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SPANISH WILLS & INHERITANCES

A will is one of the most common legal needs, but less than 25% of Europeans have one

As you may know a will is not exclusively about making sure that the right people will inherit without disagreement or problems. It is a formal declaration of intention made by a person in their life-time of their wishes concerning the disposal of their property after their death.

We understand the need to preserve and protect your assets and those of your family. If you have purchased or already have a property in Spain, we strongly recommend you to make a Spanish will in order to facilitate the distribution of your Spanish assets.

More than just Legal & Tax Services



We advise all our clients that own property or assets in Spain to make a Spanish will which will detail their wishes for the distribution of their assets after death.

This will be particularly helpful for non-Spanish inheritors as the Spanish system is easier where wills exist.

In the Spanish legal system, there are rules governing the distribution of property after death.



There are two different types of successions:

A) Testate Succession which arises when the deceased person has expressed their wishes in the form of a will.

B) Intestate Succession which arises when a person dies intestate. In this case, the statutory law rules will govern the distribution of the intestates' estates upon the assumption that people who die intestate would have wished to make provision for beneficiaries. Because they did not make these important decisions while they were capable, these decisions are left up to the Spanish Law. They could have their property distributed in a way that goes against their wishes.



In Spain, the signing of wills must be made by the testator in the presence of a Public Notary who will keep in his file the original document until the day of death, and will register it in the Spanish Central Registry of wills which is situated in Madrid.



If you have already made a will in Spain, please note that your financial and familiar circumstances can change and therefore your will should be reviewed and updated.

If you decide to contact us, we can:

1. Advise and guide you in preparing or revising your Spanish will. You can make several wills but it is only the last signed will that is valid.



2. Give advice on Inheritance Tax, and explain the whole procedure for the distribution of the estate after death.

3. Assist you at the Notary Office when you sign your Spanish will.

4. Help you to receive and register in your name, any Spanish inheritance where a relative of yours has died with or without a will.

5. Advise you on Inheritance Tax planning and if necessary on the creation and administration of Trusts.



Our standard fees for helping you to prepare and sign a Spanish will are 250 Euros for one Will (18 % VAT and notary fees included) and 300 Euros for two Wills (18 % VAT and notary fees included).

Our legal fees for assisting you to receive inheritance from a deceased relative will depend on the circumstances and cannot be fixed in advance. Fees and costs vary depending on the work to be carried out and the value of the inheritance. Please do not hesitate to discuss with us your particular case, and we will be pleased to give you an estimate of how much our work will cost, together with inheritance tax and other costs to be paid.

For further information on wills and estates matters, please do not hesitate to contact us at mail@marbellsolicitors.com. We will be pleased to study your particular case and help you to prepare a will or solve your inheritance legal issues.





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is regulated by The Law Society


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