

This diploma thesis deals with community property („CP“). CP is one of the institutional property regimes. CP is known from the times of Roman Empire and made significant progress until nowadays. In Europe, CP differs from country to country. In the Czech Republic, CP is created by law at the time spouses enter into marriage. CP can be modified before entering into a marriage as well as after. CP can be modified by spouses or by court. CP can also be avoided. Modification of CP has its effects; if existed, it must be adjusted, and has also significant effects on spouses' creditors.

CP's legal base is very brief and lets wide scope of answers unanswered. For example, Civil Code nr. 89/2012 as well as Civil Code nr. 40/1964 does not specify the age when engaged couple can make a prenuptial agreement or uses indefinite legal terms (spouses' typical house equipment, etc.)

The thesis is composed of 10 chapters and describes the legal basis for modification of CP, and the effects of modification of CP. The goal of my work is to describe the subject of CP, how CP works in practice, and describe how to modify a CP.

Chapter one (Historical excursion) leads us through history of this legal institute, starting in Roman Empire and ending with new Civil Code (nr. 89/2012). Chapter two (CP in Europe) is a comparison of European marital property regimes. Chapter three (Term, subject and systematics of CP) tells us about the meaning of the term CP, its subject and related legal institutions. Chapter four (Creation of CP) is dealing with entering into marriage concerning especially nullity and invalidity of marriage, and other specific cases (insolvency, etc.) Chapter five (Modification of CP's subject) describes (pre)nuptial agreements and court decisions affecting CP, and deals with problematical questions (who is able to make a prenuptial agreement, which effects has nuptial agreement on creditors, etc.) Chapter six (Modification of CP's administration) analyzes minor problematics of agreements and court decisions modifying who is able to dispose of CP. Chapter seven (Dissolution of CP) enumerates the cases CP dissolves. Chapter eight (Adjustation of CP) is devoted to rules, which are mandatory for court adjusting the CP; these rules are not mandatory for (ex) spouses adjusting the CP by a contract. Chapter nine (Execution and CP) describes how modified CP works with an execution. Chapter ten (Conclusion and *de lege ferenda*) is author's final thoughts on the theme and one *de lege ferenda* proposal in the area of execution.