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**Interinstitutional Files:**

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**NOTE**

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From: The delegation of the United Kingdom  
To: Permanent Representatives Committee/Council

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No. prev. doc.: 7734/16, 7735/16  
No. Cion doc.: 6801/16, 6802/16

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Subject: a) Proposal for a Council Regulation implementing enhanced cooperation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes  
b) Proposal for a Council Regulation implementing enhanced cooperation on jurisdiction, applicable law and the recognition and enforcement of decisions regarding the property consequences of registered partnerships  
- Statement by the United Kingdom

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The United Kingdom notes, for the purposes of both COREPER and Council, its consistent position across all legislative files that references to the Charter of Fundamental Rights in operative articles, such as those in the two proposed Council Regulations implementing enhanced cooperation, are unnecessary, because all EU legislation must in any event respect the rights and observe the principles reflected in the Charter.

In the context of the Commission's agenda for better law making, the United Kingdom emphasises the importance of the European Union adopting best practice in legal drafting and clarity, and considers that it is out of step with such practice to duplicate existing law in this way. For the sake of completeness, the United Kingdom also emphasises that substantive family law matters such as marriage, registered partnerships, succession and divorce are, and must remain, the competence of Member States.