

Abstract

Marriage

The aim of this thesis is to describe legal institution of marriage - from the conclusion of marriage to the ending of it - according to the current legislation. I compare main changes introduced by the new Civil Code with legislation before 1st of January 2014. The reason I chose this topic was the fact that institute of marriage affects everyday life of almost every individual.

My thesis is composed of five chapters. Each of them deals with different aspects of marriage. Besides these five chapters this thesis includes Introduction, Conclusion, Index of Appendices and the List of Bibliographical References.

Chapter one concentrates on the most important changes in the Family law area during the modern history, including recent recodification of private law. This chapter also contains summary of the main legal sources of marital law and examines the term marriage itself and its purpose.

Chapter two focuses on the conclusion of marriage. Main focus is on engagement, the actual process of marriage, the purpose of marriage, proceedings preceding the conclusion of marriage and the types of forms of marriage. Conclusion of marriage based on extraordinary situation, qualifications to conclude marriage and its legal impediments are also discussed.

Chapter three discusses putative marriage and nullity marriage.

Chapter four describes mutual responsibilities and rights of spouses that are formed in relation with the conclusion of marriage. These are divided into responsibilities and rights of personal character, personal-property character and matrimonial property law, including community property of spouses and their housing.

The fifth chapter is concerned with means of termination of marriage. These are death, possibly declaration of death, and divorce. This chapter also includes analysis of types

of divorce and addresses protection of minors and procedure of divorce. The chapter finally focuses on legal consequences of termination of marriage.

Conclusions of the thesis concentrate on the summary and evaluation of the new marital law legislation contained in the new Civil Code that is effective since 1st January 2014.