

# TABLE OF CONTENTS

PREFACE .....	v
The Commission on European Family Law .....	v
Organisation .....	v
Experts .....	vi
Meetings .....	viii
Conferences .....	viii
European Family Law Series .....	viii
Sponsors .....	ix
 GENERAL INTRODUCTION .....	1
Europeanisation of Family Law .....	1
Methodology .....	1
Nature of the Principles .....	3
Languages .....	3
The first working fields: Divorce and Maintenance Between Former Spouses .....	4
The second working field: Parental Responsibilities .....	4
 PREAMBLE .....	7
 PART 1. DIVORCE .....	11
Introduction .....	13
Principle 1:1 Permission of divorce <i>POVOLENÍ</i> .....	17
Principle 1:2 Procedure by law and competent authority .....	20
Principle 1:3 Types of divorce .....	24
Principle 1:4 Mutual consent <i>VZÁJEMNÍ SOUHLAS</i> .....	27
Principle 1:5 Reflection period .....	33
Principle 1:6 Content and form of the agreement <i>OBSTAH A FORMA</i> .....	37
Principle 1:7 Determination of the consequences <i>MUSLEDO</i> .....	43
Principle 1:8 Factual separation .....	51
Principle 1:9 Exceptional hardship to the petitioner .....	57
Principle 1:10 Determination of the consequences .....	59
 <i>WZIVOVACÍ POVINNOST</i>	
 PART 2. MAINTENANCE BETWEEN FORMER SPOUSES .....	67
Introduction .....	69
Principle 2:1 Relationship between maintenance and divorce .....	73
Principle 2:2 Self sufficiency .....	77
Principle 2:3 Conditions for maintenance <i>PODLEHOVAT</i> .....	79
Principle 2:4 Determining claims for maintenance <i>VRČUJICÍ MÍRKA</i> .....	85
Principle 2:5 Method of maintenance provision <i>ZADODATEL</i> .....	96

Table of contents

Principle 2:6 Exceptional hardship to the debtor spouse .....	100
Principle 2:7 Multiplicity of maintenance claims .....	104
Principle 2:8 Limitation in time .....	112
Principle 2:9 Termination of the maintenance obligation .....	116
Principle 2:10 Maintenance agreement .....	125
Principles of European Family Law Regarding Divorce and Maintenance Between Former Spouses .....	135
Principes de droit européen de la famille concernant le divorce et les pensions alimentaires entre époux divorcés .....	141
Prinzipien zum Europäischen Familienrecht betreffend Ehescheidung und nachehelicher Unterhalt .....	147
Beginselen van Europees familierecht betreffende echtscheiding en alimentatie tussen gewezen echtgenoten .....	153
Principios de derecho Europeo de familia relativos al divorcio y a los alimentos entre esposos divorciados .....	159
Europeiska familjerättsprinciper rörande äktenskapsskillnad och underhåll mellan förutvarande makar .....	165