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Inheritance contract custody

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/S1000020010000013069/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046019089000
Leistungsbezeichnung I	Inheritance contract custody
Leistungsbezeichnung II	Inheritance contract creation and safekeeping
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Custody of the inheritance contract</div> , <div lang="en-x-mtfrom-de">Inheritance contract storage</div> , <div lang="en-x-mtfrom-de">Conclude an inheritance contract</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	20.03.2024
Fachlich freigegeben durch	
Handlungsgrundlage	§ 2274 ff German Civil Code (BGB) Section 34 paragraph 1 Notarization Act (BeurkG)
Teaser	Succession can also be regulated by drawing up an inheritance contract. This is particularly interesting for unmarried couples, as they cannot inherit according to the statutory succession or draw up a joint will.
Volltext	In addition to drawing up a will, there are also cases in which it is better to conclude an inheritance contract. You can also determine the transfer of your assets in the inheritance contract. The contracting parties do not need to be married, related or related by marriage. While a will is drawn up unilaterally by the testator, an inheritance contract always involves two parties. Both parties can dispose of their estate (mutual inheritance contract). However, it is sufficient if only one party makes a testamentary disposition (unilateral inheritance contract). The crucial difference to a will is the binding effect of an inheritance contract: if the contracting parties want to make a binding arrangement ("contractual disposition"), the testator is bound by the disposition. While a will can be revoked at any time, this is not possible with an inheritance contract. The inheritance contract renders previous and subsequent wills ineffective if they contradict the inheritance contract. After its creation, the inheritance contract is placed in special official custody at the probate court or remains with the notary.
Erforderliche Unterlagen	ID card or passport
Voraussetzungen	In order to be able to draw up an inheritance contract, you must be capable of making a will (mentally healthy, able to legally conclude an inheritance contract).
Kosten	There are notary fees which depend on the value of the estate.

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Verfahrensablauf	Make an appointment with a notary of your choice. You can use the nationwide notary search via Notar.de.
Bearbeitungsdauer	An appointment with the notary is necessary.
Frist	No.
weiterführende Informationen	https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg https://justiz.hamburg.de/gerichte-segmente/ https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-636948 https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-636948 https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&v=14 https://www.bmj.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33 https://www.notar.de/notarsuche/notarsuche https://www.notar.de/notarsuche/notarsuche
Hinweise	The formal requirements for inheritance contracts are strict. An inheritance contract can only be concluded before a notary. Therefore, seek advice from a notary if you are considering this route. Please note: The probate court does not provide legal advice. Please contact the persons authorized to provide legal advice. These are lawyers or notaries. The Public Legal Advice Service (ÖRA) offers low-cost legal advice for people with low incomes.
Rechtsbehelf	No legal remedy provided
Kurztext	Inheritance contract creation and safekeeping Any notary can draw up an inheritance contract. Suitable for legally regulating the inheritance of unmarried couples After its creation, the inheritance contract is kept at the probate court or at the notary

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Ansprechpunkt	If you want to find out exactly who is responsible for your request, please follow the link to Hamburg Service
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)