

### Why should you make a Spanish Will?

- To avoid time-consuming and expensive legal problems for your beneficiaries.
- If a non-Spanish resident dies in Spain without having made a Will, Spanish law will be applied to any assets in Spain.
- Inheritance law in Spain is much more restrictive than in the UK.
- However, Spanish authorities will not oblige non-Spanish citizens to follow such Spanish inheritance laws provided that the correct Will is prepared.

### What happens if I die without making a Spanish Will?

- Any assets in Spain will be subject to Spanish inheritance laws and will be distributed to the immediate family in pre-determined proportions.
- As in the UK, the absence of a Spanish Will means that you have no control over who benefits from your estate and there will be a delay while officials determine, in accordance with the law, which family members are entitled to which assets.

### Making a Spanish Will

- A legal adult (i.e. 18 years and over) can make a Spanish will.
- The Will is made out in two columns, one in Spanish and one in English (or in whatever language is preferred).
- The Will is then checked by the Notary and signed in his or her presence.
- A valid passport should be taken along to the Notary. Some Notaries do not accept any other form of identity.
- The Notary keeps the original Will but will prepare an authorised copy for you.
- Notification of the Will is sent to the central registry of Wills in Madrid.
- It is only possible to make separate (not joint) Wills under Spanish law.
- It is not possible to make a Spanish Will by means of a Power of Attorney. You should personally sign the Wills in front of a Notary.
- There is no direct equivalent of a UK Executor who can carry out the testator's wishes. There is a comparable function but it is highly complex and expensive, and specialist advice should be sought.

### Obtain proper legal or tax advice

- Legalanswers can offer you solid legal advice when making your Will. If your assets are complicated or high in value, we can also arrange specialist tax advice.