

**mgr Marcin Sepelowski,**

**Title of the dissertation: *Ordinary legacy (legatum per damnationem) in Polish inheritance law***

Numerous people, while disposing their property in the event of death, are interested not necessarily in the disposition of the inheritance or shares in it, but rather its individual components. It seems that the vast majority of testators perceive their estate not as an abstract mass, but as a set of individual assets and liabilities. The desire to make a *mortis causa* disposition not of the inheritance in general, but rather its components, is probably stronger when the testator wants several (or even a dozen or several dozen) entities to become posthumous beneficiaries of his estate. Such an intention appears to be completely natural, and at the same time rational and socially useful, which will be discussed in more detail later in the work.

In response to social expectations regarding the disposition of individual assets in the event of death, the Polish legislator introduced several legal institutions, including ordinary legacy.

In this doctoral thesis the reasons for the existence of the ordinary legacy institution in Polish inheritance law are sought. Also, its functions in the current normative environment and socio-economic conditions are distinguished. The question considered is, "Why does the ordinary legacy exist?" and, moreover, "Why does the ordinary legacy exist next to the naming of an heir, a legacy by vindication and a testamentary instruction?"

This doctoral dissertation also attempts to resolve some theoretical and practical problems related to the interpretation of testamentary dispositions. The coexistence of an ordinary legacy alongside the naming of an heir, the legacy by vindication and the testamentary instruction – despite the categorial differences between these institutions – is often associated with the necessity to determine which of these dispositions the testator intended to use.

The thesis also includes a dogmatic and legal analysis of the institution of ordinary legacy in Polish inheritance law. The interpretation of many provisions regarding this disposition and the resulting obligation relationship is the subject of still unresolved doctrinal and case law disputes. The dissertation attempts to deal with such interpretation problems.

Finally, the doctoral thesis undertakes to critically evaluate the currently applicable regulation of ordinary legacy. The outcome of these considerations is *de lege ferenda* postulates, the implementation of which would – according to the author of this work – improve and make the analysed institution more attractive, making it a tool that implements the values of inheritance law more accurately and serves the socio-economic needs of society better.