



FN Art. 45

Conflict of Laws

TITLE 08 — JURISDICTION · CHAPTER 04 — CONFLICT OF LAWS

- 1** Where a matter involves a conflict between the laws of the State and the laws of another jurisdiction, the following rules shall apply, subject to any treaty or agreement to which the State is a party.
 - 2** The personal status of a Kaharagian national, including nationality, legal capacity, name, family relations, and succession to movable property, is governed by the law of the State, except where the mandatory law of the jurisdiction in which the national is physically present otherwise requires.
 - 3** Contractual obligations are governed by the law chosen by the parties. In the absence of a choice of law, the contract is governed by the law of the jurisdiction with which it is most closely connected, having regard to the subject matter of the contract, the place of performance, and the domicile of the parties.
 - 4** Rights in immovable property are governed by the law of the place where the property is situated. Rights in movable property are governed by the law of the domicile of the owner, unless the parties have agreed otherwise or the law of the place where the property is situated mandatorily applies.
 - 5** Succession to the estate of a deceased national is governed by the law of the domicile of the deceased at the time of death, unless the deceased has elected by testamentary disposition that the law of the State shall apply to the whole or any part of the estate.
 - 6** The mandatory rules of the jurisdiction in which a national is physically present or in which property is situated shall always be respected, notwithstanding any provision of the law of the State to the contrary.
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- 7** Where the law of the State refers a matter to the law of another jurisdiction, and that jurisdiction refers the matter back to the law of the State or to a third jurisdiction, the reference shall not be followed. The applicable law is that of the jurisdiction to which the law of the State first referred.
- 8** The Sovereign may, by decree, establish further conflict-of-laws rules for specific categories of matters not addressed by this Article.

| DOCUMENT INFORMATION | |
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