

Abstract

The present thesis discusses the legislation of an ancient and new-old institute of inheritance law, legacy. Legacy was in the Czech legal environment in the 60's of the last century as a traditional institute of inheritance law, allowing the testator wide opportunities of acquiring his property *mortis causa*. With the effectiveness of the Civil Code No. 40/1964 Coll., that released its regulation, completely disappeared from the public's legal awareness. The topic of the legacy became recurrent in connection with the recodification of private law, because adoption of Civil Code No. 89/2012 Coll. caused a return of legacy to the Czech law. The specificity of the legacy is its disruption with universal succession, which is otherwise typical for inheritance law.

The main objective of the thesis is to evaluate the legacy and to conclude about the quality of the current legislation and its usefulness for legal practice. The secondary objective is to acquaint readers with the legacy and define its position in the legal environment. For the interpretation is chosen a procedure that goes from general to specific, which corresponds to the content layout of the thesis. The first part of the thesis deals with an analysis of the legacy as a whole and its differentiation from classical inheritance as well as from the fideikomis as a command and donation in a case of death, with which it is easily interchangeable. This is followed by a historical excursion, which maps the development of the legacy from the Roman law period through the legislation for our territory key, private-law codes. The second half of the thesis is focused on legal regulation, which is complemented by criticism in the form of considerations *de lege ferenda*. Despite of the imperfections of current legislation is legacy a highly beneficial institute, and its re-introduction into the Czech legal system was a step in a good direction. At the end is briefly explained the Polish and Islamic law version of legacy. In order to elucidate the relations with other institutes of inheritance law, as well as the comparison of the key codes, is widely used the research method of comparison, supplemented by a historical method.