



Slovakia

Registering and searching for wills

→ What are the principal forms of will in Slovakia?

- * the **authentic will**, drawn up by a civil law notary.
- * the **holographic will**, written, dated and signed by the testator himself.
- * the **allographic (or “before witnesses”) will**, drafted by a third party and signed by the testator and two witnesses.

→ Does a register of wills exist in Slovakia?

Yes, there is a register, administered by the Slovakian Notariat. The registration and search of wills is carried out electronically.

N.B.

These questions and answers constitute a general source of information, up to date as of 1 September 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?

It is not mandatory to record a will in the register, unless it is an authentic will. However, **a will which is not found is deemed to be a non-existent will.**

This is why **it is recommended to record all wills in the register**, by filing holographic or allographic wills with a notary. 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 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.

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→ Who keeps the will?

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

→ 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.

→ How much does it cost to register a will?

The registration of a will costs about **3 €**.

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II. The search for the wills

→ Who may query the register of wills?

Upon the death of the testator, a civil law notary shall be appointed by the court as “judicial commissioner” in order to carry out succession proceedings. This “judicial commissioner” shall be the only one who may query the register of wills. **This query is obligatory as it ensures** that the last wishes of the testator are respected.

→ Is it necessary to provide a death certificate?

Yes, the deceased’s family must provide a death certificate. 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 Slovakian register costs about **3 €**.

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