

SUMMARY

Key Words: Privity; heirdom; common-law marriage; covenant of marriage; collisions in law; family law.

Subject matter: Actual problems of the legal regime of the jointly acquired Spouses' Property in the private international law.

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The supervising organization: Botlich District Court

Topicality (novelty). Nowadays, in the theory and practice of the family law, much attention is paid to questions of the property relations of spouses, and also to a legal regime of their joint property, including the immovable property.

The aim of the research is to carry out a complex analysis of the legal norms regulating institute of the Spouses' Property and to define the directions of improvement of the current legislation in the sphere of regulation of institute of the Spouses' Property.

Objectives:

- to study the history of the rise and development of institute of the Spouses' Property in the Russian Federation.
- to analyse the order and ways of legal regulation of the Spouses' Property in foreign countries.
- to investigate the Legal Regime of the Spouses' Property
- to characterize features of the legal regulation of personal property of each of spouses.
- to investigate problems of responsibility of spouses according to obligations at the legal and contractual regime of the property relations.
- to reveal theoretical and practical problems and to develop suggestions for improvement in regulation of institute of the Spouses' Property.

The Concept of the Legal Regime of the Spouses' Property

The theoretical and practical value of the research is in the development of the legal norms which regulate institute of the Spouses' Property. Conclusions and suggestions of the research can be used in law-making activities while creating new statutory acts and improving of the existing ones.

Results Obtained

The problem of a choice of the right, applicable to the regulation of the personal marital relations, can be solved by so-called "chain" of conflict rule. A general connecting factor is the law of the country of cohabitation of spouses; in the absence of a joint residence - the law of the state in the territory of which spouses had the last cohabitation.

Recommendations: In our opinion, it is necessary to legalize a concluding an agreement of marriage, to avoid the certain problems connected with the division of property, while dividing a jointly acquired Spouses' Property at the international level.