

The law of succession has been changed a lot by enacting the new Civil Code in many ways but its main purpose is still to regulate the succession of inheritance from testator to heirs and related problems.

This thesis makes an analysis of testate succession, which is one of the three possibilities of inheritance succession. The second is an intestate succession, which applies in the situation, when testator did not write last will. The last possibility is a contract between testator and heirs distributing inheritance between the latter. This contract has bigger legal force than last will and intestate succession is used, if there is none of them.

The thesis consists of five chapters. Chapter One provides a brief introduction to history of the law of succession in our territory and presents the purpose of the thesis. Chapter Two deals with the questions common to the whole law of succession, it is divided in three subchapters, which talk about the main principles of the law of succession and legal rules regulating it and also about preconditions of succession, which include death of testator, subjective law of succession, existence of inheritance and legal ground to the succession. It also names possibility of heirs to reject inheritance. Chapter Three is concerned with the main theme of the thesis, which is the testamentary succession. It consists of ten subchapters. The first tries to give a definition of testament. The second looks on who can make a will and the third how to express it. Next two subchapters deals with form and contents of testament. The sixth concerns on secondary clauses, which can be part of last will. The seventh looks on protection of forced heirs and the eight on disinheritance. The following subpart concentrates on deposit of testament and the last reflects annulment of last will. Chapter Four tries to make a brief comparison of testate succession under the Civil Code of 1964 and under the new Civil Code. Finally, Chapter Five presents the conclusion of the thesis, which is that the new Civil Code provides the testator far more extensive freedom of testation, abolishes a lot of unnecessary restrictions and gives the testator more possibilities how to divide inheritance and to determine heirs how to handle it.