

99046018089000

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/3698/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99046018089000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Wills and inheritance contracts; deposit for official safekeeping
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

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Fachlich freigegeben am	05.03.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium der Justiz (Bavarian State Ministry of Justice)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_2247.html https://www.gesetze-im-internet.de/bgb/_2247.html https://www.gesetze-im-internet.de/bgb/_2267.html https://www.gesetze-im-internet.de/bgb/_2267.html https://www.gesetze-im-internet.de/bgb/_2248.html https://www.gesetze-im-internet.de/bgb/_2248.html http://www.gesetze-im-internet.de/bgb/_2256.html http://www.gesetze-im-internet.de/bgb/_2256.html http://www.gesetze-im-internet.de/famfg/_344.html http://www.gesetze-im-internet.de/famfg/_344.html http://www.gesetze-im-internet.de/famfg/_346.html http://www.gesetze-im-internet.de/famfg/_346.html http://www.gesetze-im-internet.de/famfg/_347.html http://www.gesetze-im-internet.de/famfg/_347.html http://www.gesetze-im-internet.de/bnoto/_78e.html http://www.gesetze-im-internet.de/bnoto/_78e.html http://www.gesetze-im-internet.de/gnotkg/anlage_1.html http://www.gesetze-im-internet.de/gnotkg/anlage_1.html http://www.testamentsregister.de/zentrales-testament-sregister/erbrecht/gebs http://www.testamentsregister.de/zentrales-testament-sregister/erbrecht/gebs https://www.gesetze-im-internet.de/famfg/_351.html https://www.gesetze-im-internet.de/famfg/_351.html https://www.gesetze-im-internet.de/beurkg/_34.html https://www.gesetze-im-internet.de/beurkg/_34.html
Teaser	Wills and inheritance contracts can be placed in official safekeeping at the local court - probate court. This ensures that they can be found in the event of an inheritance and are protected against forgery or damage.
Volltext	By depositing wills and inheritance contracts with the probate court, their safekeeping until death and their retrievability as soon as possible after the death of the testator is to be ensured. Notarial wills are deposited directly with the probate court in whose district the

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notary has his or her official seat by the notary recording the will. However, the testator may at any time request that the will be deposited with another probate court.

Handwritten wills (these only exist if they are handwritten and signed) can be deposited with a probate court of the testator's choice. Notarial contracts of inheritance are often - like the notarial will - sent by the notary to the probate court responsible for their official seat for safekeeping; however, contracts of inheritance can also be deposited with the notary. The testator receives a certificate of deposit for the will that has been deposited. The testator can request the surrender of the will at any time. However, the will may only be handed over to the testator personally. If a notarized will is released from official custody, it is deemed to have been revoked.

Inheritance contracts placed in official custody which contain only dispositions mortis causa (i.e. which do not contain any provisions of significance during the lifetime of the parties involved) can be withdrawn from official custody and returned to the contracting parties. Upon return, the inheritance contract is deemed to be revoked. Since January 1, 2012, official custody has been recorded in the Central Register of Wills of the Federal Chamber of Notaries. This ensures that the will or contract of inheritance held in safekeeping can be found upon the death of the testator.

The Central Register of Wills of the German Federal Chamber of Notaries

- notarized wills and contracts of inheritance,
- handwritten wills that are placed in special official safekeeping and
- other registerable documents relevant to succession

are registered.

The information required to find the document is stored, but not the content of the declaration itself. The document remains in official safekeeping, protected from access by unauthorized third parties.

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In the event of death, the Federal Chamber of Notaries notifies the probate court and, if custody details are available, the custodian of the relevant deed. It is informed by the registry offices about all domestic deaths and checks them for corresponding entries in the Central Register of Wills.

Further information on questions of inheritance law can be found in the brochure "Vorsorge für den Erbfall" ("Making provisions for inheritance") published by the Bavarian State Ministry of Justice, which you can download under "Further links". You can also find information on inheritance law on the website of the Bavarian notaries (see "Further links").

Erforderliche Unterlagen

Voraussetzungen

Kosten

- The official safekeeping costs a one-off fee of EUR 75.00. If an inheritance contract is deposited with a notary and not with the probate court, this does not incur any separate costs.
- There is a fee of EUR 12.50 (or EUR 15.50 in the case of direct settlement with the Federal Chamber of Notaries) per registration for entry in the Central Register of Wills. The registration fee is charged once and covers all costs of registration, any corrections, additions and subsequent registrations as well as notifications in the event of death. The respective testator is liable for the costs.

Verfahrensablauf

An application for official custody of a handwritten will can be submitted informally to the local court. A certificate of deposit should be issued for the safekeeping. If a joint will is deposited, the other testator will also receive a certificate of deposit.

The will can be reclaimed from official custody at any time. The will may only be returned to the testator in person (in the case of a joint will, only to the testators jointly).

Bearbeitungsdauer

Frist

If a will, a joint will or a contract of inheritance has

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	<p>been in official safekeeping for more than 30 years, the safekeeping office determines ex officio whether the testator is still alive. If this is not the case, the disposition of property upon death will be opened.</p>
weiterführende Informationen	<p> http://www.notare.bayern.de/ http://www.notare.bayern.de/ http://www.testamentsregister.de http://www.testamentsregister.de http://www.bestellen.bayern.de/shoplink/04004813.htm http://www.bestellen.bayern.de/shoplink/04004813.htm </p>
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal