



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

Q

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

A

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.).

A

Registered Partnership	<ul style="list-style-type: none"> <li>• 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).</li> <li>• Pensions: no rights as compared to spouses.</li> <li>• Adoption: registered partners are not eligible to adopt children.</li> <li>• Immigration laws: possibility to obtain Czech citizenship if one's registered partner is a Czech citizen (Act on Czech citizenship 186/2013).</li> <li>• Obligations of spousal support/maintenance: yes, based directly on the Act on Registered Partnership.</li> <li>• Succession Law: Registered partners have the same status as spouses (Civil Act).</li> </ul>
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Q

**4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?**

A

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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Q

**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?**

A

Registered Partnership

No automatic recognition. It must be registered with the Special Registry Authority in the city of Brno.

Q

**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?**

A

Registered Partnership

The court can dissolve a registered partnership if one of the partners proves that the relationship has ceased to exist (*de facto*).

■ **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)