



In short

Will - Contract of inheritance



Will

A will is a **unilateral personal statement** of your wishes after death and has no effect during your lifetime. It can be revoked, amended or destroyed at any time. Anyone wishing to make a will must be of **legal age** (18 years old) and of **sound mind**.

A handwritten will is valid if it is completed in full **by hand by the testator**, and signed and **dated** by hand.

Contract of inheritance

An inheritance contract offers the possibility of settling the estate with the participation of all the parties involved, according to the individual needs of the contracting parties, i.e. **independently of the statutory compulsory portion claims**. As with the drafting of a will, a person who wishes to conclude an **inheritance contract** must be of sound mind and of legal age. The inheritance contract must be concluded by a **notary public** and **two witnesses**, who must also confirm that the contracting parties were of sound mind at the time the contract was concluded.

smzh tip

In a marriage contract, the spouses can allocate the entire inheritance of both spouses to the **survivor** in the event of the death of one party (full proposed allocation). This means that children are not entitled to their 50 percent share. The marriage **contract** must be **officially notarized** to be valid. In addition, a marriage contract can only be concluded by someone who is of legal age and sound mind. This means that a notary must certify that the contract corresponds to the real will of the parties.

In the will, the testator has the liberty to determine both the recipients and the manner in which their assets are distributed. The only consideration is adhering to legally mandated compulsory portions. It's important to highlight, that an inheritance contract involves all compulsory heirs as signatories, thus requiring their signatures.

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