

Testament

Abstract

The aim of this thesis was to provide a comprehensive analysis of the testament, one of the most important institutes of inheritance law. Act No. 89/2012 Coll., the New Civil Code, focuses on strengthening testamentary freedom, which permits the testator to decide, how his property is disposed of upon his death.

This work is divided into three chapters. Chapter one brings general and comprehensive overview of legislation on inheritance law, notably with respect that inheritance law is part of to the private law. Attention has been paid to principles on which the law is based on. The work then defines the other two inheritance titles, i.e. heritage contract and intestate succession, and compares them with the „will“.

Second chapter, which is main theme of this master's thesis, outline discusses about the institute of last will, including obligatory and optional elements of testament, permissible forms of will, clauses, legatum and revocation the testament, while briefly considering some institutes more closely in the light of the current legislation.

Finally, the paper examines Polish inheritance law, with an eye towards field of testate succession and explains the nuances within both systems. It sets out the fundamental differences. On the other hand points out the similarities, even deeper similarities, czech and polish legislations, because both systems of law are more similar than they initially appear.

Key words: inheritance law, inheritance titles, testament/will, testate succession