

# Registered partnership

**The officials, other servants and pensioners concerned may, on request, have their registered partnership recognised by the Administration.**

## Why request the recognition of registered partnerships?

Officials, other servants and pensioners who are unmarried, may have concluded a heterosexual or homosexual registered partnership, recognised by the competent authorities of a Member State.

On request, they may have their registered partnership recognised by the administration.

Although a registered partnership is distinct from marriage, its recognition enables the people concerned to receive either:

- some entitlements (partial partner-spouse equivalence), offered to married officials and other servants under the Staff Regulations
- or all entitlements (full partner-spouse equivalence).

The conditions governing partial and full spouse equivalence are set out in [Article 1\(2\)\(c\) of Annex VII to the Staff Regulations](#). Partial equivalence is where only the first three of those conditions are met; full equivalence is where the fourth is met as well, thus for those couples who do not have access to marriage.

### Partial partner-spouse equivalence

This recognition will enable your partner to be considered as partially equivalent to a spouse. This means in practice that you will be able to receive, by virtue of your partner and subject to the same conditions and limits as for a spouse, the following entitlements:

- possible cover for the partner under the JSIS ([second subparagraph of Article 72\(1\)](#) of the Staff Regulations)
- special leave ([third paragraph of Article 6 of Annex V](#) to the Staff Regulations).

### Conditions to fulfil

1. The couple must **produce a legal document** recognised as such by a Member State, or any competent authority of a Member State, acknowledging their status as non-marital partners. Remarks:

- consideration can only be given to partnerships concluded in accordance with the legislation of a Member State registered with the public authorities of that State and certified by a legal document. Consequently, private deeds and contracts concluded between an official and another person will be taken into consideration only on the strict condition that they have been concluded in accordance with national legislation, specifically recognising the partnership and have been officially registered in accordance with that legislation;
- the Commission does not have jurisdiction to draw up civil status documents, this being a task solely for the national authorities. Consequently, domestic partnership certificates issued by the Commission in recognition of cohabitation are internal documents and are not regarded as certifying the existence of a registered partnership;
- in general, officials and other servants who live in heterosexual or homosexual cohabitation but who have not concluded any registered partnership are in a de facto situation on which the new Staff Regulations do not confer legal effect. The people concerned are not entitled to any specific emolument or entitlement by virtue of that cohabitation.

2. Both partners must **not be in a marital relationship or in another non-marital partnership**.

3. The partners must **not be related in any of the following ways**: parent, child, grandparent, grandchild, brother, sister, aunt, uncle, nephew, niece, son-in-law, daughter-in-law.

If you meet the three conditions above, you may apply to the Joint Sickness Insurance Scheme (JSIS) for recognition of your registered partnership (see procedure below).

### What is the procedure?

You can follow 2 different procedures:

- declare via [SYSPER](#): 'My personal file > Rights & Privileges > Declare a change (schooling, family,...) > My declarations > Marriage/partnership' or
- fill in the request form for affiliation of your partner to the JSIS, sign it and send it back to the the Membership Team of your JSIS Settlements Office.

### If the registered partnership is terminated

You must immediately inform the JSIS in writing by adding proof of termination of the partnership (the certificate issued by the Municipality, by the Consulate

or by any other competent Authority of the relevant Member State). The JSIS may at any time check and update its information on people whose partnership has been partially recognised.

### Full (homosexual) partner-spouse equivalence

This recognition will enable your partner to be considered as fully equivalent to a spouse. You will therefore be able to receive, by virtue of your partner, all the entitlements available to married people ([Article 1 paragraph 2.c](#)) of the Staff Regulations), subject to the same conditions and limits.

### Conditions to fulfil

1. The couple must **produce a legal document** recognised as such by a Member State, or any competent authority of a Member State, acknowledging their status as non-marital partners. Remarks:

- consideration can only be given to partnerships concluded in accordance with the legislation of a Member State registered with the public authorities of that State and certified by a legal document. Consequently, private deeds and contracts concluded between an official and another person will be taken into consideration only on the strict condition that they have been concluded in accordance with national legislation, specifically recognising the partnership and have been officially registered in accordance with that legislation;
- the Commission does not have jurisdiction to draw up civil status documents, this being a task solely for the national authorities. Consequently, domestic partnership certificates issued by the Commission in recognition of cohabitation are internal documents and are not regarded as certifying the existence of a registered partnership;
- in general, officials and other servants who live in heterosexual or homosexual cohabitation but who have not concluded any registered partnership are in a defacto situation on which the new Staff Regulations do not confer legal effect. The people concerned are not entitled to any specific emolument or entitlement by virtue of that cohabitation.

2. Both partners must **not be in a marital relationship or in another non-marital partnership**

3. The partners must **not be related in any of the following ways**: parent, child, grandparent, grandchild, brother, sister, aunt, uncle, nephew, niece, son-in-law, daughter-in-law.

4. The couple must have no access to legal marriage in a Member State; a couple is to be considered to have access to legal marriage only where the members of the couple meet all the conditions laid down by the legislation of a Member State permitting marriage of such a couple. Remarks:

- given that the institution of heterosexual marriage exists in all Member States, the conclusion of a heterosexual registered partnership is never dictated by the legal impossibility of contracting a legal marriage: it is a life choice made freely by two people who, for whatever reason, do not wish to marry. Since heterosexual couples always have access to marriage in a Member State their partnership cannot lead to full partner-spouse equivalence. Consequently, it follows from the text of the Staff Regulations itself that full partner-spouse equivalence may be granted only in the case of a homosexual registered partnership;
- Marriage between same-sex persons is now possible in several countries. Within the European Union, it is now allowed in Belgium, Denmark, France, Germany, Ireland, Luxembourg, Malta, Portugal, Spain, Sweden, The Netherlands, The United Kingdom (and in Austria as from 01/01/2019). All couples who could marry further to the competent Member State legislation recognising marriage to same-sex person will be considered as having access to marriage, in which case, full equivalence to a spouse is not possible;
- Belgian legislation gives access to marriage to all residents in Belgium, whatever their citizenship. Officials and other servants working or living in Belgium will thus be considered as always having access to marriage. However, if you contracted a registered partnership before your entry into the Commission, please contact the [department responsible](#) for an in-depth analysis of your situation.

If you meet the 4 conditions above, you may apply to the Administration for full recognition of your partnership (see procedure below).

### What is the procedure?

You can follow two different procedures:

- declare the partnership via [SYSPER](#): My personal file > Rights & Privileges > Declare a change (schooling, family, ...) > My declarations > Marriage/ Partnership
- fill in the [request form for full recognition](#) .

Attach the legal document recognised as such by a Member State, or any competent authority of a Member State, acknowledging their status as non-marital partners.

Send all documents to the [Department responsible](#).

**If the registered partnership is terminated**

You must immediately inform your Administration in writing. The Administration may at any time check and update its information on people whose partnership has been fully recognised.

Who to contact?

**For Staff in activity**

Staff Contact

**For pensioners**

Please contact the [official dealing with your file](#) .