Finding a will in Spain

~ Legal professionals, some questions/answers to assist you ~

→ When the existence of a will has been established, who has to be contacted to obtain information about its content?

Information on the content of the will is sent by the notary responsible for settling the succession. This can be either the notary holding the will or a different notary, whose contact details can be provided by the notary holding the will. The latter can be located by making a search of the Spanish Register of Wills.

→ Who is entitled to receive the information?

The information contained in the will, and a copy of the will itself, can only be sent to the "forced" heirs, "instituted" heirs (i.e. those whose share has been modified by the will, legatees, executors, administrators and any person granted rights by the will) and anyone partially or totally deprived by the will of rights in the succession.

Important
These questions and answers constitute a source of general information, up to date as of 1 January 2022. If you have a specific problem, please contact a notary. This practical guide was prepared by ARERT in collaboration with the European Commission and the Notaries of Europe.

→ Is there a particular procedure to be followed? If so, which one?

For the information contained in the will to be communicated, the will must have been opened in accordance with Spanish law.

→ By what means must the information be sent?

The information contained in the will and/or a copy of the will itself are sent by post or electronically. In the latter case, in accordance with Spanish regulations, documents may only be transmitted electronically between notaries or to public authorities and legal registers and institutions.

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