

French Wills and Succession Law Questionnaire

August 2006 edition

Please complete this Questionnaire and return it to us together, if possible with the documents specified below.

Your French estate

If you are not planning to move to France, please let me have a list of everything you own in France (e.g. house, household effects, furniture, bank and savings accounts, car, yacht etc) and roughly what you estimate each item is worth. The reason for asking this information is to establish whether or not your French estate will be liable to French IHT, and whether it may also be liable to French wealth tax.

For the same reasons, if you are planning to move to France, please make a list not only of everything you own in France but also in the UK and/or elsewhere in the world (e.g. house, car, savings and cash, stocks and shares, insurance policies, pension benefits, bank and building society accounts, furniture, jewellery, and anything else of value) with a rough estimate of their worth.

Your personal details

You

Your partner

Surname.....

Title.....

Former name (if any).....

Maiden name.....
(if appropriate)

Forename(s).....

Address and postcode.....

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Daytime tel no.....

Evening tel no.....

Mobile no.....

Are we authorized to leave a message with your secretary P.A. etc?

Yes/No

Yes/No

You

Your partner

Daytime email address.....

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Evening email address.....

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If you have more than one email address, to which address do you want us to communicate with you?

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If there is more than one of you involved, do you want us to send our emails to all your respective email addresses?

Yes/No

You

You partner

Daytime fax number.....

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Evening fax number.....

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Occupation/Rank.....

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Date of birth.....

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Place of birth.....

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Nationality and passport number.....

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Country of domicile.....

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Marital status (e.g. single, married, divorced, widowed)

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If married, date and place of marriage.....

Did you enter into a marriage contract(*contrat de mariage*) or pre-nuptial agreement?

Yes/No

If yes, please send me a full copy of the *régime* which you adopted. If you were married under English law your *régime* under French law is equivalent to *séparation de biens*. Depending on your marital status, French succession law and/or inheritance tax problems may arise on your death. Please immediately let me know if you would like me to advise on how these possible problems can be avoided (e.g. purchasing in joint names or one of your names only)

Please tick this box if you are not married to your partner

Please tick this box if you are intending to marry/re-marry in the near future

Has either of you been married before? Yes/No

Your children’s and other family member’s details

If you do not have any children at the moment, do your future plans include having children?

Please give the following details of your children (if appropriate):

- Full Names
- Ages
- Date of birth
- Place of birth
- Marital status (if appropriate)
- Place of marriage (if appropriate)
- Maiden name (if appropriate)

Please also identify if any child is natural, from a previous marriage, illegitimate, adopted and/or has any special needs.

You

Your partner

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You

Your partner

Do you have any children from previous marriage(s) and/or relationship(s)?

Yes/No

Yes/No

If yes, please give the same information as above

You

Your partner

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Do you have any grandchildren?

Yes/No

Yes/No

If yes, how many and their ages?

Do you have any surviving parents?

You

Your partner

Yes/No

Yes/No

If yes, how many and their ages?

You

Your partner

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You

Your partner

Are your parents or grandparents alive?
Yes/No

Yes/No

If yes, which?

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What ideally would you like to happen to your French property when you die? Who would you like to inherit?

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Do you have any children or other family members you wish to exclude from benefiting under your French Will?

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If so please specify their name(s), address, relationship to you and the reason you do not wish them to benefit from your French estate.

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Are there any specific gifts (e.g. objects of sentimental value or sums of money) which you wish to make?

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If so please state the full names (and maiden name if appropriate) of the person(s) to benefit, his/ her date of birth, occupation, current address and nationality

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If any of the above recipients dies before you, who would you wish to receive the gifts mentioned? If you do not name a person in substitution the gift will pass to the people named below

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Who is to get the remainder (or a share of the remainder) of the rest of your property once the specific gifts (if any) have been distributed?

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If any of the persons you have named above die before you or die at the same time as you who would you wish to receive their share of your estate?

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Will your beneficiaries have sufficient liquid assets when you die to be able to pay French IHT without being forced to sell the French property?

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Do you already own French property individually?
(i.e. in the name of one person only?)

Do you already own French property jointly with someone else? If so do you own equal shares? If not what is the proportion of the share and the proportion of your co-owners share (e.g. 25%/75%)
Do you jointly own *en indivision* or *en tontine*?

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If your French property is mortgaged please state to which lender and for what amount?

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If possible please supply us with a full copy of your registered title deed. A copy should be available from your notaire.

Have you ever made a French will before?

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If so please state who holds the original for safe keeping?

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Please supply a copy if this is available.

Special instructions

Please tick any special instructions from the options below.

- I wish to be buried in France
- I wish to be buried in England
- I wish to be cremated in France
- I wish to be cremated in England
- I have no special instructions

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please note that burial wishes are not legally binding, but people usually follow specific requests set out in a Will.

It is also strongly advisable that you leave a little note at your home and let your executors and loved ones know what you want in case it is too late by the time the Will is traced, particularly if you are intended to give your body to medical science.

If you have any other special instructions regarding your funeral/burial/cremation (e. "I wish to be buried in my blue suede shoes") then please enter them below.

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Documents we need to see

If you already own French *immeubles*, please let us have legible photocopies of your registered French title deeds (*copie conforme du titre de propriété*). Your *notaire* should have supplied you with these some months after you completed your purchase. If you do not have these, please obtain them from your *notaire* as soon as possible.

Please also let us have legible photocopies of all documents, advisory opinions or other relevant correspondence you have previously received about French succession law and tax planning. If you are concerned about a current will that has been made, or if you have a dispute about a will, we will be happy to advise.

Business source

Please indicate how you heard about us:

- Advertising (please specify)
- Internet
- Word of mouth
- Solicitor referral
- Estate agent
- Other (please specify)

Other matters

By responding clearly to the above questions and taking into account French succession law and various French taxes we can advise you as to the options open to you.

At this stage in your transaction, are there any other matters you wish to draw to our attention?

Thank you for completing this questionnaire. If there is anything you are not sure about please let me know in writing. For example, if you are UK domiciled are you thinking of taking French domiciled? If so, your estate planning could be totally different than if you remain UK domiciled. Please immediately let us know if there are any other factors about your future plans or long term objectives that you think should be included as a French estate planning consideration.

Please sign below and insert the date