

Název práce v anglickém jazyce

Crime of Evasion Alimony Payments under s. 196 of the Criminal Code

Abstract

The diploma thesis is about the crime of evasion alimony payments according to § 196 of the Criminal Code and other questions related to this issue. The aim of this work is to provide a comprehensive explanation of the crime of evasion alimony payments. The work is primarily about the individual signs of this crime, its connection with civil law, where the rights are enshrined and the issues of alternative alimony payments and possible decriminalization of the crime of evasion alimony payments according.

The crime of evasion alimony payments is one of the most frequently committed crime in the Czech Republic. The purpose of this legal regulation is the interest in the proper fulfillment of the alimony payments, especially in the fulfillment of the alimony payments towards dependent children.

The work is divided into eight chapters. The first chapter deals with the historical development of the crime of evasion alimony payments from the period of 19th century until now. The second chapter presents the legal definition of the crime of neglect of evasion alimony payments and categorizes this crime according to various aspects. It also provides an overview of regulations related to it, with emphasis on its connection with civil law. The following chapter discusses the individual obligatory features of the factual nature of the crime of neglect of evasion alimony payments, which are the object, the objective side, the subject and the subjective side. Chapter four focuses first on the issue of imposing sanctions in general, its individual subchapters are then devoted to each of the types of penalties that can be imposed on the offender for this crime. The following chapters pay attention to two special provisions, namely the institute of a special provision on punishment (Section 196a of the Criminal Code) and the conditions for the cessation of criminal liability (Section 197 of the Criminal Code). Chapter seven belongs to the consideration *de lege ferenda*, in particular the question of the possible decriminalization of the crime of neglect of evasion alimony payments. The final part of the work is devoted to the newly introduced institute of substitute alimony and there are its advantages and disadvantages.

Key words:

evasion of alimony payments, alimony, family