

SUBJECT: What legal rules should apply to couples living together not being married, as well between themselves as toward their common children?

Q U E S T I O N N A I R E :

- 1.- Does your legal system draw any consequences from the fact that a couple lives together not being married?  
How long shall a concubinage last to produce legal consequences ?
- 2.- Can a leaseholder authorize another person to cohabit in the dwelling house without the permit of the lessor ?
- 3.- Can one of the partners in a non married couple compel the other partner to contribute to common household expenses ?
- 4.- Is there a mutual obligation to maintain the common children issued from a non married couple ?
- 5.- What are the consequences of the above mentioned situation (marriage of fact) as regards taxes ?  
Are there any people who do not marry to avoid fiscal consequences ?
- 6.- When one of the non married partners has got a right to alimonia in consequence of a previously dissolved marriage, are there any consequences as to the amount of such pension ?
- 7.- In case of habitual cohabitation without marriage, are there any consequences as regards social security or public assistance (e.g.: benefits for non married mothers) ?
- 8.- Is a survivor's pension modified when a widow (or widower) forms a new family of fact ?
- 9.- Are the goods of one partner covered by an insurance contract stipulated by the other partner ?
- 10.- Can a non married couple adopt a child jointly ?
- 11.- What is the situation in case of dissolution of a marriage of fact, either for dissent or for death of one of the partners ?
  - a) How shall jointly purchased and paid goods be shared by partners ?
  - b) Has each partner the right to continue a lease of an apartment, when the contract was stipulated by the other partner in his own name ?
  - c) If common children exist, is access assured to the parent who does not have legal custody of them ?
  - d) What surname is given to the common children ?
  - e) If no will exists, has each partner a right of succession to the other ?
  - f) In case of separation of partners, if common goods are shared, shall one take into account the fact that one of the partners has contributed to household expenses with his work ?
- 12.- When one of the non married partners dies in consequence of a fatal accident, can the other partner claim compensation for damages ?
- 13.- As regards the duty to testify in civil proceedings, has each partner of a non married couple the same right of abstention as a husband or wife would have ?