



Germany

Registration of Will and will search in Germany

→ What are the most important dispositions of property upon death in German law?

- * the **notarial will** which was drawn up by a civil law notary and the **contract of inheritance**.
- * the **testator's handwritten, dated and signed will**.

→ Is there a Register of Wills in Germany?

Yes, there is a Central Register of Wills for Germany, run by the Federal Chamber of Notaries in Berlin (“Bundesnotarkammer”). This is an electronic and automated register containing information on documents relevant to succession held by a deceased person. Entries and queries are made electronically by German notaries, chambers of notaries and courts.

I. Registering a will

→ Which wills are recorded?

Entries include inheritance contracts, notarial testaments and other documents of a kind likely to influence inheritance such as, for instance, agreements of waiver of right of inheritance and certain marriage contracts and choice of law clauses. Holographic wills may be registered only if placed in a special secure place in the court.

Important

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→ What data are stored?

Only data for safekeeping purposes are stored, not the contents of the wills. The Register of Wills therefore records only where the testator is located and where his or her inheritance documents are kept.

→ Why register a will?

The registration of notarial or officially kept documents of a kind likely to influence inheritance is obligatory.

→ Who can carry out the registration?

Registration is performed only by the German civil law notary having drawn up the will or, as the case may be, by the court at which the will was deposited for safekeeping. Privately kept wills on the other hand cannot be recorded at all; this also applies to wills kept abroad.

→ Where is the will kept?

Wills are kept in a special secure place at the competent court. Inheritance contracts may be kept either by the civil law notary who authenticated the contract or by the competent court. All other documents concerning inheritance are kept exclusively by the civil law notary.

→ Do the testator's relatives have the right of perusal of the register while he/she is still alive?

No, the existence of the registered documents remains a secret during the testator's lifetime without the testator's consent.

► How much does it cost to register the will?

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Recording an inheritance document costs **12,50 Euros** if the fee is charged by a civil law notary or by the court, or **15,50 Euros** if the Registry must charge the costs directly to the testator.

II. Will search

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

German notaries, chambers of notaries and courts are authorised to inspect the register of wills.

The registry authority also provides European notaries and courts with information from the Central Register of Wills upon request in accordance with Section 78f (1a) of the Federal Notary Regulations (BNotO) and Article 66 (5) of EU [Regulation No. 650/2012 of 4 July 2012](#) (EuErbVO).

→ Is it compulsory to provide a death certificate?

All deaths reported to a German registry office are recorded in the register of wills. The register is checked automatically to see whether a suitable registration already exists. If so, the register of wills notifies the custodian of the document and the competent probate court. If not, the competent probate court is also notified.

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→ How much does a search cost?

The registry search is free of charge.

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