

Abstract

The thesis deals with one of the reinstated institutes which are introduced by act number 89/2012 Sb., that is by the new Civil Code and it is the institute of Legacy. This work is divided into five chapters, where firstly it discusses the characteristics of this institute in Roman Law and compares it with the institute of fideicommissum. In addition this work deals with characteristics of this institute in Italian law from the times of Unification of Italy up to the present day, therefore it briefly deals with both of the Italian civil codes. The most extensive chapter deals with the institute in our own legal history, especially about its form in ABGB, the „warp“ and the „middle“ code and it is followed by chapter, which deals with our new Civil Code, which has returned this institute into our Inheritance Law. The whole work is concluded by a comparison of the similarity of this institute in Italian and Czech legal order.

This work is elaborated on positive note and its aim is to show that this is very practical institute, which is in both ours and Italian law very similar even though it has been developing for centuries. I believe that it could become normal part of donation mortis causa.