

Summary

The aim of the diploma thesis is to evaluate various forms of living in couple in French legal system with regards to the principle of equality. The choice of France is not random considering the fact that French lawmaker has been regulating this field since late 1990's. The thesis centres on different aspects of living in couple that differ from each other and contribute to their unique identities. In addition, the thesis assesses the issue whether the French model could be a suitable inspiration to Czech lawmakers. This topical subject is influenced by sociology and therefore there must be taken into account homosexuality as a social phenomenon and evolution of its acceptance in French society. This thesis is divided into 6 chapters. The opening chapter discusses fundamental institution of family law, which is family itself, from historical and social perspectives. The second chapter focuses on long-lasting effort of French deputies and non-governmental organizations to adopt legal regulation for same-sex couples. The third chapter describes Civil Solidarity Act and cohabitation. Civil Solidarity Act, commonly known as PACS, is a form of civil union between two adults concluded in order to organise their joint life. Provisions regarding PACS were amended in 2006. Cohabitation refers to unmarried couple who live together without proceeding to any formalisation. Although it is informal way of living, cohabitation may produce certain legal consequences. The fourth chapter reflects social changes which may be contributed to PACS and introduces new basis for French lawmaker to adopt new legal regulations. The fifth chapter introduces a new definition of marriage. As of 2013 marriage may be concluded by two persons regardless of their gender. Despite this recent change there still are fields where the same sex spouses are treated less favourably in comparison with opposite sex spouses. The last chapter discusses development in the Czech republic, especially introducing Act on Registered Partnership. This part compares Czech and French approach and outlines possible future development in this field.