

The aim of this thesis is to introduce the issue of marital property, which I consider is still up to date. That is what I also learned during an internship at the court.

I chose this topic mainly because I find it very interesting and important. This topic is very closely related to the family, which I consider to be the core of the society. The society without the family could not simply work. Joint property of spouses is one of the key nodes of the society. Not only the relationship between the spouses themselves, but also in relation to third parties.

The thesis consists of six chapters, where most of them are further divided into subsections.

The first chapter deals with the historical context of the development of joint property. This leads to an understanding of the current legislation.

The second chapter deals with how the joint property is created and what constitutes the content of the joint property. That means assets and liabilities. In addition, it is pointed out what by the law cannot be part of the joint property.

The third chapter of the thesis deals with the disposal of the joint property of spouses. Such disposal of joint property management concerns not only common, but also the non-common administration. Also an important point in this part is the relation between business activities and joint property of spouses. Besides business activities is here also listed business interest and its relation to the joint property. It was also necessary to mention the housing cooperatives and their relation to joint property.

The fourth chapter deals with the modification of the joint property. These modifications are listed in the chronological order in which they occur. In the first place, therefore, mentioned prenuptial contract. After that are here mentioned modifications during the marriage. These can be either contractual or by court decisions.

The fifth chapter deals with the termination and settlement of joint property. As first is mentioned dissolution of joint property without dissolution of marriage, at the next place is already mentioned dissolution along with marriage, which occurs either by divorce or death of a spouse. Further in this chapter is mentioned the settlement of the joint property. This may occur by agreement, court order, or legal presumption.

The last, sixth chapter deals with the new Civil Code, which in essence extends the joint property over current effective legislation.