

[Home](#) > ... > [Family Matters & Inheritance](#) > [Inheritance](#) > [Succession](#)

Succession

National rules on inheritance vary considerably between Member States (as to, for example, who inherits, what the portions and reserved shares are, how the estate is to be administered, how wide the heirs' liability of debts is, etc.).


General information

A major step to facilitate cross-border successions was the adoption, on 4 July 2012, of new Union rules designed to make it easier for citizens to handle the legal aspects of an international succession. These new rules apply to the succession of those who die on or after 17 August 2015.

The [Regulation](#) ensures that a cross-border succession is treated coherently, under a single law and by one single authority. In principle, the courts of the Member State in which citizens had their last habitual residence will have jurisdiction to deal with the succession and the law of this Member State will apply. However, citizens can choose that the law that should apply to their succession should be the law of their country of nationality. The application of a single law by a single authority to a cross-border succession avoids parallel proceedings with possibly conflicting judicial decisions. It also ensures that decisions given in a Member State are recognised throughout the Union without the need for any special procedure.

The Regulation also introduces a European Certificate of Succession (ECS). This document issued by the authority dealing with the succession can be used by heirs, legatees, executors of wills and administrators of the estate to prove their status and exercise their rights or powers in other Member States. Once issued, the ECS will be recognised in all Member States without any special procedure being required.

On 9 December 2014, the Commission adopted an [Implementing Regulation](#) establishing the forms to be used under the Succession Regulation:

- [Word](#)  (274 Kb) 

- [PDF](#)  (800 Kb) 

The e-Justice Portal allows the possibility to complete and create a PDF of form V (European Certificate of Succession) on-line [here](#).

Denmark and Ireland do not participate in the Regulation. As a result, cross-border succession procedures handled by the authorities of these two Member States will continue to be governed by their national rules.

Matters of inheritance tax law are excluded from the scope of the Regulation.

You will find information about the new EU succession rules on this [website](#).

Please click on the relevant country flag on this page to consult the information sheets on national succession law and procedures in each Member State. These information sheets were prepared by the [European Judicial Network \(in civil and commercial matters\)](#) in cooperation with the [Council of the Notariats of the EU \(CNUE\)](#).

[Successions in Europe](#), a site proposed by CNUCE, can help you find answers to questions on succession in 22 Member States.

If you would like to find a notary in a Member State, you can use the [Find a notary](#) search tool provided by the European Commission in cooperation with participating notaries associations.

National rules on registration of wills vary considerably. In some Member States, the person that makes a will (the "testator") must register it. In other Member States, registration is recommended or concerns only certain types of wills. In a few Member States, registers of wills do not exist.

If you need to know how to register a will in a Member State or whether a deceased person had made a will, you can consult the information sheets for [EU citizens](#) and for [legal professionals](#) prepared by the [European Network of the Registers of Wills Association](#) (ENRWA) available in 3-4 languages. These information sheets explain how to register a will in each Member State and give advice on how to find a will in each Member State.

Related links

[Succession - notifications of the Member States and a search tool helping to identify competent court\(s\)/authority\(ies\)](#)

[A citizen's guide: how EU rules simplify international inheritances](#)

[EU Adapt](#) - EU Adapt is an IT tool designed to help judges, notaries and other legal practitioners dealing with a cross-border succession to find a closest equivalent right *in rem*. The user can enter in the tool (i) the law of the Member State applicable to the succession ('*lex successiois*'), (ii) the right *in rem* existing under the law of the Member State applicable to the succession ('right *in rem*'), and (iii) the law of the Member State in which the right *in rem* is invoked ('*lex rei sitae*'). The tool then provides guidance and suggests the corresponding right *in rem* under the law of the Member State in which the right is invoked.

Outcomes of the project "Further developments in the area of interconnection of registers of wills", focusing on the possibilities for making cross-border succession proceedings more efficient by electronic means, led by [the Estonian Ministry of Justice](#) and carried out in cooperation with [the European Network of Registers of Wills Association](#), [the Council of the Notariats of the European Union](#), [the Estonian Chamber of Notaries](#), [Estonian Centre of Registers and Information Systems](#), and the Member States of the European Union:

- [The feasibility study](#)  (755 Kb) 

- [Final report](#)  (507 Kb) 

- [Recommendations](#)  (153 Kb) 

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