

Summary

The subject matter of my Master's degree thesis is the issue of divorce proceedings. The main aim of this thesis is to put an interpretation on the currently effective legislation on divorce proceedings and divorce itself as it follows mainly from Act No. 292/2013 Coll., on Special Judicial Proceedings and Act No. 89/2012 Coll., the Civil Code.

Divorce is the only legally permissible way in the Czech Republic how to terminate marriage within both spouses' lives. It leads to severe legal consequences affecting not just spouses themselves but alternatively their legitimate children as well. Therefore it requires a set of special rules and special proceedings so that courts may ascertain the presence of the irretrievable breakdown of marriage which only justifies allowing divorce and decide spouses' personal and property relations in connection with divorce.

This thesis is divided into five parts which all bear certain relation to divorce proceedings.

The first part provides an overview of divorce regulations throughout Czech history up to now.

The second part firstly addresses the relation between substantive law and procedural law regarding divorce. Subsequently, it focuses on substantive legislation on divorce in the Czech Republic. All local possible types of divorce, the divorce ground and results of divorce are mentioned.

The third part concentrates on legislation on divorce proceedings in the Czech Republic. It provides a short introduction to the process of passing Act No. 292/2013 Coll., on Special Judicial Proceedings and to disputes about nature of divorce proceedings. It is followed by description of all stages and institutes of divorce proceedings. In the end of this part, there are presented proceedings related to divorce (such as proceedings about alimony between former spouses).

The fourth part examines divorces as they are regulated by Czech private international law and European Union law. Legislations of neighbouring countries of the Czech Republic are also described in this context. Finally, this part looks at recognition of foreign judgments in the Czech Republic.

The fifth part illustrates arrangements of non-married pairs which resemble marriages and their dissolution, such as civil partnerships and cohabitations.

At the end of this thesis, I draw conclusions about actual legal situation in the Czech Republic from previous parts of this thesis.