Topic 7. Intestate succession

Topic 7 of 16 · Semester 1

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Chapter

In succession law, intestate succession is one of the most common occurrences. Citizens do not always leave a will governing the distribution of their property. In such cases, the estate of the deceased is distributed among their close relatives in the order established by law. Through this lesson, we will examine the grounds for intestate succession, the priority classes of intestate heirs, their rights, and the fundamental principles governing the distribution of the estate. In addition, crucial matters such as the reserved share, succession by right of representation, the succession rights of spouses, as well as the safeguarding and trust management of the estate will be analysed throughout the lesson. This topic is of both theoretical and practical significance for future lawyers, providing a firm foundation for the equitable resolution of family disputes and the protection of citizens' property rights. Lesson roadmap: we will first examine the grounds and principles of succession, followed by an analysis of the scope of heirs across the five priority classes. In subsequent sections, we will explore the rights of persons in need of special protection, including dependants and holders of a reserved share. Finally, we will familiarise ourselves with the rules and procedures for safeguarding the estate.

AT A GLANCE

- 5 classes — Number of Priority Classes of Heirs (Established in Articles 1135-1139 of the Civil Code)
- 1/4 share — Maximum Share of Dependants (When inheriting concurrently with other heirs (Civil Code, art. 1141))
- At least half — Size of the Reserved Share (Must not be less than half of the share due under intestacy (Civil Code, art. 1142))
- At least 1 year — Period of Dependency (Period of cohabitation or dependency prior to the deceased's death (Civil Code, art. 1141))

7.1 Grounds for Intestate Succession

Intestate succession is a legal relationship arising in cases where the deceased left no will, where the will has been declared invalid owing to its non-compliance with the law, or where the will disposes of only a portion of the estate. In this form of succession, heirs are called to inherit in a strict statutory order of priority (Civil Code, art. 1134). The fundamental rule of intestate succession is that heirs of each subsequent priority class acquire the right of succession only in the total absence of heirs of the preceding class, or where the latter have been excluded from inheritance pursuant to law, have failed to accept the estate, or have formally renounced it. This rule is designed primarily to protect the rights of those closest to the deceased. The interrelation between family law and succession law is manifested with particular clarity in relationships arising from adoption. In intestate succession, an adopted person and their descendants, on the one hand, and the adopter and their relatives, on the other, are fully equated to biological blood relatives. However, adopted persons and their descendants do not inherit by operation of law upon the death of the biological parents of the adopted person or their grandparents, brothers, and sisters. Likewise, the biological parents of the adopted person, as well as their grandparents, brothers, and sisters, possess no right of intestate succession upon the death of the adopted person and their descendants. This rule secures the paramountcy of the child's best interests as well as the legal efficacy of new family ties, while preventing conflicts of interest. Hypothetical example: Citizen Anvar died leaving no will. His statutory heirs acquire the right to own his property in the order of priority established by law. If Anvar had been given up for adoption to another family during childhood, his biological parents cannot claim a share in this estate, as the legal relationship between them is deemed dissolved.

- Intestate heirs are called to succeed in order of priority (Civil Code, art. 1134).
- Adopted persons are equated to biological relatives (Civil Code, art. 1134).
- A subsequent priority class is called only in the absence of the preceding one (Civil Code, art. 1134).

> **KEY INSIGHT**
> An adopted person forfeits the right to inherit from their biological parents, as they are equated to the blood relatives of the adopter.

7.2 Principles of Intestate Succession

Intestate succession rests upon several specific fundamental principles. First, the principle of priority classes, under which heirs are divided into designated groups—classes of priority—based on the proximity of kinship. This principle ensures that the estate devolves not to strangers, but to those closest to the deceased. Secondly, the principle of equality of shares applies strictly. That is, the estate property is invariably divided in equal shares among all heirs called to inherit within the same class. Their age, sex, or financial status does not affect the size of the share. Thirdly, there is the principle of support for family members and persons in need of social protection. This principle is given effect by guaranteeing the rights of incapacitated dependants and holders of a reserved share. Fourthly, there is the principle of recognition of ties of blood kinship and marriage. The law confers absolute precedence upon those closest to the deceased: children, the lawful surviving spouse, and parents. Fifthly, the principle of voluntariness applies, meaning that no one is obligated to accept an inheritance; an heir may accept the estate or renounce it at

their own discretion. No form of coercion is permitted in this process. Furthermore, judicial oversight plays a critical role in succession law. If a dispute arises among heirs or if an injustice occurs in the distribution of the estate, the matter is resolved through judicial proceedings. These principles serve to prevent family disputes during estate distribution, protect the property rights of citizens, and guarantee justice in society. Hypothetical example: Botir died leaving two sons and a lawful wife. As first-class heirs, they divide the estate into three strictly equal shares. Granting more to one and less to another would violate the principle of equality of shares in intestate succession. If one of the sons voluntarily renounces his share of the estate in favour of his mother, this accords fully with the principle of voluntariness.

- Heirs are called in accordance with the statutory order of priority (Civil Code, art. 1134).
- Heirs within the same priority class take the property in equal shares (Civil Code, arts. 1135-1138).
- Renunciation of the estate is voluntary (Civil Code, art. 1134).

> **EXAM FOCUS**
> Remember for the exam: In intestate succession, shares among heirs of the same priority class are always equal. Shares cannot be altered based on age or financial status.

7.3 Order of Priority for Calling Heirs

Under the Civil Code of the Republic of Uzbekistan, intestate heirs are divided into a total of five priority classes (Civil Code, arts. 1135-1139). The rule of priority is strictly mandatory and is based on the proximity of the degree of kinship to the deceased. The sequence of priority classes is established as follows: first class—children, spouse, and parents of the deceased; second class—brothers, sisters, grandfather, and grandmother; third class—uncles and aunts; fourth class—other relatives up to the sixth degree of kinship; fifth class—incapacitated dependants. Intestate succession is governed by a fundamental and strict rule: heirs of each subsequent class acquire the right of succession only in the event that there are no heirs of the preceding class at all, or where they have been disqualified from succession by law, have failed to accept the estate, or have voluntarily renounced it (Civil Code, art. 1134). This rule means that even if a single first-class heir exists and accepts the estate, heirs of the second, third, and all subsequent classes have no right whatsoever to take any share of the inheritance. This framework prevents the alienation of the estate to distant parties and guarantees that property remains with immediate family members. It also contributes to the stability of family relations and the prevention of property disputes. Hypothetical example: Following Jasur's death, his lawful wife (a first-class heir) and his full brother (a second-class heir) survived him. Pursuant to the statutory rule of priority, the entire estate devolves upon the wife as the representative of the first class. The brother, being in the second class, acquires no right to inherit. Only if the wife had renounced the estate would the brother have been called to succeed.

- The law establishes a total of 5 priority classes of heirs (Civil Code, arts. 1135-1139).
- A subsequent class is called only in the absence of the preceding one (Civil Code, art. 1134).
- Nearer relatives exclude more distant relatives from succession.

> **COMMON PITFALL**

> Common error: People often assume that brothers or sisters inherit alongside the deceased's children. In reality, children are first-class heirs, whereas brothers and sisters belong to the second class.

7.4 First-Class Heirs

By operation of law, the right of succession of the first class belongs to the children of the deceased (including adopted children), the spouse, and the parents (adopters) (Civil Code, art. 1135). These persons constitute the closest family members of the deceased, which is why the law confers absolute priority upon them. They always take the estate in equal shares. A particularly crucial aspect to note is that children of the deceased born posthumously also belong to the category of first-class heirs. This rule directly serves to protect the rights of the nasciturus and upholds the principle of the priority of the child's interests. If the wife of the deceased is pregnant at the time of opening of the succession, the distribution of the estate is legally suspended until the birth of the child. Children born out of wedlock, provided their paternity has been established by the civil registry office (FHDYO) or by a court, are full-fledged first-class heirs on equal footing with children born within a lawful marriage. Furthermore, the succession rights of a husband or wife are recognised only where a lawful marriage, formally registered with the state authorities, is in place. Religious marriages conducted under religious rites or cohabitation (de facto marital unions) create no succession rights whatsoever. Hypothetical example: Rustam died suddenly. He was survived by his pregnant wife and his mother. Pending distribution of the estate, the child was born safe and healthy two months later. The estate is now divided into three equal portions among the three first-class heirs: the wife, the mother, and the newborn infant. Each receives one-third of the estate. Had the estate been distributed prior to the child's birth, it would have constituted a gross violation of the child's rights and would have been set aside by a court.

- Children, the spouse, and parents are first-class heirs (Civil Code, art. 1135).
- Children born posthumously are also deemed first-class heirs (Civil Code, art. 1135).
- All first-class heirs take the estate in equal shares.

> **KEY INSIGHT**
> Rights of the unborn child (nasciturus): If a child has been conceived at the time of the deceased's death, the distribution of the estate is suspended until the birth of the child.

7.5 Second, Third, and Fourth Priority Classes

If there are no first-class heirs of the deceased at all, or if they have renounced the inheritance or been disqualified, the right of succession passes to the subsequent relatives specified by law. The second class comprises the full and half-brothers and sisters of the deceased, as well as their paternal and maternal grandfathers and grandmothers (Civil Code, art. 1136). They also take the estate in mutually equal shares. Note that stepsiblings (i.e. persons with no common parent, connected merely by the marriage of their respective parents, lacking blood kinship) are not included in this category. If there are no second-class heirs, full uncles and aunts (both paternal and maternal) of the deceased are called in the third class, taking the estate in equal shares (Civil Code, art. 1137). The fourth class includes other relatives of the deceased up to and including the sixth degree of kinship (Civil Code, art. 1138). In the fourth class, a specific and crucial

rule applies: nearer relatives enjoy a preferential right over more distant relatives. That is, if a relative of the fifth degree exists, a relative of the sixth degree cannot inherit. Heirs of the fourth class belonging to the same degree of kinship who are called to inherit take in equal shares. Hypothetical example: Alisher died. He had no parents, wife, or children—meaning there are no first-class heirs. He has one brother and one grandmother. As second-class heirs, they divide all of Alisher's property equally between themselves. Had they not existed either, the estate would have passed to his uncles or aunts in the third class. This framework serves to honour kinship ties and ensures that property does not pass to strangers.

- Class 2: brothers, sisters, grandfathers, and grandmothers (Civil Code, art. 1136).
- Class 3: paternal and maternal uncles and aunts (Civil Code, art. 1137).
- Class 4: other relatives up to the 6th degree of kinship (Civil Code, art. 1138).

> **COMPARE**
> Distinguish: In the 1st, 2nd, and 3rd classes, all those called inherit equal shares irrespective of their degree of kinship. In the 4th class, however, relatives of a nearer degree exclude those of a more remote degree.

7.6 Incapacitated Dependants (Class 5)

Incapacitated dependants of the deceased are accorded special social protection under the law. Pursuant to Article 1141 of the Civil Code, incapacitated persons who were dependent on the deceased and resided together with them for at least one year prior to the death of the deceased belong to the category of intestate heirs. If heirs of other classes (for example, the first or second class) exist, these dependants inherit concurrently with the heirs of the priority class called to succeed. Furthermore, incapacitated persons who fall within the circle of intestate heirs of the second, third, or fourth classes, but who do not belong to the class currently being called, inherit concurrently with the class being called if they were dependent on the deceased for at least one year, regardless of whether they cohabited or not. Where other statutory heirs exist, all dependants called pursuant to this article jointly take no more than one-fourth (1/4) of the estate. If there are no heirs of any other priority class, incapacitated dependants inherit the entire estate as independent heirs of the fifth class (Civil Code, art. 1139). Hypothetical example: The deceased Vali had fully supported his incapacitated, unrelated neighbour G‘ani in his own home for two years. Vali is survived by one daughter (a first-class heir). G‘ani inherits concurrently with the daughter as an incapacitated dependant, but his share cannot exceed one-fourth (1/4) of the total estate. The remaining three-fourths (3/4) passes to the daughter. Had there been no daughter, G‘ani would have inherited the entire estate as a fifth-class heir. This rule was introduced to protect vulnerable strata of society and persons who relied on the deceased from sudden financial hardship.

- Incapacitated persons dependent for at least 1 year qualify as heirs (Civil Code, art. 1141).
- If other heirs exist, dependants receive at most 1/4 of the estate (Civil Code, art. 1141).
- In the absence of other heirs, they inherit as the 5th priority class (Civil Code, art. 1139).

> **EXAM FOCUS**

> Asked in examinations: What is the share of a dependant when inheriting concurrently with heirs of another class? Answer: All dependants jointly take an amount not exceeding one-fourth (1/4) of the estate.

7.7 Right to a Reserved Share

The reserved share is a vital legal institution that statutorily curtails testamentary freedom and secures guaranteed property for socially vulnerable family members. Pursuant to Article 1142 of the Civil Code, minor or incapacitated children of the deceased (including adopted children), as well as their incapacitated spouse and parents, inherit—regardless of the content of the will—at least half of the share that would have been due to each of them upon intestate succession (the reserved share). Note: the reserved share is not half of the entire estate, but half of the specific share that would have accrued to that individual under the law in the absence of a will. Everything that an heir entitled to a reserved share receives from the estate, including the value of ordinary household furnishings and utensils, as well as the value of any testamentary charge established in favour of that heir, is taken into account in calculating the reserved share. Any restrictions or conditions established in the will for an heir entitled to a reserved share of the estate are valid only in respect of that portion of the inheritance exceeding their reserved share. Hypothetical example: Qodir bequeathed all his property, valued at 120,000,000 UZS, to his closest friend. He is survived solely by one incapacitated pensioner mother (no other first-class heirs exist). In the absence of a will, the mother would have received the entire estate (120,000,000 UZS) under the rules of intestacy. Under the rules governing the reserved share, the mother is entitled, notwithstanding the will, to half of the share that would have been due to her, namely 60,000,000 UZS. The remaining 60,000,000 UZS passes to the friend. In this manner, the law ensures that an elderly mother is not left destitute.

- Minor or incapacitated children, parents, and spouses receive a reserved share (Civil Code, art. 1142).
- The reserved share constitutes at least half of the share due under intestacy (Civil Code, art. 1142).
- Testamentary restrictions are valid only in respect of the portion exceeding the reserved share.

> **COMMON PITFALL**
> Common error: Students often assume the reserved share is 'half of the entire estate'. In fact, it is 'half of the share that would have been due by operation of law'.

7.8 Succession Rights of the Spouse

The succession rights of a husband or wife exhibit specific characteristics, requiring the harmonisation of provisions of family law and civil law. Pursuant to Article 1143 of the Civil Code, the right of succession belonging to a spouse by will or by law in no way prejudices their other property rights arising from marriage with the deceased. Most importantly, under the Family Code, the surviving spouse's right of ownership in their personal share of marital community property acquired during the marriage does not form part of the estate. That is, upon the opening of succession, the joint property of the spouses is first divided in half: one half is set apart to the surviving spouse as their personal property, and the remaining half constitutes the deceased's probate estate. The surviving spouse then inherits from that probate estate as a first-class heir in equal shares alongside other heirs (children, parents). This rule secures an equitable approach to wealth accumulated jointly by the spouses over the course of years. Hypothetical

example: A husband and wife purchased a house worth 200,000,000 UZS out of their joint funds during marriage. The husband died suddenly. He is survived by his wife and one son. Initially, the notary sets apart half of the house—amounting to 100,000,000 UZS—to the wife as her personal property. The husband's remaining share of 100,000,000 UZS constitutes the estate. This estate is divided equally (50,000,000 UZS each) between the wife and the son as first-class heirs. Consequently, the wife holds a total share worth 150,000,000 UZS (100 million of her own share + 50 million by inheritance), while the son holds a share worth 50,000,000 UZS.

- The succession right of a spouse does not affect their right in joint property (Civil Code, art. 1143).
- Half of the property acquired jointly does not form part of the estate.
- The surviving spouse receives both their own property share and a share of the estate.

> **CASE LINK**
> Practical example: Under the Family Code, the property of spouses is joint common property. Therefore, upon the opening of succession, the notary first sets apart the surviving spouse's share from the common marital property, and only then distributes the remaining portion as an inheritance.

7.9 Succession by Right of Representation

Succession by right of representation is a legal mechanism providing that, where an intestate heir dies prior to the opening of succession (i.e. before the deceased), the share that would have been due to that heir devolves upon their descendants (Civil Code, art. 1140). This rule aims to secure justice by guaranteeing that the children of an heir who suffered an untimely death are not deprived of their inheritance. The share passing by representation is divided equally among descendants who stand in the same degree of kinship with the deceased heir. In the direct descending line—among children, grandchildren, great-grandchildren, and great-great-grandchildren—the right of representation operates without limitation as to the degree of kinship. In the collateral line, this right is enjoyed by nephews and nieces in representation of full brothers and sisters of the deceased, or by first cousins in representation of uncles and aunts. The right of representation must be distinguished from transmission of inheritance (Civil Code, art. 1140-1). In hereditary transmission, the heir dies after the opening of succession, but before having had time to accept it. Hypothetical example: A grandfather died. He had two sons, but his elder son had died in a car accident one year prior to the grandfather, leaving two daughters (the grandfather's granddaughters). Under the law, the estate is divided into two equal parts: half is taken by the surviving younger son, and the remaining half is divided equally between the two daughters (one-fourth of the estate each) in place of their deceased father by right of representation. Thus, the children of the deceased son preserve the share that would have accrued to their father. This legal institution is of great importance in preserving the continuity of family ties and protecting the property rights of subsequent generations.

- If an heir dies before the opening of the succession, their share passes to descendants (Civil Code, art. 1140).
- In the direct line, this right operates without limitation of degree (Civil Code, art. 1140).
- The devolved share is divided equally among the descendants.

> **COMPARE**

> Distinguish: The right of representation (Civil Code, art. 1140) applies when an heir predeceases the deceased. Hereditary transmission (Civil Code, art. 1140-1) applies when an heir survives the opening of succession, but dies before having accepted it.

7.10 Safeguarding and Trust Management of the Estate

Following the opening of the succession, preserving the property and preventing any diminution of its value until it is accepted by the heirs is of paramount importance. Under Article 1144 of the Civil Code, if part of the property is inherited under a will, an executor appointed by the deceased protects and manages the entire estate, including that part passing by operation of law. If there is no will, an estate manager is appointed by the notary at the place of opening of the succession upon the application of one or more intestate heirs. If intestate heirs are absent or unknown, the local executive authorities or the self-government body of citizens (mahalla) must apply to the notary requesting the appointment of an estate manager. An intestate heir who objects to the appointment of an estate manager or to the candidate selected for this duty is entitled to apply to court. In this process, judicial oversight ensures that the estate property is not dissipated and that conflicts of interest do not arise. The estate manager is entitled to recover necessary expenses incurred from the estate in performing their duties and, unless otherwise agreed, to receive remuneration. Where intestate heirs appear, the estate manager may be recalled at their request. Hypothetical example: The deceased left behind a large commercial retail shop. Until the heirs accept and formalise the estate (a process typically taking six months), they arrange for the appointment of an estate manager through a notary so that the shop's operations do not cease, staff do not go without wages, and assets are not lost. The manager reliably oversees the shop throughout the prescribed period, preserves the profits, and, when the time comes, delivers the business to the heirs along with a comprehensive accounting.

- An estate manager is appointed by a notary (Civil Code, art. 1144).
- If heirs are absent, the municipality or mahalla applies to the notary (Civil Code, art. 1144).
- The appointment of a manager may be challenged in court (Civil Code, art. 1144).

> **KEY INSIGHT**
> The safeguarding and trust management of the estate serves to prevent diminution in the value of the estate assets and to ensure the full protection of the heirs' property rights.

KEY TAKEAWAYS

1. Intestate succession arises in the absence of a will or where a will is declared invalid.
2. Heirs are called on the basis of 5 statutory priority classes strictly defined by law.
3. First-class heirs (children, spouse, parents) always inherit in equal shares.
4. Each subsequent priority class is called to succeed only in the absence of heirs of the preceding class.
5. Minor and incapacitated close relatives are entitled to a reserved share regardless of the terms of any will.
6. The succession right of a spouse does not affect their personal share in marital property acquired jointly during marriage.

7. Succession by right of representation protects the interests of descendants of an heir who predeceased the deceased.

Summary

Intestate succession is the legal mechanism for distributing the estate of a deceased person in the manner established by law where no will has been left. Under the Civil Code of the Republic of Uzbekistan, intestate heirs are classified into five priority classes. The first class comprises children, the spouse, and parents, who inherit in equal shares. The core rule of succession dictates that heirs of each subsequent class are called only in the absence of those of the preceding class or where the latter have renounced the inheritance. The legislation accords special protection to persons in need of social welfare. Specifically, incapacitated dependants who were supported by the deceased for at least one year may take up to a one-fourth share of the estate concurrently with other classes. In addition, the right to a reserved share is guaranteed to minor and incapacitated children, parents, and the surviving spouse, constituting at least half of the share that would have been due to them under intestacy. The succession right of a spouse does not affect their personal share in common marital property. If an heir predeceases the opening of succession, their share devolves upon their descendants by right of representation. To preserve estate assets, an estate manager may be appointed by a notary.

KEY PRINCIPLES

1. Principle of priority classes
2. Principle of equality of shares
3. Social protection via the reserved share
4. Paramountcy of the best interests of the child
5. Voluntary consent and renunciation of inheritance
6. Inviolability of spousal property rights

KEY TERMS

Intestate succession · Priority classes of heirs · Reserved share · Right of representation · Hereditary transmission · Incapacitated dependant · Estate manager · First-class heirs

EXAM CHECKLIST

- Can I explain the circumstances giving rise to intestate succession?
- Can I list the five priority classes of heirs in their statutory sequence?
- Can I calculate the exact amount of the reserved share?
- Do I know the distinction between the right of representation and hereditary transmission?
- Can I distinguish between common marital property and the probate estate?
- Can I explain the inheritance share of incapacitated dependants?
- Do I know the procedure and purpose of appointing an estate manager?

Cases (IRAC)

Case 1 · Spouse's Share in Inheritance and the Right of Representation

FACTS

Anvar died without leaving a will. He was survived by his wife Barno and his son Jasur. Anvar's daughter Dilnoza had died two years prior to her father's death, leaving behind a son named Sardor (Anvar's grandson). The estate amounts to 120,000,000 UZS (assumed to consist solely of Anvar's personal property and his share in the joint matrimonial property). A dispute arose among the heirs regarding the distribution of the property. Jasur claimed that his nephew Sardor is not an heir because he does not fall within the list of first-order heirs.

ISSUE

How is the circle of first-order heirs on intestacy determined, and how is the share of a deceased child of the deceased distributed under the right of representation?

RULE

Under Article 1135 of the Civil Code of the Republic of Uzbekistan, the children, spouse, and parents of the deceased inherit on intestacy as first-order heirs in equal shares. Under Civil Code, art. 1140, succession by right of representation provides that if an intestate heir dies before the opening of the succession, the share due to them passes to their descendants. Under Civil Code, art. 1143, the right of succession belonging to a spouse does not prejudice their right to their share in the common property acquired during marriage.

ANALYSIS

1) Determining the circle of heirs: Barno (wife) and Jasur (son) are first-order heirs under Civil Code, art. 1135. Because Dilnoza (daughter) died before the opening of the succession, her son Sardor becomes an heir in her stead under the right of representation pursuant to Civil Code, art. 1140. Jasur's objection is unfounded.
2) Sardor's right: Sardor has full right to receive the share that would have been due to his mother Dilnoza.
3) Distribution of shares: The estate amounts to 120,000,000 UZS. Under the law, first-order heirs inherit in equal shares. Therefore, the estate is divided into three equal parts. Barno receives 40,000,000 UZS, Jasur receives 40,000,000 UZS. Sardor receives the 40,000,000 UZS share due to his mother Dilnoza on the basis of the right of representation.

CONCLUSION

Barno, Jasur, and Sardor, as first-order intestate heirs, divide the estate of 120,000,000 UZS into three equal parts (40,000,000 UZS each). Sardor's inheritance is lawful and is based on the right of representation.

DISCUSSION QUESTIONS

1. Who are the first-order heirs on intestacy in this scenario?
2. Is Sardor entitled to receive a share of the estate?
3. In what amount is the estate distributed among the heirs?

Civil Code of the Republic of Uzbekistan, Part Two (29.08.1996) — https://lex.uz/docs/180552

Case 2 · Exercising the Right to a Reserved Share in the Presence of a Will

FACTS

Prior to his death, Botir executed a will leaving all his property (with a total value of 200,000,000 UZS) to his friend Davron. Following Botir's death, he was survived by his 16-year-old daughter Lola and his 65-year-old able-bodied brother Sanjar. Notwithstanding the existence of the will, Lola and Sanjar applied to a notary demanding their shares of the estate. Davron, relying on the fact that the will was executed in his name, objected to any inheritance being granted to them.

ISSUE

Where a will exists, is a minor child of the deceased entitled to receive a reserved share, and how are the rights of a subsequent-order heir on intestacy assessed?

RULE

Under Civil Code, art. 1142, minor or incapacitated children of the deceased inherit, regardless of the content of the will, at least half of the share that would have been due to each of them upon intestate succession (reserved share). Under Civil Code, arts. 1134 and 1136, each subsequent order is entitled to inherit only in the absence of heirs of the preceding order. Siblings are second-order heirs.

ANALYSIS

1) Lola's right: As Lola is 16 years old, being a minor child, she is entitled under Civil Code, art. 1142 to receive a reserved share regardless of the content of the will. Davron's objection with respect to Lola is unfounded.
2) Sanjar's right: Sanjar (brother) is a second-order heir. First, a first-order heir (Lola) exists. Second, as Sanjar is able-bodied, he is not entitled to a reserved share. Therefore, Sanjar does not inherit any share of the estate.
3) Calculation of the reserved share: Had there been no will, Lola, as the sole first-order heir, would have inherited the entire estate of 200,000,000 UZS in full. The reserved share constitutes at least half of the share due on intestacy. Thus, Lola is entitled to half of 200,000,000 UZS — 100,000,000 UZS. The remaining 100,000,000 UZS passes to Davron under the will.

CONCLUSION

Owing to her minority, Lola receives a reserved share from the estate in the amount of 100,000,000 UZS. As Sanjar is a second-order heir and is not entitled to a reserved share, he cannot claim a share of the estate. The testamentary heir Davron inherits the remaining 100,000,000 UZS.

DISCUSSION QUESTIONS

1. Is Lola entitled to inherit in the presence of a will?
2. Can Sanjar claim a share of the estate?
3. How is the amount of the reserved share calculated, and how is the estate distributed?

Civil Code of the Republic of Uzbekistan, Part Two (29.08.1996) — https://lex.uz/docs/180552

Case 3 · Inheritance by Incapacitated Dependants and Administration of the Estate

FACTS

Karim died without leaving a will. His estate amounted to 80,000,000 UZS. Karim had no first-order heirs. His two brothers, Hasan and Husan (second order), claimed the estate. However, for the last 3 years, Karim's 70-year-old incapacitated paternal aunt Nargiza (third order) lived with him and was wholly dependent on him. Hasan and Husan opposed granting any inheritance to Nargiza, stating that she is a third-order heir. Furthermore, a dispute arose as to who should manage Karim's shop until the estate is distributed.

ISSUE

Is an incapacitated person of a subsequent order who was dependent on the deceased entitled to inherit alongside heirs of the order called to inherit, and how is the administration of the estate carried out?

RULE

Under Civil Code, art. 1141, incapacitated persons who belong to the category of intestate heirs but do not fall within the order called to inherit shall inherit alongside the heirs of the order called to inherit if they were dependent on the deceased for at least one year prior to the death of the deceased. All such dependants together shall receive not more than one-fourth of the estate. Under Civil Code, art. 1144, an estate administrator is appointed by the notary at the place of opening of the succession upon application of one or more intestate heirs.

ANALYSIS

1) The dependant's right: Nargiza (paternal aunt) is a third-order heir. She is incapacitated (70 years old) and was dependent on Karim for 3 years. Under Civil Code, art. 1141, she is fully entitled to inherit alongside the second-order heirs (Hasan and Husan).
2) Calculation of the share: Under the law, dependants collectively receive at most 1/4 of the estate. The estate amounts to 80,000,000 UZS. Nargiza's share constitutes 20,000,000 UZS (1/4 share). The remaining 60,000,000 UZS is divided equally between Hasan and Husan (30,000,000 UZS each).
3) Estate administration: As a dispute has arisen regarding the management of the shop, the notary

> may appoint an estate administrator upon the application of one of the heirs. The administrator shall safeguard and manage the property until the estate is distributed.

> **CONCLUSION**
> Nargiza receives one-fourth of the estate (20,000,000 UZS) as an incapacitated dependant. Hasan and Husan divide the remaining portion equally (30,000,000 UZS each). An estate administrator must be appointed by the notary to manage the estate property.

DISCUSSION QUESTIONS

1. Is Nargiza entitled to inherit alongside second-order heirs despite being a third-order heir?
2. What will be Nargiza's share in the estate?
3. How is the issue of managing the estate property resolved prior to its distribution?

Civil Code of the Republic of Uzbekistan, Part Two (29.08.1996) — https://lex.uz/docs/180552

Quiz

MULTIPLE CHOICE

1. Rustam died. He was survived by his wife Malika, two children, and his full brother Sanjar. How is the estate distributed on intestacy?

- A. The brother and wife inherit in equal shares
- B. Only the wife receives the entire estate
- C. The wife and children inherit in equal shares
- D. Only the children divide the estate among themselves

> **CORRECT: C**
> Under Civil Code, art. 1135, the children, spouse, and parents of the deceased inherit on intestacy as first-order heirs in equal shares. In this situation, the deceased's wife and children are first-order heirs. Because the brother belongs to the second order, he cannot inherit in the presence of first-order heirs. Therefore, the wife and children divide the estate equally.

2. Aziza was adopted by Karim in her youth. After Karim died, Karim's father (Aziza's adoptive grandfather) also died. Is Aziza entitled to inherit on intestacy from her adoptive grandfather?

- A. Yes, she is equated to biological relatives
- B. No, adopted children only inherit from the adopter
- C. Yes, but she only receives half of the statutory share
- D. No, she cannot inherit unless there is a specific will

> **CORRECT: A**

> Under Civil Code, art. 1134, in intestate succession, an adopted child and their descendants, on the one hand, and the adopter and their relatives, on the other hand, are equated to biological relatives. Therefore, Aziza is fully entitled to inherit on intestacy from the father of Karim, who adopted her (i.e. her adoptive grandfather), just like blood relatives.

3. Nodir died unmarried and without children. His parents had also predeceased him. Nodir's full sister Lola and grandfather Olim are alive. How is the estate distributed?

- A. Only his sister Lola receives the entire estate
- B. Only his grandfather Olim claims the estate
- C. Lola and Olim receive the estate in equal shares
- D. The estate is confiscated in favour of the state

> **CORRECT: C**
> Under Civil Code, art. 1136, full brothers and sisters of the deceased, as well as their paternal and maternal grandfathers and grandmothers, inherit on intestacy as second-order heirs in equal shares. Since Nodir has no first-order heirs, the law expressly provides that the estate is divided equally between the representatives of the second order, namely the sister and the grandfather.

4. Botir had sons named Alisher and Davron. Alisher died in 2020, leaving behind a daughter, Sevara. Botir died in 2023. How is Botir's estate distributed?

- A. Davron receives the entire estate as the sole surviving son
- B. Sevara receives the entire estate
- C. Davron receives a 75 per cent share, Sevara receives a 25 per cent share
- D. Davron receives a 50 per cent share, Sevara receives a 50 per cent share

> **CORRECT: D**
> Under Civil Code, art. 1140, succession by right of representation provides that if an intestate heir dies before the opening of the succession, the share due to them passes to their descendants. Since Botir's son Alisher died before Botir, the 50 per cent share that would have belonged to Alisher passes to his daughter Sevara. The remaining 50 per cent is taken by the surviving son Davron.

5. Sobir has an incapacitated son named Murod. Sobir bequeathed all his property worth 100,000,000 UZS to his friend. Murod is the sole intestate heir. How much does Murod inherit?

- A. 50,000,000 UZS
- B. 100,000,000 UZS
- C. 25,000,000 UZS
- D. He inherits nothing; the will prevails

> **CORRECT: A**
> Under Civil Code, art. 1142, incapacitated children of the deceased inherit, regardless of the content of the will, at least half of the share that would have been due to them upon intestate succession (reserved

share). As the sole intestate heir, Murod would have received the full 100 million UZS. Because a will exists, he receives half of his statutory share, which is 50 million UZS.

6. Zafar died. He is survived by two healthy adult sons. In addition, Zafar had fully maintained his separately living incapacitated paternal aunt for 3 years prior to his death. Does the aunt inherit?

- A. No, she is a third-order heir
- B. Yes, she inherits in equal shares with the sons
- C. Yes, but the share of all dependants must not exceed 1/4 of the estate
- D. No, because she did not live together with the deceased

CORRECT: C

Under Civil Code, art. 1141, the incapacitated persons specified in Articles 1136–1138 inherit alongside heirs of the order called to inherit even if they did not reside with the deceased, provided they were dependent on him for at least one year before his death. However, where other intestate heirs exist, it is strictly stipulated that all such dependants collectively inherit at most one-fourth of the estate.

7. Hasan and Zuhra purchased a house jointly during marriage. Hasan died. Zuhra and their son Qodir are the intestate heirs. How is the house distributed?

- A. Zuhra receives 50 per cent, Qodir receives 50 per cent
- B. Qodir inherits the entire house
- C. Zuhra receives 75 per cent, only if there is a will
- D. Zuhra takes her 50 per cent share in the common property; the remaining 50 per cent is divided equally between Zuhra and Qodir

CORRECT: D

Under Civil Code, art. 1143, the right of succession belonging to a spouse does not prejudice their right to their share in property acquired jointly during marriage. Accordingly, Zuhra first separates her 50 per cent share in the common property. The remaining 50 per cent constitutes the estate left by Hasan, which is divided equally between the first-order heirs, Zuhra and Qodir.

8. When are third-order heirs called to inherit on intestacy?

- A. When heirs of the preceding orders do not exist, have been disqualified, or have renounced
- B. Always alongside the first and second orders
- C. Only if the deceased left a will
- D. By court order in exceptional cases

CORRECT: A

Under Civil Code, art. 1134, each subsequent order of intestate heirs acquires the right to inherit only where heirs of the preceding order do not exist at all, have been disqualified from inheritance, have failed to accept the inheritance, or have renounced it. This rule maintains a strict hierarchy among orders and means that the third order is called only in the absence of representatives of the first and second orders.

9. Who is included in the circle of fourth-order heirs on intestacy?

- A. Only cousins
- B. Dependants who resided with the deceased
- C. Other relatives up to and including the sixth degree of kinship
- D. Uncles and aunts

CORRECT: C

Under Civil Code, art. 1138, other relatives of the deceased up to and including the sixth degree of kinship have the right to inherit on intestacy as fourth-order heirs. In this regard, nearer relatives have a preferential right to inherit over more distant relatives. Uncles and aunts belong to the third order, whereas cohabiting dependants fall into the fifth order, as clearly stipulated by law.

10. If there are no intestate heirs or if they are unknown, who must apply to the notary requesting the appointment of an estate administrator?

- A. Prosecution authorities
- B. State tax inspection
- C. Neighbours or friends of the deceased
- D. Local executive authorities or self-governing bodies of citizens

CORRECT: D

Under Civil Code, art. 1144, if there are no intestate heirs or if they are unknown, local executive authorities or the self-governing body of citizens must apply to the notary requesting the appointment of an estate administrator. This measure is an important statutory provision aimed at protecting ownerless estate property and preventing it from being plundered.

11. An incapacitated person unrelated to the deceased resided with him for 2 years prior to his death and was wholly dependent on him. The deceased has a daughter. Does this dependant inherit?

- A. Yes, they inherit alongside the order called to inherit (the daughter)
- B. No, because there is no blood relationship between them
- C. Yes, but only if the daughter renounces the inheritance
- D. No, cohabitation for at least 5 years is required

CORRECT: A

Under Civil Code, art. 1141, incapacitated persons who were dependent on the deceased for at least one year prior to his death and resided with him fall within the circle of intestate heirs. Even though they are not relatives, they inherit alongside the heirs of the order called to inherit (in this case, the daughter in the first order). Their total share must not exceed one-fourth of the estate.

12. Rustam died. He has no children, wife, parents, siblings, or grandparents. He only has a full uncle Tohir and a paternal aunt Nigora. How is the estate distributed?

- A. Tohir and Nigora receive the estate in equal shares
- B. Tohir receives 75 per cent, Nigora receives 25 per cent
- C. The estate escheats to the state as ownerless property
- D. Only Tohir receives the entire estate as a male relative

CORRECT: A

Under Civil Code, art. 1137, full uncles and aunts of the deceased inherit on intestacy as third-order heirs in equal shares. Since Rustam has no first- or second-order heirs, his uncle and aunt, as representatives of the third order, are legally entitled to divide the entire estate property equally, namely fifty per cent each.

13. Vali was called to accept an inheritance left by his father, but died 2 months after the opening of the succession without having managed to accept it. To whom does Vali's right to accept the inheritance pass?

- A. The estate is transferred directly to state revenue
- B. The right reverts to his father's other heirs
- C. It passes to Vali's intestate heirs
- D. The right to accept the inheritance is simply extinguished

CORRECT: C

Under Civil Code, art. 1140-1, if an heir called to inherit on intestacy dies after the opening of the succession without having managed to accept it, the right to accept the share due to them passes to their intestate heirs. This situation is known in legal doctrine as transmission of inheritance and ensures that the rights of a deceased heir pass to their own heirs.

14. Anvar has a wife and an incapacitated minor son Bobur. Anvar bequeathed all his property worth 200,000,000 UZS to a charitable foundation. His wife is able-bodied. What is Bobur's reserved share?

- A. 200,000,000 UZS
- B. 100,000,000 UZS
- C. 50,000,000 UZS
- D. 25,000,000 UZS

CORRECT: C

Under Civil Code, art. 1142, the reserved share constitutes at least half of the share that would be due on intestacy. Anvar's intestate heirs are his wife and son, and under the law they would have taken 200

million equally (100 million each). Because Bobur is incapacitated, he receives half of his statutory share regardless of the will, which amounts to 50 million UZS as a reserved share.

OPEN QUESTIONS

15. On what principle are the orders of heirs determined in intestate succession, and how does the existence of heirs of a preceding order affect subsequent orders?

MODEL ANSWER

In intestate succession, heirs are called to inherit on the basis of five orders strictly established by legislation (Civil Code, arts. 1135–1139). The orders are structured according to proximity of kinship. The cardinal principle is that heirs of each subsequent order acquire the right to inherit only where heirs of the preceding order do not exist, have been disqualified from inheritance, have failed to accept the inheritance, or have renounced it (Civil Code, art. 1134).

For instance, if children or a spouse (first order) of the deceased exist, the deceased's siblings (second order) are not called to inherit. All heirs within the order called to inherit receive the estate in equal shares.

As an alternative approach, some foreign legal systems feature rules whereby all relatives may inherit concurrently in certain percentages. However, Uzbek law establishes a strict sequence of priority and the absolute precedence of the preceding order. This rule is designed to provide maximum protection for the interests of the closest family members (children, parents, spouses).

16. How does a surviving spouse's right of intestate succession relate to their share in the common property acquired during marriage?

MODEL ANSWER

The right of succession of a spouse and their share in the common matrimonial property are two distinct legal concepts independent of each other. Under Civil Code, art. 1143, the right of succession belonging to a spouse does not prejudice their right of ownership in respect of a certain part of the property acquired jointly during marriage.

In practice, this means that if spouses purchased a house worth 100,000,000 UZS during marriage and the husband dies, the wife's equal half in the common property, namely a portion worth 50,000,000 UZS, is first allocated under the Family Code. This portion does not form part of the estate, as it is already the wife's property. The remaining 50,000,000 UZS constitutes the estate of the deceased (the husband). As a first-order heir, the wife is also entitled to inherit from this 50,000,000 UZS estate in equal shares alongside other heirs (for example, children).

Under an alternative view, some might assume that once a wife takes her proprietary share, she should be excluded from the inheritance. However, the legislation rejects this and provides dual protection to the financial interests of the surviving spouse (both as a co-owner and as an intestate heir).

17. How are the preservation and administration of estate property carried out in intestate succession, and what is the legal significance of appointing an estate administrator?

> **MODEL ANSWER**
> During the period from the opening of the succession until the heirs accept the inheritance (ordinarily 6 months), measures for the protection and administration of the estate are taken to prevent loss, squandering, or plundering of the estate property and to ensure its effective use. Under Civil Code, art. 1144, upon intestate succession, an estate administrator is appointed by the notary at the place of opening of the succession upon application of one or more intestate heirs.
>
> If there are no intestate heirs or if they are unknown, local executive authorities or the self-governing body of citizens must apply to the notary. The legal significance of the estate administrator lies in preventing property (such as an operating enterprise, livestock, or leased premises) from remaining unattended, discharging essential payments (taxes, utilities), and collecting revenues.
>
> As an alternative approach, heirs themselves might practically manage the property without appointing an administrator. However, the appointment of a formal administrator provides legal certainty in relations with third parties (creditors, debtors), prevents disputes among heirs, and guarantees the integrity of the property. The administrator also has the right to receive remuneration from the estate for their services.

Glossary

> **INTESTATE SUCCESSION**
> The procedure whereby estate property passes to heirs based on statutory orders of priority in the absence of a will, or where a will has been revoked or declared invalid.

Example: Because Anvar died without leaving a will, his property was distributed under the rules of intestate succession.

Related: First-order heirs, Reserved share

> **FIRST-ORDER HEIRS**
> Children of the deceased, including adopted children, the spouse, and parents, who are entitled to inherit on intestacy in equal shares.

Example: Upon Vali's death, his house worth one hundred million UZS was divided into three equal parts between his wife and two children.

Related: Intestate succession, Second-order heirs

> **SECOND-ORDER HEIRS**

> Full and half-brothers and sisters of the deceased, as well as their paternal and maternal grandfathers and grandmothers.

Example: In the absence of children, a spouse, or parents of the deceased, the estate passed to his full brother and grandmother.

Related: First-order heirs, Third-order heirs

> **THIRD-ORDER HEIRS**
> Full uncles and aunts of the deceased, who inherit in equal shares in the absence of heirs of the preceding orders.

Example: The estate of an individual who had no close relatives was granted to his sole paternal aunt under the third order.

Related: Second-order heirs, Fourth-order heirs

> **FOURTH-ORDER HEIRS**
> Other relatives of the deceased up to and including the sixth degree of kinship, with nearer relatives having priority over more distant relatives.

Example: Since all close relatives had predeceased him, the estate passed to the deceased's distant nephew under the fourth order.

Related: Third-order heirs, Fifth-order heirs

> **FIFTH-ORDER HEIRS**
> Incapacitated dependants of the deceased who are called to inherit where they could not inherit alongside heirs of other orders.

Example: As the deceased had no relatives whatsoever, his disabled neighbour, whom he had supported for seven years, became the heir under the fifth order.

Related: Fourth-order heirs, Dependants of the deceased

> **SUCCESSION BY RIGHT OF REPRESENTATION**
> The rule whereby, if an intestate heir dies before the opening of the succession, the share due to them passes to their descendants and is divided equally among them.

Example: If an eldest son dies before the father, the son's share passes to his children on the basis of the right of representation.

Related: Intestate succession, Transmission of inheritance

TRANSMISSION OF INHERITANCE
The transfer of the right to accept an inheritance to an heir's own heirs where that heir dies after the opening of the succession without having managed to accept it.

Example: One month after the succession opened, the heir died; the right to accept this share now passes to his children via transmission of inheritance.

Related: Succession by right of representation, Reserved share

RESERVED SHARE
A guaranteed portion of the estate granted to minor or incapacitated children, parents, and the spouse of the deceased, amounting to at least half of the share that would have been due to them on intestacy, regardless of the content of the will.

Example: Although the deceased bequeathed all his property to a friend, his minor daughter received half of her statutory share on the basis of the reserved share.

Related: Will, Intestate succession

DEPENDANTS OF THE DECEASED
Incapacitated persons who were dependent on the deceased for at least one year prior to their death and resided with them, who inherit alongside the heirs of the order called to inherit.

Example: An incapacitated nephew who had lived as a dependant of the deceased for two years received a statutory share alongside the first-order heirs.

Related: Fifth-order heirs, Reserved share

JOINT MATRIMONIAL PROPERTY
Property acquired by spouses during marriage; upon the opening of the succession, the surviving spouse's share in this property does not form part of the estate and is separated out.

Example: Half of the house acquired during marriage was separated as the wife's share in the common property, and only the remaining half was distributed as the estate.

Related: First-order heirs, Intestate succession

ESTATE ADMINISTRATOR
A person appointed by the notary at the place of opening of the succession upon application of intestate heirs to safeguard and manage the estate.

Example: Because the heirs were abroad, the notary appointed an estate administrator to manage the inherited enterprise.

Related: Intestate succession, Executor of the will

Timeline

Development of the Institution of Intestate Succession in the Republic of Uzbekistan

1996 · ADOPTION OF THE CIVIL CODE

The Civil Code of the Republic of Uzbekistan was adopted, enshrining in its Division V the law of succession, including the five priority classes of intestate heirs and basic succession rules.

Significance: The primary legislative framework for contemporary succession law was established.

1998 · ADOPTION OF THE FAMILY CODE

The Family Code of the Republic of Uzbekistan was adopted, clarifying the concepts of common marital property and separate personal property of spouses, which proved essential in determining the composition of estates.

Significance: The property rights of family members and their shares in succession were defined.

2004 · AMENDMENT REGARDING SPOUSAL RIGHTS

Pursuant to Law No. 671-II of 27 August 2004, the second part of Article 1143 of the Civil Code was repealed, thereby further clarifying the succession rights of spouses.

Significance: The rights of spouses regarding succession and joint marital property were refined.

2010 · INTRODUCTION OF THE INSTITUTION OF HEREDITARY TRANSMISSION

By Law No. ZRU-255 of 14 September 2010, Article 1140-1 was inserted into the Civil Code, establishing the rule governing the transfer of the right to accept an inheritance (hereditary transmission).

Significance: A legal solution was provided for cases where an heir dies before having had the opportunity to accept the estate.

2025 · UPDATE TO ESTATE MANAGEMENT PROCEDURES

In the wording of Law No. ZRU-1109 of 30 December 2025, an amendment was introduced to part four of Article 1144 of the Civil Code, improving the procedure for appointing an estate manager.

Significance: The participation of state authorities in safeguarding ownerless estates was clarified.

Mind map

Intestate succession

- Fundamental rules: General principles of intestate succession.
- — Order of priority: Heirs are called only when their respective order is reached.
- — Equality of shares: Heirs within the same order divide the estate equally.

- — Adopted children: Equated to blood relatives under the law.
- — — Equality in adoptive family: Inherit alongside adopters just like biological children.
- — — Severance from biological family: Do not inherit on intestacy from biological parents.
- Orders of succession: Five orders established in the Civil Code.
- — First order: Children, spouse, and parents (Civil Code, art. 1135).
- — — Children and spouse: Principal heirs called first.
- — — Nascent children: A child conceived before and born after death also belongs to the first order.
- — Second order: Brothers, sisters, grandfathers, and grandmothers (Civil Code, art. 1136).
- — Third order: Uncles and aunts (Civil Code, art. 1137).
- — Fourth order: Other relatives up to the sixth degree of kinship.
- — Fifth order: Incapacitated dependants (Civil Code, art. 1139).
- Special rights: Specific instances of transmission of inheritance.
- — Right of representation: Passing of a predeceased heir's share to their descendants (Civil Code, art. 1140).
- — — Equality among descendants: The transmitted share is divided equally among descendants.
- — — Unlimited degree: The degree of kinship in the direct descending line is not limited.
- — Transmission of inheritance: Death prior to acceptance of inheritance (Civil Code, art. 1140-1).
- Social protection: Protection of vulnerable parties in inheritance.
- — Reserved share: Share granted regardless of the will (Civil Code, art. 1142).
- — — Eligible persons: Minor children, disabled parents, and disabled spouse.
- — — At least half: At least half of the share that would be due on intestacy.
- — Rights of dependants: Persons dependent on the deceased (Civil Code, art. 1141).
- — — At least one year: Must have been dependent for at least one year prior to death.
- — — One-fourth share: Inherit at most a quarter share when inheriting with others.
- Property and administration: Preservation of estate and spousal rights.
- — Spousal rights: Allocating their share from joint matrimonial property (Civil Code, art. 1143).
- — Preservation of estate: Measures to protect the estate from loss (Civil Code, art. 1144).
- — — Involvement of notary: An estate administrator is appointed by the notary.
- — — Reimbursement of expenses: Expenses of the administrator are covered out of the estate.

Walkthrough and diagram

Process of Estate Distribution and Administration on Intestacy

RELATIONSHIPS IN THIS DIAGRAM

- Opening of succession ’Application ’Notary
- Notary ’Determining joint property ’Separation of spousal share

- Separation of spousal share 'Dividing remainder of property 'Identifying 1st-order heirs
- Identifying 1st-order heirs 'If heirs exist 'Equal distribution of estate
- Identifying 1st-order heirs 'If no heirs exist 'Transition to subsequent orders
- Transition to subsequent orders 'According to order 'Equal distribution of estate
- Notary 'Verifying vulnerable category 'Rule of reserved share
- Rule of reserved share 'Guaranteed share 'Equal distribution of estate
- Notary 'If property is left unattended 'Fiduciary estate administration
- Fiduciary estate administration 'Preserving and handing over 'Equal distribution of estate

Sources

SOURCES CITED IN THIS TOPIC

Civil Code of the Republic of Uzbekistan, Part Two (29/08/1996) — https://lex.uz/docs/180552

Family Code of the Republic of Uzbekistan (30/04/1998) — https://lex.uz/docs/104720

RECOMMENDED READING (SYLLABUS)

- Yuldashev J.I. Vorislik va oila huquqi. Darslik / yuridik fanlar doktori, professor, O'zbekistonda xizmat ko'rsatgan yurist O. Okyulovning umumiy tahriri ostida. – T.: TDYUU nashriyoti, 2024. – 295 b. (Asosiy)
- Vorislik huquqi: nazariya va amaliyot. O'quv qo'llanma. U. Maxmudxodjayeva, M. Usmonova. Toshkent, 2025. 148 b.
- Fuqarolik huquqi. 2-qism. Darslik. Mualliflar jamoasi. Toshkent, 2017. 428 b.
- Załucki, Mariusz. "Impact of the EU Succession Regulation on Statutory Inheritance." Comparative Law Review 23 (February 7, 2018): 223. http://dx.doi.org/10.12775/clr.2017.010. (Qo'shimcha)
- Avsec, Franci. "Legal Framework of Agricultural Land/Holding Succession and Acquisition in Slovenia." Journal of Agricultural and Environmental Law 16, no. 30 (April 30, 2021): 24–39. http://dx.doi.org/10.21029/jael.2021.30.24. (Qo'shimcha)
- Szeroczyńska, Małgorzata. "People with intellectual disabilities as heirs. Part 2." Special School LXXXI, no. 3 (June 30, 2020): 224–35. http://dx.doi.org/10.5604/01.3001.0014.2361. (Qo'shimcha)

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