

ABSTRAKT

As it is evident from the title of this work, I will focus on formation of marriage, not only the civil one, but also a church wedding and some not ordinary ways of marriage contracting. The work addresses itself not only to effective domestic legal regulations (the family act n. 94/1963 Coll.), but also to legal regulations taken in Act No. 89/2012 Coll., the Civil Code (the new Civil Code, hereafter „NOZ“ or „new Civil Code“). Using the comparative method, this work also discusses fundamental similarities and differences between the legislation of the Czech Republic and the Federal Republic of Germany, from which legal regulations were drawn on the creation of the new Civil Code.

This work is divided into 8 basic parts. The first part is focused on illustration of a term of marriage and its purpose. The second part deals with the basic legal obligations of engaged couples before marriage, moreover an earlier conception Institute of engagement is not forgotten. The third part deals with the circumstances under which it is not possible to get married. In connection with the legal obstacles to marriage under the civil law, it is also given a brief explanation of reasons for which it is not possible to contract a church wedding. This part also devotes itself to procedural aspects related to infant's contraction of marriage. The fourth part is a general framework to the specific modifications of civil and religious marriage, which are discussed more detailed in this section. The fifth part discusses marriage with an international element. This chapter is followed by the final part of the thesis, which describes conditions under which a citizen of the Czech Republic can marry a German one on the territory of the Federal Republic of Germany. The sixth part is focused on issues of invalidity and nonexistence of marriage. Contracting of marriage also establishes beginning of other rights and obligations and now they are included in the seventh part of the work, which targets more in details on a change of surname in the context of marriage.

This work is mainly based on the standards of the Czech law and standards of the Federal Republic of Germany. It also draws from numerous articles, books, comments and electronic resources, both domestic and foreign, and specialized journals such as *Právní rozhledy* a *Právo a rodina*. For the key sources of the work we can consider 3. publication comments from family act from M. Hrušákové and collective and the basic source of canon law was for me the book from Damian Němec *Marriage Law the Catholic Church with regard to the applicable Czech law and the Code iuris canonici 1983*.