When issuing a European Certificate of Succession, an authority may request from another Member State information contained in certain registers. This page provides all the necessary information for the various Member States.

When examining an application for the issuance of a European Certificate of Succession, Article 66(5) of the Succession Regulation allows the issuing authority (for example, a court or a notary) to request information from another Member State. The competent authority in the requested Member State must then provide the issuing authority with information held, in particular, in the land registers, the civil status registers and registers recording documents and facts of relevance for the succession or for the matrimonial property regime or an equivalent property regime of the deceased if, under national law, the competent authority would be authorised to provide that information to another national authority.

In order to facilitate the exchange of information between Member States, this section provides information on the registers that exist in each Member State, the information kept in each of such registers and the procedures and conditions under which the information can be obtained.

Please select the relevant country’s flag to obtain detailed national information.

Related link

General information on business registers, land registers and insolvency registers at EU and Member State level

Last update: 07/09/2023

This page is maintained by the European Commission. The information on this page does not necessarily reflect the official position of the European Commission. The Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice with regard to copyright rules for European pages.

Information for authorities issuing an ECS - Germany

1 The kinds of registers that exist in the Member State, containing information relevant to successions

- Land registry
- Register of marriages
- Register of births
- Register of deaths
- Register of property regimes
- Central register of wills
- Shipping register
- Register of aircraft liens
- Business register
- Insolvency notice portal

Are the local registration bodies linked?
Yes, the land registries of each Land are linked through single electronic portals.

Can the local registers of bodies in another Member State be contacted?
Yes.

Access to the register
Access is not restricted to particular categories of persons. Access is granted to anyone with a legitimate interest.

Is the registration body authorised to share information with other national bodies?
Yes.
(a) All available information.
(b) Refusal is not possible.

What information does the requesting body need to provide in order to allow the registration body to search in the register?
Name and date of birth of the deceased; where possible, place of residence
Land registry district in which the land is located

Must evidence be provided?
No.

Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012?
A necessary legitimate interest may be demonstrated, for example, by means of a copy of the application for a European certificate of succession (ECS).

How can the requested information be retrieved?
No particular means is stipulated. Written request or application by e-mail are two possible ways.

In which language must the request be made?
German.

In what form is the information provided?
A copy from the land registry can be provided as a hard copy or electronically. Authentication is possible.

In which language is the information provided?
German.

Is the procedure subject to a fee?
No.

What are the conditions for registering an inheritance?

Registered name: land registry

<table>
<thead>
<tr>
<th>Content of the register</th>
<th>Data on the land (location, size, type of use)</th>
<th>Data on the owner (name, date of birth)</th>
<th>Data on rights in rem over the land, e.g. mortgages, easements, etc. (nature, content, rightholder)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration body</td>
<td>The land registry is kept by the local court with territorial jurisdiction (land registry office). However, every land registry and notary provides access to all land registries throughout Germany.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Are the local registration bodies linked?
Yes, the land registries of each Land are linked through single electronic portals.
An inheritance is entered in the land registry on the basis of an application and the presentation of one of the following documents:
- German certificate of inheritance
- European certificate of succession
- Notarial certificate of disposition of property upon death, together with a transcript of its opening by the probate court

### What information is required for the registration body to identify the registered land in order to record a change of ownership as a result of the succession?
Land registry district, land registry sheet number or cadastral number.

### What is the legal significance of the content of the land register registry?
The land registry conveys authenticity. This means that the content of the land registry is considered to be correct unless the opposite is known or an objection is entered in the land registry.

#### Register name: register of marriages [1]

<table>
<thead>
<tr>
<th>Content of the register</th>
<th>Date and place of marriage, forenames and surnames of the spouses, their place and date of birth, gender, religious affiliation (if desired), forenames and surnames of the spouses after marriage. Where relevant: death of the first deceased spouse; declaration of death or judicial declaration of the death of a spouse and the annulment of such decisions, and dissolution of the marriage through marriage of the other spouse; annulment of the marriage or divorce; declaration of non-existence of the marriage; any change in the names of the spouses; any other change in the civil status; change of religious affiliation (if desired) and rectification of an entry.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Registration body</th>
<th>The civil registry office where the marriage was contracted is competent. Contact information should be available on the relevant homepage.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Are there local registers?</th>
<th>The civil registry offices are part of the administration of the Länder.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Are the local registration bodies linked?</th>
<th>The civil registry offices in each Land and nationwide can exchange messages.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Can the local registers of bodies in another Member State be contacted?</th>
<th>Any civil registry office can be contacted.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Access to the register</th>
<th>Information can be provided under existing international treaties.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Are there restrictions on access?</th>
<th>Information from civil registries can be provided to family members and other persons who demonstrate a legal interest. This also applies to access for scientific purposes. In addition, public authorities and courts can use civil registries.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Is the registration body authorised to share information with other national bodies? What information can be shared?</th>
<th>Civil registry offices provide other national authorities with the data from the civil status registers that they need to carry out their tasks. Otherwise, no data transmission takes place.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>What information does the requesting body need to provide in order to allow the registration body to search in the register?</th>
<th>In order to contact the competent civil registry office, the foreign authority must know where the marriage was contracted. In order to find the correct entry in the register, the forenames and surnames of the spouses, their birth names and the date of the marriage must be provided.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Must evidence be provided?</th>
<th>The authority must demonstrate that the information from the register of marriages is necessary for the performance of the tasks for which it is competent.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012?</th>
<th>Please refer to the answer to the previous question. It is in any case helpful to provide such evidence.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>How can the requested information be retrieved and how is the information provided?</th>
<th>The request is made in writing (i.e. also electronically if a qualified electronic signature is provided) and the document is sent in hard copy.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>In which language must the request be made?</th>
<th>In principle, a request should be made in German, as this is the official language. The extent to which the civil registry office understands other languages cannot be known in a general sense.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>In what form is the information provided?</th>
<th>Certified extracts from the register, certified transcripts from the register, death certificates.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>In which language is the information provided?</th>
<th>Documents are issued in German.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Is the procedure subject to a fee?</th>
<th>The Länder are responsible for determining whether and what fees are levied.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>What is the legal significance/weight of proof of entries in the civil status registers?</th>
<th>Entries in the civil status registers prove civil status and the details provided to that effect (Section 54 of the Civil Status Act (Personenstandsgesetz)).</th>
</tr>
</thead>
</table>

#### Register name: register of births

<table>
<thead>
<tr>
<th>Content of the register</th>
<th>The child’s forenames and surname at birth; place, day, hour and minute of birth; gender of the child; (in principle) parents’ first names and surnames, and their gender and religious affiliation (if desired). Where relevant: a paternity established/recognised after birth; a recognised maternity; a change in the civil status of the child; a change in the name of the parents or of one of the parents where the child also takes the new name; establishment of the name of the child with generally binding effect; the subsequent indication or change of the child’s gender; the child’s religious affiliation (if desired) and any change thereof, and rectification of an entry.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration body</td>
<td>The civil registry office in whose jurisdiction the child was born is competent. Contact information should be available on the relevant homepage.</td>
</tr>
<tr>
<td>Are there local registers?</td>
<td>The civil registry offices are part of the administration of the Länder.</td>
</tr>
<tr>
<td>Are the local registration bodies linked?</td>
<td>The civil registry offices in each Land and nationwide can exchange messages.</td>
</tr>
<tr>
<td>Can the local registers of bodies in another Member State be contacted?</td>
<td>Any registry office can be contacted.</td>
</tr>
<tr>
<td>Access to the register</td>
<td>Information can be provided under existing international treaties.</td>
</tr>
<tr>
<td>In the event of access restrictions, who is entitled to access?</td>
<td>Information from civil registries can be provided to family members and other persons who demonstrate a legal interest. This also applies to access for scientific purposes. In addition, public authorities and courts can use civil registries.</td>
</tr>
<tr>
<td>Is the registration body authorised to share information with other national bodies? What information can be shared?</td>
<td>Civil registry offices provide other national authorities with the data from the civil status registers that they need to carry out their tasks. Otherwise, no data transmission takes place.</td>
</tr>
<tr>
<td>What information does the requesting body need to provide in order to allow the registration body to search in the register?</td>
<td>In order to contact the competent civil registry office, the foreign authority must know the place of birth. In order to find the correct entry in the register, the forenames and surname(s) of the child and the parents and the date of the birth must be provided.</td>
</tr>
<tr>
<td>Must evidence be provided?</td>
<td>The authority must demonstrate that the information from the register of births is necessary for the performance of the tasks for which it is competent.</td>
</tr>
<tr>
<td>Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012?</td>
<td>Please refer to the answer to the previous question. It is in any case helpful to provide such evidence.</td>
</tr>
<tr>
<td>How can the requested information be retrieved?</td>
<td>The request is made in writing (i.e. also electronically if a qualified electronic signature is provided) and the document is sent in paper form.</td>
</tr>
<tr>
<td>In which language must the request be made?</td>
<td>In principle, a request should be made in German, as this is the official language. The extent to which the Civil Registry Office understands other languages cannot be known in a general sense.</td>
</tr>
<tr>
<td>In what form is the information provided?</td>
<td>Certified extracts from the register, certified transcripts from the register, death certificates.</td>
</tr>
<tr>
<td>In which language is the information provided?</td>
<td>Documents are issued in German.</td>
</tr>
<tr>
<td>Is the procedure subject to a fee?</td>
<td>The Länder are responsible for determining whether and what fees are levied.</td>
</tr>
<tr>
<td>What is the legal significance/weight of proof of entries in the civil status registers?</td>
<td>Entries in the civil status registers prove civil status and the details provided to effect (Section 54 of the Civil Status Act).</td>
</tr>
</tbody>
</table>

**Register name: register of deaths**

| Content of the register | The deceased’s first name and surname, place and date of birth, gender, religious affiliation (if desired), last residence, marital status; details of spouse; place, day, hour and minute of death. |
| Registration body | The civil registry office in whose jurisdiction the death of a person occurred is competent. |
| Are there local registers? | The civil registry offices are part of the administration of the Länder. |
| Are the local registration bodies linked? | The civil registry offices in each federal state and nationwide can exchange messages. |
| Can the local registers of bodies in another Member State be contacted? | Any registry office can be contacted. |
| Access to the register | Information can be provided under existing international treaties. |
| Are there restrictions on access? | Information from civil registries can be provided to family members and other persons who demonstrate a legal interest. This also applies to access for scientific purposes. In addition, public authorities and courts can use civil registries. |
| Is the registration body authorised to share information with other national bodies? What information can be shared? | Civil registry offices provide other national authorities with the data from the civil status registers that they need to carry out their tasks. Otherwise, no data transmission takes place. |
| What information does the requesting body need to provide in order to allow the registration body to search in the register? | In order to contact the competent civil registry office, the foreign authority must know the place of death. In order to find the death record in the register, it is helpful to provide first names, surnames and dates of death and, if necessary, date of birth. ID number does not (yet) exist in Germany. |
| Must evidence be provided? | The authority must demonstrate that the information from the register of deaths is necessary for the performance of the tasks for which it is responsible. |
| Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012? | Please refer to the answer to the previous question. It is in any case helpful to provide such evidence. |
| How can the requested information be retrieved and how is the information provided? | The request is made in writing (i.e. also electronically if a qualified electronic signature is provided) and the document is sent in paper form. |
| In which language must the request be made? | In principle, a request should be made in German, as this is the official language. The extent to which the Civil Registry Office understands other languages cannot be known in a general sense. |
### Register name: register of property regimes

**Content of the register**

Only the facts described by law as requiring registration and those described by case-law as capable of being registered are eligible for registration. These are, in particular:

- The exclusion or annulment of the statutory property regime of a community of accrued gains by means of a marriage contract (Section 1414, second sentence, of the Civil Code (Bürgerliches Gesetzbuch, BGB)) and an agreement on a contractual property regime (Sections 1408, 1409, 1415 and 1414, second sentence, BGB);
- A foreign legal property regime if one of the spouses has their habitual residence in Germany or operates a business there, and modifications made to this;
- The restriction and exclusion of the spouse’s right under Section 1357 BGB (agency implied in fact) and the removal of such a restriction or exclusion. Under Sections 6 and 7 of the Life Partnership Act (Lebenspartnerschaftsgesetz, LPartG), the provisions apply mutatis mutandis to life partners.

**Registration body**

There is no national register. The local courts are responsible for keeping the register. Registration is carried out with the local court in whose district one of the spouses is habitually resident (Section 1558(1) BGB).

**Contact details**

Contact details can be obtained from the homepage of the Ministry of Justice of the Land concerned.

**Are the local registration bodies linked?**

No.

**Can the local registers of bodies in another Member State be contacted?**

Yes. The register of property regimes is a public register to which everyone, including foreign authorities, has access (Section 1563(1) BGB).

**Are there any restrictions on access?**

No: see answer to the previous question.

**What information does the requesting body need to provide in order to allow the registration body to search in the register?**

To have access to the register of property regimes, it is sufficient to indicate the person’s name and address, together with the date of birth if this is needed to identify the registered person in a particular case.

**How can the requested information be retrieved?**

The register of property regimes is kept on paper. Applications must be made in writing to the competent court. The application may be sent by fax.

**In which language must the request be made?**

The language of the court is German, so applications should in principle be submitted to the competent court in German.

**In what form is the information provided?**

The information is routinely provided by direct access to the register. A copy of the registration is sent upon request and certified if necessary.

**In which language is the information provided?**

German.

**Is the procedure subject to a fee?**

Direct on-site access to the register is free of charge. A fee is charged for the provision of a copy (currently EUR 10 per copy, or EUR 20 for a certified copy). The fee may be waived for a request under Article 86(5) of the EU Succession Regulation (Regulation (EU) No 650/2012). As a general rule, an invoice is issued for the fees levied. Payment can be made by transfer. The federal states' cash policies determine which other means of payment are available.

**What is the legal significance/weight of proof of registrations in the register of property regimes?**

Entries in the register of property regimes have no constitutive effect. However, such entries have the effect of requiring third parties to accept the facts registered against them, even if the facts are not known to them, since entry in the register gives them the opportunity to become aware of them. If a fact is not registered, the third party must accept it only if it is known to them (Section 1412 BGB).

---

### Register name: central register of wills

**Content of the register**

The central register of wills contains safe custody information on documents concerning succession drawn up by a notary or held in judicial custody. Safe custody information is information necessary to find documents concerning succession (Section 78d(1) and (2) of the Federal Notary Code (Bundesnotarordnung, BNotO)). It does not cover the content of such documents.

Civil status data on illegitimate or individually adopted children of the testator for the period 1970-2008 (Section 78d(1), first sentence, point 2 BNotO in conjunction with Section 9 of the Transfer of Wills Register Act (Testamentsverzeichnis-Überführungsgesetz, TVÜG) are also included.

**Registration body**

Postal address:
**Are there local registers?**
No

**Access to the register**
The register is not open to the public.

**Are there restrictions on access?**
Under Section 78f BNotO, notaries receive, upon request, information about safe custody and courts receive information about the complete data of the deceased recorded in the register. The information is provided only to the extent necessary for the performance of the duties of the courts and notaries. Information can, in principle, be obtained during the testator’s lifetime only with their consent.

There are no arrangements for providing information to other bodies. The employees of the Federal Chamber of Notaries are also bound by a duty of confidentiality, in accordance with Sections 81a and 69a BNotO.

**Can the content of a will be communicated by the registry office to a foreign body in another Member State? If not, what possibilities are available to obtain the information contained therein?**
The content of documents concerning succession is not recorded in the central register of wills and cannot therefore be made available by it. Wills and testamentary contracts kept in safe custody are opened after the death of the testator (Sections 348 et seq. of the Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction (Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit, FamFG)). If there is a legal interest, a copy of the wills and inheritance contracts opened can be provided by applying to the court (Section 357 FamFG). The legal interest must be demonstrated. In particular, (statutory) heirs or other persons whose rights and obligations are affected by the will generally have a legal interest.

**What information does the requesting body need to provide in order to allow the registration body to search in the register?**
Information on the testator which is mandatory:
- surname and first name(s)
- name at birth, date and place of birth.
In addition, the existence of authorisation to submit a request under Article 66 (5) of the European Succession Regulation must be ensured with a seal and a signature.

**Must evidence be provided?**
No. The requesting body must, however, confirm in its application that it is a competent body under Article 64 of the European Succession Regulation and that it has launched a procedure for the issue of a European certificate of succession under Article 62 ff. of the European Succession Regulation concerning the estate of the deceased. The application must bear a signature and the requesting body’s seal.

**Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012?**
No, but see the answer to the previous question.

**How can the requested information be retrieved?**
Requests for and provision of information from and to foreign bodies are made in writing (in paper form).

**In which language must the request be made?**
The registration authority provides a form in German and English.

**In what form is the information provided?**
In writing.

**In which language is the information provided?**
Information is provided in German. An explanatory text in English is provided.

**Is the procedure subject to a fee?**
The information is free of charge.

**What is the legal significance of the central register of wills?**
The purpose of the register is to ensure that information is located in a timely fashion and that documents concerning succession which are drawn up before the notary or held by the court are taken into account.

**Register name: shipping register**

**Content of the register**
- Data on the vessel (name, genus, place or port of origin, etc.)
- Data on the owner
- Data on rights in rem on the vessel, e.g. ship mortgages

**Registration body**
The shipping register is kept by the local court with territorial jurisdiction (court of registration). However, every court of registration and notary provides access to all shipping registers throughout Germany.

**Can the local registers of bodies in another Member State be contacted?**
Yes.

**Access to the register**
Publicly available.

**Is the registration body authorised to share information with other national bodies?**
Yes. All information available in the register can be made available without restriction.

**What information does the requesting body need to provide in order to allow the registration body to search in the register?**
Name and date of birth of the deceased; where possible, place of residence Registry district in which the home port or place is situated

**Must evidence be provided?**
No.
Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012? | No.
---|---
How can the requested information be retrieved? | No particular means is stipulated. Written request or application by e-mail are two possible ways.
In which language must the request be made? | German.
In what form is the information provided? | A copy from the shipping register can be provided as a hard copy or electronically. Authentication is possible.
In which language is the information provided? | German.
Is the procedure subject to a fee? | No.
What are the conditions for registering an inheritance? | An inheritance is entered in the shipping register on the basis of an application and the presentation of one of the following documents: German certificate of inheritance European Certificate of Succession notarial certificate of disposition of property upon death, together with a transcript of its opening by the probate court.
What information is required for the registration body to identify the registered ship in order to record a change of ownership as a result of the succession? | Shipping register, register entry number.
What is the legal significance of the content of the register? | The shipping register conveys authenticity. This means that the content of the shipping register is considered to be correct unless the opposite is known or an objection is entered in the shipping register.

Register name: register of aircraft liens

| Content of the register | Data on the aircraft (aircraft registration number, type, etc.)
| Data on the owner
| Data on register liens |
Registration body | The register of aircraft liens is kept by the Local Court of Braunschweig.
Are there local registers? | No.
Can the local registers of bodies in another Member State be contacted? | Yes.
Access to the register | Publicly available.
Is the registration body authorised to share information with other national bodies? | Yes. All information available in the register can be made available without restrictions.
What information does the requesting body need to provide in order to allow the registration body to search in the register? | Name and date of birth of the deceased; where possible, place of residence.
Must evidence be provided? | No.
Does the requesting body have to demonstrate that the search is undertaken under Article 66(5) of Regulation (EU) 650/2012? | No.
How can the requested information be retrieved? | No particular means is stipulated. Written request or application by e-mail are two possible ways.
In which language must the request be made? | German.
In what form is the information provided? | A copy from the register of aircraft liens can be provided as a hard copy or electronically. Authentication is possible.
In which language is the information provided? | German.
Is the procedure subject to a fee? | No.
What are the conditions for registering an inheritance? | An inheritance is entered in the register of aircraft liens on the basis of an application and the presentation of one of the following documents: German certificate of inheritance European Certificate of Succession notarial certificate of disposition of property upon death, together with a transcript of its opening by the probate court.
What information does the requesting body need to provide in order to allow the registration body to search in the register? | Register entry number.
What is the legal significance of the content of the register? | The register of liens on aircraft conveys authenticity with regard to the registered liens. As a result, it is presumed that the registered person has the right to a registered lien and that a cancelled lien no longer exists.

Register name: business register

| Content of the register | Data from the commercial register portal – including all German commercial, cooperative and partnership registers and register notices – information on insolvencies, accounting/financial reports and capital market information can be accessed from the business register. More information can be found via this link: [https://e-justice.europa.eu/content_business_registers_in_member_states-106-de-de.do?member=1](https://e-justice.europa.eu/content_business_registers_in_member_states-106-de-de.do?member=1)
Registration body | The business register is kept on behalf of the Federal Ministry of Justice and Consumer Protection by: Bundesanzeiger Verlag GmbH Amsterdamer Straße 192, 50735 Cologne www.Unternehmensregister.de.
### Are there local registers?
The commercial, cooperative, partnership and association registers are kept by the registration courts in each Land.

### Are the local registration bodies linked?
Yes, information can be accessed via the commercial register portal ([http://www.handelsregister.de](http://www.handelsregister.de)) and the business register ([http://www.unternehmensregister.de](http://www.unternehmensregister.de)).

### Can the local registers of bodies in another Member State be contacted?
Yes, all EU Member States' business registers are linked through the Business Registers Interconnection System (BRIS).

### Access to the register
Information is publicly available to everyone. Retrievals are subject to a fee.

### What information does the requesting body need to provide in order to allow the registration body to search in the register?
Searches can be made by company (name of company), registered office, legal form, court of registration, type of register and registration number.

### How can the requested information be retrieved?
The consultation can be carried out via the internet, through either the business register or the commercial register portal.

### In which language does the information appear?
The information from the register itself is reproduced mainly in German, although more information is available in the business register in English, French, Italian, and Spanish. Where information is made available in different language versions, the German version prevails in each case, particularly for the interpretation of the wording.

### In what form is the information provided?
Data can be accessed online. Information from the register is provided in the form of printouts. A certified copy (official printout) is issued by the court upon request. Printouts can also be sent electronically to the applicant. Official printouts are transmitted electronically using a qualified electronic signature.

### Is the procedure subject to a fee?
Anyone can consult the business register and the trade register free of charge for information purposes. Registration is in principle not required to do so. However, access through the business register to original data from the registers of the courts of registration (register sheets and documents submitted) is subject to a fee. The fee for such a retrieval is the same as for direct access to the register. The person conducting the retrieval must also register for this purpose. Payment can be made by credit card or electronic direct debit.

### What are the conditions for registering changes?
Changes in the trade register are registered by the competent court of registration on the basis of a notary-certified declaration. A succession must be proved by means of ‘authentic instruments’. These include a certificate of succession, a European certificate of succession or a notarial will, together with the record of opening.

### What is the legal significance of the content of the register?
Entries in the register convey authenticity. The company can counter a third party only on the basis of facts that have previously been entered and announced or those that were known to the third party beforehand (Article 15(1) of the German Commercial Code (Handelsgesetzbuch)). A third party must permit such facts to apply that have been correctly entered and announced. This does not apply to legal actions initiated within 15 days of the announcement, insofar as the third party can prove that they neither knew nor needed to know the fact (Article 15(2) of the German Commercial Code (Handelsgesetzbuch)). If a fact that needed to be entered was announced incorrectly, a third party may rely on the announced fact vis-à-vis the party on whose behalf the fact was to be entered, unless they were aware of the error (Article 15(3) of the German Commercial Code).

### Register name: Insolvency notice portal:

| Content of the register | Restrictions and prohibitions of disposal as provisional measures pending the decision on the opening of insolvency proceedings (Section 21(2), first part of point 2, of the Insolvency Code (Insolvenzordnung, InsO)); opening of insolvency proceedings and contact details of the insolvency administrator (Section 27 InsO); dates for creditors’ meetings (Sections 29, 74, 78, 177, 197 InsO); decisions on procedural measures (Sections 35(3), 64, 235, 241, 273, 277 InsO); information on the amount available for distribution to creditors (Section 188 InsO); termination of proceedings (Sections 34(3), 200, 258 InsO) or discontinuations (Sections 207, 211, 212, 213 InsO); existence of a monitored insolvency plan (Section 267 InsO) and termination of monitoring (Section 268 InsO); decisions in the residual debt discharge procedure (Sections 287a, 290, 296, 297, 300, 303 InsO); refusal by a court to open proceedings for insufficiency of assets (Section 26 InsO); information on foreign insolvency proceedings with domestic implications (Section 345 InsO). The information is in each case linked to the debtor’s full name, date of birth and residential address or address of the debtor’s commercial establishment (second sentence of Section 9(1), Section 27(2)(1) InsO). |
| Registration body | Insolvency notice portal ([http://www.insolvenzbekanntmachungen.de/](http://www.insolvenzbekanntmachungen.de/)) |
| Access to the register | Yes |
**Are there restrictions on access?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information is publicly available, but from two weeks following publication, certain search criteria must be entered. In addition, there are time limits for cancellation, usually six months after the proceedings have been annulled or definitively discontinued.</td>
<td>There are no restrictions on access for specific categories of persons, only various time-based access restrictions, which apply equally to all categories of persons (see above).</td>
</tr>
</tbody>
</table>

**Is the registration body authorised to share information with other national bodies?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information and notices are directly available to the public (see above). Their content is the responsibility of the competent insolvency court.</td>
<td>The insolvency notice portal is directly accessible to the public (see above). A request to a public authority is not required (see above).</td>
</tr>
</tbody>
</table>

**What information does the requesting body need to provide in order to allow the registration body to search in the register?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>The insolvency notice portal is used to publish procedural steps in insolvency proceedings and summons to appointments. Publication on the portal is sufficient to prove service on all parties, even if the law also orders service on individuals (Section 9(3) InsO).</td>
<td>Information can be found on the portal, either directly or in the form of a retrievable electronic copy of the decision.</td>
</tr>
</tbody>
</table>

**Must evidence be provided?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>No (see above).</td>
<td>German.</td>
</tr>
</tbody>
</table>

**In which language must the request be made?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information is publicly available, but from two weeks following publication, certain search criteria must be entered. In addition, there are time limits for cancellation, usually six months after the proceedings have been annulled or definitively discontinued.</td>
<td>Information on the portal is in German only.</td>
</tr>
</tbody>
</table>

**In which language is the information provided?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information is publicly available, but from two weeks following publication, certain search criteria must be entered. In addition, there are time limits for cancellation, usually six months after the proceedings have been annulled or definitively discontinued.</td>
<td>Information on the portal is in German only.</td>
</tr>
</tbody>
</table>

**Is the procedure subject to a fee?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information is publicly available, but from two weeks following publication, certain search criteria must be entered. In addition, there are time limits for cancellation, usually six months after the proceedings have been annulled or definitively discontinued.</td>
<td>No.</td>
</tr>
</tbody>
</table>

**What is the legal significance of the content of the register?**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>The insolvency notice portal is used to publish procedural steps in insolvency proceedings and summons to appointments. Publication on the portal is sufficient to prove service on all parties, even if the law also orders service on individuals (Section 9(3) InsO).</td>
<td>The insolvency notice portal is used to publish procedural steps in insolvency proceedings and summons to appointments. Publication on the portal is sufficient to prove service on all parties, even if the law also orders service on individuals (Section 9(3) InsO).</td>
</tr>
</tbody>
</table>

---

**3 The availability of information on bank accounts**

In Germany there is no authority that keeps a list of all bank accounts in Germany. The account retrieval procedure with the Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht, BaFin) and the Federal Central Tax Office (Bundeszentralamt für Steuern, BZSt) makes it possible, subject to certain conditions, to find accounts, deposits or safe deposit boxes of persons registered with credit institutions established in Germany. Under Section 24c of the Banking Act (Kreditwesengesetz, KWG) and Section 93(7) and (8) of the Tax Code (Abgabenordnung, AO), it is primarily law enforcement authorities, tax authorities and bailiffs who are authorised to use these procedures. There is no provision for the identification of heirs.

---

**4 The availability of a register of intellectual property rights**

Is information on intellectual property rights held by a public body?

Yes: the German patent and trademark office (patents, supplementary protection certificates, utility models, topographies of microelectronic semiconductor products, indications of geographical origin, trademarks, designs).

Postal address: 80297 Munich ([https://www.dpma.de/](https://www.dpma.de/))

Weblinks for each register:

- [register.dpma.de/DPMAregister/pat/einsteiger](https://register.dpma.de/DPMAregister/pat/einsteiger)
- [register.dpma.de/DPMAregister/marke/einsteiger](https://register.dpma.de/DPMAregister/marke/einsteiger)
- [register.dpma.de/DPMAregister/geo/liste/doFetchGeoDataList](https://register.dpma.de/DPMAregister/geo/liste/doFetchGeoDataList)
- [register.dpma.de/DPMAregister/pat/einsteiger](https://register.dpma.de/DPMAregister/pat/einsteiger)
- [register.dpma.de/DPMAregister/gsm/einsteiger](https://register.dpma.de/DPMAregister/gsm/einsteiger)
- [Register of anonymous and pseudonymous works (not available electronically)](https://www.dpma.de/dpma/wir_ueber_uns/weitere_aufgaben/verwertungsges_urheberrecht/vergriffene_werke/recherche/index.html)

---

**5 Other registers with information relevant to successions**


---

**6 The availability of information on closed wills and wills not subject to registration**

In Germany there is the option to draw up a holographic will (Section 2247 of the Civil Code (Bürgerliches Gesetzbuch, BGB)). This can be placed in the special official custody of the court but may also be held privately.

In the case of a holographic will, it is up to the testator to determine where it will be held. An entry in the central register of wills takes place only if the will is placed in special official custody. The availability of a register of intellectual property rights

The probate court has exclusive jurisdiction to open a disposition of property upon death. Any person or entity in possession of a will is obliged to deliver the will to the probate court without delay after becoming aware of the death of the testator (Section 229 BGB).

As soon as the probate court is aware of the deceased's death, it opens ex officio the dispositions of property upon death presented or withdrawn from official custody, Sections 348 et seq. of the Procedure in Family Matters and in Matters of Non-contentious Jurisdiction (Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit, FamFG).

The probate court opens, ex officio, dispositions of property upon death. The opening of a disposition of property upon death is governed by Section 348 et seq. FamFG. In principle, jurisdiction to open dispositions of property upon death lies with the probate court at the local court of the deceased's last habitual residence (Section 343 FamFG). If a disposition of property upon death is in special official custody at another local court, the latter is responsible for opening the disposition (Section 344(6) FamFG). In this case, it must forward the disposition of property upon death to the competent probate court.

The legal heirs and those entitled under a will are notified ex officio of the opening.

The opening of a disposition of property upon death is governed by Section 348 et seq. FamFG. In principle, jurisdiction to open dispositions of property upon death lies with the probate court at the local court of the deceased's last habitual residence (Section 343 FamFG). If a disposition of property upon death is in special official custody at another local court, the latter is responsible for opening the disposition (Section 344(6) FamFG). In this case, it must forward the disposition of property upon death to the competent probate court.

The legal heirs and those entitled under a will are notified ex officio of the opening.
The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

**Information for authorities issuing an ECS - Spain**

### 1 The kinds of registers that exist in the Member State, containing information relevant to successions

- **Land register**: State register containing the description of rural, urban and special properties and providing information for the management, collection and control of various forms of taxation by the national, regional and local administrative authorities. It is used for tax and collection, but not legal, purposes. Link to website: [Land register](#).
- **Property register**: A legal institution establishing ownership of the property, charges and rights in rem associated with the immovable property with unassailable legal effects. It provides legal certainty for legal property transactions. Link to website: [Property register](#).
- **Commercial register**: Its purpose is to ensure certainty in legal commercial transactions by publishing the legal and financial data of companies and of other legal persons and their representatives. Link to website: [Commercial register](#).
- **Movable property register**: Its purpose is to publicise the property and the charges and encumbrances on movable property. Link to website: [Movable property register](#).
- **Civil register**: This state register, which is attached to the Ministry of Justice, records wills with the aim of guaranteeing the knowledge of their existence following the death or during the lifetime of the persons who executed the wills. Link to website: [General register of wills](#).
- **Register of de facto partnerships**: These bodies specifically record de facto partnerships with the aim of recognising the rights and obligations of persons in such partnerships as being equivalent, albeit with some differences, to those of married couples. Each Autonomous Community has established its own legislation. Link to website: [Register of de factor partnerships](#).
- **General register of wills**: This state register, which is attached to the Ministry of Justice, records wills with the aim of guaranteeing the knowledge of their existence following the death or during the lifetime of the persons who executed the wills. Link to website: [General register of wills](#).
- **Register of insurance policies and pension funds**: Its purpose is to provide the information needed to enable potentially interested parties to know whether a deceased person had a death insurance policy, and to identify the insurance undertaking with which it was taken out. Link to website: [Register of insurance policies and pension funds](#).
- **Public insolvency register**: Its purpose is to record all the judgments in the various insolvency proceedings brought before both the courts and the commercial and property registrars. Link to website: [Public insolvency register](#).

### 2 Information contained in each of the registers of the Member State, as listed under point 1

#### Land register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Property register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Commercial register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Movable property register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Civil register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Movable property register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Commercial register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Land register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### General register of wills
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Register of de facto partnerships
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### General register of wills
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Register of insurance policies and pension funds
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Public insolvency register
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Do regional registers exist?
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Are the regional registers interconnected?
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register

#### Can the regional registers be contacted by the authorities of another Member State?
- Information for authorities issuing an ECS - Spain
- The kinds of registers that exist in the Member State, containing information relevant to successions
- Register of de facto partnerships
- General register of wills
- Register of insurance policies and pension funds
- Public insolvency register
What are the formal and substantive requirements for recording a change in ownership of registered property resulting from succession?

Public title of succession (will or declaration of intestate heirs). Proof of acceptance or waiver of succession ( authentic copy of notarial document), public deed of partition or private body of sole heir and supplementary documents (certification from the register of wills, death certificate and certificate from the life insurance register) and completion of payment of inheritance tax, by self-assessment. The proof of acceptance is the document which certifies acceptance of the succession by the heirs.

All these documents must be registered by the competent authority (property or commercial register).
What information is requested to allow the registration authority to identify the registered property and register a change in ownership following a succession?

In the case of immovable property: identification details of the estate (registered estate unique identifier, single register code or registered estate number); exceptionally, land register or estate location details (i.e. the address, which may be subject to changes in the event that streets are renamed). For example, in the case of immovable property: precise address, parcel or cadastral number, description of the immovable property. With regard to the need to accurately identify the immovable property, see the CJEU judgment of 9 March 2023, Case 351-21.

Once the immovable property has been duly identified, the documents identified in the previous question must be provided.

What is the legal value in your Member State of the information kept in the register?

Entries in the property, commercial and movable property register benefit from the rebuttable presumption of legality and veracity. The registered owner is the beneficial owner of the estate; the person acquiring the estate from the person shown in the register as the registered owner also benefits from an irrebuttable presumption that they are the true owner, which can be annulled only by court decision. Even where the seller’s registered ownership is legally annulled, the third party who in good faith acquired the property from them in exchange for payment shall retain their acquisition (Article 34 of the Mortgage Law).

3 The availability of information on bank accounts

Is there an authority in your Member State which keeps a list of bank accounts?

No. The Bank of Spain does not have the competence to create a register of bank accounts held by the clients of credit institutions. The Bank of Spain has the functions of a central bank and of supervising the Spanish banking system and other financial intermediaries operating in Spain. These functions are carried out within the European institutional framework, within which the Bank of Spain forms an integral part of the European System of Central Banks (ESBC) and of the Eurosystem, and also of the Single Supervisory Mechanism (SSM) and the Single Resolution Mechanism (SRM).

- Which authority holds this information?

The best thing to do is to contact the Tax Administration, which holds the financial returns attributed to it, communicated by the entity or entities with which it has accounts.

- Contact details:

The Spanish tax authorities are regional and national authorities. The main national authority is the Ministry of Economic Affairs, Finance and the Civil Service.

https://hacienda.gob.es

Central portal: https://sedeminhap.gob.es

Also available in English.

The tax and revenue authority is the State Tax Administration Agency (AEAT, Agencia Estatal de Administración Tributaria), which reports to the Ministry of Economic Affairs, Finance and the Civil Service.

Its main portal is: https://sede.agenciatributaria.gob.es/

A.E.A.T. Special Delegation of Madrid,

C/ Guzmán el Bueno, 139,

Telephone: 91 582 6767

There are offices in each Autonomous Community and in the main cities.

The contact details of the Bank of Spain are as follows:

BANCO DE ESPAÑA

C/ Alcalá, 48 28014 Madrid - C/ Alcalá, 522 28027 Madrid

Telephone number: 91 338 5000

Web page

Does the authority have the competence to provide information on the bank account(s) of the testator at the request of a national authority dealing with the succession?

No, this is not possible. The information must be requested from the institution with an office or branch opened in Spain. All the supporting documents must be translated and must contain any necessary clarifications.

The institutions in which the testator has opened accounts are those which must provide to heirs the information which they request, i.e. the documentation which must normally be submitted to the credit institution in order to prove the status of heir, namely: the death certificate of the client, the certificate from the register of wills, an authorised copy of the last will or, where the person has died without executing a will, the declaration of intestate heirs must be presented (this document must include the concluding act of the certificate of inheritance). The declaration of intestate heirs is a procedure carried out before a notary, the purpose of which is to declare which relatives of the deceased have the status of heir in cases where the deceased person has not left a will [and to provide] the information requested by those heirs. Requests for information on movements in the accounts must specify the period to which they relate, and must be reasonable. Requests to obtain information on movements which occurred long before the date of death are not usually accepted.

Heirs may request any of the following information from the banking institutions:

- the account statement of the deceased client;
- movements in the accounts after the date of death;
- movements in the accounts relating to a time period of approximately 1 year prior to the death, thereby allowing the heirs to fulfil their tax obligations;
- a copy of the contracts held by the deceased client.

It is essential that both the information on the assets held by the client on the date of death and the financing or guarantee contracts (loan contracts, endorsement contracts, etc.) which were valid on that date are provided to the heirs prior to acceptance of the inheritance so that they can be informed of the estate.

On what grounds can the authority refuse to provide information to the national authority dealing with the succession?

The entity may refuse to provide information if there is no legitimate interest (for example, the requesting person is not an heir of the deceased person, or has no interest in the succession). Or in the case of non-competent authorities.

Banking institutions may be denied only if they do not meet the inheritance conditions set out above or their request relates to a period well before the year preceding the date of death.

What information must the requesting authority from another Member State provide when requesting information on the bank account(s) of the deceased person?

Identity card number of the testator or, where they hold bank accounts in another country, their foreign identification number in that country and also their Spanish foreign identification number, and proof that they meet all the conditions set out in the previous paragraphs.
Must the requesting authority provide evidence of the information provided concerning the deceased?
Yes, the death certificate.

Must the requesting authority provide proof that it is requesting information in accordance with Article 66(5)?
Yes.

What means can be used to request and provide information?
It depends on the means available to each bank.

In which language can information be requested?
In Spanish or any of the official languages of the Spanish state.

In which language can information be provided?
It depends on the banking institution. As a rule, the information can be in any of the official languages of Spain, or in English. Some banks have a translation service.

Must the requesting authority pay a fee to obtain the requested information? How is the fee paid?
The Bank of Spain authorises Spanish banking institutions to charge a commission for this service. The maximum permitted rate is EUR 100 plus VAT, and it is left to the bank’s discretion whether or not to charge it.

4 The availability of a register of Intellectual property rights

Register of intellectual property rights (such as copyright, patents, supplementary protection certificates, utility models, topographies of semiconductor products, trademarks, indications of geographical origin, designs, plant variety rights).

In Spain, does an authority or entity keep the information on intellectual property rights?
Yes.

Applications for first registration may be submitted to any of the offices run by the territorial registers, where these exist, or by the Central Register. Since there are registration units throughout Spain, applications submitted by any of the registers have the same effect. The territorial registers are responsible for processing and deciding on registration and entry files concerning the interested parties submitting applications within their territory.

Through the Provincial Offices, the Central Register is responsible for processing the files of the interested parties who submit applications in any of the other Autonomous Communities. Contact: Web page

5 Other registers with information relevant to successions

Ministry of Finance: Tax Agency. This is the body responsible for the inspection, management and collection of taxes in Spain. Due to its role, it possesses the tax data of all taxpayers who are taxable by virtue of their nationality or residence on Spanish territory.

Certain taxes, such as inheritance tax, are delegated to the Autonomous Communities, which have their own Tax Agency delegations, and are responsible for the inspection, management and collection of both their own taxes and those ceded by the state in their respective territory.

6 The availability of information on closed wills and wills not subject to registration

Which authorities or persons are authorised to keep the will?
The testator may keep the sealed will in their possession, delegate its custody to a person of trust, or deposit it with the authorising notary, who will keep it in their archive.

Are these authorities or persons legally obliged to disclose the content of the will after the death of the testator?
Yes.

To whom must these authorities or persons reveal the content of the will?
To the notary who issued the record of the sealed will.

Who can request disclosure of the will?
The person concerned by the inheritance.

Under what conditions and procedures will the content of the will be disclosed?
The person who holds the sealed will in their possession must submit it to a competent notary within 10 days of becoming aware of the death of the testator. The authorising notary of a sealed will, appointed as depositary of the will by the testator, must within 10 days of becoming aware of the latter’s death, inform the surviving spouse, descendants and ascendants of the testator – and, in the absence of such persons, the collateral relatives to the fourth degree – of the existence of the will.

In the two cases above, if they do not know the identity or domicile of these persons, or if they are unaware of their existence, the notary must disclose the information required by notarial law (Article 712 of Civil Code).

Which authorities or persons are authorised to keep the will?
In war time, soldiers on campaign, volunteers, hostages, prisoners and other individuals employed in or following the army may execute their will before an official with the minimum rank of captain.

This provision applies to the individuals of an army in a foreign country. If the testator is ill or injured, they may execute their will before the chaplain or doctor assisting them. If they are in a detachment, they may execute their will before the commanding officer, even if the latter is their subordinate.

Are these authorities or persons legally obliged to disclose the content of the will after the death of the testator?
The wills must be sent as soon as possible to headquarters, from where they must be sent to the Ministry of Defence.

If the testator has died, the Ministry must send the will to the College of Notaries corresponding to the last address of the deceased person. If the last address is not known, it will send it to the Notarial College of Madrid.

The Notarial College will send the will to the notary corresponding to the last address of the testator. Upon receipt by the notary, the latter must inform the heirs and other interested parties of the existence of the succession within 10 days, so that they may appear before the notary in order to formalise the will in accordance with the law. Once these formalities have been completed, they will be authorised in accordance with the general arrangements laid down for sealed wills.

Which authorities or persons are authorised to keep the will?
In the case of a warship, the will is executed before the accountant or the person performing their duties, in the presence of two suitable witnesses who see and understand the testator. The commander of the ship, or the person performing their duties, must also give their approval.

On merchant vessels, the will is authorised by the captain or the person acting on their behalf, with the assistance of two suitable witnesses.

To whom must these authorities or persons reveal the content of the will?
Open wills executed at sea will be kept by the commander or captain, and reference will be made to them in the ship’s logbook.

If the vessel puts in at a foreign port where there is a Spanish diplomatic or consular agent, the military commander or merchant captain must hand over to this agent a copy of the open will or of the record of execution of the sealed will, and of the note taken in the logbook.
The diplomatic or consular agent must issue a written record of the delivery and, after sealing and stamping the copy of the will or of the record of execution in the case of a sealed will, must submit it with the note from the logbook through the appropriate channels to the Minister for the Navy, who will order it to be deposited in the Archive of their Ministry.

When the vessel, either a warship or a merchant vessel, puts in at the first Spanish port, the commander or captain will hand over the original will, stamped and sealed, to the local maritime authority, together with a copy of the note made in the logbook. The maritime authority will forward these documents without delay to the Minister for the Navy.

**Holographic will**

This is a will written by the testator. The holographic will must be formalised and submitted to a notary within 5 years of the testator’s death. The notary will draw up the probate document in accordance with notarial legislation. The person in possession of a holographic will must present it to a competent notary within 10 days of becoming aware of the death of the testator. Failure to comply with this duty will make them liable for any damage they have caused.

It is necessary for this document to be certified and formalised in accordance with national notarial legislation.

**Contact details:**

https://www.ta.gov.lv/lv/iestades-kontakti

Information for authorities issuing an ECS - Latvia

<table>
<thead>
<tr>
<th>Information contained in each of the registers of the Member State, as listed under point 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The State Unified Computerised Land Register records immovable property and related rights. The Computerised Land Register is an electronic database which stores land registers, record books and alphabetic indexes long term without amendment, and enables these data to be displayed on a computer screen and printed out. The Computerised Land Register stores electronic documents and documents that have been obtained electronically from paper versions of documents included in cases relating to immovable property.</td>
</tr>
</tbody>
</table>

- State Unified Computerised Land Register
- Registers of civil status
- Register of matrimonial property
- Register of public wills
- Enterprise register
- Register of accounts

**Contact details:**

https://www.zemesgramata.lv/saturs/lv/39-6-6

https://www.ta.gov.lv/lv/iestades-kontakti

The State Unified Computerised Land Register is a centralised database.

Entries in the computerised Land Register may be freely consulted and extracts or copies requested via a direct connection. Information may be requested by specifying the entry number, the property’s cadastral number, the property’s name or the address of an object forming part of the property. The entry extract can be accessed once all sections of the land registry entry have been updated.

This information may be obtained from district (city) courts, or it may be provided by the custodian of the State Unified Computerised Land Register.

Computerised record books, details of immovable property cases and the index of individuals may be consulted by, or information obtained from these, only by property owners and persons holding property rights (Article 1477 of the Civil Law). The list of officials of State institutions to which the information in question may be sent by the custodian of the State Unified Computerised Land Register to meet official needs, along with the volume of the information in question and the manner in which the information may be provided, is laid down by the Cabinet. This information may be sent to other individuals with the authorisation of the President of a district (city) court, where the said information is needed to protect rights of individuals which have been infringed or contested, or interests which are protected by law.

The institution that curates the register, in accordance with legislation, may also send a specified amount of information to another State institution. An institution may refuse to send this information to another State institution if doing so is not compatible with Cabinet Regulation No 801.

Information must be requested and sent in the State language (Latvian) using e-mail, an e-address or by post.

Information will be sent depending on the specific request (admissibility will be determined by the president of the court).

To register a change of ownership of a registered property as a result of inheritance, a request must be submitted for confirmation certified by a notary along with documents attesting to the change of ownership (certificate of inheritance, will, death certificate). Documents must be in Latvian or must be accompanied by a translation certified by a notary. Since each case is different, the judge in charge of the investigatory procedure may also need additional documentation.

For the registration authority to be able to identify the registered property and register the change of ownership on inheritance, the property identification data provided for in the request for confirmation, including the extent of the property rights to be confirmed, must be completed.

The State Unified Computerised Land Register is the only computerised land register that contains legally recognised information. Land registers are universally accessible and their entries have the status of official records.

2. Registers of civil status the Republic of Latvia has a unified State information system, the Register of natural persons (hereinafter ‘FPR’). In accordance with Article 2(1) of the Law on the register of natural persons, the FPR is a State information system which stores restricted information and which is controlled and curated by the Office of Citizenship and Migration Affairs (‘PMLP’). In accordance with Article 4(1) and (11) of the Law on the register of natural persons, the FPR contains updated particulars of Latvian citizens, Latvian non-citizens and foreigners. The FPR updates and renews details of entries in civil status records. However, in accordance with Article 7(1) of the Law on the registration of civil status acts, details of marriages entered into, and of registered births and deaths, are included, updated and renewed in the FPR by the registry office.

<table>
<thead>
<tr>
<th>Contact details:</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="https://www.ta.gov.lv/lv/iestades-kontakti">https://www.ta.gov.lv/lv/iestades-kontakti</a></td>
</tr>
<tr>
<td><a href="https://www.ta.gov.lv/lv/iestades-kontakti">https://www.ta.gov.lv/lv/iestades-kontakti</a></td>
</tr>
<tr>
<td><a href="https://www.ta.gov.lv/lv/iestades-kontakti">https://www.ta.gov.lv/lv/iestades-kontakti</a></td>
</tr>
<tr>
<td><a href="https://www.ta.gov.lv/lv/iestades-kontakti">https://www.ta.gov.lv/lv/iestades-kontakti</a></td>
</tr>
</tbody>
</table>

Contact details:

https://www.pmlp.gov.lv/lv/pakalpojumi/fizisko-personu-registrs
Latvia does not have separate regional information systems for storing details of entries in registers of births, marriages and deaths, as provided for in Article 7(1) of the Law on the registration of civil status acts. Details of marriages entered into, and of registered births and deaths, are included, updated and renewed by the FPR.

In accordance with Article 9(1) and (2) of the Law on the registration of civil status acts, the General Registry institution prepares a computer print-out of an entry in the register of civil status acts after including the information referred to in Article 7(1) of that law in the FPR. The computer print-out is signed by an official or employee of the General Registry institution and by the person to whom the extract of entry in the register of civil status acts relates, or by the person notifying the event, and is approved with a seal bearing the State coat of arms.

In accordance with Article 43(2) of the Law on the registration of civil status acts, the registry office which registered the civil status acts in question keeps the entries in registers of civil status acts in printed form for 100 years, thereafter transferring them to the National Archives of Latvia.

As there are no regional registers in Latvia, documents attesting to the registration of civil status acts in the FPR may be issued by any local registry office (hereinafter 'registry office'), by a diplomatic and consular representation of the Republic of Latvia abroad (hereinafter 'representation') and by the Ministry of Justice within the framework of its competence.

The FPR contains restricted information. Information on entries in registers of civil status acts may be obtained by persons in accordance with the regulatory provisions laid down in the Law on the register of civil status acts.

In accordance with the provisions of the following sections of Article 6 of the Law on the registration of civil status acts:
1) paragraph 4 - the right to access an entry in the register of marriages and to request a marriage certificate, an extract testifying to the registration of a marriage or a copy of the entry in the register of marriages, shall be enjoyed by the person in respect of whom the entry was made, or a person authorised by them. If the marriage is terminated by the death of one of the spouses or the declaration of the death of one of the spouses, the General Registry institution or the Ministry of Justice shall issue an extract testifying to the registration of the marriage in accordance with the entry in the marriage register.
2) paragraph 5 - the right to access an entry in the register of births (other than an entry in the register relating to adoption) and to request a birth certificate, birth registration certificate or a copy of the entry in the birth register, shall be enjoyed by the person in respect of whom the entry was made, or by a person authorised by them. The right to access an entry for a minor in the register of births and to request a birth certificate, birth registration certificate or a copy of the entry in the birth register shall be enjoyed by the parents or the legal representatives of the child.
3) paragraph 6 - the right to access an entry for an adopted person of legal age in the birth register and to request a birth certificate, birth registration certificate or a copy of the entry in the birth register, shall be enjoyed by the person in respect of whom the entry was made, or by a person authorised by them. The right to access an entry for an adopted minor in the register of births and to request a birth certificate, birth registration certificate or a copy of the entry in the birth register shall be enjoyed by the adopting party, the child's legal representatives or a person authorised by them.
4) paragraph 7 - the right to access an entry in the register of deaths and to request a death certificate, a death registration statement or a copy of an entry in the register of deaths, shall be enjoyed by the relative of the deceased or a person authorised by them.
5) paragraph 8 - other persons may request and obtain a certificate of the registration of a civil state document if they can prove their lawful interest.

The FPR is maintained by the PMLP.

Article 2(2) of the Law on the register of natural persons stipulates which institutions may, within the limit of their remit, update and disclose FPR particulars.

Civil status documents (extracts or certificates) relating to the registration of births, marriages or deaths may be issued by registry offices, representations and the Ministry of Justice, if the record is drawn up by a Latvian registry office or a representation.

In accordance with Article 6(9) of the Law on the registration of civil status acts, a copy of the entry in the register of civil status acts must be made available to the courts, the Public Prosecutor's Office, an investigating authority, the Ministry of Justice, the General Registry institution, the family court and notaries on request.

Registry offices, representations or the Ministry of Justice may issue documents attesting to civil status from register entries drawn up by Latvian General Registry institutions within the last 100 years. In accordance with Article 43(2) of the Law on the registration of civil status acts, the registry office which registered the civil status acts in question keeps the entries in registers of civil status acts in printed form for 100 years, thereafter transferring them to the National Archives of Latvia.

In accordance with Chapter XI on the re-issue of documents attesting to the registration of civil status acts of Cabinet Regulation No 761 of 3 September 2013 on the registers of civil status acts, applications submitted must indicate the following:

1) the reason why the document needs re-issuing;
2) depending on the type of document needed to be re-issued, the date and place of the marriage, divorce, birth or death, and the place and year of registration of the register entry;
3) the personal data of the individuals in respect of whom the re-issue of the document is requested. If certificates are requested for the registration of the marriage or birth of a deceased individual, proof that the individual is dead (death certificate or a certified copy thereof, or other document with legal force attesting to the death of the individual in question) must be submitted. If details of the registration of the birth, marriage or death of a deceased person are requested by a person who is not a relative of the deceased, documents attesting to lawful interest must be submitted. If details are requested by a relative of the deceased, copies attesting to kinship must be added. Institutions and legal persons should preferably make a request using an official form.

Private individuals may draw up their requests in free text, giving their contact details (address, e-mail, phone number).

If necessary, the application should include certified copies of other documents. If any of the documents are drawn up in third countries, the attached documents must be duly legalized and translated into Latvian or English.

For a request sent to an institution via its official e-mail address or e-mail to be accepted for examination, it must be electronically signed with an ASICE electronic signature that can be read in the European Union or a means of electronic authentication that is recognised in the European Union.

If it is not possible to certify the application and the attached documents by the above-mentioned means of electronic authentication, the paper request, duly signed by the competent official or private individual, must be sent to the addressee by post.

Information may be requested in Latvian or English.

In accordance with Article 47(1) of the Law on the registration of civil status acts, a registry office, representation or the Ministry of Justice, based on the entries in civil status registries, issues the following documents attesting to the registration of civil status acts:
1) a marriage, birth or death certificate;
2) an extract attesting to the registration of a civil status act;
3) an entry in the register of civil status acts kept by the institution in question in paper form (copy);
4) a computer printout of an entry in the register of civil status acts.
Where documents are requested by a public authority for the performance of own activities, the documents are issued free of charge. Other parties must make a service or State fee payment. The amount of the service payment shall be determined by the schedule of service fees of each registry office, representation or the Ministry of Justice. The service or State fee payment may be made via the intermediary of any bank.

In accordance with Article 46(1) of the Law on the registration of civil status acts, civil status register entries in the FPR and in paper form and the documents attesting to registration issued on the basis of these prove the conclusion of a marriage, the registration of a birth of death or other particulars shown in the entries of registers of civil status acts.

3. The register of matrimonial property. The register of matrimonial property records contracts of marriage entered into by a man and a woman A contract of marriage is a legal transaction, or a special type of contract, by which the parties - spouses - establish, amend or terminate their matrimonial property regime by exercising their rights and the possibilities afforded them by law in terms of determining their own property regime.

4. The register of public wills is controlled and curated by the Latvian Council of certified notaries [Latvijas Zvērinātu notāru padome]. Data in the register of public testaments relating to the aforementioned acts of last will and testament made as of the date on which the register of public wills became operational constitute official records. Data in the register of public wills relating to acts of last will and testament made up to the date on which the register of public wills became operative are informative in nature. The operation of this register is regulated by a Cabinet Regulation. Again, this register is unified, i.e. it does not consist of regional registers.

Contact details: https://www.latvijasnotars.lv/services

The issue of data from the register of public wills in the cases specified by the Cabinet Regulation is a service subject to payment. The amount of the fee for the issue of data from the register of public wills, the payment procedure and exemptions from its payment are laid down by the Cabinet. The Register of public wills contains details of: 1. documents containing a last will and testament (hereinafter 'documents') - public wills, documents of acceptance for safekeeping of private wills, contracts of succession and other publicly attested transactions containing instructions in the event of death; 2. documents that rescind, amend, supplement or revoke a last will and testament; 3. information requested from the register.

Information from this register on documents and where they are located is provided by the Latvian Council of Certified Notaries. Consequently, the contents of a will are not available and can only be accessed by a certified notary in connection with a succession case.

Information on particulars included in the register during the testator's lifetime may only be accessed by the testator and the Council. After the testator's death, information on particulars included in the register may be obtained by certified notaries, the courts, and bodies of central and local government to assist them in their work, or by other persons.

Information on particulars included in the register may be sent to the testator, the Council and bodies of central and local government to assist them in their work, and to other persons, based on an electronic or written request indicating the need to obtain information. Information on particulars included in the register is sent electronically or in writing to the testator, bodies of central and local government to assist them in their work, and to other persons, within no more than 10 days of a request being received.

As part of inheritance proceedings, information on particulars included in the register is sent to persons other than certified notaries, the courts or bodies of central and local government by the certified notary in charge of the inheritance proceedings.

Certified notaries and the courts receive information on particulars included in the register via the online data transmission regime. For the issue of particulars from the register of public wills the following fees are payable:

1. for an extract prepared in writing or electronically in accordance with legislation on the drafting, presentation and circulation of electronic documents (per testator) – EUR 8.54;
2. if the extract includes information on more than one testator, in addition to the payment referred to in subparagraph 3.1, a fee of EUR 4.27 is charged for each additional testator (starting with the second).

If the requesting party asks for the extract to be sent in less than 10 days from the date of receipt of the request, the fee shall be increased as follows:

1. by a factor of two, if the extract is sent within five days;
2. by a factor of four if the extract is sent within a day.

The fee is increased by 50% if the extract is drawn up in a foreign language.

The fee for the issue of extracts from the register of public wills is paid into the current account of the Council of Certified Notaries or may be paid in cash at the Council’s offices prior to the receipt of the particulars in question.

The following are exempt from the payment of the fee for the issue of particulars from the register of public wills:

1) the persons and institutions mentioned in paragraph 7 of this Regulation;
2) interested parties obtaining register information under inheritance proceedings;
3) natural persons (testators), who may obtain information on themselves once a year.

5. In accordance with Article 1(1) of the Law on the Enterprise Register of the Republic of Latvia, the functions of the Enterprise Register are to carry out the registration of commercial operators and their branches, representations of foreign commercial operators and organisations and representatives thereof, cooperative societies, European Economic Interest Groupings, European commercial companies, European cooperative societies, political parties and alliances thereof, administrators, insolvent entities, developments in legal protection and insolvency proceedings, developments in the release of a natural person from debt liabilities, associations and foundations, religious organisations and their institutions, trade unions, media, decisive influence, commercial pledges, spousal property relations and arbitration courts, to ensure that the relevant registers are kept and to ensure that a list is kept of public persons and institutions and that information on the public persons and institutions entered in it is available. Information crucial to succession proceedings kept in the registers run by the Enterprise Register is on participants in legal entities and their owners, members and beneficial owners.

Postal address of the Enterprise Register: Pērēs iela 2, Rīga, LV-1011 Tel. 67031703; The official email address is pasts@ur.gov.lv. Web: https://www.ur.gov.lv/
the prevention of money laundering and terrorism and proliferation funding, and by other institutions subject to the submission of a justified request.

Information and documents in the non-public section of the register may be requested by private persons in accordance with the procedure for requesting restricted information set out in the Law on the freedom of information.

At the request of the Saeima [Latvian Parliament], the Cabinet of Ministers, institutions under direct State control, law enforcement and control bodies and local authorities, at the request of any other State institution enjoying such a statutory right, and at the request of judicial officers for the performance of their tasks, the Enterprise Register provides the requisite information from the registers free of charge, within the limits laid down by legislation. The Enterprise Register sends these bodies any of the information requested which it holds in its registers. Legislation makes no provision for refusing requests for information. Legislation does not stipulate a specific volume of information that must be provided on an individual in respect of whom information is requested. Legislation does not stipulate a specific volume of information that must be provided on an individual in respect of whom information is requested. However, such information must be sufficient to identify the person in respect of whom information is requested.

As regards the request of information from the Enterprise Register, a written request from an institution constitutes sufficient grounds for the transmission of information. Information may be requested by mailing a written request to the Enterprise register, or by sending an electronic request to the e-mail address of the Enterprise register or its official electronic address. Requests must be signed using a secure electronic signature. Requests must be signed using a secure electronic signature.

Information may be requested in Latvian only.

Electronic copies of documents are available on-line on the information website of the Enterprise Register, while copies issued on request are certified (in paper or electronic format).

Information is provided in Latvian only.

The competent authorities referred to in Article 410(1) of the Law on the Enterprise Register of the Republic of Latvia and requesting information from the Enterprise Register are exempt from payment of the State fee. By contrast, other bodies must pay the fee for this service in accordance with Cabinet Regulation No 23 of 7 January 2020 governing the issue of information from the Enterprise Register and the schedule of service payments. The fee is payable by bank transfer to the Enterprise register account at the Treasury.

The Enterprise register does not record the transfer of property rights. Likewise, for example, as regards capital companies, for the re-registration of a testator’s capital as that of an heir, an application must be submitted to the Enterprise Register accompanied by a copy of extracts from the register of participants and a copy of the inheritance certificate. The formal aspects of documentary checks are set out in Article 14(1) of the Law on the Enterprise Register of the Republic of Latvia.

In accordance with the general provisions of the Law on the Enterprise Register of the Republic of Latvia, the operational objective of the Enterprise Register is to register the legal entities referred to in the law with a view to establishing the legal status of legal entities, securing public confidence in the information laid down in legislation (on registered legal entities and legal facts) and providing access to the information laid down in legislation. This means that the public can have confidence in all the information recorded in the registers kept by the Enterprise Register. It should also be noted that the Enterprise Register does not record property, and enrolment in the registers kept by the Enterprise Register does not constitute proof of ownership.

3 The availability of information on bank accounts
On 1 July 2017 the Law on the accounts register entered into force, making it obligatory to bring together in one place information on all natural and legal persons holding accounts in Latvia at any credit institution, credit union or institution for payment service providers. The Accounts register is controlled by the State Revenue Service (Valsts ieņēmumu dienests, VID).

The accounts register introduces a system that allows identification of any natural or legal person holding a demand deposit account or a payment account. The register brings together information on persons who have opened payment accounts or demand deposit accounts in the Republic of Latvia and on their beneficial owners.

The register records information on account ownership, not on monetary transfers or account balances.

Information from the register can only be requested by the following bodies referred to in the law in order to perform their duties:

- the Service for the prevention of money laundering; authorities engaged in operational activities;
- investigating authorities;
- the Financial and Capital Market Commission (Finanšu un kapitāla tirgus komisija);
- the State Revenue Service (Valsts ieņēmumu dienests);
- the courts;
- the Public Prosecutor’s Office;
- the Anti-Corruption Office (Korupcijas novēršanas un apkarošanas birojs);
- certified judicial officers;
- certified notaries;
- family courts;
- the Bank of Latvia (Latvijas Banka).

Data on accounts are supplied to the Register by credit institutions, credit unions or payment service providers. The procedure whereby a credit institution, credit union or payment service provider forwards information to the accounts register and users of the accounts register receive information from it is laid down by the Cabinet.

4 The availability of a register of intellectual property rights
The Latvian database on industrial property is maintained by the Patent Office of the Republic of Latvia (Latvijas Republikas Patentu valde), specifically:
1) the database on patents and patent applications contains the full texts of patent applications and patents granted, and translations of European patent claims. The publication numbers shown in the ‘publications’ section of the database function as hyperlinks to the official gazette in which they were published, while the ‘case documents’ section shows and displays case materials;
2) up-to-date information on trademarks registered or refused in Latvia can be found in the Trademarks database;
3) The Designs database contains details of design patents granted in accordance with the Law on designs.

Databases giving details of holders of copyright or related rights are created and maintained by collective management organisations such as the Copyright and Communication Consulting Agency / Latvian Authors’ association (Akka/LAA) and LalPA, the Latvian Association of Performers and Producers (LaiPa).

5 Other registers with information relevant to successions
Certified notaries also make daily use of the Inheritance register. The Inheritance Register is owned solely by the Latvian State. The Inheritance Register is controlled and curated by the Latvian Council of certified notaries. The Inheritance Register shows the testator’s first and last name and personal identity number, plus the first and last name and personal identity number of the certified notary in charge of inheritance proceedings. Interested parties may consult the inheritance register and obtain extracts from it.

For the issue of extracts from the inheritance register, the following fees are payable:
1. for access to the inheritance register by interested parties using the global computer network (internet), EUR 4.27 per inheritance case;
2. for an extract prepared in writing or electronically in accordance with legislation on the drafting, presentation and circulation of electronic documents (per inheritance case) – EUR 8.54;
3. if the extract includes information on more than one inheritance case, in addition to the payment referred to in subparagraph 2.2, a fee of EUR 4.27 is charged for each additional inheritance case (starting with the second).

If the requesting party asks for the extract to be sent in less than 10 days from the date of receipt of the request, the fee shall be increased as follows:
1. by a factor of two, if the extract is sent within five days;
2. by a factor of four if the extract is sent within a day.

The fee is increased by 50% if the extract is drawn up in a foreign language.

The fee for the issue of extracts from the inheritance register is paid into the current account of the Council of certified notaries or may be paid in cash at the Council’s offices prior to the receipt of the extract in question.

The following are exempt from payment of the fee for the issue of extracts from the inheritance register: certified notaries, the courts and central and local government institutions accessing register data to carry out their professional duties and functions, and persons submitting an inheritance application to a certified notary.

In Latvia, the Courts information system can also be accessed. This records information on the cases and materials being examined in court. This information includes, for instance, data on parties to a case, court sessions and written proceedings, applications and complaints submitted, decisions taken in a case, sanctions applied and other documents accompanying a court decision.

The information in the system is restricted and contains data on natural persons. It consists of information needed for judicial purposes. In accordance with Cabinet Regulation No 618 on the Courts information system, the information in the system can be used by judges and court officials for the performance of professional or work-related duties and to meet needs relating to professional duties.

In accordance with paragraph 18 of this Cabinet Regulation, access to the information contained in the system may be granted to State and local authorities to the extent necessary for them to perform and exercise their functions. To obtain the information in question, the institution must indicate which functions it needs to perform which require the information in question from the system. In accordance with paragraph 19 of this Cabinet Regulation, outside users may only use the system data distribution solution.

Anybody may use the publicly accessible part of the system on the internet site https://www.eliesta.lv/web/. This website may be used to access, for example, the timetable of court sessions, the scheduled dates of legal proceedings concerning the subject’s case upon log-in, anonymised court decisions and the dates of other legal proceedings on information on parties to the case.

Generalised access is also available to the Register of executive files, which is designed to help judicial officers do their work. The purpose of this register to ensure the unified electronic registration, processing, storage and access of executive files, with a view to ensure the operational control of legal enforcement proceedings. The operation of the register of executive files is governed by the Law on civil procedure, the Law on judicial officers and Cabinet Regulation No 941 on the register of executive files.

It should be noted that in accordance with the above-mentioned Cabinet Regulation, the system information may be accessed by the following:
- certified judicial officers;
- certified assistant judicial officers;
- staff from a certified judicial officer’s office needing access to the register to perform their professional duties;
- persons employed at the Ministry of Justice needing access to the register to perform their professional duties;
- persons employed at the Courts Administration needing access to the register to perform their professional duties;
- persons employed at the Latvian Council of judicial officers needing access to the register to perform their professional duties;

Register access rights are granted by the Courts Administration. Users of the register of executive files use the register in accordance with its intended purpose and the extent of the access rights granted.

Both natural and legal persons may secure on-line access free of charge to information from the register of executive files on enforcement cases recorded in the register in which a specific individual has the status of collector or debtor.

The Latvian cadastral information system (with a public section and an authorised section) is a unified recording system that ensures the acquisition, maintenance and use of up-to-date official textual and spatial data on items of real estate within the territory of the Republic of Latvia, their constituent cadastral objects (plots of land, buildings/structures, groups of premises, land unit parcels and their characteristic data), as well as owners, legal holders and users. This system allows the registration of immovable property that may not be registered, or which in accordance with legislation need not be registered, in the land register.

The running of the Latvian cadastral information system is regulated by the Law on the State immovable property cadastral and is curated by the Land Survey of Latvia.

The Enterprise Register is also available.

Access for persons involved in insolvency proceedings to the EMUS service, the electronic insolvency recording system. Information on pensions, benefits and remedies can be provided by the State Social Insurance Agency (VSAA).

The availability of information on closed wills and wills not subject to registration.

Under civil law, private wills may be deposited with a notary in accordance with the Law on notaries, or with a family court in accordance with the Law on family courts. The contents of a will may only be disclosed at the premises of the sworn notary in charge of inheritance proceedings.

Last update: 27/06/2024

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Information for authorities issuing an ECS - Malta
1 The kinds of registers that exist in the Member State, containing information relevant to successions

- Land register
- Condominium register
- Civil status register
- Register recording matrimonial property regimes / Register recording the property regimes of registered partnerships
- Register of wills
- Register of European Certificates of Succession
- Register of movable property (e.g. motor vehicles, boats, ships, airplanes, guns)
- Business register
- Securities register
- Insolvency register
- Register of insurance and pension funds

2 Information contained in each of the registers of the Member State, as listed under point 1

Land Register

What information is held in the register?

In the Land Registry there is information concerning the registered property together with the contracts and other legal documents on which the registration is based. Plans of the registered properties are also found in the register.

Contact details of the national register:

116, Casa Bolino, West Street, Valletta

Are there regional registers?

No

Are the regional registers interconnected?

N/A

Can the regional registers be contacted by authorities from another Member State?

N/A

Is the information held in the register publicly available or are there restrictions to access?

Yes, it is available.

If there are restrictions to access, who is entitled to request information?

N/A

Is the authority keeping the register authorised under national law to provide information to another national authority?

Yes

If yes, which information can the register authority provide to another national authority under national law?

The information provided would be relevant to investigations concerning money laundering, financial crimes etc.

On which grounds can the register authority refuse to provide information to another national authority?

N/A

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.

N/A

Must the requesting authority provide any supporting evidence of the information provided on the deceased?

N/A

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.

N/A

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.

Email and Postal Services.

In which language can the information be requested?

Generally English or Maltese

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.

Hard copy or soft copy depending on the case.

In which language can the information be provided?

Maltese or English

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?

This depends on the nature of the request and the type of Authority. The fee can be paid in cash or by cheque.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.

This is done through a causa mortis declaration.

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?

The Causa Mortis declaration, and in certain cases a plan of the property.

For example, in the case of immovable property: exact address, land parcel or cadastral number, description of the property

What is the legal value in your Member State of the Information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.

Registration of property will result in a legal title over the same property registered.

Condominium Register

What information is held in the register?
In the Condominium register there is information regarding the registered Condominia and the respective Administrators and the registration of rules regulating the Condominia.

Contact details of the national register:
116, Casa Bolino, West Street, Valletta

Are there regional registers?
No

Are the regional registers interconnected?
N/A

Can the regional registers be contacted by authorities from another Member State?
N/A

Is the information held in the register publicly available or are there restrictions to access?
Yes, it is available.

If there are restrictions to access, who is entitled to request information?
N/A

Is the authority keeping the register authorised under national law to provide information to another national authority?
Yes

If yes, which information can the register authority provide to another national authority under national law?
The information provided would be relevant to investigations concerning money laundering, financial crimes etc.

On which grounds can the register authority refuse to provide information to another national authority?
N/A

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, data of birth of the deceased, residence of the deceased, other.
N/A

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
N/A

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
N/A

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
Email and Postal Services.

In which language can the information be requested?
Generally English or Maltese

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
Hard copy or soft copy depending on the case.

In which language can the information be provided?
Maltese or English

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
This depends on the nature of the request and the type of Authority. The fee can be paid in cash or by cheque.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
This is done through a causa mortis declaration.

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
The Causa Mortis declaration, and in certain cases a plan of the property.

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
Registration of property will result in a legal title over the same property registered.

Civil Status Register

What information is held in the register?
As per Article 239 of the Civil Code (Ch. 16 of the Laws of Malta), “In the Public Registry Office in Malta, there shall be registered all acts of birth, marriage and death which shall have taken place in the island of Malta, as well as the acts mentioned in articles 244 and 285; and in the Public Registry Office in Gozo, there shall be registered all acts of birth, marriage and death which shall have taken place in the islands of Gozo and Comino.”

Therefore in simpler terms, in each of the four registers (birth, marriage, civil unions and death), there are registered all acts of births, marriages, civil unions and deaths occurring in Malta as well as any act of birth, marriage/ civil union and death of a citizen of Malta born in Malta or registered in a foreign country by a competent authority in that country, which are eventually registered in Malta.

Contact details of the national register:
Address:
Onda Building,
Aldo Moro Road,
Marsa
Telephone:
(+356) 2590 4230
Email Address:
pubreg.civilstatus@gov.mt

Are there regional registers?
Yes, one in Gozo. Article 2 of the Public Registry Act (Ch. 56 of the Laws of Malta) holds that there shall only “be a Public Registry Office in Malta and another in Gozo”.

Are the regional registers interconnected?
A copy of all registrations at the Public Registry (Malta) are transmitted to the Public Registry (Gozo) and vice-versa. However, the two are considered as separate entities under the law.

Can the regional registers be contacted by authorities from another Member State?
The Public Registry (Malta) can be contacted by authorities from another Member State on the above-indicated contact details.

Is the information held in the register publicly available or are there restrictions to access?
Yes, Article 251(1) of the Civil Code (Ch. 16 of the Laws of Malta) stipulates that “The register books, acts and documents referred to in the foregoing articles, shall be open to inspection by every person”.

If there are restrictions to access, who is entitled to request information?
Restrictions apply only in cases of adoptions. In such cases, only the adopted person or the adoptive parent would be entitled to request information.

Is the authority keeping the register authorised under national law to provide information to another national authority?
Yes, however in limited cases only.

If yes, which information can the register authority provide to another national authority under national law?
There are certain authorities (usually for any investigations or statistics) which are entitled by law to obtain any necessary information registered in any act of birth/ marriage/ civil union/ death. In these cases, prior to providing the requested data, the Public Registry (Malta) requests the specific legal provision under which that national authority is entitled to request data.

On which grounds can the register authority refuse to provide information to another national authority?
For data protection reasons, the Public Registry (Malta) does not provide data to any person or authority who is not entitled by law to request such data. However, any national authority may, either by applying online or by visiting directly the Public Registry premises in Valletta, request any birth/ marriage/ civil union or death certificate if it is in possession of the required particulars (such as name, surname, ID number and date of birth, marriage, civil union or death).

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.
N/A

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.
As a minimum, the requesting authority would need to provide the name and surname of the person in question, the ID number, and the respective date of birth/ marriage/ civil union/ death.

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
No, there is no need for the requesting authority to provide any supporting evidence of the information provided on the deceased.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
No, in order to obtain a birth/ marriage/ civil union/ death certificate, there is no need to highlight the fact that the information is requested pursuant to Article 66(5).

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
The requesting authority may request the Public Registry to issue a birth/marriage/ civil union or death certificate through an online application, using the following link: https://certifikati.identita.gov.mt/en/Home

In which language can the information be requested?
The information can be requested either in the Maltese Language or in the English Language.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
The certificates issued by the Public Registry are a true copy of the original registered and preserved in the Public Registry archives. Upon the request made by means of an online application, the respective certificate is issued in hard copy and sent by postal mail on the address indicated in the online application.

In which language can the information be provided?
The information is provided both in the Maltese and the English Language. Moreover, in case where the multilingual form of the certificate is requested, the Public Registry would only be able to issue the full version of such certificate (and not the extract version).

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
In order to obtain the full version of the requested certificate, the fee would be €9.95 whilst in order to obtain an extract version (containing the most important information) the fee would be €2.50. In case where the multilingual form is requested, an additional €10 would have to be paid together with the €9.95 fee of the full certificate. Fees are paid online.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
N/A

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
For example, in the case of immovable property: exact address, land parcel or cadastral number, description of the property
N/A

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
N/A

Register recording matrimonial property regimes - Register recording the property regimes of registered partnerships

What information is held in the register?
The information held in the register is specified in Article 28 of the Notarial Profession and Notarial Archives Act, Chapter 55 of the Laws of Malta.

Contact details of the national register:
Address: Public Registry Searches Unit, 34 Archbishop Street Valletta.

Are there regional registers?
Yes, one in Gozo.

Are the regional registers interconnected?
Yes.

Can the regional registers be contacted by authorities from another Member State?
No.

Is the information held in the register publicly available or are there restrictions to access?
Information is publicly available.

If there are restrictions to access, who is entitled to request information?
No restrictions.

Is the authority keeping the register authorised under national law to provide information to another national authority?
Yes.

If yes, which information can the register authority provide to another national authority under national law?
Search by person for transfer, liabilities and redemptions

On which grounds can the register authority refuse to provide information to another national authority?
The Director is bound to give to any person applying for a search, a certificate of all the registrations of causes of preference entered in the register against any individual, or of the enrolments of deeds to which such individual was a party. The only ground whereby an order cannot be processed is if the information required to conduct a search is insufficient.

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.
This unit does not keep a copy of the contents of wills, the notary presents a note of the will which contains the date and nature of the act and the designation of the testator. In order to obtain information about the contents of a will one has to contact the notary who published the will.

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.
Name and surname of the deceased, father’s name and surname, mother’s name and maiden surname, place of birth. The authority should also specify a time-period for the search.

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
No.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
An order for a search can be made on our online portal.

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.

In which language can the information be requested?
English.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
Certified hard copy.

In which language can the information be provided?
Invoice and order are in English however the actual search consists of notes presented either in English or Maltese.

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
Yes, there is a fee and one can pay either by cash, card, cheque or online.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
One must contact a notary public.

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
For example, in the case of immovable property: exact address, land parcel or cadastral number, description of the property

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
N/A

Register of Wills

What information is held in the register?
The information held in the register is specified in Article 28 of the Notarial Profession and Notarial Archives Act, Chapter 55 of the Laws of Malta.

Contact details of the national register:
Address: Public Registry Searches Unit, 34 Archbishop Street Valletta.

Are there regional registers?
Yes, one in Gozo.

Are the regional registers interconnected?
Yes.

Can the regional registers be contacted by authorities from another Member State?
Yes.

Is the information held in the register publicly available or are there restrictions to access?
Information is publicly available.

If there are restrictions to access, who is entitled to request information?
No restrictions.

Is the authority keeping the register authorised under national law to provide information to another national authority?
Yes.

If yes, which information can the register authority provide to another national authority under national law?
Search by person for transfer, liabilities and redemptions

On which grounds can the register authority refuse to provide information to another national authority?

N/A
The Director is bound to give to any person applying for a search, a certificate of all the registrations of causes of preference entered in the register against any individual, or of the enrolments of deeds to which such individual was a party. The only ground whereby an order cannot be processed is if the information required to conduct a search is insufficient.

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.

This unit does not keep a copy of the contents of wills, the notary presents a note of the will which contains the date and nature of the act and the designation of the testator. In order to obtain information about the contents of a will one has to contact the notary who published the will.

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.

Name and surname of the deceased, father’s name and surname, mother’s name and maiden surname, place of birth. The authority should also specify a time-period for the search.

Must the requesting authority provide any supporting evidence of the information provided on the deceased?

No.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.

No.

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.

An order for a search can be made on our online portal.

In which language can the information be requested?

English.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.

Certified hard copy.

In which language can the information be provided?

Invoice and order are in English however the actual search consists of notes presented either in English or Maltese.

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?

Yes, there is a fee and one can pay either by cash, card, cheque or online.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.

One must contact a notary public.

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?

For example, in the case of Immoveable property: exact address, land parcel or cadastral number, description of the property

One must contact a notary public.

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.

N/A

Register for European Certificate of Succession

What information is held in the register?

The information held in the register is specified in Article 28 of the Notarial Profession and Notarial Archives Act, Chapter 55 of the Laws of Malta.

Contact details of the national register:

Address: Public Registry Searches Unit, 34 Archbishop Street Valletta.

Are there regional registers?

Yes, one in Gozo.

Are the regional registers interconnected?

Yes.

Can the regional registers be contacted by authorities from another Member State?

No.

Is the information held in the register publicly available or are there restrictions to access?

Information is publicly available.

If there are restrictions to access, who is entitled to request information?

There are no restrictions.

Is the authority keeping the register authorised under national law to provide information to another national authority?

Yes.

If yes, which information can the register authority provide to another national authority under national law?

Search by person for transfer, liabilities and redemptions

On which grounds can the register authority refuse to provide information to another national authority?

The Director is bound to give to any person applying for a search, a certificate of all the registrations of causes of preference entered in the register against any individual, or of the enrolments of deeds to which such individual was a party. The only ground whereby an order cannot be processed is if the information required to conduct a search is insufficient.

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.

This unit does not keep a copy of the contents of wills, the notary presents a note of the will which contains the date and nature of the act and the designation of the testator. In order to obtain information about the contents of a will one has to contact the notary who published the will.

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.

Name and surname of the deceased, father’s name and surname, mother’s name and maiden surname, place of birth. The authority should also specify a time-period for the search.
Must the requesting authority provide any supporting evidence of the information provided on the deceased?
No.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
No.

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
An order for a search can be made on our online portal.

In which language can the information be requested?
English.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
Certified, hard copy.

In which language can the information be provided?
Invoice and order are in English however the actual search consists of notes presented either in English or Maltese.

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
Yes, there is a fee and one can pay either by cash, card, cheque or online.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
One must contact a notary public.

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
For example, in the case of immovable property: exact address, land parcel or cadastral number, description of the property
One must contact a notary public.

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
N/A

Register of Ships

What information is held in the register?
Registered particulars of the ship, registered ownership and registered encumbrances

Contact details of the national register:
Registrar General of Shipping & Seamen
Merchant Shipping Directorate
Authority for Transport in Malta
Lija LJA 2021

Are there regional registers?
No.

Are the regional registers interconnected?
N/A.

Can the regional registers be contacted by authorities from another Member State?
N/A.

Is the information held in the register publicly available or are there restrictions to access?
The information held in the register is public.

If there are restrictions to access, who is entitled to request information?
N/A.

Is the authority keeping the register authorised under national law to provide information to another national authority?
No authorisation is required to provide information that is public.

If yes, which information can the register authority provide to another national authority under national law?
All information that is public.

On which grounds can the register authority refuse to provide information to another national authority?
Where the information in question is not in the public domain, such information may only be provided to another national authority by order of a Court of law in Malta or at the request of the local police.

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.
N/A.

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.
Name and Surname of the individual, Passport Number and/or Identity Card Number.

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
Preferably, copy of the Passport and/or Identity Card.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
Not necessarily. The request will be dealt with.

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
Email.

In which language can the information be requested?
English language.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
Electronic copy.

In which language can the information be provided?
English.
Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?

There is no fee, unless an official transcript of register is requested by a foreign authority.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.

This is regulated by Article 35 of the Merchant Shipping Act, Chapter 234 of the Laws of Malta. The following documents are also required:

- Notarial Declaration confirming the last will of the deceased, her/his heirs, the proportion of shares held by each heir. Declaration shall be apostilled.
- Copy of the last will.

Delegation of Transmision.

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?

For example, in the case of immovable property: exact address, land parcel or cadastral number, description of the property

- The name of the vessel.

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.

Registration provides evidence of legal title, based on original documents produced by the owner of the vessel.

Register of Commercial Partnerships

What information is held in the register?

The register contains information on all types of commercial partnerships as provided for under the Companies Act, Chapter 386 of the Laws of Malta. Information includes name of the commercial partnership, number in the register, the registered address, the date of incorporation, amount of share capital, which is furthermore divided in authorised share capital amount and issued share capital; the amount of shares held by each shareholder and the percentage paid up of the respective shares; company officials’ name, address, national identification number and nationality; shareholders’ name, address, national identification number and nationality, the legal and judicial representative name, address, national identification number and nationality, the status of the company (whether active, in process of merger, in process of conversion, in dissolution or struck off), details of the auditor of the company, warrant number and address, all notices delivered to the registrar for registration and all publications. In case of companies in dissolution, the portal will also have the name of liquidator and address.

Name, the date of birth, the nationality, the country of residence, the country of issue of each beneficial owner information of all commercial partnerships.

Contact details of the national register:

Malta Business Registry, AM Business Centre, Labour Road, Zejtun ZTN 2401 – Malta
T: (+356) 22582300
W: https://mbr.mt/

Are there regional registers?

No – only a national register

Are the regional registers interconnected?

N/A

Can the regional registers be contacted by authorities from another Member State?

The Maltese national register of commercial partnerships utilises the European Union’s infrastructure and is in fact connected to the Business Registers Interconnection System (BRIS). This interconnection will be further enhanced and contain more detailed information to transfer information as permissible and required. All this will be possible following the transposition of Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law.

Is the information held in the register publicly available or are there restrictions to access?

Information is publically available through this portal: https://registry.mbr.mt/ROC/

If there are restrictions to access, who is entitled to request information?

Access to data is free of charge. Access to information held on the Register of commercial partnerships concerning documents and beneficial ownership information is available against payment of minimal fees.

Restrictions to the register of beneficial owners of commercial partnerships apply on a case-by-case basis when access would expose the beneficial owner to the risk of fraud, kidnapping, blackmail, violence or intimidation, or where the beneficial owner is a minor or otherwise incapable. Such restrictions are in accordance with the 5 AMLD.

Is the authority keeping the register authorised under national law to provide information to another national authority?

Yes, the MBR has entered into a memorandum of understanding with a number of competent authorities for the sharing of its data. Data is being provided by means of direct access through Application Program Interface.

If yes, which information can the register authority provide to another national authority under national law?

The MBR’s portal can be accessed worldwide. All statutory notices delivered to the Registrar of Companies for registration are publicly available.

On which grounds can the register authority refuse to provide information to another national authority?

Only the restriction in relation to the register of beneficial owners specified above.

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.

N/A – Register of commercial partnerships does not hold information on registered wills.

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.

The interconnection of business registers facilitates searches based on commercial partnerships details, including registered name and number. Since the MBR register is the Register of Commercial Partnerships (and not a register of natural persons) and all involvements in the respective commercial partnerships have their personal identity number and residential address listed in the Register, due to General Data Protection Regulation (GDPR) requirements, the portal cannot offer search criteria based on individual natural persons. If there would be a legal basis for such an exemption, the Registrar will be able to give such information.

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
To search the portal by commercial partnership there is no need for any supporting documents. If a search by person is required and the Registrar is satisfied that the search will not be in breach of GDPR, then a certificate of death is required together with a legal opinion issued by a local advocate that this search is in accordance with data protection rules.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS. Any search on commercial partnerships is possible as the information is publicly available. In cases of providing information by person, then a copy of the application is required.

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
The MBR’s portal as specified above. In case of specific requests, an email can be sent to legal.enforcement@mbr.mt and an original to follow to MBR’s office.

In which language can the information be requested?
In Maltese or English language

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.

It depends on the request. If a soft copy is sufficient to the requesting authority, MBR will send a soft copy. If any other form is required we will do our best to adhere to such request.

In which language can the information be provided?
Maltese or English language

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
For information there is no fee. If there are documents requested that require payment, such payment can be done from the use of a ‘Top-up Account’ if a user to the system holds an account with the MBR’s portal, or by credit card if he is not a registered user. For other services, payments can also take place by a bank transfer or cheque.

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
The MBR’s remit is limited to shares in commercial partnerships, in which case the concerned company needs to file a notice that the shares have been transferred causa mortis within one month from the date on which such shares have been registered in the name of the person entitled to be registered as the holder thereof. In such a notice the names and addresses of the persons entitled to the shares transmitted causa mortis are indicated. In addition to that, a notification of change in the register of beneficial owners of the company needs to also be filed together with a certified true copy of the identification document of the beneficial owner. The Commissioner for Revenue needs to be notified about the share transfer.

What information is required In order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
Further to the procedure outlined in the preceding question, the notary in charge of the opening of the will of the deceased is required to get in touch with the MBR and the latter will provide such notary with all the involvements of the deceased.

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
Any document, certificate, or other particular document required to be delivered, given to or served on the Registrar of Companies for registration may be relied on by the commercial partnership as against third parties only after it has been duly published on the MBR’s portal, unless the commercial partnership proves that third parties knowledge thereof in which case the commercial partnership may rely on any such document, certificate or other particular notwithstanding that it has not yet been so published.

Insolvency Register

What Information is held in the register?
A list of Maltese registered companies that became insolvent and relevant data as per Article 24 of EU Regulation 2015/848, including:
The date of the opening of insolvency proceedings;
The court opening insolvency proceedings and the case reference number, if any;
The type of insolvency proceedings that were opened and, where applicable, any relevant subtype of such proceedings opened in accordance with national law;
whether jurisdiction for opening proceedings is based on Article 3(1), 3(2) or 3(4) of EU Regulation 2015/848;
The debtor’s name, registration number, and postal address;
The name, postal address or e-mail address of the insolvency practitioner, if any, appointed in the proceedings;
The time limit for lodging claims, if any, or a reference to the criteria for calculating that time limit;
The date of closing main insolvency proceedings, if any;
The court before which and, where applicable, the time limit within which a challenge of the decision opening insolvency proceedings is to be lodged, or a reference to the criteria for calculating that time limit.

Contact details of the national register:
The Office of the Official Receiver,
AM Business Centre,
Labour Road,
Zejtun ZTN2401,
Malta;
Phone: 00356 22582300;
Email:
legal.enforcement@mbr.mt

Are there regional registers?
There is only one national register.

Are the regional registers interconnected?
N/A

Can the regional registers be contacted by authorities from another Member State?
N/A

Is the information held in the register publicly available or are there restrictions to access?
All information within the register is freely available to the public. Anyone wishing to access the information would only need to create a user account, free of charge, in order to be granted unrestricted access to all data.

If there are restrictions to access, who is entitled to request information?
N/A

Is the authority keeping the register authorised under national law to provide information to another national authority?
No

If yes, which information can the register authority provide to another national authority under national law?
N/A

On which grounds can the register authority refuse to provide information to another national authority?
N/A

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.

The Insolvency Register does not hold any information concerning wills.

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.
N/A

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
N/A

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
N/A

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
Any further request for information may be made by contacting the office of the Official Receiver either by conventional mail, electronic mail or telephone using the above stated contact information.

In which language can the information be requested?
The information may be requested in the Maltese or English language.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
The insolvency Register does not include online documents and therefore does not provide copies or excerpts. Any registered documentation concerning the insolvent companies can be found within the Malta Business Register and the Registrar of Courts.

In which language can the information be provided?
N/A

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
N/A

Which are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
N/A

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
For example, in the case of immovable property: exact address, land parcel or cadastral number, description of the property
N/A

Is the information held in the register publicly available or are there restrictions to access?
Information is only accessible by the data subject upon request.

If there are restrictions to access, who is entitled to request information?
Data subject and court authorities may request information.

Is the authority keeping the register authorised under national law to provide information to another national authority?
N/A

Are the regional registers interconnected?
No

Can the regional registers be contacted by authorities from another Member State?
N/A

What information is held in the register?

Contact details of the national register:
Department of Social Security
38, Ordnance Street Valletta VLT 1021
Tel – Freephone 153 International Customers +356 21255153 (This is not a freephone number)
E-mail - social.security@gov.mt
Website – http://www.socialsecurity.gov.mt/
International Relations Unit
38, Ordnance Street Valletta VLT 1021
Tel - +356 25903420
E-mail - iru.admit@gov.mt
Website - http://www.socialsecurity.gov.mt/

Are there regional registers?
No

What is the legal value in your Member State of the information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
N/A

Register of Insurance and Pension Funds

What information is held in the register?
ID Card number, income received by the applicant and the number of contributions paid.

Are the regional registers interconnected?
N/A

Can the regional registers be contacted by authorities from another Member State?
N/A

Is the information held in the register publicly available or are there restrictions to access?
Information is only accessible by the data subject upon request.

If there are restrictions to access, who is entitled to request information?
Data subject and court authorities may request information.

Is the authority keeping the register authorised under national law to provide information to another national authority?
No.

If yes, which information can the register authority provide to another national authority under national law?
N/A

On which grounds can the register authority refuse to provide information to another national authority?
N/A

In particular, regarding registered wills, can the authorities holding information on wills in your Member State disclose the content of a will to authorities in another Member State? If not, explain if there is an alternative mechanism or a specific procedure to obtain the information, including whether an heir can obtain a copy of the will, and how.
N/A

What information must the requesting authority of another Member State provide to allow the requested register authority to search the register? For example, name of the deceased, ID number of the deceased, date of birth of the deceased, residence of the deceased, other.
ID card number of the deceased, as well as name and surname.

Must the requesting authority provide any supporting evidence of the information provided on the deceased?
Yes.

Must the requesting authority provide evidence that it is requesting information pursuant to Article 66(5)? For example, a copy of the application for an ECS.
N/A

Which means can be used to request and provide information? For example e-mail, other means of electronic transmission.
Email or a letter addressed to the Department.

In which language can the information be requested?
Maltese or English.

In which form will the information be provided? For example, certified or non-certified copy, certified or non-certified excerpt, hard copy, electronic copy.
Electronic Copy.

In which language can the information be provided?
Maltese or English.

Must the requesting authority pay a fee to obtain the information requested? How can the fee be paid?
N/A

What are the formal and substantial requirements to register a change of ownership of registered property resulting from succession? For example, tax documents, list of rights in rem, evidence on rights in rem, proof of acceptance, other.
N/A

What information is required in order for the register authority to identify the registered asset and be able to register a change of ownership further to a succession?
For example, in the case of immoveable property: exact address, land parcel or cadastral number, description of the property
N/A

What is the legal value in your Member State of the Information kept in the register? Please indicate in particular if, under your national law, registration provides evidence of legal title.
N/A

3 The availability of information on bank accounts
Is there an authority in your Member State which keeps a list of bank accounts? (for example, the central bank)
No.

4 The availability of a register of intellectual property rights
(such as copyrights, patents, supplementary protection certificates, utility models, topographies of semiconductor products, trademarks, indications of geographical origin, designs, plant varieties)
In your Member State, is information on IP rights kept by an authority or entity?
Information related to Trademarks, Patents and Designs are kept within the Commerce Department as part of the registration process and may be easily accessible to the general public on our online databases.

Data related to copyright is not kept at the Commerce Department and there is currently no database which gathers the information related to copyright in Malta.

With respect to the data on supplementary protection certificates, utility models, topographies of semiconductor products and plant varieties, the Commerce Department does not keep such information.

If the answer is yes, please provide the contact details (including a weblink if available) of the competent national authority or entity (for example, the national office for intellectual property) which can inform about the requirements to have access to records on intellectual property rights.
Commerce Department
Industrial Property Registrations Directorate,
Lascaris Bastions,
Dahlet Ġnien is-Sultan,
Valletta
Tel: +356 2122 6688 or +356 2569 0100
Email: ipoffice@gov.mt
Weblink:

5 Other registers with information relevant to successions
Please list any other registers or authorities which keep information relevant for successions - for example, on enforcement proceedings, fiscal debts.
None.

6 The availability of information on closed wills and wills not subject to registration
Which authorities or persons are allowed to keep the will?
According to Article 528 of Chapter 12 of the Laws of Malta, the Registrar Civil Courts and Civil Tribunals shall, in the presence of the Judge of the Civil Court (Voluntary Jurisdiction Section), receive any secret will presented to him by any testator or notary in the Registry of the Civil Court, Voluntary Jurisdiction Section. The Registrar notes down the particulars established by law. Note of such particulars shall be signed by the Registrar, and countersigned by the
testator or notary who shall have presented the will and by the Judge. The Registrar shall, within twenty-four hours, register such particulars in a book to be kept by him for the purpose.

**Are these authorities or persons legally obliged to disclose the content of the will after the death of the testator?**

According to Article 533 of Chapter 12 of the Laws of Malta, where a will is to be opened (after the death of the testator) the Court of Voluntary Jurisdiction shall by a decree, upon the application of any party interested filed in the Registry of the said court, appoint the day, time and place for the opening and publication of the will, and order that all interested parties be summoned. The will shall be opened by the Registrar in the presence of the judge at the time and place appointed by the decree of the Court of Voluntary Jurisdiction.

**Before whom should these authorities or persons disclose the content of the will?**

According to Article 534 of Chapter 12 of the Laws of Malta, after the will is opened, it shall be published in the presence of the Judge and the Registrar, by the notary who had presented it or, if such notary is dead or absent, or is prevented from attending on account of sickness or for any other reason, or if the will had been presented by the testator himself, by a notary to be selected by the party who made the application for the opening of the will.

**Who can ask for the disclosure of the will?**

According to Article 533 of Chapter 12 of the Laws of Malta, any party interested may make an application in the Civil Court, Voluntary Jurisdiction Section for the opening and publication of the secret will.

**Under which conditions and procedures will the content of the will be disclosed?**

According to Article 534 of Chapter 12 of the Laws of Malta, after the will is opened, it shall be published in the presence of the said Judge and the Registrar, by the notary who had presented it or, if such notary is dead or absent, or is prevented from attending on account of sickness or for any other reason, or if the will had been presented by the testator himself, by a notary to be selected by the party who made the application for the opening of the will.

According to Article 535 of Chapter 12 of the Laws of Malta, when the will is published, it shall be delivered to the notary by whom the publication of the will shall have been made. The notary shall, in the presence of the Judge, sign a receipt in the book kept by the Registrar and such receipt shall be countersigned by the Judge.

According to Article 32 of Chapter 55 of the Laws of Malta, the notary who publishes a secret will shall keep a record of such publication and shall preserve and register such record as in the case of an inter vivos act.

Last update: 21/02/2024

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

---

**Information for authorities issuing an ECS - Austria**

1. **The kinds of registers that exist in the Member State, containing information relevant to successions**

   The **Grundbuch (land register)** is a public register kept by the district courts in which parcels of land and the rights in rem to them (e.g. ownership, lien) are recorded.

   The **Zentrale Melderegister (ZMR, Central Register of Residents)** is a public register of the names of everyone who is registered in Austria along with details of their principal residence and – where applicable – of their secondary residence(s). The ZMR contains data on the identity (e.g. name, gender, date of birth, number in the register, nationality, etc.) and residence data of individuals.

   The **Zentrale Testamentsregister (ZTR, Central Register of Wills)** is used to record the deposit of succession-related documents with certain depositaries, and therefore to ensure their retrievability in probate proceedings.

2. **Information contained in each of the registers of the Member State, as listed under point 1**

   Information on the data recorded in the respective registers, the contact details of the registers, the basic structure of the registers (e.g. whether the databases are regional or nationwide) or the access rights and possibilities can be consulted online under the following links, in some cases also in English:

   - **Grundbuch (Land Register):**
     - [https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/grundbuch.html](https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/grundbuch.html)
     - [https://www.justiz.gv.at/home/e-justice/grundbuch~6ab4a8a422985de30122a90f642f6204.de.html](https://www.justiz.gv.at/home/e-justice/grundbuch~6ab4a8a422985de30122a90f642f6204.de.html)
   - **Zentrale Melderegister (ZMR, Central Register of Residents):**
     - [https://www.bmi.gv.at/413/Buergerinnen/start.aspx](https://www.bmi.gv.at/413/Buergerinnen/start.aspx)
   - **Zentrales Testamentsregister (ZTR, Central Register of Wills):**
     - Information can be consulted on the website of the Austrian Chamber of Notaries ([notar.at](https://www.notar.at)) under Aktuelles (News) / öffentliche Bekanntmachungen (Public announcements) / Richtlinien der Österreichischen Notariatskammer (Guidelines of the Austrian Chamber of Notaries).
     - **Testamentsregister der österreichischen Rechtsanwälte (Register of Wills of Austrian Lawyers):**
       - [https://www.rechtsanwaelte.at/buergerservice/servicecorner/testamentsregister/](https://www.rechtsanwaelte.at/buergerservice/servicecorner/testamentsregister/)
   - **Firmenbuch (Business Register):**
     - [https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/firmenbuch~8ab4a8a422985de30122a90f642f6204.de.html](https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/firmenbuch~8ab4a8a422985de30122a90f642f6204.de.html)
     - [https://www.justiz.gv.at/home/e-justice/firmenbuch/8ab4a8a422985de30122a90f642f6204.de.html](https://www.justiz.gv.at/home/e-justice/firmenbuch/8ab4a8a422985de30122a90f642f6204.de.html)
   - **Ediktdatei (Legal Notices Database):**
     - [https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/ediktdatei~8ab4a8a422985de30122a90f642f6204.de.html](https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/ediktdatei~8ab4a8a422985de30122a90f642f6204.de.html)

3. **The availability of information on bank accounts**

   The **zentrale Kontenregister (Central Register of Accounts)** is a database kept by the Federal Ministry of Finance in which account master data for each account with a domestic bank are recorded. Account master data include, for example, the account number, the name and date of birth of the account holder, or the dates of opening and closure of the account. On the other hand, so-called movement data such as account balances or turnover are not stored.

   In addition to public prosecutors' offices and criminal courts, the Central Register of Accounts can be examined only by the fiscal police and tax authorities and the Federal Finance Court (Bundesfinanzgericht). The inheritance authorities have no right of inspection.
Only the account holders themselves is entitled to access information on the data stored on them. The right of access is regarded as a highly personal right, which expires on the death of the account holder.

More information on the Register of Accounts is available at: https://www.bmf.gv.at/themen/betrugsbekaempfung/kontenregister-konteneinschau.html

4 The availability of a register of intellectual property rights

The right of the author to work which they have created comes into existence with the creation of the work. No entry in a register is required. Registers of industrial property rights (patents, designs, trademarks) are kept by the Austrian Patent Office: https://www.patentamt.at/

5 Other registers with information relevant to successions

In Austria, other registers are kept, in addition to those mentioned above, which may also be of interest in the present context:

The Zentrale Personenstandsregister (ZPR, Central Register of Births, Deaths and Marriages) is a register used by all Austrian registry offices which, together with the Zentrale Staatsbürgerschaftsregister (ZSR, Central Citizenship Register), became operational nationwide on 1 November 2014. The ZPR is a central record of data on civil status (births, marriages, registered partnerships, deaths) and related matters (e.g. names). It replaces the Personenstandsbücher (civil status records).

The ZSR records the acquisition of Austrian citizenship (by descent or naturalisation) and loss thereof. It also shows the citizenship certificates issued. Together with the ZPR, it became operational nationwide on 1 November 2014.

Zentrales Kraftfahrzeugregister (KZR, Central Vehicle Register) The central registration records cover, among other things, natural persons who have a vehicle registration in Austria pursuant to the Kraftfahrzeuggesetz (Motor Vehicles Act). These data concern: the vehicle owner (identification, address) and the vehicle (number, registration, technical data).

The Zentrale Waffenregister (ZWR, Central Weapons Register) is a computerised record in which firearms of all categories are registered.

6 The availability of information on closed wills and wills not subject to registration

With the consent of its author, a testamentary deposition may be kept by any person or authority.

The depositary must not open the testamentary deposition, but rather transmit it to the court probate.

Anyone who claims to have a legal interest in it, particularly because they claim to be a beneficiary of the testamentary deposition, may request that it be opened.

Under Austrian law, there is no solemn or formal reading of the will, but only the drawing up of an acceptance record without the presence of the parties. § 152(1) of the Außerstreitgesetz (Act on Non-Contentious Proceedings):

'(1) The court commissioner shall accept deeds relating to testamentary instructions (wills, other testamentary depositions) and their revocation, agreements on legacy, succession and reserved shares and their revocation or other declarations in the event of death, and shall cite in an acceptance record all circumstances of relevance to the assessment of their authenticity and validity, such as whether the document was sealed and whether it had any external defects.'

Once the record has been drawn up, the court commissioner shall send an uncertified copy of the accepted documents to parties to the proceedings and to all persons who, on the basis of the file, would be summoned under the law on succession. According to the wording of the law, these must therefore in any case be sent to testamentary heirs, persons entitled to reserved shares and other legal heirs.

Last update: 13/11/2023

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Information for authorities issuing an ECS - Portugal

1 The kinds of registers that exist in the Member State, containing information relevant to successions

- Central Registers Office in Lisbon
- Notaries’ Offices
- Civil Registry Offices
- Business Register Offices
- Vehicle Register Offices
- Land Registry Offices
- Securities register kept by issuing or managing bodies, a list of which may be consulted on the Securities Market Commission website
- National aeronautics register kept by the National Civil Aviation Authority
- National Maritime Authority shipping register kept by Harbour Masters and Maritime Delegations and by Registration and Notary Offices
- Firearms register kept by the Public Security Police
- Intellectual property register kept by the Portuguese Institute of Industrial Property
- Literary and artistic works register kept by the Inspectorate-General for Cultural Activities

2 Information contained in each of the registers of the Member State, as listed under point 1

Introductory note concerning the languages accepted, the information to be provided and the document-certification procedure:

As a general rule, requests for information or for a certificate must be submitted in Portuguese.

As a general rule, information is likewise provided in Portuguese.

In certain special cases, Portuguese and EU law or international conventions to which Portugal is party provide for certificates to be issued in a foreign language.

In this connection the reader is referred in particular to:

- The international convention on the issue of multilingual extracts from civil-status records, to which Portugal is party;
- Regulation (EU) 2016/1191 on simplifying the requirements for presenting certain public documents in the European Union;
- The Agreement between Portugal and Spain on judicial cooperation in civil and criminal matters, as approved by means of Decree 14/98 of 27 May 1998 on the drafting of requests and documents in the language of the requesting State.

Where required, the information is certified by the competent Portuguese authority and is subsequently deemed authentic under the applicable Portuguese legislation.

Without prejudice to the information to be included in the request and specifically indicated in the places referred to below, the request should for practical reasons be accompanied by the testator’s death certificate and contact details should be provided for the authority competent to issue the European Certificate of Succession that is requesting information. If possible, details should be given of a contact person and the working languages which he/she is qualified to use if additional information is required.
These entities hold the following information:

i) A register of wills from 1950 to the present.

ii) The register includes public wills, sealed wills and international wills.

iii) Public wills and sealed wills are governed by the Civil Code and the Notarial Code.

iv) International wills are governed by the 1973 Washington Convention on the Uniform Law on the Form of an International Will, as approved for adoption by means of Decree-Law 252/75 of 23 May 1975, and by the Notarial Code rules on the approval, lodging, archiving, registration and opening of sealed wills.

v) A request to establish whether a will exists may be made through the submission of an online form.

vi) Information concerning the persons who may make a request (and the method and place for so doing), the form to be submitted online and the relevant fee may be consulted here.

vii) The language to be used for filling in the form/making the request must be Portuguese.

viii) When a request for information is made, the testator’s death certificate must be enclosed.

ix) If the person who made the will is alive, information concerning the will is confidential and may be disclosed only to the author of the will or to a proxy with special powers.

x) When the person dies, that information enters the public domain and may be requested by anyone.

xi) In the case of public wills, the content thereof may be made available once the testator is dead.

xii) In the case of sealed wills, the Central Registers Office provides notification after the testator’s death as to whether a sealed will exists at which notarial office it was drawn up.

xiii) Access to the content of a sealed will must be sought through submission of the death certificate and by means of an opening instrument drawn up by the notarial office at which the will was lodged; the opening instrument may be drawn up by the notarial office if the sealed will was not lodged with any notary.

xiv) When a notary becomes aware of the death of any person whose sealed or international will is lodged at that notary’s office and even if no interested party asks for the will to be opened, he or she must request the testator’s death certificate, draw up an instrument for opening the will and make the existence thereof known to the heirs and executors mentioned therein and to the closest relatives in the descending line (if known).

The Notarial Code (see Articles 4 and 106 to 115) may be consulted here.

The Civil Code (see Articles 2179 to 2334) may be consulted here.

NOTARIES’ OFFICES

i) Deed books for public wills and deeds for the revocation of wills, instruments for approving sealed or international wills lodged at a notary’s office and instruments for opening sealed or international wills form part of the notarial archive, which is a public archive.

ii) Each office has a private index of wills and of all documents relating thereto, organised by means of a system of index or name cards.

iii) In addition to that index, each notary submits to the Central Registers Office an official index card to be entered in the central register of wills.

iv) If the heirs or other interested parties know in which office the public will was drawn up, they may – after the testator’s death – directly request the notary to record the testator’s death on the basis of the death certificate, so that the will certificate can be obtained.

v) As regards sealed wills, the notary draws up an instrument for opening them on the basis of the testator’s death certificate and in the presence of two witnesses; this subsequently generates a will certificate based on the instrument of approval and opening.

A list of notaries and their archives can be found here.

Articles 11, 16(a), 25(2), 106 to 115 and 187(a) and (b) of the Notarial Code may be consulted here.

The Chamber of Notaries intends to set up and organise a central register of deeds and wills in accordance with its own legislation, as provided for in Article 3(p) of the Statutes of the Chamber of Notaries.

CIVIL REGISTRY OFFICES

These entities hold the following information:

Mandatory civil registration of the following facts:

i) birth;

ii) parentage;

iii) adoption;

iv) marriage;

v) pre-nuptial agreements and alterations to the agreed or legally established property regime;

vi) regulation of the exercise of parental authority, any changes thereto and termination thereof;

vii) prevention or suspension of the exercise of parental authority and restrictions on that authority;

viii) support for persons over the age of majority, and the guardianship and administration of assets;

ix) civil custody and revocation thereof;

x) temporary or permanent trusteeship on behalf of persons absent or presumed dead;

xi) declaration of insolvency, rejection of a relevant application in the event of the prior designation of a temporary receiver, and closure of insolvency proceedings;

xii) appointment and end-of-service departure of the receiver and the temporary receiver, assignment of the administration of the insolvent estate to the debtor, a ban on the practice of certain acts without the consent of the insolvency practitioner, and termination of insolvency proceedings;

xiii) a bankrupt person’s ineligibility and disqualification as regards carrying on a trade and holding certain positions;

xiv) discharge of the remaining liabilities, initiation and early termination of the relevant procedure, and revocation of the discharge;

xv) death;

xvi) any facts altering or nullifying any of the facts stated above and those arising from a legal requirement;

xvii) facts relating to foreigners when they arise on Portuguese territory;

xviii) where persons subject to the legal relationship of parenthood, adoption or civil custody are married to or in a de facto partnership with a person of the same sex, the entries, amendments or new birth registrations in the civil register will be made in exactly the same way as is provided for in the laws applicable to different-sex couples.

Information concerning the fees for civil-register certificates, the persons who may request such certificates and the method and place for doing so, and also the application form to be submitted online, are available via the following link.

The language to be used for filling in the application form must be Portuguese.

Any person may request a birth certificate online by filling in a form or by calling in person at one of the places listed in the aforementioned link.
The legal restrictions on access to certain information (e.g. in the event of adoption or a sex change entailing an alteration to a forename) are also indicated in the aforementioned link.

If a birth certificate is requested, this must record the following facts if they have arisen:

i) marriage, dissolution thereof, declaration of non-existence or nullity, annulment and sanatio in radice, and also separation in any of its forms and reconciliation of legally separated spouses;

ii) establishment of parentage;

iii) marriage of the parents to each other after the birth of a child has been registered;

iv) adoption and review of the relevant judgment;

v) regulation of the exercise of parental authority, termination thereof and any change to the custody of the child;

vi) disqualification from and suspension of the exercise of parental authority, and measures limiting that authority (which are recorded on the child’s birth certificate);

vii) support for persons over the age of majority (including specific measures decreed for registration purposes), the guardianship and administration of assets, temporary or permanent trusteeship on behalf of persons absent and the inability of a married minor to administer assets, and the alteration and extinction thereof;

viii) the establishment and revocation of civil custody;

ix) declaration of insolvency, rejection of a relevant application and closure of insolvency proceedings;

x) appointment and end-of-service departure of the receiver and the temporary receiver, assignment of the administration of the insolvency estate to the debtor, a ban on the practice of certain acts without the consent of the insolvency practitioner, and termination of insolvency proceedings;

xi) a bankrupt person’s ineligibility and disqualification as regards carrying on a trade and holding certain positions;

xii) initiation, early termination and final decision in a procedure to discharge any remaining liabilities, and revocation thereof;

xiii) change of name;

xiv) change of sex and subsequent change of name (although such facts are recorded on the birth certificates of the adult children of the person who has changed sex only if those individuals so request, and on the birth certificate of the other spouse only with his or her consent);

xv) any retention of the spouses’ surnames in the event of dissolution of the marriage or remarriage;

xvi) death and presumed death declared by a court;

xvii) in general, any legal fact affecting the identification details or marital status of the registered person;

xviii) adoption dependent upon consent is recorded only when consent is granted.

The facts subject to civil registration in Portugal and those recorded on the birth certificate are specified in Articles 1 and 69 of the Civil Registration Code. The Portuguese Civil Registration Code and the Portuguese Land Registry Code may be consulted here.

BUSINESS REGISTER OFFICES

These hold the following information:

Mandatory recording of facts concerning trading companies and civil companies in commercial form

i) establishment;

ii) where required by law, decisions taken at a general meeting concerning purchases of assets by the company;

iii) reverse split, split or transfer of shares in private limited-liability companies or shares held by limited partners in limited partnerships;

iv) transfers of shares in general partnerships or shares held by limited partners in limited partnerships, the establishment of rights in rem to use and enjoy or charges over such shares and the transfer, modification or cancellation thereof, and the attachment of rights over profits and liquidation quota;

v) establishment and transfer of usufruct, security, distraint, lien, attachment or seizure in criminal proceedings on shares or rights thereover, and any other acts or orders that affect the free disposal of such shares;

vi) withdrawal or expulsion of partners from general partnerships and limited partnerships, the cancellation of shares as a result of the death of a partner, and the admission of new partners with unlimited liability;

vii) amortisation of shares and the expulsion or withdrawal of shareholders from private limited-liability companies;

viii) decisions on the amortisation, conversion or redemption of shares;

ix) issuing of bonds by private offering, unless they are admitted to trading on a regulated securities market within the period of application for registration;

x) appointment and end-of-service departure, for any reason other than the passage of time, of members of the board of directors and management boards, or of the company secretary;

xi) presentation of accounts by public limited companies, private limited-liability companies and partnerships limited by shares, and by general partnerships and limited partnerships where so required, and consolidated accounts of companies required to present them;

xii) change in registered office or transfer of registered office abroad;

xiii) plans for domestic or cross-border mergers or demergers;

xiv) plans to incorporate a European public limited-liability company by merger, plans to incorporate a European public limited-liability company by transformation of a public limited-liability company formed under national law, or plans to incorporate a European public limited-liability holding company; in the latter case, with proof that the conditions for doing so are met;

xv) any extension, domestic or cross-border merger, demerger, conversion or dissolving of a company, and any increase, reduction or repurchase of share capital, and any other amendment to a company’s articles of association;

xvi) appointment and end-of-service departure, prior to the completion of liquidation, of company liquidators, as well as any change in liquidators’ statutory or contractual powers;

xvii) the completion of liquidation or the company’s resumption of operations;

xviii) decisions on maintaining total control by one company of another, in a company group, or termination of such situation;

xix) subordination agreements, and any amendment or expiry thereof;

xx) issuing of stock warrants, where this is by means of a private offering by an entity that has no securities listed on a national regulated market, unless they are admitted to trading on a regulated securities market within the period of application for registration.

Mandatory recording of facts concerning European limited-liability companies

i) establishment;

ii) submission of annual accounts and, where appropriate, consolidated accounts;

iii) any proposal to transfer the registered office to another EU Member State;

iv) amendments to the relevant statutes;

v) any proposal to convert the company into a limited-liability company subject to domestic law;
vi) the conversion referred to in the preceding subparagraph;

vii) dissolution;

viii) the completion of liquidation or the company’s resumption of operations;

ix) any other facts relating to limited-liability companies that must by law be recorded.

**Mandatory recording of facts concerning cooperatives**

i) establishment of the cooperative;

ii) the appointment and end-of-service departure of directors, representatives and liquidators for any reason other than the passage of time;

iii) the extension, conversion, merger, demerger and any other amendment of the statutes;

iv) winding-up and closure of liquidation.

**Mandatory recording of facts concerning public companies**

i) establishment of the public company;

ii) the amalgamation, merger, demerger and any other amendment of the statutes;

iii) the winding-up of public companies, the appointment and end-of-service departure of liquidators prior to closure of the liquidation, and actual closure of the liquidation.

**Mandatory recording of facts concerning additional company groupings**

i) the grouping contract;

ii) the issue of bonds;

iii) the appointment and dismissal of directors and managers;

iv) the admission, dismissal and exclusion of members of the grouping;

v) amendments to the contract;

vi) winding-up and closure of the liquidation of the grouping.

**Mandatory recording of facts concerning European economic-interest groupings**

i) the grouping contract;

ii) the total or partial cessation of involvement by a member of the grouping;

iii) the clause exempting a new member from payment of debts contracted before it joined the grouping;

iv) the appointment and end-of-service departure of the grouping’s managers for any reason other than the passage of time;

v) the admission, dismissal and exclusion of members of the grouping;

vi) amendments to the grouping contract;

vii) any plan to transfer the registered office;

viii) dissolution;

ix) the appointment and end-of-service departure of liquidators prior to the closure of liquidation;

x) closure of liquidation.

**Mandatory recording of facts concerning individual limited-liability establishments**

i) the setting up of such establishments;

ii) increases and reductions in the establishment’s capital;

iii) transfer of the establishment between living persons and the leasing thereof;

iv) the creation by means of a deed between living persons of entitlement to usufruct and lien over the establishment;

v) the annual accounts;

vi) amendments to the constituent act;

vii) placement of the establishment in liquidation and closure of the liquidation;

viii) the appointment and end-of-service departure of the establishment’s liquidator before liquidation is complete, where the liquidator is not the owner of the establishment.

**Recording of other facts subject to mandatory inclusion in the business register**

i) the establishment, alteration and closure of permanent representations of companies, cooperatives, additional company groupings and European economic-interest groupings with their registered office in Portugal or abroad, and the appointment, powers and end-of-service departure of the representatives thereof;

ii) the submission of the accounts of companies with their registered office abroad and a permanent representation in Portugal;

iii) the actions, decisions, procedures and precautionary measures provided for in Article 9 of the Business Registration Code (e.g. actions serving to recognise, establish or cancel the rights referred to in Articles 3 to 8 of the Business Registration Code which concern trading companies, civil companies in commercial form, cooperatives, public companies, additional company groupings, European economic-interest groupings and individual limited-liability establishments, actions declaring null and void or annulling the constituent acts of cooperatives and of individual limited-liability establishments, and actions declaring null and void or annulling company resolutions);

iv) any other facts subject by law to business registration.

**Unofficial registration (via the system interconnecting the EU’s registers) of facts relating to companies with their registered office in another Member State and a permanent representation in Portugal**

i) the opening and closure of liquidation and insolvency proceedings;

ii) cancellation of a company’s registration.

**Recording of facts to be optionally included in the business register**

i) written instructions issued by a trader, any amendments thereto and extinction thereof;

ii) the contract with an agency or commercial representation if concluded in writing, any amendments thereto and extinction thereof;

iii) non-compliance with the requirement to declare the beneficial owner as specified by law;

iv) commitments to alienate or encumber shares in general partnerships, limited partnerships or private limited-liability companies and pre-emption agreements where it has been agreed that they will have erga omnes effects, and pre-emption obligations attributed such effects by a testator;

v) the issue of bonds, debentures, stocks and shares, the appointment and end-of-service departure of members of the board of directors and the supervisory board for any reason other than the passage of time, and the submission of public companies’ accounts;

Information concerning the fees for business-register certificates, the persons who can request such certificates and the method and place for doing so, and also the details to be provided in connection with such requests, may be obtained via the following link.
The form for requesting a full certificate from the business register (to be submitted online) and information concerning the method of payment may be obtained via the following link.

The language to be used for filling in the application form must be Portuguese.

Any person or company may request a full certificate from the business register online, by filling in the form indicated in the aforementioned link.

A full business-register certificate may be:
- a register-based one making available the entity’s computerised records (may be issued in Portuguese or English);
- a register- and document-based one making available the computerised records and the electronic documents relating to the entity (except documents concerning the submission of accounts);
- one based on the up-to-date articles of association/statutes and making available the most recent articles of association or the updated statutes.

The facts required to be recorded in Portugal’s business register are specified in Articles 3 to 10a and 15 of the Business Registration Code, which may be consulted here.

VEHICLE REGISTER OFFICES

These offices hold the following information concerning the legal situation of motor vehicles and their trailers

**Facts subject to mandatory registration**

i) right of ownership (although in the event of hereditary succession, registration of ownership is waived in cases where the vehicle is intended to be transferred by the heir(s));

ii) right of usufruct;

iii) retention of title stipulated in contracts for the sale of motor vehicles;

iv) the financial lease and the transfer of rights arising therefrom;

v) rental for a term exceeding one year, where the relevant contract results in an expected transfer of ownership;

vi) allocation of the vehicle for rental without a driver;

vii) the burdens of inalienability and of residual taxation provided for in tax legislation;

viii) a change in the name or title and the customary residence or headquarters of the vehicles’ owners, users or hirers.

**Facts for which registration is optional**

i) the mortgage, modification and assignment thereof, and also assignment of the degree of priority of the respective registration;

ii) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

iii) attachment and any administrative measures that affect the free disposal of vehicles;

iv) a non-owner user;

v) declaration of insolvency;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.

**Facts recorded unofficially in the register via the public administration’s interoperability platform**

i) the fact that the vehicle has been stolen;

ii) the action taken to regularise the situation.

Other facts subject to registration

i) actions serving to recognise, establish, alter or extinguish one of the rights relating to motor vehicles and their trailers that are subject to registration, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the aforementioned actions, as soon as they acquire legal force;

iv) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

v) a non-owner user;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.

**Facts recorded unofficially in the register via the public administration’s interoperability platform**

i) the fact that the vehicle has been stolen;

ii) the action taken to regularise the situation.

Other facts subject to registration

i) actions serving to recognise, establish, alter or extinguish one of the rights relating to motor vehicles and their trailers that are subject to registration, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the aforementioned actions, as soon as they acquire legal force;

iv) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

v) a non-owner user;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.

The following steps need to be taken in order to request a certificate from the motorcar registry:

- Go to this website: Automóvel online [Motor Vehicle Online].
- Enter the vehicle registration number.
- Enter the details of the person requesting the certificate (his/her name or business name and email address).
- Make payment at an ATM or via home banking.

The language to be used for filling in the application form must be Portuguese.

Any person or company may request a certificate from the motorcar registry online by filling in a form; if a paper certificate is preferred, it can be applied for in person at an IRN IP (Institute of Registry Offices and Notaries) counter or at a loja do cidadão (citizens’ one-stop shop).

The facts subject to vehicle registration and those that must appear on a registration certificate are specified in Articles 5, 6 and 10 of the Vehicle Registration Code, which may be consulted here.

LAND REGISTRY OFFICES

These entities hold the following information:

A record of facts relating to the legal situation of buildings and of the rights mentioned below

i) legal acts determining the establishment, recognition, acquisition or modification of rights of ownership, usufruct, use and habitation, surface areas or easement;

ii) legal acts determining the establishment or modification of flat ownership and timesharing rights;

iii) land-ownership changes resulting from the dividing-up of land, the conversion of the joint-ownership structure and division, and the respective amendments;

The facts required to be recorded in Portugal’s business register are specified in Articles 3 to 10a and 15 of the Business Registration Code, which may be consulted here.

**Facts subject to mandatory registration**

i) actions serving to recognise, establish, alter or extinguish one of the rights relating to motor vehicles and their trailers that are subject to registration, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the aforementioned actions, as soon as they acquire legal force;

iv) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

v) a non-owner user;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.

**Facts for which registration is optional**

i) actions serving to recognise, establish, alter or extinguish one of the rights relating to motor vehicles and their trailers that are subject to registration, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the aforementioned actions, as soon as they acquire legal force;

iv) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

v) a non-owner user;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.

**Facts recorded unofficially in the register via the public administration’s interoperability platform**

i) actions serving to recognise, establish, alter or extinguish one of the rights relating to motor vehicles and their trailers that are subject to registration, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the aforementioned actions, as soon as they acquire legal force;

iv) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

v) a non-owner user;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.

**Facts recorded unofficially in the register via the public administration’s interoperability platform**

i) actions serving to recognise, establish, alter or extinguish one of the rights relating to motor vehicles and their trailers that are subject to registration, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the aforementioned actions, as soon as they acquire legal force;

iv) the transfer of registered rights or claims and any lien, distraint or seizure relating to those claims (although a lien in respect of vehicles is not legally permissible);

v) a non-owner user;

vi) the expiry or modification of rights or charges previously registered, a change of composition of the name or denomination and a change of habitual residence or registered office of the owners, usufructuaries and hirers of the vehicles;

vii) confiscation of a registration certificate in cases when so ordered by administrative and police authorities, and also a request for seizure and confiscation of vehicles provided for under the special procedure for the regularisation of ownership;

viii) confiscation in criminal proceedings;

ix) seizure of a vehicle by means of a decision imposing an administrative penalty in accordance with the Highway Code;

x) declaration of forfeiture of the vehicle to the State by order of a final court judgment.
iv) offer of conveyance or encumbrance, preferential covenants and preferential provision of a will, if these have been given real effect, and also the assignment of the contractual position arising from these acts;

v) assignment of assets to creditors;

vi) mortgage, assignment or modification thereof, assignment of the degree of priority of the respective registration and rent assignment;

vii) transfer of receivables secured by mortgage or rent assignment where transfer of guarantee is involved;

viii) lease exceeding six years and transfers or subleases thereof, except for tenant farming;

ix) pledge of credit secured by mortgage or rent assignment, and any other acts or arrangements affecting the same receivables;

x) any other restrictions on the right of ownership, subject to registration under law;

xi) legal acts that bring about the cancellation of rights, encumbrances or registered charges.

Other facts subject to registration:

i) actions serving principally or incidentally to recognise, establish, alter or cancel one of the rights referred to in the preceding article, and also avoidance action;

ii) actions serving principally or incidentally to amend, declare null and void or annul a registration or cancellation thereof;

iii) final decisions relating to the actions referred to in the preceding paragraphs, as soon as they acquire legal force;

iv) procedures serving to order distraint and seizure, and any other measures affecting the free disposal of assets;

v) measures decreed under the procedures referred to in the preceding paragraph.

Information concerning the fees for land-register certificates, the persons who may request such certificates and the method and place for doing so, together with the details to be provided in connection with such requests and the request form to be submitted online, may be obtained via the following link. The language to be used for filling in the application form must be Portuguese.

Any person may request a land-register certificate online by filling in a form or by calling in person at any Land Register Office, a list of which may be accessed via the aforementioned link.

The facts required to be recorded in Portugal’s land register are specified in Articles 2 and 3 of the Land Registry Code, which may be consulted here.

ENTITIES RESPONSIBLE FOR ISSUING AND FOR MANAGING SECURITIES

These entities hold the following information:

Facts subject to registration

i) acquisition of securities (securities are nominative pursuant to Article 52 of the Securities Code and may be bequeathed);

ii) the establishment, modification or extinction of usufruct, lien or other legal situation affecting securities.

The following – amongst others treated as such by law – are deemed to constitute securities:

- stocks and shares
- bonds
- equity
- shares in investment funds
- the liable rights of the securities referred to in the previous paragraphs, provided that the liability covers the entire issue or series, or is provided for at the time of issue
- autonomous warrants
- other documents representing homogeneous legal situations, provided that they can be transferred on the market.

The register (which is not centralised) is kept by each issuing entity or managing entity.

The issue, nature, registration and management of securities are regulated by means of the Securities Code, which may be consulted via the following link.

A list of issuing and managing entities may be consulted via the following link.

Entities responsible for issuing and managing securities are subject to supervision by the Securities Market Commission, with which they are required to cooperate to the full extent requested.

The Securities Market Commission is required to make information available to non-specialist investors (Articles 4(4) and 6(6) of the Securities Market Commission’s Statutes, as approved by means of Decree-Law No 5/2015 and amended by means of Law No 148/2015). Requests for information may be addressed to the Securities Market Commission through the completion in Portuguese of an online form available via the following link.

The Securities Market Commission’s address, telephone number and email addresses are available via the following link.

NATIONAL MARITIME AUTHORITY

This department holds the following information:

The aeronautical register of aircraft registered in Portugal and of the parts and components thereof.

Legal basis:

Decree-Law 40/2015 of 16 March 2015

Requests for Information may be sent in Portuguese to:

ANAC – Autoridade Nacional de Aviação Civil [National Civil Aviation Authority]
Rua B, Edifício 4 - Humberto Delgado Airport
1749-034 Lisbon
Phone: +351 21 284 22 26
Fax: +351 21 840 23 98
Email: geral@anac.pt
Website: https://www.anac.pt/

NATIONAL MARITIME AUTHORITY – REGISTRATION AND NOTARY DEPARTMENTS – ONLINE MARITIME INFORMATION DESK

These entities hold the following information concerning ships and vessels:

A register recording the ownership of ships and vessels, the characteristics thereof and any liens and encumbrances applicable thereto.

A register of shipping charts.

Legal basis:

Decree-Law 265/72 of 31 July 1972 applicable to the categories of vessel designated in Article 19 thereof;

Decree-Law 93/2018 of 13 November 2018 applicable to the categories of vessel designated in Article 2 thereof;

Decree-Law 92/2018 of 13 November 2018 applicable to the ships and vessels indicated in Article 2 thereof.
Requests for information relating to the vessel category indicated in the above legislation may be addressed to:
The National Maritime Authority, through completion in Portuguese of the online form available via the following link.
The Registration and Notaries Departments referred to in Article 7 of Decree-Law No 92/2018; their contact details and a description of the services they provide online may be obtained via the following link.
The Online Maritime Information Desk, through completion in Portuguese of the online form available via the following link.

PUBLIC SECURITY POLICE – WEAPONS AND EXPLOSIVES DEPARTMENT

This department holds the following information:
The type, make, model, calibre, serial number and unique marking affixed to the frame or the receiver as a unique marking enabling each firearm to be identified uniquely;
the serial number or a unique marking applied to the essential components, where that differs from the marking on the frame or receiver of each firearm;
the names, addresses and tax identification of the suppliers and of the purchasers or holders of the firearm, together with the dates on which ownership or possession changed;
any modifications to a firearm (including deactivation or destruction) that result in the reclassification thereof, and the relevant date.

Legal basis:
Law 5/2006 of 23 February 2006 (see Article 72)

Requests for information may be sent in Portuguese to:
Weapons and Explosives Department
Rua Artilharia 1, No 21
1269-003 Lisbon
Phone: +351 21 8111000
Fax: +351 21 387 47 72
Email: seronline@psp.pt
Website: https://www.psp.pt/

3 The availability of information on bank accounts
THE BANK OF PORTUGAL holds an ACCOUNTS DATABASE
In civil and commercial matters, the information contained in the Accounts Database must be made available to courts of law by the Bank of Portugal under the conditions laid down in Article 417(3)(c) and (4) of the Code of Civil Procedure, under which a court may lift bank secrecy.
Information concerning the additional legislation applicable, the persons who may be granted access to bank information, the forms to be filled in and the documents to be enclosed with the application are available via the following link.

Contact details for the Bank of Portugal:
Call centre: (+351) 213 130 000
Address: R. do Comércio, 148 (1100-150 Lisbon)
Email: info@bportugal.pt
Website: https://www.bportugal.pt/

4 The availability of a register of intellectual property rights
PORTUGUESE INSTITUTE OF INDUSTRIAL PROPERTY
This holds the following information:
register of exclusive rights over:
trade marks – trade marks, logos, collective association or certification marks, denominations of origin, geographical indications and rewards;
patents – patents, provisional patent applications and utility models;
designs – designs or models.

Online searches for trade marks, patents and designs can be made via the following link.

Requests for information may be made in Portuguese:
by filling in the online form available via the following link.
by post or in person at the following address:
Portuguese Institute of Industrial Property
R. da Alfândega, 15
1100-016 Lisbon
Email: servico.publico@inpi.pt
Website: https://inpi.justica.gov.pt/
The Portuguese Institute of Industrial Property may be contacted on the following telephone numbers:
within Portugal: 218 818 188
within Portugal or from abroad: (+351) 210 514 396 (cost of a local call)

Legal basis:
Industrial Property Code – Decree-Law No 110/2018 of 10 December 2018
INSPECTORATE-GENERAL FOR CULTURAL ACTIVITIES (IGAC)

This holds the following information:
A register of the following works:
literary and scientific works, and also works of drama in general;
musical compositions, with or without lyrics;
choreographed works and pantomimes;
cinematographic and televisual works;
sculptures and ceramics;
drawings, tapestries, paintings and tilework;
cartoons;
engravings and lithographs;
other works of plastic art (applied or otherwise);
photographs or works produced by means of any processes similar to those used in photography;
Requests for services must be submitted to the IGAC
by means of an IGAC form accompanied by the documentation provided for in the relevant legislation. For information concerning the requirements associated with each service, consult the services catalogue.

A request for simple or full certificates must be made in Portuguese by means of the 'Formulários para pedido de certidões simples ou integrais (Forms for requesting simple or full certificates)', which are available via the following link:

Request must be sent to the following address:
Inspectorate-General for Cultural Activities (IGAC)
Palácio Foz, Calçada da Glória, No 9
1250-112 Lisbon

Email: igacgeral@igac.pt
Website: https://www.igac.gov.pt/

Legal basis:
Decree-Law 143/2014 of 26 September 2014 – Regulation on the registration of literary and artistic works

5 Other registers with information relevant to successions
A public list of enforcement cases may be consulted on the Citius Portal via the following link.
A list of tax debtors may be consulted via the following link.

6 The availability of information on closed wills and wills not subject to registration
This question has already been answered above, by means of the reply to the following question: What information is contained in each of the Member State’s registers, as listed under point 1?

Final note: The information contained in this fact-sheet is not binding on the Contact Point, Portugal's Supreme Judicial Council or the courts. Nor is it binding on the authorities consulted whilst the fact-sheet was being drawn up. Notwithstanding all the care devoted to gathering this information, the latter is no substitute for consulting the legislation in force at any given time.

Last update: 05/07/2024

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Information for authorities issuing an ECS - Romania

1 The kinds of registers that exist in the Member State, containing information relevant to successions
The main registers in Romania which contain information of relevance to successions are as follows:

Cartea funciară (Land Registry)
Registrele de stare civilă (Civil Status Records)
Registrul naţional notarial al regimurilor matrimoniale (RNNRM, National Notarial Register of Matrimonial Regimes)
Registrul naţional notarial de evidenţă a liberălaţiilor (RNNEL, National Notarial Register for Authentic Wills and Donations)
Registrul naţional notarial de evidenţă a optiunilor succesorale (RNNOS, National Notarial Register of Succession Options)
Registrul naţional notarial de evidenţă a procurorilor şi a revocărilor acestora (RNNEPR, National Notarial Register of Proxies and of their Revocation)
Registrul naţional notarial de evidenţă a succesiunilor cu element de extraneitate (RNNES, National Notarial Register of Successions with Cross-border elements)

Registrul Naţional de Publicitate Mobiliară (RNPM, National Register of Movable Property)
Registrul Comertului (Commercial Register)

2 Information contained in each of the registers of the Member State, as listed under point 1

1. Cartea funciară (Land Registry)
The Land Registry describes immovable property and sets out the rights in rem associated with the property. As provided for by law, entries in the Land Registry may also include other rights, legal facts or reports, and whether these are associated with the immovable property entered in the Land Registry. Within the meaning of this heading, immovable property refers to one or more adjoining parcels of land, regardless of the category of use, with or without constructions, belonging to the same owner, situated on the territory of an administrative-territorial unit and which are identified by means of a single cadastral number.
The cadastre and the Land Registry form a compulsory uniform system of technical, economic and legal files of national importance, for all immovable property on national territory. The Agenţia Naţională de Cadastru şi Publicitate Imobiliară (A.N.C.P.I., National Agency for Cadastre and Land Registration) coordinates and controls the implementation of cadastral works and ensures that immovable properties are recorded in the Register of movable property nationwide. The institution’s contact details are available at: https://www.ancpi.ro/.

2. Registrele de stare civilă (Civil Status Records)
The Civil Status Records are documents on the basis of which birth, marriage and death certificates are drawn up. In the archives, the Civil Status Records are ordered and arranged in administrative-territorial units, with all documents and deeds filed in chronological order.

3. Registrul naţional notarial al regimurilor matrimoniale (RNNRM, National Notarial Register of Matrimonial Regimes)
The National Notarial Register of Matrimonial Regimes (RNNRM) records, for effects in respect of third parties, the matrimonial regime chosen by spouses. Marriage certificates for marriages entered into as of 1 October 2011 must be registered, as well as marriage contracts and acts amending the matrimonial regime.

The contact details for the register are available at: https://cnarnn.infonotsystems.ro/ersan/

4. Registrul național notarial de evidență a liberalităților (RNNEL, National Notarial Register for Authentic Wills and Donations)
The following types of legal acts, concluded by public notaries or by specialised Romanian authorities or institutions must be entered in the National Notarial Register of Authentic Wills and Donations (RNNEL): wills, amendments and additions thereto (codicils); declarations of the revocation of wills; withdrawal of the revocation of wills; testamentary depositions concerning sums of money, values or securities deposited in specialised credit institutions and revocations of the latter, etc.

The contact details for the register are available at: https://cnarnn.infonotsystems.ro/ersan/

5. Registrul național notarial de evidență a opțiunilor succesorale (RNNOS, National Notarial Register of Succession Options)
The National Notarial Register of Succession Options records, for effects in respect of third parties, all notarial deeds concerning the acceptance and/or waiver of inheritance, prepared in authentic form, as follows: declarations of waiver of inheritance authenticated within the deadline for this option, from 1995 and to date; declarations of non-acceptance of inheritance (according to which the successors declare after the deadline for the option has passed that they did not understand that they had acquired the status of heir), from 2007 and to date; declarations of acceptance of inheritance under benefit of inventory, authenticated from 1995 until 31 March 2012; all declarations of pure and simple acceptance, authenticated from 2007 and to date.

The contact details for the register are available at: https://cnarnn.infonotsystems.ro/ersan/

6. Registrul național notarial de evidență a procurilor și a revocărilor acestora (RNEPR, National Notarial Register of Proxies and of their Revocation)
In the context of successes disputed in notarial procedures, the National Notarial Register of Proxies and of their Revocation is important because it records all proxies/mandates given during notarial procedures concerning inheritance disputes, and also all explicit acts to revoke them. The acts to revoke proxies have been recorded since 2007 and, as of 2013, proxies of relevance to notarial activity have also been recorded.

The contact details for the register are available at: https://cnarnn.infonotsystems.ro/ersan/

7. Registrul național notarial de evidență a succesiunilor cu element de extraneitate (RNNES, National Notarial Register of Successions with Cross-border Elements)
The National Notarial Register of Successions with Cross-Border Elements (RNNES) records succession cases as of 2007 relating to Romanian, foreign and stateless citizens whose last domicile is unknown or who are not situated on Romanian territory, and whose assets have remained in Romania, and also the solutions of European inheritance certificates, where appropriate.

The contact details for the register are available at: https://cnarnn.infonotsystems.ro/ersan/

8. Registrul Național de Publicitate Mobiliară (RNPM, National Register of Movable Property)
The National Register of Movable Property is the legal system for registering movable property which applies to mortgages, trusts, specific notices, securitised products and mortgage bonds. The National Register of Movable Property is structured according to persons and property, with the function of recording priorities in the event of forced execution, the publication of legal deeds and operations provided for by law.

9. Registrul Comerțului (Commercial Register)
The Commercial Register is a public service of general interest for the registration and disclosure of authorised professionals who are sole traders, sole proprietorships and family businesses, and of professionals who are companies, European companies, cooperative companies, European cooperative companies, cooperative credit organisations, economic interest groups and European economic interest groups, having their registered offices in Romania, as well as for registration and disclosure of their branches and of the branches of legal persons listed above, whose registered office is located abroad.

The Commercial Register is structured according to the following register categories, namely:

- a register for recording firms, national companies, national firms, autonomous corporations, economic interest groups, European firms, European economic interest groups, other legal persons explicitly provided for by law, with their registered office in Romania, their branches and, where appropriate, branches of legal persons with their registered office abroad;
- a register for recording cooperative companies and European cooperative companies with their registered office in Romania, their branches and, where appropriate, branches of cooperative companies or European cooperative companies with their registered office abroad;
- a register for recording authorised natural persons, individual undertakings and family undertakings with their registered office and, where appropriate, work sites in Romania.

The contact details for the register are available on the institution’s website: https://www.onrc.ro/index.php/ro/

Some of the registers mentioned above operate at national level. This is the case, for example, of the National Notarial Register of Matrimonial Regimes (RNNRM) and the National Notarial Register of Authentic Wills and Donations (RNNEL). The civil status records are organised in administrative-territorial units.

Offices for cadastre and land registration, organised in each county and in the city of Bucharest, operate under the authority of the National Agency for Cadastre and Land Registration. At least one cadastre and land registration office or, where appropriate, one public relations office operates under the authority of the territorial offices in each judicial constituency, as units without legal personality.

According to Article 334(5) of the Civil Code, concerning the National Notarial Register of Matrimonial Regimes (RNNRM), any person may search the register and, in accordance with the law, request the issue of certified extracts without needing to justify an interest.

With regard to notarial activity, in order to fulfill their obligations, public notaries have free access to the land registration offices and also to other institutions in order to obtain the documents and information needed to complete notarial procedures, and may request and obtain tax certificates in paper or electronic format from the competent tax authority of the local public administrative authority.

The National Notarial Register of Matrimonial Regimes (RNNRM), the National Notarial Register of Authentic Wills and Donations (RNNEL) and the National Notarial Register of Succession Options (RNNEOS) can provide information to the national authorities free of charge.

The information which must be entered in the RNNRM, RNNE and RNNEOS national registers may be provided to the national authorities.

With regard to the RNNRM, RNNE and RNNEOS, the provision of information from these records at national level could be refused if, for example, it is not possible to sufficiently identify from the request the person or document concerning which the information has been requested.

The RNREL records and verifies the following types of legal documents: wills, amendments and additions thereto (codicils); declarations of revocation of wills; withdrawal of the revocation of wills; testamentary depositions concerning sums of money, values or securities deposited in specialised credit institutions and revocations of the latter. In the case of wills, codicils and revocations of the latter, the legal act is not sent for entry in the register. The register
contains information only about the existence of these acts, but not about their content. After verifying the existence of the testamentary deposition, the content of the will may be obtained from the public notary in whose archive the document is kept or, where appropriate, from the specialised Romanian authorities or institutions.

Interested persons may request verification of the existence of a will only on the basis of a death certificate. In the event of verifications carried out through a public notary, the requested information is sent to them via the portal, i.e. electronically.

Entries in the national registers and responses to queries are in Romanian.

Upon the request of the interested persons using the services of a public notary, the public notary may request data on the existence of testamentary depositions from the national register of files by means of an electronic application and at their own expense.

Transfer of the right of ownership is entered in the land register on the basis of the document establishing this transfer - for example, the authentic act transferring the right of ownership of immovable property, the certificate of inheritance or the court decision. The document must be drafted in compliance with the conditions provided for by law, and, as a rule, must correctly identify the names of the parties and refer to the personal numerical code or, where appropriate, the tax identification number (if one has been allocated), the tax registration code or the unique registration code, where appropriate, assigned to legal persons, and the immovable property must be individualised by means of a land registry number and a cadastral or topographical number, where appropriate.

3 The availability of information on bank accounts

In cases where, in a dispute over successorship proceedings, the Romanian public notary handling the inheritance dispute needs information on the existence of bank accounts opened in the name of the deceased person, they must contact the bank in question directly, on the basis of the information received from the successors, specifying that the information is required in the context of a probate file registered with the notary's office.

Article 61(1) of Law No 207/2015 on the Code of Fiscal Procedure provided the legal basis for the issue of Order No 3746/2020 of 23 October 2020 by the President of the National Agency for Fiscal Administration on the organisation and operation of the Central electronic register for payment accounts and bank accounts identified by IBAN and for the approval of procedures concerning the obligation for credit institutions, payment institutions and electronic money institutions to provide information in accordance with Article 61 of Law No 207/2015 on the Code of Fiscal Procedure, which details the procedure concerning the obligation for credit institutions, payment institutions and electronic money institutions to provide information to central tax bodies, and the procedure of enrolment in the IT system made available by the Ministry of Public Finance.

The National Agency for Fiscal Administration organises and operationalises the Central electronic register for payment accounts and bank accounts identified by IBAN.

The registered office of the National Agency for Fiscal Administration (ANAF, Agenția Națională de Administrare Fiscală) is in Bucharest, Str. Apolodor No 17 Sector 5 tel. 04021-3199750, 04021-3199759, 04021-3199776.

According to Article 61(1)(4) of Law No 207/2015 on the Code of Fiscal Procedure, at the reasoned request of a local tax body or other central or local public authority, the central tax body shall provide information which enables them to fulfil their statutory duties.

According to Article 61(5)(1) of Law No 207/2015 on the Code of Fiscal Procedure, the authorities and institutions referred to in Article 1 of Law No 129/2019 on preventing and combating money laundering and the financing of terrorism, and amending certain legislative acts, as amended, have access to the information in the Central electronic register for payment accounts and bank accounts, namely:

- criminal prosecution bodies;
- public authorities and institutions entrusted with regulatory, information and control duties in the field, such as the financial intelligence unit of Romania, authorities with financial/fiscal control duties or authorities with fiscal control duties and the customs authority;
- State bodies specialised in intelligence work as provided for in Article 6(1) of Law No 51/1991 on Romanian national security, republished, as amended; autonomous administrative authorities and institutions with sectoral regulatory and supervisory powers and control over reporting bodies, such as the National Bank of Romania, the Financial Supervisory Authority and the National Gambling Office.

Data may therefore be sent from this register only to these categories of authorities and institutions.

According to Article 1(3) of Law No 129/2019, the National Office for the Prevention Combating of Money Laundering is the authority which coordinates the performance of risk assessments relating to money laundering and the financing of terrorism at national level. These are carried out in cooperation with the authorities and institutions referred to in the previous response, while ensuring the protection of personal data.

4 The availability of a register of intellectual property rights

According to Government Decision No 573/1998 on the organisation and functioning of the State Office for Inventions and Trade Marks, the State Office for Inventions and Trade Marks (OSIM, Oficiul de Stat pentru Invenții și Mărci) is the only authority in Romania granting protection of industrial property which registers and examines requests in the field of industrial property, issues titles of protection which confer on their holders exclusive rights on Romanian territory and is the depositary of national records of submitted applications and of national records of titles of protection granted for inventions, trademarks, geographical indications, designs and models, topographies of semiconductor products, utility models and supplementary protection certificates.

In addition to this, in the field of copyright, there is the Romanian Office for Copyright (ORDA, Oficiul Român pentru Drepturile de Autor), which is the sole regulatory authority, keeps records from national registers, and which supervises, authorises, arbitrates and establishes scientific and technical findings in the field of copyright and related rights, pursuant to Law No 8/1996 on copyright and related rights.

The contact details of the OSIM are available on the Office website: https://osim.ro/.

The contact details of the ORDA are available on the Office website: https://orda.ro/contact/.

5 Other registers with information relevant to successions

Another register of relevance in matters of succession is the National Notarial Register of Creditors of Physical Persons and of Oppositories to the Fulfilment of the Division of Estates (RNNEC, Registrul național notarial de evidență a creditorilor persoanelor fizice și a opozitilor la efectuarea partajului succesoral).

It records, for effects in respect of third parties, claims made by creditors against a physical person. The fiscal obligations of deceased persons are entered in the records of the National Agency for Fiscal Administration (ANAF, Agenția Naționale pentru Administrare Fiscală) and of the Directorates for local fees and taxation.

6 The availability of information on closed wills and wills not subject to registration

According to current legal provisions, wills may be drafted in authentic or holographic form (a handwritten will, signed and dated by the testator).

Only authentic wills must be entered in the National Notarial Register of Authentic Wills and Donations (RNNEL, Registrul național notarial de evidență a liberalităților). There are no special conditions laid down by law for the storage or registration of holographic wills. These may be stored by the testator, the beneficiary of the will or by a third person, and may also be submitted to the repository of an authority.

Last update: 07/05/2024

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the
Information for authorities issuing an ECS - Finland

1 The kinds of registers that exist in the Member State, containing information relevant to successions

In Finland, information that is relevant to succession is contained in at least the following registers:
- Population Information System
- Register of Marital Contract Affairs
- Title and mortgage register, which is part of the Land Information System
- Residential and Commercial Property Information System
- Trade Register

2 Information contained in each of the registers of the Member State, as listed under point 1

Population Information System

Information on civil status can usually be found in the Population Information System. Other information on family relationships, e.g. children, is also recorded in the Population Information System. The Population Information System is maintained by the Digital and Population Data Services Agency. Its contact details are:

Digital and Population Data Services Agency
email: vtj-todistus(a)dv.fi, tel.: +358 2955 36230

Website: Digital and Population Data Services Agency (dv.fi)

The Population Information System contains up-to-date personal data of Finnish citizens and of foreign citizens residing permanently or temporarily in Finland. There are no separate regional registers. The Population Information System is not a public register; the Digital and Population Data Services Agency disseminates information if there is a legitimate interest in the information. Anyone who has a legitimate interest may request information. The restrictions are laid down in national law (661/2009).

The information must be necessary for the purpose for which it is disclosed. Information may also be disclosed from the Population Information System to a foreign authority that has a legitimate interest. The Population Information System may request proof of power of attorney from a person's heir for the purposes of disclosing information.

When requesting population information, the following information must be provided:
- the name and contact details of the requesting authority
- the name and date of birth of the person whom the request for information concerns
- the purpose of the information
- the country in which the information is to be used
- to whom the information is to be presented (an authority or an individual)
- the language of the certificate
- the postal address if the certificate is to be sent by post
- if the certificate needs to have an apostille or an official EU form, this is to be mentioned in the request.

In certain circumstances, a power of attorney may be requested from the requesting authority. Specific documentary evidence that the request is based on Article 66(5) of the Succession Regulation is not required. Requests for information may be sent by email to the following address: vtj-todistus(a)dv.fi.

Requests can be made in Finnish, Swedish or English. The population information is disclosed in the form of an original extract/certificate. There are three types of original extract/certificate:
- A certificate intended for use abroad includes a handwritten signature and the stamp of the Digital and Population Data Services Agency. The document may also contain an apostille or an official EU form. Certificates of this type are always sent by post.
- The certificate or extract may also be signed electronically. Electronically signed certificates are sent by email.

There is no signature or stamp of the Digital and Population Data Services Agency on an electronic certificate. The accuracy of the certificate can be checked with the Digital and Population Data Services Agency by using the identifier found on the certificate. This type of certificate can only be requested by the person concerned or by their guardian, and it can be obtained in the self-service environment.

Extracts/certificates are issued in Finnish, Swedish or English. Excerpts/certificates may also be obtained in German, Spanish, French or Italian.

There is a fee to obtain a certificate from the Population Information System. The prices of the certificates can be found on the Digital and Population Data Services Agency's website. An invoice is sent to the person or body requesting the issue of the certificate.

According to the law, the Population Information System is a register that creates legal certainty.

Information concerning prenuptial agreements (Register of Marital Contract Affairs)

Information concerning prenuptial agreements is recorded in a register maintained by the Digital and Population Data Services Agency. In order to enter into force, a matrimonial property agreement must be registered with the Digital and Population Data Services Agency (see sections 41–44 of the Marriage Act [aviolitielaki] (234/1929)). The register contains information on the possible matrimonial property agreements, and also information on the law applicable to matrimonial property regimes or on the unilateral cancellation of marital rights. The register contains matrimonial property agreements between spouses and between registered partners. The register shows the names and habitual domicile of the parties, their dates of birth, and information on whether, for example, a matrimonial property agreement or similar agreement has been recorded or not. For more information: Prenuptial agreement Digital and Population Data Services Agency (dv.fi)

The Digital and Population Data Services Agency's contact details are:

Digital and Population Data Services Agency
PL 1003
00531 Helsinki

A matrimonial property agreement is valid in accordance with the law only if it is recorded in the register maintained by the Digital and Population Data Services Agency. There are no regional registers. Previous registration authorities were the local register offices and the district courts. However, all older records can be found in the single national register.

The existence of a matrimonial property agreement is public information which is disclosed to anyone on request. The information can be requested from the Digital and Population Data Services Agency. When requesting information, the names of both spouses must be provided. Information can be requested from the register by telephone, email or letter.

If a certificate is required proving that an agreement has been registered, it may be sent either through the post or by email. Requests can be made in Finnish, Swedish or English. Certificates of registration are issued with either a digital or electronic signature. If a certificate is to be sent abroad, it is signed
Information about the real estate owner is set out in the certificate of title if the information is entered in the title and mortgage register. Ownership information can also be obtained from customer services at the National Land Survey. Information is not disclosed for purchasing or direct marketing purposes. The search criteria in the Land Information System are the individual identifiers of the property units, i.e. real estate identifiers, land parcel identifiers and facility identifiers. The search criteria can also include the name or identification number of the natural person or legal entity (personal identification code or company number) where an authority needs information from the Land Information System to fulfill a statutory function or where a natural person or legal entity wishes to check the information concerning them in the Land Information System. More information about printouts from the Residential and Commercial Property Information System, the information they contain and the conditions for disclosing information is available here.

For the most part, the Residential and Commercial Property Information System is public, but there is not unrestricted access to the information. A housing company’s public list of shares, without the personal identification codes or contact details of the shareholders, can be viewed by anyone. Information concerning shareholders’ ownership and pledges are not available to all. An apartment information printout containing personal data is only disclosed to the shareholder or a person authorised by them. It is disclosed to others only if there is a legitimate interest. Where an authority needs information from the Residential and Commercial Property Information System to fulfill a statutory function or where a natural person or legal entity wishes to check the information concerning them in the Residential and Commercial Property Information System, the search criteria may be the personal identification code or the name and date of birth of a natural person or the name or company number of a legal entity. The search criteria in the information services of the Residential and Commercial Property Information System are the share group identifier or the precise address of the apartment, in the case of an apartment information printout for an individual apartment, and the name (or company number) of the housing company in the case of a list of shares.

Further information about printouts from the Residential and Commercial Property Information System, the information they contain and the conditions for disclosing information is available here.

In order to register a change in the ownership of registered property, the original deed of partition and/or deed of estate distribution or a valid will are needed, together with the deed of estate inventory and its annexes. Further information about the necessary documents is available here as regards real estate and here as regards owner apartments.

The National Land Survey’s contact details are:
email: customerservice@nis.fi
Telephone number: +358 29 530 1110
Further contact details can be found on the National Land Survey’s website.

Trade Register
The Finnish Patent and Registration Office maintains the Trade Register, in which limited liability companies, limited partnerships, general partnerships and cooperatives operating in Finland are registered. Information concerning companies is entered in the Trade Register on the basis of notifications, applications and communications received by the Finnish Patent and Registration Office. The contents of the register are laid down by law. Entries in the register concerning different types of company are determined on the basis of the Trade Register Act [kaupparekisterilaki] and Acts regulating the different types of company and business in general.

More information is available on the Patent and Registration Office’s website. The Patent and Registration Office’s contact details are:
tel.: +358 29 509 5030
email: registry(at)ph.fi

The Trade Register is a register for public use. Anyone is entitled to obtain information about the entries in the register. This also applies to notifications made to the Trade Register, together with their annexes.

The Patent and Registration Office provides beneficial ownership information recorded in the Trade Register to its contractual clients or in the form of a document order. Information concerning beneficial owners is not public in the same way as the other information recorded in the Trade Register concerning a company. However, information about the registration of beneficial owner notifications is public.

The Patent and Registration Office provides information on beneficial owners to those having a legitimate interest under the Money Laundering Act [rahanpesulaki]. In practice, these include:
- authorities with a supervisory function under the Money Laundering Act
- companies performing customer due diligence under the Money Laundering Act (such as banks, insurance companies and other financial institutions, estate agents and auditors)
- representatives of the media
- other entities with a legitimate interest in the information under the Money Laundering Act.

A legitimate interest under the Money Laundering Act means that the information is intended to be used to prevent money laundering and terrorist financing or to contribute to uncovering money laundering and terrorist financing.

A company’s Trade Register extract and its articles of association, partnership agreement or statutes are in Finnish or Swedish, depending on the language in which the company in question has registered its information. An extract from the Trade Register information is available in English, Finnish or Swedish for

Further information is available on the Patent and Registration Office’s website.

The Finnish Patent and Registration Office’s contact details are:
email: customerservice(a)nls.fi
Telephone number: +358 29 530 1110
Further contact details can be found on the National Land Survey’s website.

Trade Register
The Finnish Patent and Registration Office maintains the Trade Register, in which limited liability companies, limited partnerships, general partnerships and cooperatives operating in Finland are registered. Information concerning companies is entered in the Trade Register on the basis of notifications, applications and communications received by the Finnish Patent and Registration Office. The contents of the register are laid down by law. Entries in the register concerning different types of company are determined on the basis of the Trade Register Act [kaupparekisterilaki] and Acts regulating the different types of company and business in general.

More information is available on the Patent and Registration Office’s website. The Patent and Registration Office’s contact details are:
tel.: +358 29 509 5030
email: registry(at)ph.fi

The Trade Register is a register for public use. Anyone is entitled to obtain information about the entries in the register. This also applies to notifications made to the Trade Register, together with their annexes.

The Patent and Registration Office provides beneficial ownership information recorded in the Trade Register to its contractual clients or in the form of a document order. Information concerning beneficial owners is not public in the same way as the other information recorded in the Trade Register concerning a company. However, information about the registration of beneficial owner notifications is public.

The Patent and Registration Office provides information on beneficial owners to those having a legitimate interest under the Money Laundering Act [rahanpesulaki]. In practice, these include:
- authorities with a supervisory function under the Money Laundering Act
- companies performing customer due diligence under the Money Laundering Act (such as banks, insurance companies and other financial institutions, estate agents and auditors)
- representatives of the media
- other entities with a legitimate interest in the information under the Money Laundering Act.

A legitimate interest under the Money Laundering Act means that the information is intended to be used to prevent money laundering and terrorist financing or to contribute to uncovering money laundering and terrorist financing.

A company’s Trade Register extract and its articles of association, partnership agreement or statutes are in Finnish or Swedish, depending on the language in which the company in question has registered its information. An extract from the Trade Register information is available in English, Finnish or Swedish for
the following types of company: limited liability companies, public limited companies, general partnerships, limited partnerships, sole traders and branches of foreign traders.

Further information about ordering extracts from the Trade Register can be found [here](https://www.prh.fi/fi/index.html).

The price list for Trade Register information services can be found [here](https://www.prh.fi/fi/index.html).

Some information is available free of charge and for some a fee has to be paid. If there is a fee to pay, it can be paid electronically or on receipt of an invoice. Information on the registration of notifications of changes can be found [here](https://www.prh.fi/fi/index.html), and information on the effects of registration can be read [here](https://www.prh.fi/fi/index.html).

3 The availability of information on bank accounts

In Finland there is no list/register of bank accounts that is maintained by a public authority. Bank account details must be requested from individual credit institutions.

4 The availability of a register of intellectual property rights

In Finland, the register concerning intellectual property rights is maintained by the Finnish Patent and Registration Office. Its contact details are:

Patent and Registration Office
Sörnäisten rantatie 13 C, Helsinki
Postal address: 00091 PRH
Telephone advisory service for customers (Mon-Fri 9:00–15:00): + 358 29 509 5050
For more information: [here](https://www.prh.fi/fi/index.html).

5 Other registers with information relevant to successions

Transport Register

The Finnish Transport and Communications Agency Traficom maintains an electronic transport register which contains information on means of transport, i.e. vehicles, aircraft, vessels and watercraft, railway rolling stock and related equipment, operator’s licences, operations subject to notification and transport-related personal licences. In principle, the Transport Register is public and the information contained in it may be disclosed if it is needed by public authorities, companies or individuals.

Traficom’s contact details are:
Transport and Communications Agency Traficom
PL 320
00059 TRAFICOM
Switchboard: 029 534 5000
Email: tietojenluovutus(at)traficom.fi
The disclosure of information from the Transport Register to public authorities (including foreign authorities) is regulated by section 230 of the Act on Transport Services [liikenteen palveluista]. Under the second subsection, the Transport and Communications Agency may disclose information from the register to foreign authorities or for the purposes of official functions if this disclosure is based on law, European Union law or an obligation under an international agreement binding on Finland. If personal data is transmitted outside the EEA, the requirements laid down in Chapter V of the European Union General Data Protection Regulation apply. Any other authority that has obtained information from the Transport Register may disclose the information further if the same requirements are met.

Disclosure of information is not linked to particular search criteria. When carrying out the process of disclosing information, it is essential that the requester has sufficient information to identify the means of transport or the person.

[Further details](https://www.prh.fi/fi/index.html) about disclosing information from the Transport Register.

6 The availability of information on closed wills and wills not subject to registration

There is no register of wills in Finland. A testator may hold the will in their own possession or entrust it to a person or, for example, a law firm of their choice. When the testator dies, it is the obligation of the person or entity holding the will to notify the legal heirs of the will.

Last update: 11/11/2023

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.