



Croatia

Registering and searching for wills

→ What are the principal forms of will in Croatia?

* the **public will**, drawn up by a civil law notary, by a municipal court or by a consulate body. It groups:

- the **authentic will**, drawn up by a public official.
- the **international will**, signed before two witnesses and a public official.

* the **private will** which groups:

- the **allographic (or “before witnesses”) will**, signed by the testator and by two witnesses.
- the **holographic will**, written, dated and signed by the testator himself.

→ Does a register of wills exist?

Yes, there is a register of wills in Croatia, administered by the Chamber of Notaries. The registration and search of wills is carried out electronically through the Chamber of Notaries.

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. Pratical sheet realized by ENRWA with the participation of the European Commission and of the Notaries of Europe.





I. The registration of a will

→ Why register a will?

It is not obligatory to register a will. However, if a will is recorded in the register, the testator can be sure that his last wishes will be found and therefore respected following his death.

→ Who can carry out the registration?

Anyone can record his will in the register. It is in effect possible to draft a will oneself. However, 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 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.

→ Who keeps the will?

The civil law notary may keep the public and private wills handed over to him by the testator, as well as a lawyer, or a court.

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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. Only the testator and those to whom he has given a special power of attorney may consult the register.

→ How much does it cost to register a will?

Registration costs amount to around 15 €.

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II. The search for the wills

→ Who may query the register of wills?

Upon the death of the testator, the register may be queried by the civil law notaries, and through the Chamber of Notaries by lawyers, courts and consular bodies. **This query is mandatory**, as it ensures that the last wishes of the testator are respected.

→ Is it necessary to provide a death certificate?

It's not necessary to provide a death certificate to perform a search in the register because upon the death of the testator the court receives a death certificate, so that the inheritance proceeding is instituted and the court transfers the inheritance file to notary public who - as courts commissioner - conduct inheritance proceeding and issue decision.

→ How much does a search cost?

The cost of a search amounts to **3 €**.

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