

## **ABSTRACT**

This Master's degree thesis addresses the issue of the divorce of marriage and problems of divorce with minor child in Czech and English law. It includes informations about changes brought by new Civil Code Act No. 89/2012 Coll., which is coming into force on 1.1.2014. The purpose of the thesis is to analyse current regulation of the divorce of marriage and problems of divorce with minor children in the Czech Republic and England and its comparison with Civil Code Act 2012.

The thesis is composed of six chapters. They are divided into many subchapters in way that it is easy to look up and compare individual law problems of any main topic. It covers present legislation in force and Civil Code Act 2012 in the Czech Republic and present legislation in force in England.

Chapter one starts with a description of the term marriage, family and parental responsibility, which are important basis for other chapters.

Chapter two focuses on definiton of the term child and examines problems of childcare after divorce of marriage with focus on residence order. It describes residence order in favor one or both parents or person other than parent.

The third chapter describes divorce of marriage. It examines divorce proceedings and individual types of divorce according to § 24, § 24a and § 24b of Family Law Act. Problems about death of spouses or about decree of presumption of death can be found here too.

Chapter four examines problems of divorce of marriage with minor children with focusing on questions about minor child arrangements after divorce and questions about contact orders. One subchapter concentrates on obstruction for which is not possible to divorce the marriage.

In the fifth chapter is described legislation in England with focusing on problems mentioned previously. It is divided in subchapters concentrated on parental responsibility, childcare with aiming to child welfare and residence order, divorce of the marriage and contact orders.

Final chapter of this thesis, chapter six, provides informations about differences of mainly problems mentioned in this thesis between Family Law Act No. 94/1963 Coll.

and Civil Code Act No. 89/2012 Coll., which incorporate family law rules and which is coming into force on 1.1.2014.