

Abstract

Marriage is a topic that more or less concerns all of us. Community property is a financial aspect of marriage which is inseparably tied to it. Despite it being a fundamental problem, it is not well known to the general public.

For this reason the aim of this diploma thesis is to clearly and systematically summarize the issue of contractual marital property law. For better understanding, the thesis defines basic terms of statutory matrimonial property regime, and focuses on parts of community property of spouses. Attention is focused on the issue of usual family equipment, because it was removed from the matrimonial property law due to recodification, which then instituted a new matrimonial regime: The Separate Property Regime.

Except for the statutory matrimonial property regime, spouses are allowed to negotiate different property regime by using a contract of modification of community property of spouses. The contractual matrimonial property regime represents a major part of this thesis. First, the thesis deals with contractual matrimonial property regime, and then it mainly focuses on types of matrimonial property contracts, its contents and its limitations. It pays significant attention to registration of matrimonial property contracts, especially to the new publicly accessible list of matrimonial property law. It ends with a reflection of the future possibility of change in the current system of community property of spouses for separate property.

Key words

contractual modification of community property of spouses, community property of spouses, extension of community property of spouses, restriction of community property of spouses, separate property