

The thesis debates one of the modes of succession, namely testamentary succession. A testament is, in accordance with Law No. 89/2012 of the Civil Code, one of the dispositions mortis causa. Inheritance contract and testamentary clause on legacy, along with testament, belong among dispositions mortis causa according to the law cited. The deceased exercises his or her will through such.

The target of this work is to describe the current form of testamentary succession in its effective rule, focusing on facultative elements of a testament.

The work is divided into six chapters. The opening chapter contains a discussion on succession rights, first in general and then the requirements of the creation of succession rights follow, as well as the other inheritance titles in their effective rule.

The second chapter defines a brief excursion into the Roman law. In the subchapters, individual testament forms in the Roman law, testamentary competence, succession against testament, revocation and nullity of testament are included.

The third chapter deals with testamentary succession itself; it is divided into eight subchapters. The first subchapter defines the term of testament. The following two subchapters deal with legal competence and the effects of error. The testament form is defined in the fourth subchapter. In the fifth subchapter, stress is put namely on collateral clauses in a testament. The sixth subchapter is devoted to the revocation of testament, both by taking a new one or withdrawing the testament. In the seventh subchapter, the division of descendant's estate in a testament is dealt with, and focus is on vacant share, substitution of heirship and succession by fideicommissum. The register of dispositions mortis causa is discussed in the eight subchapter.

The fourth chapter focuses on a protection of a forced heir. It is divided into four subchapters, that deal with the term of forced heir, forced share, disinheritance, and negative testament, and also the protection of forced heir.

The fifth chapter is devoted to testamentary clause on legacy.

The sixth chapter performs a comparison with legal regulation of a testament abroad, namely the German legislation. There are also defined institutes unknown to the Czech legislation.