



MAKING A SPANISH WILL

Making a Spanish Will, while not compulsory, is **highly advisable**. To draw up a will in Spain to cover only the Spanish assets, makes the whole procedure a lot easier, less expensive and above all, less stressful for the beneficiaries. All **Wills in Spain** are registered one central Registry, which makes it easy to apply for a certificate in the event of having to find out what someone's **Last Will and Testament** entails. This tells the person where the will was actually signed and can be obtained within a few days. The system is so simple and straightforward here, that it would be a pity not to take advantage of it!

TYPES OF SPANISH WILLS

Open Will

This is the usual form of will for most people in Spain. It is made before a Notary, who keeps the original document in his file. The Notary will send notification of the will to the Central Registry of Spanish Wills in Madrid.

Holographic Will

This type of will is handwritten entirely by the testator. It must be signed and dated on each page by the testator. It must be verified as genuine before a judge. The deceased's closest relatives must verify the deceased's handwriting. Once this has been done, the judge will enforce the provisions of the will.

Closed Will

The details of your will are kept secret by placing them in an envelope. The testator must then declare the following before a Notary:

- that the provisions of the will are contained in the envelope.
- whether it has been written by a third party or by the testator.



- whether it has been signed by a third party or by the testator.

The Notary then seals the envelope and signs it. It is then filed by the Notary who informs the Central Registry of Spanish Wills.

What if I want to change the contents of the will later on?

To change the contents requires a notary, so you would need to go through the same process.

As a couple, can we have a joint will made?

No. You need a will done for each of you.

What happens if the deceased has not left a will?

When the deceased has not left a will, the Spanish Law of Succession determines who shall inherit in the following order:

- The descendants of the deceased inherit in equal shares.
- If there are no descendants, the spouse inherits.
- If there is no spouse, any brothers or sisters of the deceased inherit in equal shares. If any brother or sister of the deceased has predeceased and left children, the children inherit their parent's share in equal shares.
- If there are no brothers or sisters, nephews or nieces, then cousins, if any, inherit.
- Finally, if none of the above family members exist, then the deceased's estate is inherited by the Spanish Government.