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Abstract:

The development of the inheritance law in Poland arises the question of protection of the deceased's relatives in the context of his testamentary dispositions. The legitimate portion in the civil code is no longer desirable, especially because of two defects. First, it is the wrong group of people entitled to the legitimate portion. Second, a detailed examination of the claim of legitim to determine whether a person was in any way dependant on the deceased's estate is not possible. These defects cause that the shape of a legitimate portion in polish law is a too-far reaching interference with the testator's last will. It needs changes.