



Luxembourg

## Registering and searching for wills

→ What are the forms of will in Luxembourg?

- \* the **authentic will**, drawn up by a civil law notary.
- \* 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.

→ Does a register of wills exist in Luxembourg?

**Yes**, there is a register of wills. It is run by the “administration de l’enregistrement et des domaines”.

Only the metadata of wills are held on this register, that is to say the information which eventually allow to find a specific will. These metadata are : the testator’s name, surname, date and place of birth, identification number, profession, address or domicile, nature and date of document to be registered, as well as the address of the notary who has received the will or is holding it, or, as the case may be, the address of another person or institution keeping the will.

**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.





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## I. The registration of a will

→ Why register a will?

**A will which is not found is deemed to be a non-existent will.** It is mandatory to register wills which are deposited with a civil law notary. However, it is not mandatory to record holographic wills in the register, except if they are deposited with a civil law notary.

This is why **entering a will in the above mentioned register is recommended.** By doing so, the testator can be sure that his last wishes will be found and respected after his death.

In addition, although it is possible to draft a holographic or sealed will oneself, the assistance of a law professional and in particular a civil law notary is particularly valuable since he is a specialist in the matter. His advice enables the testator to draw up a will which respects the law and which therefore does not run the risk of being declared null and void.

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### → Who can carry out the registration?

The testator may most notably deposit his will with a civil law notary, a lawyer or a financial institution. A civil law notary who has a will in his possession must enter **the above mentioned information** it in the register.

### → Who keeps the will?

Wills are kept in the place where they have been deposited. If the testator has entered his holographic will in the register himself, he shall keep his will in the place of his choice (at home, in a safe etc.).

### → Can the testator's family members consult the register while he is still alive?

No, the existence of a will and its content remain secret during the entire life of the testator.

### → How much does it cost to register a will?

The cost of registration of a will amounts to **9.92 €**.

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## II. Searching for wills

### → Who may query the register of wills?

Upon the death of the testator, on production of a death certificate, the deceased's family may query the register of wills themselves or through a law professional (civil law notary, lawyer).

### → 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 ensures that the existence as well as the content of the will remain secret throughout the testator's life.

### → How much does a search cost?

The cost of a search amounts to 9.92 Euros.

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