

## Intestate Succession

Inheritance law is a very important part of civil law, because it ensures transfer of rights and obligations of the deceased to his successors and to preserve the values for future generations. Our inheritance law is characterized by its essential feature is the influence of the state in probate proceedings through the judicial commissioner (notary).

This thesis focuses on the regulation of intestate succession in our legal system and in particular to the regulation contained in the Civil Code, 40/1964 Sb. and regulation in the new Civil Code, 89/2012 Sb. I'm trying to refer the changes that with the new Civil Code in our law occur and the possible positive or negative consequences of these changes.

My work consists of four main parts, which are further divided. In the first part of my work I try to show to preconditions that are needed to make the inheritance ever happen. These preconditions are the death of a natural person, the existence of heritage, capacity of heir or legal reason inheritance (inheritance titles) and finally rejection heritage. Individual preconditions are divided into chapters and there is every precondition described in more detail.

In the second part of my work is contained regulation of inheritance law now effective, thus regulation in the Civil Code, 40/1964 Sb. This section includes pivotal chapter, which is the intestate succession and that distributes the problem of inheritance classes and escheat. Other chapters are the chapter about the disinheritance and the chapter about the forced heirs.

The third chapter contains regulation of the intestate succession, the disinheritance and the protection of forced heirs according to future legislation in the Civil Code, 89/2012 Sb. In this chapter I try to analyze the individual closest institutes with reference to fundamental changes compared to the present regulation.

And finally, the fourth part of my job provides for evaluation of changes in both Civil Codes. At the conclusion of my work I have come to the knowledge that the recodification of civil law can our law only benefit and that is an important change and the detachment from socialist law, which still a little in the Civil Code, 40/1964 Sb.