



Name of Country and Jurisdiction:

Czech Republic

- 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 the Czech Republic, 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 the Czech Republic for an authority to grant a divorce/dissolution?



1. What forms of legally recognized relationships are available?



| LEGAL RECOGNITIONS FOR OPPOSITE-SEX COUPLE | GEOGRAPHY | LAW | AVAILABLE TO SAME-SEX COUPLE? |
|--|----------------|--|-------------------------------|
| Marriage | Czech Republic | Civil Act 89/2012, Part 2 | No |
| Registered Partnership | Czech Republic | Act 115/2006 on Registered Partnership | Yes |

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

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| FORM OF LEGAL RELATIONSHIP | REQUIREMENTS |
|----------------------------|---|
| Registered Partnership | At least one party must be a Czech citizen. The Partnership can only be sealed before the Czech Registry Authorities. Age above 18. |

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.).

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| Registered Partnership | <ul style="list-style-type: none"> • Tax law: for the purposes of income tax, registered partners have the same status as spouses (Income Tax Act 586/1992 as amended in January 2014). • Pensions: no rights as compared to spouses. • Adoption: registered partners are not eligible to adopt children. • Immigration laws: possibility to obtain Czech citizenship if one's registered partner is a Czech citizen (Act on Czech citizenship 186/2013). • Obligations of spousal support/maintenance: yes, based directly on the Act on Registered Partnership. • Succession Law: Registered partners have the same status as spouses (Civil Act). |
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4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?

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| Registered Partnership | If the person is already married or has a civil union or any type of similar union with the same or a different person in the Czech Republic or abroad. |
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5. When a couple comes to the Czech Republic, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?

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| Registered Partnership | No automatic recognition. It must be registered with the Special Registry Authority in the city of Brno. |
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6. How can each form of relationship be dissolved? What is the residency requirement or other link to the Czech Republic for an authority to grant a divorce/dissolution?

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| Registered Partnership | The court can dissolve a registered partnership if one of the partners proves that the relationship has ceased to exist (<i>de facto</i>). |
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■ **Sources:**

- Act on Registered Relationship: <http://www.zakonyprolidi.cz/cs/2006-115> (available only in Czech)
- Civil Code 89/2012: <http://www.zakonyprolidi.cz/cs/2012-89> (available only in Czech)
- Act on Czech citizenship 186/2013 <http://www.zakonyprolidi.cz/cs/2013-186> (available only in Czech)
- Income Tax Act 586/1992 <http://www.zakonyprolidi.cz/cs/1992-586> (available only in Czech)