



France

## Registering and searching for wills

→ What are the forms of will in France?

- \* the **authentic will**, drawn up by a civil law notary in the presence of two witnesses or by two civil law notaries.
- \* the **holographic will**, written, dated and signed by the testator himself.
- \* the **sealed will**, placed in a sealed envelope and handed over to a civil law notary.

In addition, there is the **international will**, signed before two witnesses and a civil law notary. In practice, this form is seldom used.

→ Does a register of wills exist in France?

**Yes**, there is a register, the Central Register of Testamentary Dispositions (FCDDV), administered by the Notariat. The registration and search of wills is performed electronically in this register.

The French register of wills is interconnected with its European counterparts.

**N.B.**

These questions and answers constitute a general source of information, up to date as of May 1, 2012. In the event of a particular difficulty, consult a civil law notary. Practical sheet realized by ENRWA with the participation of the European Commission and of the Notaries of Europe.





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## I. Registration of the will

### → Why register a will?

It is not mandatory to record wills in a register. However, **a will which is not found is deemed to be a non-existent will.** This is why **it is recommended that the will is recorded in the register.** In this way, the testator can be sure that his last wishes will be found and therefore respected following his death.

### → Who can carry out the registration?

The civil law notary carries out the registration of wills and ensures its preservation so it can be found in time. In effect, although it is possible to draw up a will oneself, the assistance of a civil law notary is particularly valuable since he is a specialist in the matter. His advice shall thus enable to draw up a clear and precise will which respects the law.

**It is not the content of the will which is recorded but its existence, which enables it to be found.**

### → Who keeps the will?

The civil law notary keeps the authentic deeds containing the last wishes and the holographic wills confided to him by the testator.

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→ 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?

The registration of a will costs **8.95 € excluding taxes**.

## II. Searching for wills

→ Who may query the register of wills?

Upon the death of the testator, his family may query the register of wills either directly or through a law professional (civil law notary, judge, lawyer). **This query is carried out systematically by the civil law notary (under pain of the liability of the law professional being engaged)** as it ensures that the last wishes of the testator are respected.

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→ Is it necessary to provide a death certificate?

Yes, the deceased's family must provide a death certificate in order to be able to perform a search.

→ How much does a search cost?

A search in the French register costs **12.54€ excluding taxes** for individuals.

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