

In this final thesis „Testament - a comparative study of the Italian and Czech legal regulations“ the author analyses the legal regulations of this institute in the Czech Republic and Italy. The testament is a last will that is a reversible legal transaction, in which a natural person yields over at least a portion of the inheritance, eventually also a legacy.

This final thesis consists of seven chapters excluding the opening and the conclusion.

In the first chapter I focus on the Roman Law regulations of this institute, where we find the elements for contemporary continental legal regulations. I also devote to the history of the testament on the territory of today's Czech Republic and Italy.

Next chapter deals with the elementary terms of the inheritance law and puts the last will into the context with this area of law. I also turn to the testator character, his capacity or non-capacity to make the last will and to the action of oversights while making the last will.

In the third chapter there are described the essentials of the testament, the assumptions for the succession, assignment of the heirs and the institute of trust. I also refer to the possible inheritance non-capacity and the patronage of the nonnegligible heirs.

Next chapter deals with formal essentials of the testament. The last will is possible to make privately or publicly, but the circumstances differ in these two forms. I also devote to acquiring the last will in peculiar situations.

In the fifth chapter I solve the possibilities of recalling the testament by making a new one or annulling the last one.

The sixth chapter there is a reference about other possibilities for making a last will in different forms and I describe the problem of hereditary contract arrangements.

The last chapter deals with the legacy, as it can be a component part of the testament. I define different forms of the legacy according to the Czech legislation and I don't leave the comparison with the Italian regulation out, as the institute of legacy is an important part of Italian hereditary law.

In the conclusion I enunciate that both regulations are very similar although there are many distinctions. It is because both derive from the same essence, from the Roman law and they give an accent to the free will of the testator.