

Greek Inheritance law: Last Wills and Testaments

All the Greek people who live abroad and own Greek property and all the non-Greek people who also have property in Greece and wish to arrange all matters after their death, it is recommended to have a Will, according to the Greek Inheritance laws.

This way, we will avoid future conflicts among heirs and legal disputes, as to which law is enforced (i.e the testator is Greek, but he had signed a Will according to the Australian inheritance laws, or, the testator was British and had signed a Will according to the British inheritance laws but lived in Greece with his British wife, or, the Greek testator had two marriages, one with a Greek woman in the United States and the other with an Italian woman and he was living partially in the States and partially in Italy, etc.).

The Last Will and Testament can be in Greek language, or, in another language, as long as the Greek inheritance laws and the Greek Probate laws have been followed, even if the testator is or Greek origin, or not. The Will which is not in Greek language, has to be officially translated after the testator's death and prior of us having it Probated in Greek courts.

There are **three types of Wills** according to the Greek Civil Code. The **Handwritten Will**, the **Public Will** and the **Secret Will**. For each one of these Wills, different actions and conditions are required, in order for them to be legal, according to the Greek Probate-Inheritance laws.

The **handwritten Will** has to be totally written with the testator's hand.

A Will written by the testator on a type-writer, computer, or any other mechanical aid, is not considered as a valid Greek Handwritten Will. However, if the testator writes his Will with his own hand on a wall in his house, this Will, is considered as valid Handwritten and declared genuine. Every single page of the Handwritten Will must be signed and dated along with any alterations. If a person is unable to write, he cannot make a Handwritten Will.

We can keep this Will at home, but, it is advisable to have it at a safer place, i.e., at our lawyer's office, at a safe box in your bank, or any other secure places.

The **Public Will** is made at a Notary's office. The testator informs the notary of his/her wishes in front of three witnesses, or in front of one witness and another notary. The witnesses must have no connection to the testator and receive no benefit from him/her, or, from the Will. They must be over eighteen years old (18), safe in their mind and have no impediments which would affect them from fully understanding the testator's words. The notary public swears the witnesses to confidentiality and ensures that they will remain throughout the whole time, while the testator is delivering his/her wishes. The notary prepares the Public Will which includes all the details of the testator, the witnesses and himself, (names, surnames, identity cards/passport numbers, home addresses, etc.). The completed public Testament will be read to the testator and if it is correct and according to his/her wishes, is signed by the testator and the witnesses on each page. If the testator is unable to read, the notary makes a note on the testament, stating that the Will was read to the testator and that he/she fully agreed with the Will's content.

With the **Secret Will**, the testator prepares a Testament, which he/she signs and seals. It can be handwritten, on a type-writer, in a computer, etc. The testator presents this secret Will to a notary's office, where, in front of three witnesses, or in front of one witness and another notary, he/she declares that this sealed document is his/her last Will. The witnesses' criteria are the same, as for those, for the Public Will. If the testator is unable to sign, he/she must declare that to the notary.

A written statement is then made by the notary, reassuring the receipt of the Secret Will on this certain date. After all the above are completed, the testator and the witnesses sign the above notary's statement.

Always consult your Probate lawyer in Greece prior of deciding to make any type of Will. Your Greek Probate/Inheritance lawyer is the one who will advise you properly on what it can, or cannot be written on the Testament and will prepare a draft Testament for yourselves, according to the Greek Probate laws.

It is important to know that all Wills, (Handwritten, Public, Secret), can be revoked by writing a new one and stating in the new Will, that the last one is revoked.

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