


[Home](#) > ... > [Family Matters & Inheritance](#) > [Property In Marriage & Civil Partnerships](#) > [Property Consequences of Registered Partnerships](#) > [Czechia](#)

Property consequences of registered partnerships

 Czechia

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European Judicial Network
(in civil and commercial matters)

1 Are there different forms of "registered partnerships" in this Member State? Explain the differences between the different forms?

No. Czech legislation recognises only one form of registered partnership: that of the permanent association of two people of the same sex entered into in a manner defined by law.

2 Is there a statutory property regime for registered partnerships in this Member State? What does it provide? To which forms of "registered partnership" does it apply?

The property regime of registered partners is not subject to specific legal treatment. Registered partnerships do not give rise to joint property.

3 How can partners arrange their property regime? What are the formal requirements in this case?

The property regime of registered partners is not subject to specific legal treatment. Their property regime is subject to general rules on ownership, co-ownership and liabilities, irrespective of the fact they are living in a registered partnership.

4 Are there restrictions on the freedom to arrange a property regime?

No, with the exception of the fact that registered partnerships may not give rise to joint property.

5 What are the legal effects of dissolution or annulment on the property consequences of the registered partnership?

The end of a registered partnership has no effect on the property regime of the former registered partners.

6 What are the effects of death on the property consequences of the registered partnership?

A registered partner is the statutory first- and second-category heir of the deceased. In other respects the death of one of the registered partners has no effect on the property regime of the other.

7 Which authority has the competence to decide in a case relating to the property consequences of the registered partnership?

The property regime of registered partners is not subject to specific legal treatment. In the event of disputes concerning assets and liabilities, the court has the power to act.

8 What are the effects of the property consequences of the registered partnership on legal relationships between a partner and a third party?

The property regime of registered partners is not subject to specific legal treatment. Their property regime is subject to general rules on ownership, co-ownership and liabilities, irrespective of the fact they are living in a registered partnership.

9 A short description of the procedure for the division, including partition, distribution and liquidation, of the property of the registered partnership in this Member State.

The property regime of registered partners is not subject to specific legal treatment. If the former registered partners have joint ownership of property, or have joint liabilities, standard legal provisions on joint ownership and liabilities apply.

10 What is the procedure and documents or information typically required for the purpose of registration of immovable property?

Legal proceedings establishing or transferring a right in rem to immovable assets, or proceedings amending or revoking such rights, must be in written form. If the transfer involves ownership of immovable assets that are entered in a public register, the change in ownership takes effect by means of an entry in that register.

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