

In the common social sense, the successor shall have the possibility of disposing the particular elements of the wealth after death. The Polish law, as a matter of principle, does not offer such a possibility. The testament, the most popular instrument to dispose wealth of the case on death enables to indicate only the person who will inherit. The division of the estate – the things which are to be inherited by the successors, is done between them. The deathbed gift enables though to give a person with a particular thing. Moreover, it gives the guarantee for the donee which is not offered by the testament. The deathbed gift creates then the attractive conditions, especially when the donee wants to invest into the subject of the gift. The deathbed gift constitutes also the interesting subject of research from the comparative law view. In the European legal systems, the multiple variations of deathbed gifts are met, being similar to the testamentary bequest, wills or the ordinary donation. The main objective of this project is the analysis of the deathbed gift in the foreign legal systems and the European legal tradition. It will enable to gain the appropriate knowledge concerning the deathbed gift being present also in the Polish law since 2013. The attention shall be paid also to the fact that the deathbed gift is not regulated by any positive provisions. Therefore, it seems necessary in order to learn more about it, to reach to the other legal systems where the deathbed gift is in effect longer than in Poland.