

Abstract

The purpose of my thesis entitled „Formation and termination of marriage with regard to the proprietary aspects” is the analysis of institutions of marriage and the community property. These institutions are characterized in terms of their formation, existence and termination.

The thesis is composed of six chapters, four of them dealing with formation and termination of the marriage and two of them dealing with community property. Besides these six chapters the paper also contains the introduction and the conclusion.

Chapter number one contains the formation of the marriage in terms of civil law, which is analyzed marriage, betrothal, assumptions of marriage and nuptials (eligibility for marriage, wedding statement and celebration of a betrothal), proceedings before marriage (application and documents, certificates), special ways of marriage (formation of marriage by agent, formation of marriage abroad, formation of marriage in direct danger to life fiancé) and legal consequences of nuptials.

Chapter number two contains the formation of the marriage in terms of canon law. There is described concept of marriage in canon law, betrothal and marriage preparation, the main obstacles of marriage and formation of canon nuptials in terms of closure of the ordinary, extraordinary and secret form.

Chapter number three analyzes formation of the community property, which is adjusted the object of community property, different ways to acquire to the community property (based on contracts and other legal facts) and acquisition of property outside the regime of community property.

The fifth chapter deals with the termination of marriage in canon law and in more details deals with the death of one spouse or both spouses, the declaration of nullity of marriage and at the end termination of marriage in canon law.

The last chapter is devoted to the termination of community property. The first part of this chapter is devoted the termination of community property caused by termination of marriage, the second part contains termination of community property during the marriage, third part contains settlement of the community property, which are closely regulated by the principles of settlement, the settlement by agreement, settlement by court order and finally settle on the basis of the statutory presumption. The

last part deals with the settlement of the housing.

In conclusion, the work includes comparison of today's legislation with new legislation and concept about prepared a treatise on the law on mediation, respectively. Institute of mediator in private relations.