

Abstract

The thesis includes the analysis of the fideicommissum institute, which is one of the elements of the Czech Inheritance Law that were reintroduced into the new Czech Civil Code, which came into effect on the 1st of January 2014. The theme is highly actual due to the new important possibilities of expressing the will of the testator for the occasion of his death. The thesis is focused on the analysis of the current enactment and describes the historic development of the fideicommissum institute

The text contains four fundamental parts. The first presents the fideicommissum institute and its role and development in the Inheritance Law from the time of Roman Law. The author deals in this chapter with the intertemporal provisions and other coherent institutes, which go along with the fideicommissum institute. We talk about hereditas iacens and administration of the inheritance.

In the next chapter, the author explains the current enactment in the Civil Code in detail and mentions the procedural enactment of the special Code on Specific Civil Proceedings as well. It consists of the foundation of the fideicommissum and the inheritance regime.

The last chapter consists of comparison of the Czech and Slovak enactment. Taking into account that in the Slovak Republic is currently being prepared the new Civil Code, the chapter focuses on consideration of adoption of the fideicommissum institute in Slovak law. Finally, the thesis deals with the rules of Private International Law in the area of Inheritance Law with special attention to the Czech, Slovak and European collision norms.