

## **Abstract**

In the current globalized world with its high level of international migration, international marriage is not something uncommon. As a result of population migration, for example, the marriage of two persons of different nationalities occurs.

This thesis defines matrimonial law in the context of private international law. It offers an insight into the conflict of laws surrounding the issues of marriage with an international element, defining the form in which the international element can arise in international matrimonial law. National, EU and international legislation is taken into account when dealing with the issues surrounding conflict of laws.

In addition to the introduction and conclusion, the thesis is divided into six chapters. The first three chapters contain the theoretical aspects, which is crucial for understanding the topic of the thesis. The remaining three chapters deal with specific institutions within matrimonial law.

The first chapter defines the concepts of marriage, private international law, and marriage in the context of private international law, which includes a brief look at the historical development of this branch of law. The second chapter focuses on an overview of the sources of legislation at the national, EU and international level, including their interrelationship. The national sources include both the conflict of law rules and the substantive rules that apply in the case of the application of Czech law. The third chapter is dedicated to introducing the issue of conflict of laws rules, boundary determinants and other important institutions of private international law, such as the public policy exception, renvoi or preliminary question.

The fourth chapter focuses on the conflict of laws rules governing the formation and dissolution of marriage, including the declaration of nullity and determining whether or not there is a marriage. Within the conflict of laws issue of the formation of marriage, the various ways in which the international element arises are defined, with a focus on marriages contracted abroad. The part of the chapter dealing with the dissolution of marriage is mainly devoted to divorce of marriage. The fifth chapter deals with the conflict of personal and property relations and maintenance between spouses. The part describing matrimonial property regimes is discussed in more detail with reference to the new EU legislation.

The sixth and final chapter contains a short exploration of into Italian matrimonial law and Italian private international law.