

Thesis abstract

Settlement of the community property of spouses focused on the settlement of the rights and obligations to joint housing. Community property of spouses is a specific type of property partnership, which can exist only between spouses.

The community property of spouses origins and terminates together with the marriage (with the exceptions). The termination of marriage needs to be followed by the settlement of the property. The settlement of the common property is always made on the basis of some legal institute as agreement, judgment or legal presumption.

The settlement of the community property of spouses and the settlement of the rights and obligations to joint housing is the main topic of my thesis.

The thesis is composed of 5 chapters, each of them dealing with different aspects of the community property of spouses:

Chapter One is introductory and generally deals with the marriage.

Chapter two called community property of spouses is subdivided into five parts. First part characterizes community property of spouses in general. Second part describes the subject of community property of spouses, i.e. things, rights and obligations acquired during the marriage period. This section also provides a list of assets which is not a part of the community property of spouses. Third part is called an administration and management of the property belonging to spouses. Fourth part describes modifications of the community property, i.e. extensions and reductions of the content of the community property. The last part describes a termination of the community property. Community property termination is not caused only by the termination of marriage, but it can also occur in the existing one.

Chapter three deals with the settlement of the community property of spouses, which is the main topic of my thesis. This chapter describes the principles of settlement and various types of settlement as agreement, judgment of a court or application of the statutory presumption.

Chapter four regulates the settlement of the rights and obligations of the joint housing on the basis of ownership, joint ownership, lease or easements.

The last chapter summarizes the thesis and discusses the institution of marriage.

Basic terminology of my thesis:

Společné jmění manželů Community property of spouses

Dohoda o vypořádání Settlement agreement

Společné bydlení Joint housing