

LEGAL REGIME OF MATRIMONIAL ASSETS

The article deals with the difference between the categories of "common property " and "community property (assets)", its practical importance in the division of matrimonial assets, maintenance of law and order through the mechanism of the legal regulation in general and as a part of the mechanism - the legal regime of property, and – the components of the legal regime of matrimonial assets.

Problem statement and its relevance. One of the elements of the legal regulation of social relations is the category “legal regime” that is connected with the objects of civil rights, the peculiarities of their acquisition, execution and termination. The law of the state or marital agreement (contract) (legal and contractual property regime) may be the legal basis of the application of the category “regime of marital assets”. The legal regime of community property is provided in Spain, France and some U.S. states. The legal regime of separate assets exists in the majority of states of “common law family “, including in the UK ; the mixed legal regime of property - in Denmark , Germany, Norway, Finland , Sweden and other countries.

The purpose of the article – to make clear the content and value of the legal regime of assets and the general legal regime of matrimonial assets through the mechanism of legal regulation, determination of the components of the legal regime of the matrimonial assets and to cover their peculiarities.

The object of the article is the legal regulation of property relations of spouses, and the subject - acts of applicable law, legal practice, and scientific doctrine.

Key words: common property, community property, mechanism of the legal regulation, legal regime of property, matrimonial assets.