

## **Abstract**

The subject of my theses is a special category of heirs so-called forced heirs. This theme describes their substantive position and guaranteed increased protection determined by law which is especially defined by right to share on inheritance to an extent determined by law. Will of testator is hereby limited by right of forced heir in forced share. Irrespective of most European regulations only offspring of testator are counted to the circle of forced heirs in the Czech Republic whereby the difference is between minors who are entitled to at least three quarters of share and majors who are entitled to minimum of one quarter determined by legal inheritance share.

This thesis is systematically divided into seven chapters. After general historical background and general terms of inheritance law explained in the second chapter, next chapter is continued by the definition of several institutes which are mutually interlinked and also closely related to the person of forced heir. Fourth chapter is dedicated to right of forced share in which I am focusing on its calculation, offsetting and final payment. I completely describe, by means of legal jurisdiction, disinheritance and incapacity to inherit in the two following chapters. Last chapter includes two institutes which, under influence of NCC (New civil Code), are repeatedly getting back to the regulation of inheritance law. It is concerned the right of certain persons to provision which can be understood as a certain concession for not including spouse and parents of testator in forced heirs and institute of trust succession.

The objective of this thesis is to give a full description of substantive possession of forced heir. Due to the fact that New Civil Law, which came into effect on 1st January 2014 bringing various changes in this area, I am focusing on description of comparative explanation of legal regulations related to the old Civil Code in comparison to the New Civil Code and on its evaluation of changes which effected this area most.