



Belgium

Registering and searching for wills

→ What are the forms of will in Belgium?

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

→ Does a register of wills exist in Belgium?

Yes, there is a central register of wills (CRT) administered by the Royal Federation of Belgian Notariat (FRNB). The register is kept electronically.

The CRT and its European counterparts are interconnected, which means that a search in the register of another State may be performed electronically by a Belgian civil law notary.

N.B.

These questions and answers constitute a general source of information, up to date as of September 1, 2016. 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. The registration of a will

→ Why register a will?

All wills are not necessarily registered (for example, a holographic will may be kept at home). However, **a will which is not found is deemed to be a non-existent will.**

This is why **the recording of each will in the register is recommended.** 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. 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 inheritance matters. His advice shall thus enable to draw up a will which respects the law and which therefore does not run the risk of being declared null and void.

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

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→ Who keeps the will?

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

→ How much does it cost to register a will?

The recording of a will in the CRT costs **15.00 € (+ VAT)**.

II. Searching for wills

→ Who can query the register of wills, and when?

The existence of the will and of its content remains secret during the entire life of the testator.

Upon the death of the testator, any interested party may query the register of wills themselves or through a law professional (civil law notary, judge, lawyer). **This query is indispensable in order to ensure** that the last wishes of the testator are respected.

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→ Is it necessary to provide a death certificate?

Anyone wanting to make a search must present a death certificate or another document proving the death of the testator (search of the National Register). This measure enables to ensure that the existence of the will remains secret throughout the testator's life.

→ How much does a search cost?

Searches are free of charge.

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