

## **Résumé - Principles of Inheritance Law**

The rigorosum thesis is concerned with the principles of Czech inheritance law. The goal of the thesis is to provide complex overview of the principles of inheritance law and contemporary regulation of the inheritance law legislation in this branch. The aim is also to compare the Czech inheritance law in this respect with other regulations in neighbouring countries and to highlight the problems that appear when the principles of inheritance law are applied. This text is based on a three-year intensive theoretical and practical research.

Submitted work is composed of several fundamental partitions. First part is focused on the general description of the principles of inheritance law and the current Czech legal regulation. The principles analyzed in the thesis are following: the principal of the transition of the deceased's property to heirs at the moment of the deceased's death, the principal of universal succession, the principal of transition of debts to the heirs, the principle of free will to reject the inheritance, the principle of testamentary freedom and limited testamentary freedom, the principle of the state interference, the principal of protection of the beneficiary heir, the principle of escheat, and the principle of application of rules which are effective at the moment of the deceased's death.

The second part of the thesis is focused on analysing the principles that were applied in the area of the Czech Republic on the base of Allgemeines Bürgerliches Gesetzbuch (ABGB), i.e. the general civil code of the Austrian empire. The differences between the current Czech legal regulation and the legal regulation according to the General Civil Code are emphasized in this thesis. This comparison seems to be very useful since original Austrian regulation builds up the essentials of current Czech civil law and therefore, it is possible to observe the development of inheritance law like this.

In the next step it is compared with the German legislation which has different procedural rules. This aspect is very inspiring when analyzing the differences and the basis features of both regulations. Furthermore, I utilize ideas from the legislation of other countries (Slovakia and Poland) in my research.

Finally the current state of the principles of inheritance law is evaluated, then this form is compared with the potential future legal form as suggested in the new Civil Code and also, own suggestions how to improve the current regulation are made.

Keywords: inheritance law, principles of inheritance law, testator