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Property, succession and family law in the jurisprudence of the Constitutional Tribunal

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Abstract:

The article discusses the case-law of the Constitutional Tribunal of 1997-2017, regarding to property, inheritance and family law, mainly in matters of the provisions of Book Two and Book Four of the Civil Code, as well as the Family and Guardianship Code. It referred to following issues: protection of ownership of public entities, renunciation of property ownership, dissolution of co-ownership or prescription of easements. The issue of statutory rules governing inheritance, institution of lawful share and detailed rules of inheriting farms is also discussed. Regarding family law, the views of the Constitutional Tribunal on freedom of marriage and the institution of its protection is on the table. Additionally it is pointed out at obligations of former spouses to alimony as well as issues of filiation.