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**Abstract:**

The issues of legal protection of cohabitants in case one of them dies has not got any satisfactory regulations in Polish law. Scotland is one of the countries where legal regulations have been introduced in terms of inheritance entitlements of an informal partner of a testator. In 2006, Family Law (Scotland) Act was passed, where, in section 29, the acceptance was constituted to request property claims by testator's common-law spouse an adequate sum of money from the legacy, or giving a defined component of the legacy. This entitlement is only applied in the event of non-testamentary inheritance. The assessment of the claim legacy has been left to wide discretionary power of court. Setting norms for inheritance, which are entitled to an informal partner of a testator, Scottish court is only limited by the rule that it cannot exceed what they could get if they were in matrimony or civil partnership. Giving a sentence, court should take into consideration, in particular, long-lasting and individual character of a given common-law spouse relationship, financial situation of the claiming, the amount of inheritance property. The great range of judicial freedom is illustrated by the examples of court sentences mentioned above. Scottish legislation does not only approve of existing legal solutions. The amendments of the law have been discussed referring to testator's inheritor common-spouse's claims to inheritance, first of all, in order to limit the discretionary freedom of court for introducing the entitlement of an informal partner of the dead to get a defined fraction of active value of legacy. Appealing to the presented Scottish solutions, it should be given into consideration to Polish legislator to pass bills to set inheritance law of a common-law spouse of the dead.