

PACS, A JURIDICAL SOURCE FOR THE REGULATION OF THE FAMILY RELATIONSHIPS

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Abstract

Albanian legislation on the regulation and creation of the actual family mergers, for the first time provides the law regulation in the Family Code of 2003. Based on the foreign experiences related to the full legal regulation of these relations, there are studied models such as the model applied in France. Pacte Civil de Solidarité, which means civil solidarity pact, is adopted for the first time in France and represents a contract endorsed principally between two persons of different sexes, which has the same content that family law provides for marriage. PACS entered as a regulation to the cohabitation of hetero or homosexual persons and over time it was perfected by adding to its regulatory scope the benefits from adjustments of other legislations such as inheritance law, fiscal, labor law, etc. With the aim of analyzing this institute and its treatment as a model source for the regulation of family relations arising from the cohabitation in our country, we intend to explore this topic. The paper will be structured into four sub-issues which consist in: -the presentation of the features and the legal nature of the PACS; - history of the approach to this source of law; - contributions and problems that arise in society; - the reasoning on the possibility of applying this model to our country.

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