

Abstract

This piece of work deals with the issue of marital community of property from the perspective of judiciary practice, which is a legal area only briefly regulated by law, but influenced and following up on a wide array of familial and civil relations. Apart from the rather brief regulation concerning this area, however, there is an extensive case of established practice of the courts surrounding it.

This piece of work outlines the development of marital property law from the amendments of the General Civil Code of the Czech Republic to the contemporary adjustments to the regulation contained within the Civil Code in preparation at the moment, which should come into force on January 1st, 2014. In dealing with the current state of the legislation, judicial practice was taken into consideration, most notably the case law and judicature of higher courts, and more so with regard to the ever increasing significance of foreign elements in the legal proceedings.