

# Summary

## Registered Partnership and Its Potential Property Consequences

I have chosen this particular topic for my thesis because according to my opinion the institute of registered partnership is still quite new and unknown to many people in the Czech Republic and the Czech legal theory concerning this topic is not much rich so far. The aim of my thesis is to look at the issue of registered partnership more deeply, not only from the position of the questions of from where, how and why registered partnership actually came to the Czech Republic. This analysis focuses on the legal consequences of registration for partners and among themselves, especially in comparison with the two main variants of cohabitation – marriage and unmarried cohabitation.

To this end, the work is divided into three main chapters, which are further subdivided into subchapters and these are eventually further subdivided into smaller parts. The thesis begins with the Introduction where the intended aims and goals of this work are described.

Followed by the First Chapter which presents the topic of the work by its basic question "What the homosexuality actually is". This chapter discusses the concept of homosexuality and its development, looks closer at the term "coming out" and the number of homosexuals in the society and in the end of this chapter the theoretical models of gay cohabitation are presented.

These models are further developed and showed in legal practice in the Second Chapter. From the minimal forms of legalization of same-sex unions, over the French and Scandinavian model of legislation to the Dutch gay marriage.

The Third Chapter continues with the analysis of registered partnership in the law of the Czech Republic. The very genesis of the institute of registered partnership and its final form in the law of the Czech Republic is analyzed in this chapter and then relationships, rights and obligations, which arise to the registered partners and their surroundings from the institute of registered partnership, are closely explored. These different forms of legal relationships and their respective legal regulations are

specifically divided into the property regulation, which include community property, inheritance, duty to support and maintain and taxes, and the regulation of social relations, such as the institute of “next of kin”, common residential lease or the right of the registered partner to get medical and other information about the second registered partner.

The thesis ends with the Conclusion where I express my opinion that this work shows that although people in the Czech Republic are quite conservative, they are still willing to accept new things and that is why the golden middle way was chosen for the model of same-sex couples unions, which was adopted in the Czech Republic. Registered partnership has brought slowly the bases to us without angering the general public for being too hasty and daring, using the German model, which was an inspiration to our registered partnership. In the very end I conclude my thesis with a thought that in not very far future I expect some kind of harmonization of legislation regulating the institute of registered partnership in the member countries of the European Community and that this kind of unions will be available not only to gay couples, but to straight couples as well.

## **Klíčová slova / Keywords**

registrované partnerství, homosexualita, stejnopohlavní svazky

registered partnership, homosexuality, same-sex unions