

99046010001000, 99046068001007, 99046068001008,
 99046068001009, 99046068001002, 99046068001013,
 99046068001003, 99046068001004, 99046068001005,
 99046010001002, 99046010001001, 99046010001003,
 99046068001010, 99046068001000, 99046068001011,
 99046068001001, 99046068001012

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Modul	Sachverhalt
Leistungsschlüssel	99046010001000, 99046068001007, 99046068001008, 99046068001009, 99046068001002, 99046068001013, 99046068001003, 99046068001004, 99046068001005, 99046010001002, 99046010001001, 99046010001003, 99046068001010, 99046068001000, 99046068001011, 99046068001001, 99046068001012
Leistungsbezeichnung I	
Leistungsbezeichnung II	Certificate of inheritance; application
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus

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99046010001000, 99046068001007, 99046068001008, 99046068001009, 99046068001002, 99046068001013, 99046068001003, 99046068001004, 99046068001005, 99046010001002, 99046010001001, 99046010001003, 99046068001010, 99046068001000, 99046068001011, 99046068001001, 99046068001012

Modul	Sachverhalt
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	05.05.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium der Justiz (Bavarian State Ministry of Justice)
Handlungsgrundlage	http://bundesrecht.juris.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 http://bundesrecht.juris.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 http://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 http://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 http://www.gesetze-im-internet.de/gnotkg/_40.html http://www.gesetze-im-internet.de/gnotkg/_40.html http://www.gesetze-im-internet.de/famfg/BJNR258700008.html#BJNR258700008BJNG004700000 http://www.gesetze-im-internet.de/famfg/BJNR258700008.html#BJNR258700008BJNG004700000
Teaser	Upon application, the probate court issues the heir with a certificate of inheritance (certificate of inheritance).
Volltext	The right of inheritance is regularly evidenced by the so-called certificate of inheritance. The certificate of inheritance officially states who the deceased's heir is and what restrictions on disposal they may be subject to. Anyone identified as an heir in the certificate of inheritance can dispose of the estate. Their business

Modul

Sachverhalt

partners are protected even if the certificate of inheritance later proves to be incorrect and is withdrawn.

However, the heir can often manage without a certificate of inheritance. For example, banks and savings banks are generally entitled to allow a person to dispose of the deceased's assets who identifies themselves as the heir with a will (which can also be in private writing) together with the corresponding certificate of inheritance.

The certificate of inheritance is issued by the local probate court at the heir's request. The probate court in whose district the deceased had their habitual residence at the time of the inheritance has local jurisdiction. The probate court must check the information on which the applicant bases his right to inheritance ex officio, as a certificate of inheritance may only be issued if the applicant's status as an heir is deemed to have been established. The probate court can carry out informal investigations or conduct a formal taking of evidence. If there is a testamentary disposition, the probate court examines, among other things, its formal validity and material effectiveness.

The probate court decides on the granting of the certificate of inheritance by means of a court order. However, the certificate of inheritance is not actually issued until the original or a copy has been handed over.

Further information on inheritance law issues can be found in the brochure "Preparing for the event of inheritance" (see "Further links"). You can also find information on inheritance law on the website of the Bavarian notaries.

Erforderliche Unterlagen

- Information to be provided to the probate court

Pursuant to section 352 (1) and (2) of the Act on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG), the legal heir and the appointed heir must provide certain information to the probate court (e.g. on the time of the deceased's death

Modul

Sachverhalt

and on the pendency of a legal dispute concerning the right of succession). Some of these details must be proved by the production of public documents and by an affirmation in lieu of oath, cf. section 352 (3) FamFG. The applicant may make the affirmation in lieu of oath either in court or before a notary, who must certify it.

- Presentation of existing death certificates
- Proof of legal succession by means of corresponding civil status documents

(marriage certificate, certificate of descent - only if the granting of a certificate of inheritance as a legal heir is requested)

- Presentation of the testamentary disposition

(only if the granting of the certificate of inheritance is requested on the basis of a disposition of property upon death and this is not in official custody)

Voraussetzungen

Every heir is entitled to file an application, even if there are several joint heirs. In addition, the executor of the will and the guardian or custodian of an heir, for example, are also entitled to file an application.

Kosten

A fee is charged for the issue of the certificate of inheritance in accordance with the Act on Costs of Voluntary Jurisdiction for Courts and Notaries (GNotKG).

The amount of the fee is generally based on the value of the estate at the time of the inheritance. Liabilities originating from the testator are generally deducted when determining the value (Section 40 (1) sentence 2 GNotKG).

Verfahrensablauf

The application for a certificate of inheritance can be made in writing or on the record of the probate court.

It is also possible to submit an application as an electronic document using a qualified electronic signature or a simple signature and using a secure transmission channel in accordance with Section 14 (2) of the Act on Proceedings in Family Matters and in

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