

ABSTRACT

This thesis deals with the topic of succession, principles of the inheritance law and Europeanization of the inheritance law. For a deeper understanding of the matter of the inheritance law, this thesis focuses on the basic points of historical development influencing this area of law in our territory, especially legal regulation of inheritance law in Ancient Rome, the Middle Ages, the General Civil code and finally deals with characteristic features of the current inheritance law in the Czech Republic.

Succession applies in case that several conditions of subjective and objective character are met simultaneously. An inheritance is acquired upon the death of the deceased, in case when the deceased left some property and a person who shall gain the inheritance is an eligible heir, with the inheritance title, being either the law or the testament. Finally, the last condition, that the heir did not renounce the inheritance, shall be met. Abovementioned substantive conditions of succession are individually discussed in the thesis. The main attention is focused on substantive requirements and conditions of succession that are systematically analysed in subchapters.

The final part of the thesis analyses the succession with a foreign element and Europeanization of legal regulation of the inheritance law.

The thesis considers compliance of current legal regulation with needs of practice, referring to appropriateness or potential practical difficulties created by legal regulation of the inheritance law under the Act no. 89/2012 Coll. the Civil code. This thesis is based on the valid legal regulation of succession in the Act no. 40/1964 Coll. the Civil code, as amended, not omitting the Act no. 89/2012 Coll. the Civil code, on domestic and foreign literature and case law.