



Netherlands

## Finding a will in the Netherlands

~ Legal professionals, some questions/answers to assist you ~

→ When the existence of a will has been established, who has to be contacted to obtain information about its content?

Information on the content of the will is sent by the notary responsible for settling the succession. This can be either the notary holding the will or a different notary, whose contact details can be provided by the notary holding the will. The latter can be located by making a search of the Dutch Register of Wills, in particular via the European Network of Registers of Wills (ENRW).

→ Who is entitled to receive the information?

The notary may disclose the information contained in the will. The notary may communicate the information:

- to the heirs;

### **Important**

These questions and answers constitute a source of general information, up to date as of 15 October 2014. If you have a specific problem, please contact a notary. This practical guide was prepared by ARERT in collaboration with the European Commission and the Notaries of Europe.



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- to the public authorities, in particular the tax authorities;
- to the public authorities and the legal professionals entrusted with settling the succession, provided that they can prove that they are acting on behalf of and with the consent of a person having a legitimate interest. Moreover, the persons who are eligible to receive a copy of the will may communicate it to the latter in case of need;
- and, more generally, to any person having a legitimate interest within the meaning of article 49 of the law on notaries. Pursuant to this article, a notary may only deliver copies of the wills that they hold to the parties whose rights derive from these instruments, that is to say those who are granted entitlements or denied entitlements under the will. The notary may only communicate the excerpt of the will concerning them.

→ Is there a particular procedure to be followed? If so, which one?

For the information contained in the will, or a copy of the will itself, to be communicated, the will must have been opened in accordance with Dutch law.

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→ By what means can the information be sent?

The information contained in the will and/or a copy of the will itself are sent by post or electronically.

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