



Romania

Registering and searching for wills

→ What are the principal forms of will in Romania?

- * the **authentic will**, drawn up by a civil law notary.
- * the **holographic will**, written, dated and signed by the testator himself.

→ Does a register of wills exist in Romania?

Yes, there is a register of wills, administered by the Romanian Notariat. The register is computerized and it is expected that by the beginning of 2013, it will be possible to perform all formalities through an Internet portal. The portal is now in beta tests, and any notary office has the possibility to access and work with the portal, but without this to have at this moment any legal recognition (just testing the platform). The access to the portal is granted only to notaries owning digital signature tokens.

N.B.

These questions and answers constitute a general source of information, up to date as of 1st May 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.





Romania

I. The registration of a will

→ Why register a will?

Only authentic wills are recorded in the register. However, **a will which is not found is deemed to be a non-existent will.** This is why **the recording of the will in the register is recommended, and this can be accomplished** by opting to record your last wishes in an authentic will. Registration of an authentic will in the register is mandatory in accordance with legal provisions. The testator shall therefore be sure that his will shall be found and thus respected after his death.

→ Who can carry out the registration?

The civil law notary carries out the registration of authentic wills. **It is not the content of the will which is registered in the register but the information which enables the will to be found.**

→ Who keeps the will?

The civil law notary is in charge of keeping the authentic and holographic wills confided to him by the testator.

N.B.

These questions and answers constitute a general source of information, up to date as of 1st May 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.





Romania

→ 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. Only the testator himself may query the register of wills, and not any other member of his family.

→ How much does it cost to register a will?

Registration of a will in the register cost about 5 €.

II. The search for the wills

→ Who may query the register of wills?

Upon the death of the testator, only after the provision of a death certificate, the civil law notary in charge of the succession proceedings must query the register of wills. **This query is obligatory as it ensures** that the last wishes of the testator are respected. The heirs must also disclose the wills of which they are aware.

N.B.

These questions and answers constitute a general source of information, up to date as of 1st May 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.





Romania

→ Is it necessary to provide a death certificate?

Yes, the testator's family must provide a death certificate in order to be able to carry out a search. This measure enables to ensure that the existence of the will remains secret throughout the testator's life.

→ How much does a search cost?

A search in the Romanian register costs about **5€**.

N.B.

These questions and answers constitute a general source of information, up to date as of 1st May 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.

