

Pre-nuptial agreement (Pre-wedding agreement, equity contracts) under the Czech law

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There are more than 5.000 marriages per year when one of the spouses is Czech and the second one foreigner. The number is increasing every year. Czech women with foreign spouse marry in 2.680 cases, Czech men marry foreign spouse in 2.183 cases, Czech statistical office announces relating to mixed marriages or marriages with international aspect. Around 500 marriages take place in the Czech Republic and both spouses are foreigners, some stay as expats. Every year around 2.000 marriages with international connection (either one spouse or both spouses are foreigners) are divorced.

The amount of prenuptial agreements is increasing every year. If you would like to marry here in the Czech and apply Czech law in your marriage, clients consult with us the content, what they want to have it in the agreement. Actual signature and process of publicity of this agreement in public register is done via notary offices. Due to international aspects, we are in touch with lawyers from other relevant countries.

Premarital agreements and marital agreements are no longer a sign of distrust and are not specific to young generations.

People prepare marital agreements mainly to protect their asset acquired before the marriage and also to protect themselves from being accountable for any debts accrued by their partner but also due to the international aspect and for security what law will apply.

Already married couples usually prepare an agreement in cases where one of them is starting a business and does not want a possible lack of success to impact their family members, especially children. A marital agreement clearly states which property belongs to which partner in case the marriage ends in divorce.

According to the Czech legislation, the property that is accumulated during a marriage belongs to both parties, in equal manner unless the assets were bought from the monies earned by any of the spouses prior the marriage or the assets were part of a donation or an inheritance to any of the spouses (community property regime).

The prenuptial agreement can stipulate different regimes, very often separate property regime). The prenuptial agreement can also stipulate the way in which it will be shared during the divorce procedure, the manner and scope in which one of the parties will pay alimony, estate planning, asset management, responsibilities of the parties in case of debt.

The prenuptial agreement becomes effective immediately after the wedding, but it may be enforced at a later date, if the parties agreed so.

In a prenuptial agreement, the parties will need to establish the applicable legislation concerning the marital property in case of a divorce.

For Sample of the Prenuptial Agreement in English contact us.