



Estonia

## Registering and searching for wills

→ What are the forms of will in Estonia?

\* the **notarial will**, which groups:

- the **authentic will**, drawn up by a civil law notary.
- the **will deposited with notary** in a sealed envelope.

\* the **domestic will**, which groups:

- the **will signed in presence of witnesses** (may be written by another person) which is signed by the testator in the presence of two witnesses.
- the **holographic will**, written on testator's own handwriting, dated and signed by the testator.

→ Does a register of wills exist in Estonia?

**Yes.** The registration and search of wills is carried out electronically from the Succession Registry, which is administrated by the Chamber of Notaries.

**N.B.**

These questions and answers constitute a general source of information, up to date as of March 2, 2015. In the event of a particular difficulty, consult a notary. Pratical sheet realized by ENRWA with the participation of the European Commission and of the Notaries of Europe.





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## I. The registration of a will

### → Why register a will?

All wills are not necessarily registered. It is mandatory to register notarial wills and domestic wills may be registered by the testator or by the person holding the domestic will if they wish. In order to ensure that the last wishes of testator will be found and respected after death, it is advisable to record also the domestic will in the register.

### → Who can carry out the registration?

Notaries are obliged to register all wills authenticated or deposited with them. Domestic wills may be registered electronically with an ID card by the testator or by the person holding the domestic will in the registry or they can ask the Succession Registry to register a domestic will.

**It is not the content of the will which is registered in the register but the information which enables to find the will.**

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### → Who keeps the will?

Authentic wills and wills deposited with notary by the testator are kept by notary. Domestic wills are kept by the testator or by a person who the testator entrusts.

### → Can the testator's family members consult the register while he is still alive?

No, the existence of a will and its content shall remain a secret during the entire life of the testator.

### → How much does it cost to register a will?

Notary fee for the costs for authentication and registration authenticated will is **32, 55€** and for the joint will of spouses **41, 50€**. Notary fee for the costs for deposition and registration of deposited will with notary in a sealed envelope is **32, 55€**. The cost for the registration of a domestic will by the Succession Register is **5€**. The registration of a domestic will by a testator or by a person entrusted to hold the will electronically is free of charge.

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## II. The search for the wills

### → Who may query the register of wills?

Upon the death of the testator, the data in the Succession Register are public and anyone can obtain information electronically with an ID card. The knowledge of the personal identification code of the deceased is necessary.

It is possible to inspect the data entered in a register through notary. When the succession proceedings are initiated, the notary conducting the procedure is bound to establish whether there is data on the wills of the deceased in the Succession Register.

### → Is it necessary to provide a death certificate?

There is no need to submit a death certificate if the death of a deceased is registered in the register of Population. If the death of the deceased is not registered in the Population Registry, then it is possible to inquire information from the Succession registry only through notary, to whom the death certificate must be presented. This measure enables to ensure that the existence of the will remains secret throughout the testator's life.

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### → How much does a search cost?

Electronically made searches from the Succession Registry with an ID card or searches by a notary within the succession procedures are free of charge.

The notary fee for enabling the inspection of data entered in the Succession register, or the inspection of documents preserved in the succession register is **3, 20 €** per one inquiry or inspection of a document.

Notary fee for certification and issue of printout of data from the succession register is **3, 20 €**, regardless of the number of pages.

Notary fee for certification and issue of printout of a document preserved in the succession register is **6, 35 €**, regardless of the number of pages.

Notary fee for digital certification and issue of printout of data from the succession register is **4.80 €** regardless of the data volume.

Notary fee for digital certification and issue of printout of data from the succession register is **4, 80 €**, regardless of the data volume.

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