

Abstract

The aim of this diploma thesis on the topic of duty to support and maintain in private international law was to assess and evaluate the existing legislation that international law, regulation at the European Union level and domestic law provides for the application and enforcement of maintenance obligations in the presence of a foreign element. This work consists of a total of six chapters, which are divided into other subchapters to better understand its content.

The first chapter deals with the very concept of alimony and the gradual change in the perception of its content across human history as well as individual human communities. Furthermore, in this chapter I deal with the determination of individual maintenance obligations in the Civil Code and the definition of the concept of maintenance obligations from perspective of private international law. The second chapter, deals with individual sources of private international law, especially the Hague Protocol adopted on the grounds of the HCCH, the Maintenance Regulation, the Act No. 91/2012 Coll., on private international law, the relations between them and the Office for International Legal Protection of Children, its history, development, but also its current significance.

The third chapter focuses on the explanation of the concept of international jurisdiction and its regulation within the framework of standards of international, Union and national origin, where I consider the regulation established by the Maintenance Regulation to be the most important. In the fourth chapter I deal with the determination of the applicable law in the issue of maintenance obligations on the basis of standards of international, Union and national origin, I return to the Hague Protocol and EU legislation.

In the fifth chapter of this work, I focused on explaining the issue of recognition and enforcement of foreign decisions, especially on the legislation contained in the Maintenance Regulation, which is comprehensive. The last chapter of this work deals with brexit and its impact on the issue of maintenance obligations with an international element.