



European Certificate of Succession

AUTHORS

Regulation (EU) No. 650/2012 of the European Parliament and of the Council, of 4 July 2012, introduced the concept of the **European Certificate of Succession (ECS)**. This document allows heirs, beneficiaries, and executors to attest their status and exercise their rights of succession in other EU Member States.

Who can request it?

The ECS can be requested by anyone who has a legitimate interest in the succession. It may be the interested person requesting it, or a mandated attorney with a power of attorney for that purpose.

Where can it be requested?

The application is submitted in the Member State where the deceased had their last habitual residence.

In Portugal, the ECS can be requested at any Civil Registry Office (Balcão de Heranças), by presenting a form (Form IV) and the annexes necessary for the specific case. The form and its annexes must be completed and signed, with relevant supporting documentation.



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What is the cost?

The administrative cost of the ECS is 200 Euros, in addition to any consultations that need to be made to the available databases. Any translation costs necessary for notifying potential interested parties abroad, may also be charged.

What information is required?

The information required for the request is listed in article 63 no. 5 of the Regulation, namely:

- identification data of the deceased, the applicant and any potential beneficiaries (spouse, children, etc.);
- data relating to the succession itself (if there was a will; if there was a choice of law; any gifts made during the deceased's lifetime);
- purpose of the certificate and in which countries it will be presented, as well as the identification of the assets that are part of the deceased's estate;
- indication of whether there is any pending litigation.

Where can it be used?

The ECS can only be used in countries that are EU Member States.

What is the validity period?

The original ECS is filed with the authority that issues it, and one or more certified copies may be issued. Certified copies of the ECS are valid for six months and can be renewed upon request.

What is the advantage of requesting a ECS instead of the traditional national probate documents?

The ECS is an alternative to national probate documents. It is advisable to request the ECS in situations where the deceased had assets in more than one Member State, and needs to prove that he is an heir in those Member States. Unlike national probate documents, which may be subject to additional formalities such as resealing, the recognition and enforcement of an ECS in another country does not require any additional formalities. Once issued, the ECS will be recognized in all other EU Member States.