



Max Planck Institute for
Comparative and International
Private Law | Hamburg

South East Europe (and Beyond): Let's Talk About Law!

As. Karmen Lutman, LL.M.

University of Ljubljana, Slovenia

„Restitution of gifts after divorce in Slovenian law“

Thursday, 19 October 2017 – 5 pm
Conference Room 1, 1st floor

All employees and guests of the institute as well as
other interested parties are cordially invited to the lecture.

Bettina Mia Bujňáková

About the Topic:

According to the Slovenian Marriage and Family Relations Act, divorced spouses are obliged to return gifts of a greater value, which they have received from each other during the marriage or before it. This rule also applies to unmarried cohabiting partners and partners in civil unions. A similar provision is foreseen in the new Slovenian Family Code, which will come into force in 2019. Since there is no comprehensive system of restitutionary rules in family law that would apply in such cases, many questions remain open. One of the issues is also whether this rule is applicable to gifts given by other persons, usually parents-in-law. In such cases the law of unjustified enrichment seems to be an adequate alternative.

About the Speaker:

Karmen Lutman is a teaching and research assistant for Civil Law at the Faculty of Law of the University of Ljubljana, Slovenia. She holds an LL.M. degree from the Humboldt University in Berlin, where she studied as a DAAD scholarship holder. In her PhD research, she focuses on the Slovenian law of unjustified enrichment in a comparative perspective.