

Abstract

This thesis focuses on the regulation of intestate succession, particularly in relation to the Civil Code no. 89/2012. It is not limited only to this regulation, but also includes the historical development of inheritance law and intestate succession from the Roman period, through the Middle Ages and subsequently identifies also modern civil codes. The thesis is divided into four sections, each dealing with certain aspects of intestate succession and related institutes.

The first part, which describes the historical development of the intestate succession, is divided into six chapters. The first chapter is devoted to Roman law legislation and in the second chapter a succession in the Middle Ages is described. Followed by a fairly detailed regulation of intestate succession according to the General Civil Code of 1811 and a brief reminder of the government's draft of Civil Code from 1937. The fifth chapter deals with the intestate succession under the Civil Code no. 141/1950 and finally in the sixth chapter there is a brief description of the intestate succession under the Civil Code no. 40/1964., as detailed adjustment is included in other parts of the thesis in the context of a comparison.

The second part deals with the preconditions of inheritance succession under effective legislative. The preconditions are the death of individuals, the existence of the estate, eligible heir, inheritance title and finally acceptance of heritage. These preconditions are discussed in details in separate chapters.

The third part describes regulation of intestate succession. There are explained problems of inheritance classes, right of intestate succession of the State and protection of forced heirs in particular chapters.

The last fourth part briefly deals with the law of succession and intestate succession under the law of the Federal Republic of Germany.