



Greek Inheritance Law

The Greek Inheritance Law is regulated by the Greek Civil Code, Art. 1710 – 2035. It is quite similar to French and German Inheritance law, whereas it bears significant differences to English and American inheritance law.

A deceased person can decide what will become of his property by leaving a will, which can be entirely handwritten by him personally, or executed before a public notary under the presence of three witnesses. The law provides also for a third kind of will, called secret will, where the testator hands the will to the notary public, and the latter is obliged to seal and keep it until the testator's demise.

Before deciding to prepare a will, Greek Americans and Greek Australians who have acquired American or Australian citizenship should contact a lawyer, in order to check according to which law the will must be prepared. This can be very important or even crucial, since according to Greek private international law, a deceased person's estate is regulated by the law of the country of his last citizenship.

The notary public or any person who has access to a deceased person's handwritten will, is obliged to notify the court about the existence of the will and submit it in original. The Greek Probate Court is obliged to make it public, so that every person having an interest in its contents can have access to it.

If the deceased has not left a will of any kind, or the will is void for any reason or settles only a part of its property, this person is considered to be in intestacy, and its succession is regulated by provisions of the law. The legal heirs are organized by the law in 6 categories, called "classes".

The first class includes children and grandchildren of the deceased. The latter are called to the inheritance only if the former have predeceased.

The second class includes the parents and brothers or sisters of the deceased. If they have predeceased, then their children or grandchildren are called as heirs.

The third class includes the grandparents. If they have predeceased, then the great grandparents become heirs by law.

The fifth class includes solely the spouse. It should be noted that the spouse heirs together with the other relatives in all previous classes.

In the first class the spouse has a share of 1/4, whereas in the second, third and fourth class he has a share of 1/2 in the property. The spouse is also entitled to acquire any mobile property of the decedent, which was used for their common living (furniture, car etc.).

If the deceased did not have a spouse or another relative of the previous classes at the time of death, then the property goes to the Greek State.



It is worth mentioning that in case a will does not leave a share in the property to either the spouse, the children or the parents of the decedent (in the last case only if he did not have any children), then these relatives have a right by law to claim a minimum share in the inheritance. This is called “nomimi moira”, which equals half of the inheritance share in case of intestacy. If the deceased had made any donations to each of the above heirs while living, the right to a minimum share can be lost, if the donations cover their minimum share.

Greek Inheritance Law provides for a deadline of 1 year to renounce the right to a Greek inheritance, if either the decedent had his domicile abroad, or the heir has its domicile abroad when he became aware of the passing and of his right to a Greek inheritance. It is thus very important to renounce the inheritance within the 1-year deadline, since the heir could bear significant risks, if the inheritance contained debts or other obligations of the deceased person.