

## Abstract

The subject of this study is the legal and property situation of spouses who have regulated the property regime binding between them on the basis of a marriage property contract, also known as a prenup. The work includes an analysis of the institution of marital property contract in Polish law against the background of foreign legal orders. The dissertation contains an analysis of state law systems, as well as refers to the regulation of matrimonial property relations in common law systems.

At the outset, the relationship between the concepts of matrimonial property contract and prenup needs to be clarified. The term marital property contract is a statutory term. In contrast, the term prenup is used commonly. *Intercisa*, from the word *intercisio*, comes from Latin and means to cut. In this study, the terms prenup and marital property contract are used interchangeably.

The purpose of the considerations carried out within the framework of this study is to construct *de lege ferenda* remarks based on the analysis of the regulation of the institution of marital property contract in Polish law against the background of legal regulations of continental European countries and common law systems. A review of foreign legal solutions will allow an objective assessment of Polish legislation. In addition, the analysis of the functioning of the institution of marital property contracts in foreign legal systems will provide an impetus for the construction of *de lege ferenda* conclusions.