



Name of Country and Jurisdiction:

## Slovakia

- 1. What forms of legally recognized relationships are available?
- 2. What are the requirements to be able to enter into the above relationships?
- 3. Differences between marriage and civil unions and how the two sets of laws interact.
- 4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?
- 5. When a couple comes to Slovakia, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?
- 6. How can each form of relationship be dissolved? What is the residency requirement or other link to Slovakia for an authority to grant a divorce/dissolution?



1. What forms of legally recognized relationships are available?



LEGAL RECOGNITIONS FOR OPPOSITE-SEX COUPLE	LAW	AVAILABLE TO SAME-SEX COUPLE?
Marriage	Family Act 36/2005	No
<i>De facto</i> , not registered	Civil Code 40/1964	There is a concept of 'close persons' in Slovakia available to everyone.



2. What are the requirements to be able to enter into the above relationships?



FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
'Close person' concept	Persons shall be considered close to each other if a detriment suffered by one of them is reasonably felt as own by the other. Case-law: presumption that persons living together on a permanent basis and contributing to household are considered 'close persons'.

**Q** 3. If both marriage and civil unions exist:

- (a) Identify any significant differences in eligibility; and
- (b) Briefly highlight how they interact if both are in effect (e.g., in some countries, entering into a marriage with the same or a different person automatically dissolves any civil union that the two parties were previously party to, making the latter vulnerable and potentially circumventing separation laws).
- (c) If both marriage and civil unions are available to same-sex couples, briefly highlight areas where major differences exist between marriage and civil unions (e.g., taxes, adoption, immigration, etc.).

<b>A</b>	‘Close person’ status	Very limited rights (e.g., some limited rights in criminal proceedings, contractual law, tax law, medicinal law).
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**Q** 4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?

<b>A</b>	‘Close person’ status	No restriction.
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**Q** 5. When a couple comes to Slovakia, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?

<b>A</b>	‘Close person’ status	In principle, persons living together on a permanent basis and contributing to a household abroad might rely on a ‘close person’ status upon their arrival to Slovakia (provided that their ‘close persons’ status continues in Slovakia).
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**Q** 6. How can each form of relationship be dissolved? What is the residency requirement or other link to Slovakia for an authority to grant a divorce/ dissolution?

<b>A</b>	‘Close person’ status	There are no particular rules for the dissolution of ‘close persons’ status (it can be a ‘de facto’ dissolution).
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**Sources:**

- Civil Act 40/1964 <http://www.zakonypreludi.sk/zz/1964-40> (available only in Slovak)
- Family Act 36/2005 <http://www.zakonypreludi.sk/zz/2005-36> (available only in Slovak)
- Income Tax Act 595/2003 <http://www.zakonypreludi.sk/zz/2003-595>
- Criminal Code 300/2005 <http://www.zakonypreludi.sk/zz/2005-300>

