ANNEX 1

**FORM I**

**ATTESTATION**

**CONCERNING a decision in a matter of succession**

(Article 46(3)(b) of Regulation (EU) No 650/2012 of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession [[1]](#footnote-2))

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| **1. Member State of origin**[[2]](#footnote-3)  □ Belgium □ Bulgaria □ Czech Republic □ Germany □ Estonia □ Greece □ Spain □ France  □ Croatia □ Italy □ Cyprus □ Latvia □ Lithuania □ Luxembourg □ Hungary □ Malta □ Netherlands  □ Austria □ Poland □ Portugal □ Romania □ Slovenia □ Slovakia □ Finland □ Sweden |
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| **2. Court or competent authority issuing the attestation**  2.1. Name and designation of court or authority\*: ……………………………………………………………..  2.2. Address  2.2.1. Street and number/PO box\*: ………………….………………………………………………………….  .……………………………………………………….…………………………………………………………  …………………………………………………………………………………………………………………..  2.2.2. Place and postcode\*: …….………………………………………………………………………………  2.3. Telephone\*: ……………….……………………………………………………………………………….  2.4. Fax ………………………………………………..……………………………………………………….  2.5. E-mail: ……………………………………..………..………………………………………………………  2.6. Other relevant information (please specify): ……….………………………….….……………………….  ……………………………………………………………..……………………………………………………  .…………………………………………………………………………………………………………………. |
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| **3. Court**[[3]](#footnote-4) **which gave the decision (to be completed ONLY if different from the authority referred to in section 2)**  3.1. Name and designation of court\*: …………………………………….…………………………………….  3.2. Address  3.2.1. Street and number/PO box\*: ………………………………………..………………………...………….  ……………………………………………………………………………………………………......................  3.2.2. Place and postcode\*:…………………….………………………….........................................................  3.3. Telephone\*: …………….………………………………………………………………………………….  3.4. Fax …………………………………………..………………….................................................................  3.5. E-mail: ……………………………………………………………………………………………………… |
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| **4. Decision**  4.1. Date (dd/mm/yyyy) of the decision\*: …………….….…………………………………….………………  4.2. Reference number of the decision\*: ………………….……………………………………………………  4.3. Parties to the decision [[4]](#footnote-5)3  ***4.3.1. Party A***  4.3.1.1. Surname and given name(s) or organisation name\*: ………………..…………………………………  …………………………………………………………………………….…………………………………….  4.3.1.2. Date (dd/mm/yyyy) and place of birth or, if organisation, date (dd/mm/yyyy), place of registration and designation of the register/registration authority: ………………………………………………………..  4.3.1.3. Identification number [[5]](#footnote-6)4  4.3.1.3.1. Identity number: ………………………………………..……………………………………………  4.3.1.3.2. Social security number: ………………………….…….…………………………………………….  4.3.1.3.3. Registration number: ……………………..……………...…………………………………………..  4.3.1.3.4. Other (please specify): …………………………………….…………………………………………  4.3.1.4. Address  4.3.1.4.1. Street and number/PO box: ……………………………….………………………………………….  ………………………………………………………………………..…………………………………………  …………………………………………………………………………………………………………………..  4.3.1.4.2. Place and postcode: ………………………………………….………………………………………  4.3.1.4.3. Country  □ Belgium □ Bulgaria □ Czech Republic □ Germany □ Estonia □ Greece □ Spain □ France □ Croatia  □ Italy □ Cyprus □ Latvia □ Lithuania □ Luxembourg □ Hungary □ Malta □ Netherlands □ Austria  □ Poland □ Portugal □ Romania □ Slovenia □ Slovakia □ Finland □ Sweden  □ Other (please specify ISO-code): …………………………………...………………………………………..  4.3.1.5. E-mail: …………………………………………………………………………….…………………….  4.3.1.6. Role in the proceedings\*  4.3.1.6.1. □ Claimant  4.3.1.6.2. □ Defendant  4.3.1.6.3. □ Other (please specify): …………………………………………….………………………………  4.3.1.7. Status in the succession (please tick more than one box, if relevant)\*  4.3.1.7.1. □ Heir  4.3.1.7.2. □ Legatee  4.3.1.7.3. □ Executor  4.3.1.7.4. □ Administrator  4.3.1.7.5. □ Other (please specify): …………………..………………………………………………………..  ***4.3.2. Party B***  4.3.2.1. Surname and given name(s) or organisation name\*: …………………………………………………  ……………………………………………………………..……………………………………………………  4.3.2.2. Date (dd/mm/yyyy) and place of birth or, if organisation, date (dd/mm/yyyy), place of registration and designation of the register/registration authority: ………………………………………………………….  4.3.2.3. Identification number4  4.3.2.3.1. Identity number: …………………………………………………………………………………......  4.3.2.3.2. Social security number: ………………………….…….…………………………………………….  4.3.2.3.3. Registration number: ………………………………..……………………………………………….  4.3.2.3.4. Other (please specify): …………………………………………..…………………………………..  4.3.2.4. Address  4.3.2.4.1. Street and number/PO box: ………………………..………………………………………………...  ………………………………………………………………………..…………………………………………  …………………………………………………………………………………………………………………..  4.3.2.4.2. Place and postcode: ……………………………………………………………………………..…...  4.3.2.4.3. Country  □ Belgium □ Bulgaria □ Czech Republic □ Germany □ Estonia □ Greece □ Spain □ France □ Croatia  □ Italy □ Cyprus □ Latvia □ Lithuania □ Luxembourg □ Hungary □ Malta □ Netherlands □ Austria  □ Poland □ Portugal □ Romania □ Slovenia □ Slovakia □ Finland □ Sweden  □ Other (please specify ISO-code): …………………………………..……………………………………….  4.3.2.5. E-mail: …………………………………………………………………………………………………  4.3.2.6. Role in the proceedings\*  4.3.2.6.1. □ Claimant  4.3.2.6.2. □ Defendant  4.3.2.6.3. □ Other (please specify): …………………..………………………………………………………..  4.3.2.7. Status in the succession (please tick more than one box, if relevant)\*  4.3.2.7.1. □ Heir  4.3.2.7.2. □ Legatee  4.3.2.7.3. □ Executor  4.3.2.7.4. □ Administrator  4.3.2.7.5. □ Other (please specify): …………………………………………………………………..………  4.4. The decision was given in default of appearance\*  4.4.1. □ Yes (please indicate the date (dd/mm/yyyy) on which the document instituting the proceedings or the equivalent document was served on the person concerned): ……………………..………………………  4.4.2. □ No  4.5. Is registration in a public register sought?  4.5.1. □ Yes  4.5.2. □ No  4.6. If YES under point 4.5.1., the decision is no longer subject to ordinary appeal, including any appeal to the Court of last instance:  4.6.1. □ Yes  4.6.2. □ No |
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| **5. Enforceability of the decision**  5.1. Is attestation sought for the purpose of enforcement of the decision in another Member State?**\***  5.1.1.  Yes  5.1.2.  No  5.1.3.  Don’t know  5.2. If YES under point 5.1.1., the decision is enforceable in the Member State of origin without any further conditions having to be met\*  5.2.1.  Yes (please specify the enforceable obligation(s)): …………………………………………………..  …………………………………………………………..…………………………………………………………………………………………………………………………………………………………………………..  ………………………………………………………………………..………………………………………………….………………………………………………………….………………………………………………  ……………………………………………………………………………..……………………………………………………………………………………………………………………………………………………….  ……………………………………………………………………………..…………………………………………………………………………………………………………………………………………………….…  5.2.2.  Yes, but limited to part(s) of the decision (please specify the enforceable obligation(s)):  ………………………………………………………………………………..…………………………………………………………………………………………………………………………………………………….  ………………………………………………………..…………………………………………………………………………………………………………………………………………………………………………….  ……………………………………………………..……………………………………………………………………………………………………………………………………………………………………………….  5.2.3. The obligation(s) is (are) enforceable against the following person(s):  5.2.3.1.  Party A  5.2.3.2.  Party B  5.2.3.3.  Other (please specify): ……………………………………………………………………………. |
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| **6. Interest**  6.1. Is recovery of interest sought?\*  6.1.1. □ Yes  6.1.2. □ No  6.2. If YES under point 6.1.1\*  6.2.1. Interest  6.2.1.1.  Not specified in the decision  6.2.1.2.  Yes, specified in the decision as follows  6.2.1.2.1. Interest due from: ………………………………………………….. (date (dd/mm/yyyy) or event) to: ……………………………………………………... (date (dd/mm/yyyy) or event) [[6]](#footnote-7)5  6.2.1.2.2.  Final Amount: …………………………………………………………………………………….  6.2.1.2.3.  Method to calculate the interest  6.2.1.2.3.1. □ Rate: …..… %  6.2.1.2.3.2. □ Rate: …........% over reference rate (ECB/reference rate of national central bank:……………)  in force on:…………………...........................(date (dd/mm/yyyy) or event)  6.2.2. Statutory interest to be calculated in accordance with (please specify relevant statute):.………………  ………………………………………..………………………………………………………………………………………………………………………………………………………………………………..……………  ……………………………………………..…………………………………………………………………………………………………………………….………………………………………………………………….  6.2.2.1. Interest due from: ………………………………………………….…(date (dd/mm/yyyy) or event) to: ………………………………………………………..(date (dd/mm/yyyy) or event)5  6.2.2.2. Method to calculate the interest  6.2.2.2.1.□ Rate: …...%  6.2.2.2.2.□ Rate: …....% over reference rate (ECB/reference rate of national central bank: ………………...)  in force on: …………………..............................................(date (dd/mm/yyyy) or event)  6.2.2.2.2.1. □ First date of the respective semester in which the debtor is overdue  6.2.2.2.2.2. □ Other event (please specify): ………………….........................................................................  6.2.3. Capitalisation of interest (please specify): ……………………………………………………………….  ……………………………………………………………………..………………………………………………………………………………………………………………….……………………………………………  ……………………………………………………………………..…………………………………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………….  ………………………………………………………………………………………………………………….  ………………………………………………………………………………………………………………….  ………………………………………………………………………………………………………………....  6.2.4. Currency   euro (EUR)  lev (BGN)   Czech koruna (CZK)  kuna (HRK)   forint (HUF)  zloty (PLN)   Romanian leu (RON)  krona (SEK)   Other (please specify (ISO code)): ……………………………………….. |
|  |
| **7. Costs or expenses**  7.1. Parties having benefited from complete or partial legal aid  7.1.1.  Party A  7.1.2.  Party B  7.1.3.  Other Party (please specify): …………………………………………………………………………  7.2. Parties having benefited from exemption from costs or expenses  7.2.1.  Party A  7.2.2.  Party B  7.2.3.  Other Party (please specify): …………………………………………………………………………  7.3. Is recovery of costs or expenses sought?\*  7.3.1.  Yes [[7]](#footnote-8)6  7.3.2.  No  7.4. If YES under point 7.3.1., the following person(s) against whom enforcement is sought has/have been ordered to bear the costs or expenses\*  7.4.1.  Party A  7.4.2.  Party B  7.4.3.  Other Party (please specify): ……………………………………………………………………….  7.4.4.  If more than one person has to bear the costs or expenses, may the whole amount be collected from any of them?  7.4.4.1.  Yes  7.4.4.2.  No  7.5. If YES under point 7.3.1., the costs or expenses for which recovery is sought are as follows (in the event that the costs or expenses may be recovered from several persons, insert the breakdown for each person separately)\*  7.5.1.  The costs or expenses have been fixed in the decision by way of a total amount (please specify the amount):……………………………………………………………………………………………………………………………………………………………………………………………………………………………..  7.5.2.  The costs or expenses have been fixed in the decision by way of a percentage of total costs (please specify percentage of total): ………%.  7.5.3.  Liability for the costs or expenses has been determined in the decision and the exact amounts are as follows:  7.5.3.1.  Court fees: ……………………………………………..……………………………………………  7.5.3.2.  Lawyers’ fees:.……………………………………………………………………………………..  7.5.3.3.  Cost of service of documents: ………………………………………………………………………  7.5.3.4.  Other (please specify): ……………………………………………………………………………...  7.5.4.  Other (please specify): ………………………………………………………………………………..  ..............................................................................................................................................................................  7.6. If YES under point 7.3.1.\*  7.6.1. Interest on costs or expenses  7.6.1.1. □ Not specified in the decision  7.6.1.2. □ Yes, specified in the decision as follows  7.6.1.2.1. Interest due from: …………………………………………………. (date (dd/mm/yyyy) or event)  to: …………………………………………………….. (date (dd/mm/yyyy) or event)5  7.6.1.2.2.  Final amount: ..……………………………………………………………………………………  7.6.1.2.3.  Method to calculate the interest  7.6.1.2.3.1. □ Rate: …...%  7.6.1.2.3.2. □ Rate: …....% over reference rate (ECB/reference rate of national central bank:………………) in force on:……………………… (date (dd/mm/yyyy) or event)  7.6.2. Statutory interest to be calculated in accordance with (please specify relevant statute):.………………  ………………………………………………………………..…………………………………………………………………………………………………………………………………………………………………….  ……………………………………………..…………………………………………………………………………………………………………………….………………………………………………………………….  7.6.2.1. Interest due from: .................................................................................. (date (dd/mm/yyyy) or event)  to: ...................................................................................... (date (dd/mm/yyyy) or event)5  7.6.2.2. Method to calculate the interest  7.6.2.2.1. □ Rate: ….. %  7.6.2.2.2. □ Rate: …....% over reference rate (ECB/reference rate of national central bank ………….………)  in force on: …………………………… (date (dd/mm/yyyy) or event)  7.6.3. Capitalisation of interest (please specify): ………………………………..…………………………..  ………………………………………………………….………………………………………………………………………………………………………………………………………………………………………..…  ……………………………………………..…………………………………………………………………………………………………………………….………………………………………………………………….  7.6.4. Currency   euro (EUR)  lev (BGN)   Czech koruna (CZK)  kuna (HRK)   forint (HUF)  zloty (PLN)   Romanian leu (RON)  krona (SEK)   Other (please specify (ISO code)): ………………………………………. |
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**If additional sheets have been attached, state the total number of pages\*……………………….……….**

**Done at\*: ………………………………. on\*: ………………………………………………. (dd/mm/yyyy)**

**Signature and/or stamp of the court or competent authority issuing the attestation\*: ………………….**

**……………………………………………………..……………………………………………………………**

**…………………………………………………………………………………………………………………..**

1. OJ L 201, 27.7.2012, p. 107. [↑](#footnote-ref-2)
2. Mandatory information. [↑](#footnote-ref-3)
3. In accordance with Article 3(2) of Regulation (EU) No 650/2012, the term ‘court’ includes under certain conditions, in addition to judicial authorities, other authorities and legal professionals with competence in matters of succession which exercise judicial functions or act pursuant to a delegation of power by a judicial authority or act under the control of a judicial authority. The list of these other authorities and legal professionals is published in the *Official Journal of the European Union*. [↑](#footnote-ref-4)
4. . If the decision concerns more than two parties, please attach an additional sheet. [↑](#footnote-ref-5)
5. . Please indicate the most relevant number if applicable. [↑](#footnote-ref-6)
6. . Add the number of periods necessary if more than one period. [↑](#footnote-ref-7)
7. . This point also covers situations where the costs or expenses are awarded in a separate decision. [↑](#footnote-ref-8)