a Finnish court would have jurisdiction in divorce proceedings as provided in section 119 of the Marriage Act.

#### Section 14 (1229/2001)

The validity of a decision on the dissolution of registered partnership issued in a foreign state shall be governed by the provisions in sections 121 and 122 of the Marriage Act on the validity in Finland of a decision on the dissolution of marriage issued in a foreign state.

#### Section 15

Notwithstanding the provisions in section 8 on the legal effects of the registration of partnership, the Stockholm Convention between Finland, Iceland, Norway, Sweden and Denmark containing rules of private international law regarding marriage, adoption and guardianship (TrS 20/1931) and the Act on the adoption and implementation of the said Convention (413/1931) do not apply to a registered partnership.

### Chapter 5 — **Miscellaneous provisions**

#### Section 16

Where necessary, more detailed provisions on the implementation of this Act shall be issued by Governmental Decree.

#### Section 17

This Act enters into force on 1 March 2002.