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Sommario/riassunto The paper aims to study the relationship between the contractual

instrument and the law of succession, so as to be able to identify the categories in which the general figure of the contract for inheritance purposes currently appears to be declined. It initially starts from the analysis of the 'prohibitions' of succession agreements pursuant to art. 458 of the Italian Civil Code, to then move the examination to the categories of 'alternative instruments to the will' and of the exceptionally permitted 'shops mortis causa' (other than the will) (i.e. the first two forms in which the broad genus of the contract is currently expressed successfully finalized). The institution of the 'family pact' (articles 768-bis and following of the Italian Civil Code) is discussed below, a figure attributable to the phenomenon of 'anticipated succession' (constituting the 'third configuration' of the category of contracts for inheritance purposes). Having clarified the disciplinary profiles as well as the systematic framework of the institute, the analysis then focuses on the relationship between the aforementioned contract and the scope of the 'necessary succession'. The concluding part of the paper contains the prospect of a plurality of application models of the category of anticipated succession; additional and distinct innovative models with respect to the current formulation of Articles 768-bis ff. cc. which therefore allow the interpreter to glimpse.

from a de iure condendo perspective, the possible lines of development both of the contractualisation for succession purposes and of the necessary succession.