

Abstract

This thesis deals with the conditions that need to be fulfilled in order to acquire inheritance. The aim of this thesis is to provide outlook into the matter of the law of succession and thoroughly describe and further analyse individual conditions of hereditary succession, which are legal requirements that needs to be fulfilled in order to acquire inheritance. In this thesis I systematically discuss the law of succession in its general meaning, canons of inheritance, legal sources of the law of succession and also legal institutes including several new ones which are govern in the new civil code. The main part of this thesis analyses individual conditions of hereditary succession.

This thesis is composed of four chapters. Chapter one deals with the general meaning of the law of succession and in this chapter I provide introduction to the law of succession and define some fundamental legal terms.

In chapter two I describe the canons of inheritance. This chapter is divided into three subchapters where I discuss in my opinion the three leading canons of inheritance. First subchapter deals with the principle of personal autonomy. Second one deals with the principle of universal succession. The third subchapter deals with the principle that the predecessor's possession is transferred by law to his heir by the moment of his death.

Chapter three describes current legal enactments of the law of succession in the Czech Republic. I provide an enumeration of legal sources of both the material and procedural law of succession.

Chapter four is the key chapter in this thesis and it is further divided into five subchapters. In each of these five subchapters I describe in great detail the conditions that need to be fulfilled in order to acquire inheritance. These conditions are the death of natural person, the existence of inheritance, the existence of heir and his legal capacity to acquire inheritance, inheritance title and heir's acceptance or denial of inheritance.

In the conclusion of this thesis I summarize all essential topics which I dealt with throughout this thesis.