

The Maintenance Obligation

Resume

The thesis is concerning maintenance obligation issue whereas is taking into account all categories of the maintenance obligation. The maintenance obligation is one of the family law juridical institutes that includes number of correlative rights and duties and applies to anyone whether in the position of obligor or obligee. The thesis is aimed to compare legal regulations related to the maintenance obligation presented in the Act no 94/1963 of the Coll. on family, as amended by subsequent acts, with legal enactment in Act no 89/2012 Coll., Civil Code, as amended by subsequent acts.

First chapter of the thesis highlights basic terms of the problem as the alimony and the maintenance obligation, and also explains the function of the maintenance obligation. Next chapter of the thesis introduces legal regulation related to the maintenance obligation from historical view and focuses on the legal regulation in the Civil Code 2012 and the reasons of its enactment. As next, the thesis summarizes individual categories of the maintenance obligation and follows mutual relations among them. The thesis also specifies basic condition for the duration of the maintenance obligation and also particular criteria for the formulation of the extension concerning maintenance obligation, that are common for all categories of maintenance obligation.

The thesis describes in details particular forms of the maintenance obligation from the seventh to the twelfth chapter, namely the maintenance obligation between parents and children, between predecessors and descendants, between spouses, between divorced spouses, and finally the alimony and compensations of some expenses in single mothers. Individual chapters are focused particularly on legal enactment of certain maintenance obligation category in the Act on family and in the Civil Code 2012, also on criteria defining the range, length, and form of performance of the child maintenance. In the thirteenth chapter of the thesis are mentioned joint laws for the maintenance obligation, namely the expiration of rights, ordering the alimony, allowance, and payment of the maintenance for another person.

Facts discovered during the elaboration of the thesis are summarized in the end of the thesis, especially these concerning the comparison of legal enactment of the maintenance obligation in the Act on family and in the Civil Code 2012. There is also

present an assessment of benefits and possible imperfections of the new legal regulation.