

The Cohabitation Contract in Italy

Carmelo Grillo

Pegaso International, Malta
gricom@libero.it

Mauro Pignatelli

Pegaso International, Malta
pignatelli82@gmail.com

Giuseppe Dario Roberto Napoli

Pegaso International, Malta
serviziestero2007@yahoo.it

Giuseppe Cipolla

Pegaso International, Malta
studiocipolla66@gmail.com

Giacomo Salvatore Anselmi

Pegaso International, Malta
giacomoanselmi@libero.it

Abstract

The cohabitation contract is in force in Italy with the Law 20/05/2016 n.76 and allows unmarried couples to regulate the property relationships related to life in common. Formalizing a cohabitation is not mandatory by law, but registering with the registry of the Municipality where you live allows you to protect the couple and have access to a series of rights. The cohabitation contract is a legal contract that governs the management of property relationships between two people, even of the same sex, who have chosen not to marry. With a cohabitation contract it is possible to: establish the modalities of contribution for everything related to common life, then indicate who will have to deal with certain expenses to support the needs of the de facto family, taking into account the working capacity of each; determine a possible property regime for the communion of assets, or choose to live in separation of assets; establish any rules for entering into contracts related to cohabitation, such as leasing or sale. Although the cohabitation contract is not mandatory, it is strongly recommended because it allows you to determine in advance to whom to assign the common goods in the event of a dispute. Being a contract, and therefore a legal constraint in all respects, it requires a private deed authenticated by a notary or a lawyer and the relative transcription in the registers of the Municipality.

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