



Hungary

Registering and searching for wills

→ What are the principal forms of will in Hungary?

- * 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, signed by the testator in the presence of two witnesses.
- * the **will deposited with a civil law notary**, placed in a sealed or unsealed envelope.
- * **the inheritance contract**, concluded by the testator who undertakes to name the party concluding the contract with him as heir in consideration of maintenance or a life annuity.
- * the **donation due to death** is a type of special donation with ownership rights being transferred upon the death of the donor.
- * **the oral will** made under extraordinary circumstances which threaten the life of the testator who is unable to make a written will. Based on the nature of the oral will this type of will is not included in the register of wills administered by the Hungarian Chamber of Civil Law Notaries.

N.B.

These questions and answers constitute a general source of information, up to date as of November 18, 2024. 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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→ Does a register of wills exist in Hungary?

Yes, there are two: a register administered by the lawyers and a register administered by the civil law notaries. All data included in the electronic register of the lawyers are transferred through a closed IT system to the register administered by the notaries. All wills are registered and searched electronically.

I. The registration of a will

→ Why register a will?

It is not mandatory to record wills in a register, except for wills which are drawn up by or deposited with a civil law notary. However, a will which is not found is deemed to be a non-existent will.

This is why it is recommended that wills are recorded in the register. In this way, the testator can be sure that his last wishes will be found and therefore respected following his death.

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→ Who can carry out the registration?

Citizens may request two types of legal professionals to record their will in the register: civil law notaries and lawyers.

The registration procedure performed electronically and the data from the register of the lawyers is transferred to the register of notaries by electronic means. There are no printed forms.

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?

Wills are kept by the professional with whom the wills were drawn up, or with whom they have been deposited. After termination of service of the notaries the wills are kept by the Archives of the Hungarian Chamber of Civil Law Notaries. The wills deposited with and registered by the lawyers are kept by the Hungarian Chamber of Lawyers.

→ 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?

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If the document was drawn up by the Hungarian notary the registration is 10.000,- HUF. Registration into the register of wills of the lawyers is also 10.000,- HUF. The transfer of the data contained in the register of lawyers to the register of notaries is free of charge.

II. Searching for wills

→ Who may query the register of wills?

The register may only be queried :

- a) by the notary who drew up the will, or with whom the will was deposited, or who conducts the succession proceedings,
- b) any notary upon the request of the testator, with regard to the data concerning the testator,
- c) by the national chamber
 - ca) to fulfil the request made by the domestic court or investigating authority in order to perform its statutory duties; and
 - cb) to fulfil the request made by the foreign court, notary, other authority, executor of will or estate administrator in order to conduct a succession procedure.

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→ Is it necessary to provide a death certificate?

No. As soon as the estate inventory is received, the Hungarian notary is obliged to query the register. In case of requests coming from abroad, the date of death and the fact of the ongoing procedure before the requesting authority (eg. court, notary or other authority) shall be indicated (eg. name of requesting court, address, case number).

→ How much does a search cost?

The search in the register is free of charge.

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