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**THE LIMITS OF THE FREEDOM TO DISPOSE OF PROPERTY UPON DEATH
IN THE POLISH LAW**

SUMMARY

The main purpose of the dissertation is to identify the limits of the freedom to dispose of property upon death in the Polish law, to explore its *ratio legis* and to analyse the topicality of its purposes and functions in the light of the contemporary social reality.

According to the conception assumed in the paper, the freedom to dispose of property upon death is a complex of freedoms which jointly determine its scope. The institutions which violate whichever of them shall be perceived as limits of the freedom to dispose of property upon death. The analysis carried out in this paper leads to the conclusion that the main purposes the Polish legislator has in mind when forming the limits of the freedom to dispose of property upon death are the protection: of family members and other closest people to the deceased, of autonomy of the living, and of legislative simplicity. Among them, the protection of autonomy of the living comes to the fore. Although the abovementioned values definitely deserve a protection, the limits of the freedom to dispose of property upon death are not always fully adequate to the contemporary social reality.

The EU regulations concerning the law applicable to the succession are another subject of the research. The analysis of these regulations emphasizes the problem of relativisation of the values on which the freedom to dispose of property upon death is based in particular states.