



KPMG Succession Tool

March 2022



KPMG Law — Empowering Business

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Executive Summary

KPMG's Succession Tool is an **online solution** that is used by over 100 users worldwide and meets with complete user satisfaction.

The Tool answers the questions **who, after a client's death with last residence abroad,**

- is entitled to **information rights,**
- is entitled to **disposition rights,** e.g. heirs, executor, notary or others, and
- which **legitimizing documents** the involved party must present for this purpose (with designation of the documents in English and local language and with samples as well as explanations).

It is structured by country and based on the corresponding **foreign succession law** and includes a **theory section** per country. It currently covers **57 countries,** preferred countries can be **subscribed to individually,** and any others can be added upon request.

With our **international network of specialized lawyers** we make sure that the Tool remains **up to date** and we also **answer any further questions** in a fast and uncomplicated way. The Tool can be **accessed easily and globally** by a **unlimited number of users.**

The Tool is interesting for **banks, insurance companies, asset managers, lawyers or anyone else interested** in Switzerland but also abroad. KPMG's Succession Tool could be of great benefit for companies with activities all over the world, as it is time saving, comes with uniform handling, outsourced content responsibility and fast and cost effective help with special questions.

List of countries (Status March 2022)

Argentina	Hungary	Philippines
Australia New South Wales	Iceland	Poland
Austria	India Mumbai	Portugal
Belgium	India New Delhi	Romania
Brazil	Ireland	Russia
Canada Ontario	Israel	Serbia
Canada Quebec	Italy	Singapore
Chile	Japan	Slovakia
Colombia	Liechtenstein	Spain
Costa Rica	Luxembourg	Sweden
Croatia	Malaysia	Thailand
Czech Republic	Mexico	Turkey
Denmark	Monaco	United Arab Emirates
Egypt	Morocco	Ukraine
Finland	Netherlands	UK England & Wales
France	New Zealand	Uruguay
Germany	Norway	USA California
Greece	Panama	Venezuela
Hongkong	Peru	Vietnam



The Succession Tool solution

The Solution

KPMG's Succession Tool gets your succession cases organized

The Tool consists in a **web-based platform** and is structured by country.

It answers the question who has which **information and disposition rights** over local assets in the respective country **after client's death with last residence abroad**, e.g. heirs, executor, notary or others.

It provides an **overview of the necessary legitimating documents** to be presented by the involved parties, with the designation of the documents in English and local language and linked samples as well as further explanations.

Each country manual is based on the respective **foreign succession law** and includes a **theory section**.

The Solution

KPMG's Succession Tool gets your succession cases organized

The Tool provides **global easy access** by a **unlimited number of users** to country specific succession law information and documents and knowledge from worldwide KPMG member firms.

With our **international network of specialized lawyers**, we ensure that the Tool remains **up to date** through regular updates and we also **answer any further questions** quickly and straightforwardly.

Currently the Tool contains **57 countries**, of which the preferred countries can be **subscribed to individually**, and we are happy to add any others upon request.

An interesting Tool for banks, insurance companies, asset managers, lawyers, or anyone else interested in Switzerland but also abroad – a great benefit for companies with activities all over the world.

Your benefits



Outsourced content responsibility and cost effectiveness



Simple and transparent cost structure



Standardized format across all countries

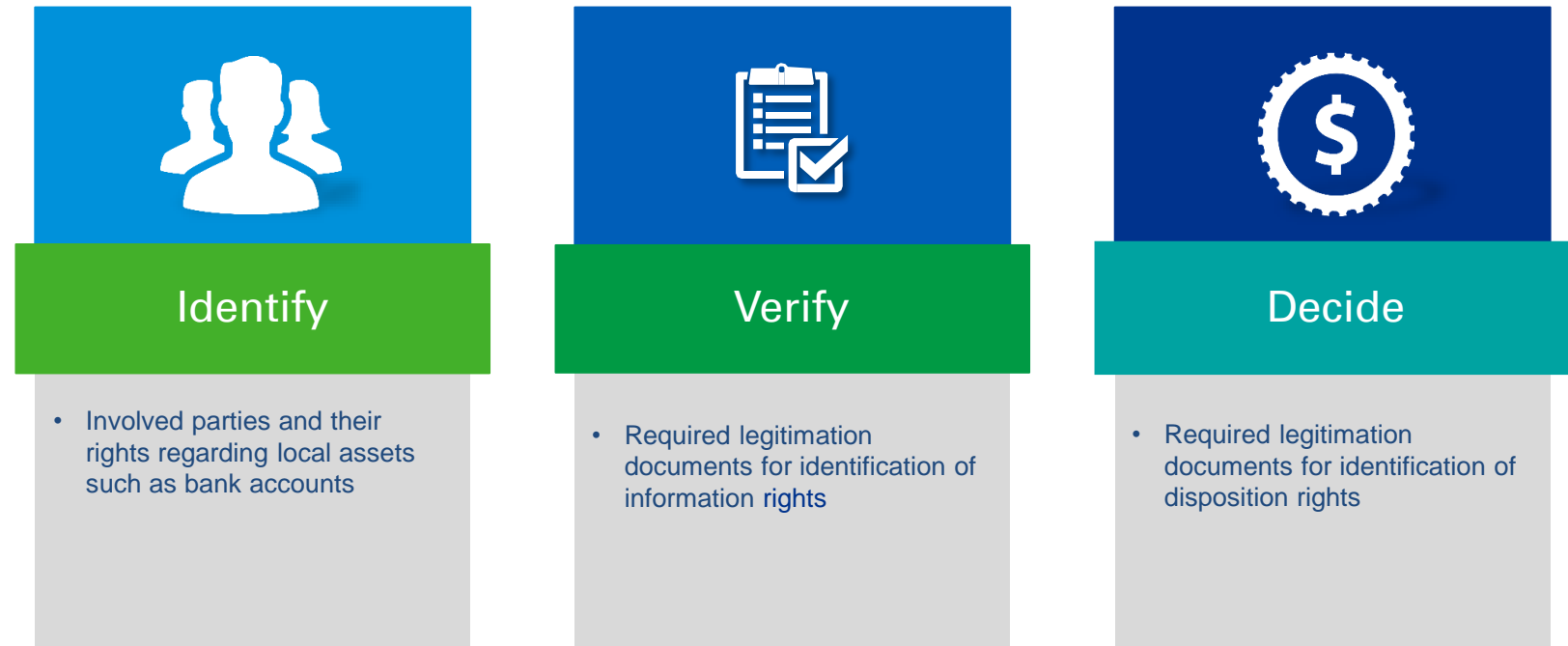


Global easy accessibility to the subscribed countries of your choice



Access to KPMG's international succession network

The process



Experience

Currently there are **more than 100 active specialized and accomplished professionals in this field** worldwide using the Tool frequently.

The feedback so far has all been **positive** and the Tool has become very **appreciated** by the users and is actively used in their everyday work.

The Tool meets the **complete satisfaction** of users.

Pricing

The charges are based on the number of countries subscribed.

Discounts are granted based on the:

- **Length** of the contract (2 and more years)
- **Number** of subscribed countries

Depending on the terms of the contract additional services such as **legal support** and **helpline** may be offered free of charge.








Content and visualization

Landing page with your country subscription

Your country database

-  Argentina
-  Belgium
-  Canada (Quebec)
-  Costa Rica
-  Denmark
-  France
-  Hong Kong
-  India (Mumbai)
-  Israel
-  Liechtenstein
-  Mexico
-  Netherlands
-  Panama
-  Poland
-  Russian Federation
-  Slovakia
-  Thailand
-  Ukraine
-  USA
-  Australia
-  Brazil
-  Chile
-  Croatia
-  Egypt
-  Germany
-  Hungary
-  India (New Delhi)
-  Italy
-  Luxembourg
-  Monaco
-  New Zealand
-  Peru
-  Portugal
-  Serbia
-  Spain
-  Turkey
-  United Kingdom
-  Venezuela

-  Austria
-  Canada (Ontario)
-  Colombia
-  Czech Republic
-  Finland
-  Greece
-  Iceland
-  Ireland
-  Japan
-  Malaysia
-  Morocco
-  Norway
-  Philippines
-  Romania
-  Singapore
-  Sweden
-  UAE
-  Uruguay
-  Vietnam

Request an additional country



Is the country information you are looking for missing in the overview? Send a request to include the country to your database.

Announcements

- 2022-04-01 - Annual Review 2022
- 2021-08-17 - Annual Review India 2021
- 2021-05-18 - United Kingdom
- 2021-03-31 - Annual Review 2021
- 2020-11-25 - Brazil

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Contact KPMG



Email
Helpline: 0800 11...

Succession Tool - Legal | Privacy

Succession Tool - Terms of use agreement
This agreement contains the terms and conditions upon which KPMG grants you a limited license to use KPMG Succession Tool.
KPMG CH Privacy Policy

The Succession Tool – Country Manual (1)

Slovakia

NOTES (see section 4)

1. Hereditary rights to information and rights of disposal according to Slovakia succession law

Involved parties

(in English and in the language of the country)

Deceased person

("Poručiteľ")

Legitimizing documents (in English and in the language of the country)	Hereditary rights of information re Swiss bank account (if needed with explanation)	Hereditary rights of disposition re Swiss bank account (if needed with explanation)
Death certificate ("Úmrtvý list") issued by the Registry office based on the information contained in the Letter of examination of the deceased person. The Decision on declaration of death ("Rozhodnutie o vyhlásení za mŕtveho") is issued by a competent court, where the death cannot be proven by standard procedure or circumstances indicate presumed death.	N/A	N/A

The Succession Tool – Country Manual (2)

Heirs

("Dedičia")

The heirs are the universal successors of the deceased person, having the right to acquire or reject a succession.

The succession proceeding is terminated upon the legal validity of the Decision on succession.

Legitimizing documents (in English and in the language of the country)	Hereditary rights of information re Swiss bank account (if needed with explanation)	Hereditary rights of disposition re Swiss bank account (if needed with explanation)
Resolution on succession (" <i>Uznesenie o dedičstve</i> ") issued by the respective notary public acting on behalf of the district court at the last place of residence of the deceased. The final Court resolution on succession is attested with a legal enforceability stamp i.e. electronically (" <i>Právna moc</i> ") on the front page of the Resolution on succession.	Prior to the issuance of the resolution on succession the heirs may exercise information rights only towards the competent notary public.	Disposition rights as deceased person following the issuance of the resolution on succession.

Notary public

("Notár")

A notary public administers the succession proceeding as a court commissioner, based on the authorization from the competent court and has the competencies as stated in the law.

The notary public shall notify persons, who may be reasonably considered as heirs, about their succession right and about their option to reject the succession (within one month since the notary public notifies heirs about their succession right).

The notary public may declare the entitlement of the heirs to the financial means deposited into the bank account by the Decision on succession, however the notary public does not have the power to distribute/transfer the financial means.

Legitimizing documents (in English and in the language of the country)	Hereditary rights of information re Swiss bank account (if needed with explanation)	Hereditary rights of disposition re Swiss bank account (if needed with explanation)
N/A – legitimation is constituted by law. Authorization of the notary public (" <i>Poverenie notára</i> ")	Notary public has no direct information rights but would need to go through international civil legal aid procedures or be authorized by the heirs with Power of Attorney (" <i>Plná moc</i> ").	No disposition rights.

The Succession Tool – Country Manual (3)

Administrator ("Správca dedičstva")

An administrator of the succession is a party to the succession proceeding.

The administrator of succession may be an heir, close person to the deceased person, a notary public (other than the notary public appointed by the court to administer the succession proceeding) and the Slovak Republic.

With respect to the appointment of an administrator of the succession, actions regarding the administration of the succession, remuneration of the administrator.

Legitimizing documents (in English and in the language of the country)	Hereditary rights of information re Swiss bank account (if needed with explanation)	Hereditary rights of disposition re Swiss bank account (if needed with explanation)
Appointment resolution of the administrator ("Uznesenie o ustanovení správcu dedičstva") issued by the respective notary public.	No direct information rights, only towards the notary public.	Disposition powers only to the extent required to preserve and secure the estate unless there is a specific authorization granted by the notary public.

2. Identification documents of parties involved

Individuals:	Corporates:	Authority:
<p>Deceased person: The letter of examination of the dead ("List o prehladke mŕtveho"); Death certificate ("Úmrtvý list"); The Decision on declaration of death ("Rozhodnutie o vyhlásení za mŕtveho").</p> <p>Heirs and other individuals: ID card ("Občiansky preukaz"); Passport ("Cestovný pas").</p> <p>Spouse of the deceased person: Marriage certificate ("Sobášny list").</p>	<p>Excerpt from the respective Commercial Register of the District Court or any other equivalent excerpt from a specific register for entities not registered with the Commercial Register, such as:</p> <ul style="list-style-type: none"> • Excerpt from Register of foundations; • Excerpt from Register of civil associations; • Excerpt from other respective registries. 	<p>State - N/A; District court – N/A; Notary public - The appointment of the notary public by the competent court.</p>

The Succession Tool – Country Manual (4)

3. Certifications/ Translations

After the court secretary or other authorized employee of the court is informed, that the Decision on succession has entered into legal validity, the court secretary or other authorized employee shall mark the legal validity of the Decision on succession;

All public documents issued in Slovakia which shall be used in front of the authorities in Switzerland must be apostilled according to Hague Convention of 5 October 1961 Abolishing the Requirement of Legalization for Foreign Public Documents;

In general, the Slovak authorities accept documents issued by foreign authorities only when these documents are translated by certified translator registered in the List of Interpreters and Translators registered at the Ministry of Interior of the Slovak Republic.

The Regional court (i.e. the court of second instance) is the authority entitled to apostille the public documents issued by the district courts and the notary public in the territorial jurisdiction of the Regional court.

4. Overview local succession law

NOTE: Subject to local jurisdiction Slovakia includes moveable assets worldwide in their probate proceedings. If the examination of the individual case should give indications to the contrary and where there is no international treaty the party involved shall be referred to the (judicial) recognition procedure of the foreign jurisdiction where the assets are located and to have the legitimating documents recognized. Unless recognition may be granted, ancillary proceeding need to be initiated in the foreign jurisdiction to obtain domestic legitimating documents.

NOTE: The European Certificate of Succession may be issued by the notary public ("Notár") at the deceased's last place of residence. The European Certificate of Succession can be used by heirs, legatees and executors of wills to prove their status and to exercise their powers in other Member States. The recognition of the EU Certificate of Succession in Non-EU member states depends on the International Private Law of the country where the assets are located. In Switzerland the criteria for recognition are regulated in Art. 25 ff / 96 ff IPRG. Alternatively the respective national legitimation documents may be requested.

DISCLAIMER: Information on Conflict of Law topics contained in this country manual is generic and may vary depending on the facts of the case at hand.

General considerations regarding the foreign bank accounts

The applicable Slovak legislation does not stipulate any specific rights of the parties involved in the succession proceeding regarding the foreign bank accounts of the deceased person.

In general, the prevailing approach of the Slovakian banks is to freeze the bank account of the deceased person, after the bank is notified about death of the bank account owner (applicable if the deceased person is a single owner of the bank account). The banks shall release the financial means to the authorized person (e.g. heir), upon the delivery of the valid Decision on succession to the bank. However, the described approach can vary, depending on the General Terms and Conditions of the respective bank.

The Succession Tool – Country Manual (5)

Commencement of the succession proceeding

Succession proceeding may start based on:

- the Decision on commencement of the succession proceeding
- the court may initiate the succession proceeding *ex-officio* (due to its statutory duty, without a motion filed by the third party), provided the court is informed about the death of the person (in most cases the Registry Office informs the court about the death of the person), or
- a motion filed by heir.

Establishment of the court jurisdiction

The material jurisdiction is vested in the district courts. The local court jurisdiction is determined as follows:

- by the last permanent residence of the deceased person, or
- if the court jurisdiction is not established according to the letter a) above (e.g. the deceased person had no permanent residence or permanent residence is unknown), the court jurisdiction is determined by location (district) of assets of the deceased person, or
- if the court jurisdiction is not established according to the letter a) or b) above, the jurisdiction of the court is determined by the place of death (district) of the deceased person.

The succession proceeding overview

According to the Slovak legislation, the succession may be acquired:

- based on the law,
- based on a last will, or
- both of the above.

The succession based on the valid last will of the deceased person shall prevail over the succession based on the law. The succession not covered by the last will shall be acquired based on the law.

The heir may reject the succession within one month from the day when the court notified the heir about the right to reject the succession and on the consequences of such rejection. The rejection must be done either by an oral proclamation before court or by a written proclamation addressed to the court. A representative of the heir may reject the succession on behalf of the heir only based on a power of attorney.

The applicable Slovak legislation recognizes the following types of the last will / testament:

- **A will written by the testator's own hand** must contain his or her handwritten signature and the date.
- **A will not written by the testator's own hand** must be signed by the deceased person's own hand; the deceased person must proclaim that the document contains his or her last will before two attending witnesses. The witnesses must sign the will as well.
- **A special form of will**, if the deceased person is *not able to read or write*, the deceased person shall express his or her last will in presence of three witnesses in a document that must be read out loud and signed by the attending witnesses. The deceased person must confirm before the witnesses that the document contains his or her last will. The person who draw up the will must not be the reader. The document must contain (i) the information that the testator cannot read or write, (ii) identification of the person who wrote the document and who read it out loud, and (iii) specification of the way in which the testator confirmed that the document contains his or her true will. The witnesses must sign the will as well.
- **A will in the form of notary deed**. The notary public is responsible for the content-related and formal requirements of the last will in a form of a notarial deed. Every will in a form of the notarial deed must be registered in the Central Notary Register of Wills.

If the deceased person did not draw up the last will or if the will does not cover all the assets of the deceased person, succession (or its part not included in the last will) shall be governed by the law on the basis of four groups of heirs:

The Succession Tool – Country Manual (6)

- **First group:** In the first group, the deceased person's children and spouse are the successors in equal proportions. If a child does not inherit, that child's share on succession is distributed to this child's children in equal shares. If even those children, or any of them, do not inherit, then their descendants inherit in equal shares. If the deceased person has not left any descendants or his descendants do not inherit the succession, the successors of second group should inherit the succession.
- **Second group:** Unless the deceased person's heirs are his descendants, the succession shall be acquired by heirs in the second group: the deceased person's spouse, parents and those who had lived with the deceased person at least one year before his or her death in a common household and for this reason took care for the common household or were dependent on the deceased person due to maintenance. The heirs of the second group shall inherit equal shares; however, the deceased person's spouse shall always inherit at least a half of the succession.
- **Third group:** If neither the spouse nor any of the parents are heirs, the succession shall be acquired in the third group equally by the deceased person's brother or sister and by those who had lived with the deceased person at least one year before his or her death in a common household and for this reason took care for the common household or were dependent on the deceased person due to maintenance. Unless any of the deceased person's brothers or sisters is heir, his or her share shall be acquired by his or her children in the same share.
- **Fourth group:** Unless there are no heirs in the third succession group, the succession shall be acquired in the fourth group equally by the deceased person's grandparents and, if none of them is heir, equally by their children. In the both cases of succession (based on law or will), the minor descendants must acquire at least the share stipulated by law; adult descendants must acquire at least a half of their statutory share. If the will violates this rule, it shall be null and void in this part unless the aforesaid descendants were disinherited

Termination of the succession proceeding

At the end of the succession proceeding, the notary public as the authorized court commissioner, issues a resolution on succession. By the resolution on succession the notary public:

- confirms that the sole heir receives the whole succession;
- confirms that the succession that no heir has acquired has been devolved to the state;
- approves the succession settlement agreement between heirs; the creditor of the deceased person is party to the agreement, provided the agreement settles the creditor's claim;
- approves an agreement concluded between the heirs and the deceased person's creditors on ceding the excessively indebted succession for payment of the deceased person's debts.
- confirms the acquisition of the succession according to heirs' succession shares, if the heirs do not reach the agreement; or makes a settlement between heirs and decides on dividing of the succession between heirs;
- does not approve the agreement between heirs and (i) confirms the acquisition of the succession according to the succession shares or (ii) makes a settlement between heirs and decides on dividing of the succession between heirs.

The heirs have the right to appeal against the resolution on succession. In that case, the notary public shall submit appeal to the District court. The succession proceeding is deemed to be terminated, when the resolution on succession issued by the notary public enters into force.

5. Outlook changes in succession law

There are currently no planned changes in the area of the succession law.

The Succession Tool – Legitimation documents

SLOVENSKÁ REPUBLIKA
ÚMRTNÝ LIST

V knihe úmrtí matričného úradu

zväzok	ročník	strana	por. č.	je zapísané:
Deň, mesiac, rok a miesto úmrtia				
Meno a priezvisko, rodné priezvisko				
Pohlavie				
Trvalý pobyt				
Deň, mesiac, rok a miesto narodenia				
rodné číslo				
Poznámky				

V _____
dňa _____

meno a priezvisko matrikára _____
podpis _____

11 Mv SR 27-006 12011 0000000

Súd: Okresný súd Prešov
Spisová značka: [REDACTED]
Identifikačné číslo súdneho spisu: 8116226582
Dátum vydania rozhodnutia: 17. 09. 2018
Meno a priezvisko sudcu, VSÚ: JUDr. Zuzana Biščáková
ECLI: ECLI:SK:OSPO:2018:8116226582.3

ROZSUDOK V MENE SLOVENSKEJ REPUBLIKY

Okresný súd Prešov samosudkyňou JUDr. Zuzanou Biščákovou v právnej veci navrhovateľa R. F., O., XX.X.XXXX, V. L. XXX, proti odporcovi V. F., O., XX.X.XXXX, toho času na neznámom mieste, zastúpeného opatrovníkom v konaní D. L. v konaní o vyhlásenie za mŕtveho, takto

rozhodol:

Vyhlasuje V. F., O. XX.XX.XXXX X. L. za mŕtveho.

Určuje deň smrti XX.XX.XXXX.

Žiaden z účastníkov nemá nárok na náhradu trov konania.

odôvodnenie:

Podľa § 221 CSP písomné vyhotovenie rozsudku nemusí obsahovať odôvodnenie, ak je na pojednávaní vyhlásený rozsudok za prítomnosti všetkých strán alebo ich zástupcov, ktorí sa vzdajú odvolania alebo to ustanovuje tento zákon.

Poučenie:

Proti tomuto rozsudku možno podať odvolanie do 15 dní odo dňa jeho doručenia cestou tunajšieho súdu na Krajský súd v Prešove.

Podľa § 363 CSP v odvolaní sa popri všeobecných náležitostiach podania (§ 127 CSP) uvedie, proti ktorému rozhodnutiu smeruje, v akom rozsahu sa napáda, z akých dôvodov sa rozhodnutie považuje za nesprávne (odvolacie dôvody) a toho sa odvolateľ domáha (odvolací návrh).

Vzhľadom na skutočnosť, že účastníci konania sa práva na podanie opravného prostriedku vzdali, jeho podanie by bolo neúčinné.

The Succession Tool – KPMG support

Announcements about updates and changes in the Tool.

Announcements


2022-04-01 - Annual Review 2022

2021-08-17 - Annual Review India 2021

2021-05-18 - United Kingdom


2021-03-31 - Annual Review 2021

2020-11-25 - Brazil

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KPMG support for additional questions.


Contact KPMG

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Additional countries upon request.

Request an additional country

 Is the country information you are looking for missing in the overview? Send a request to include the country to your database.

Request country

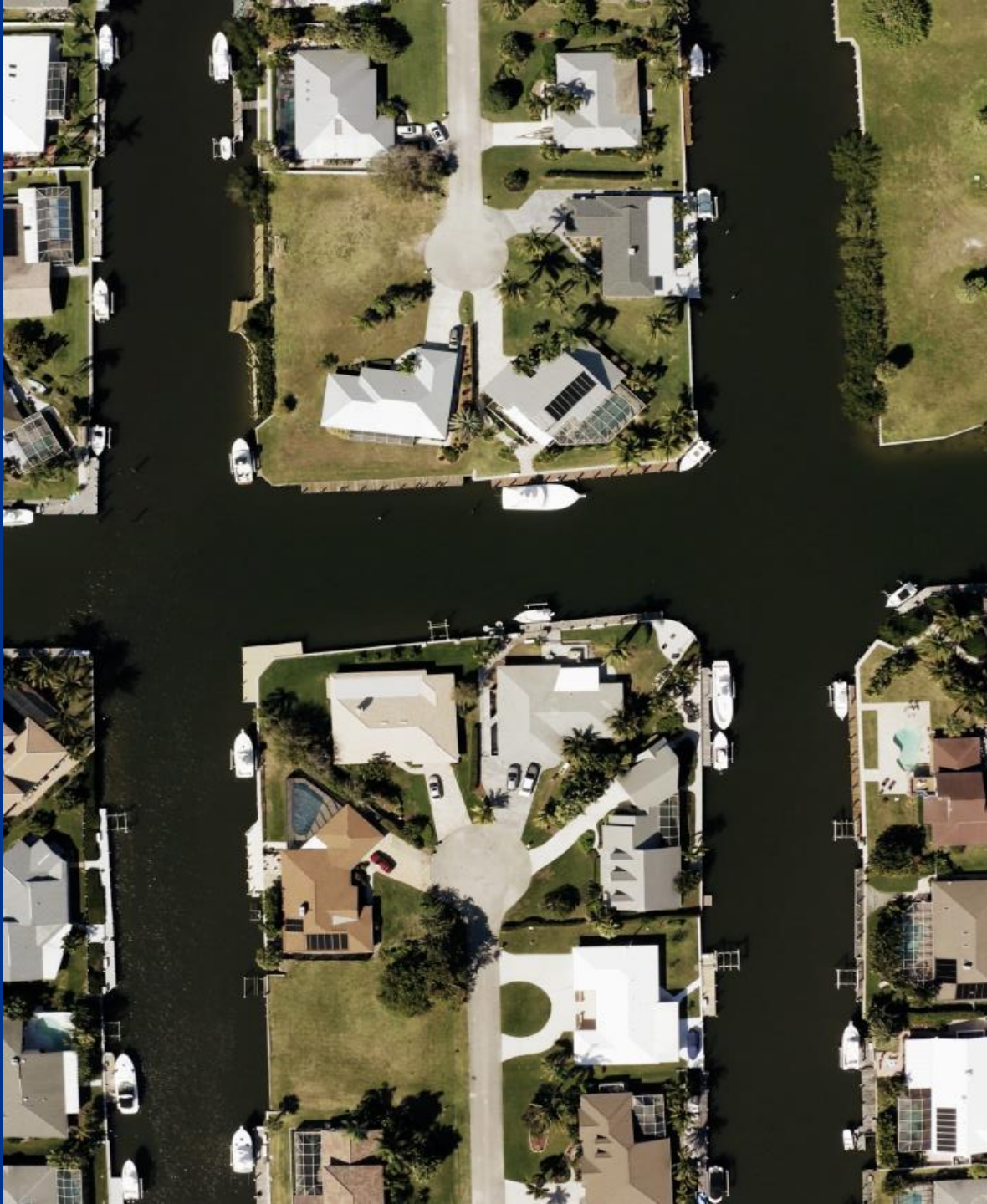
New country Select a country

Additional notes





Your contact
persons



Your contact persons



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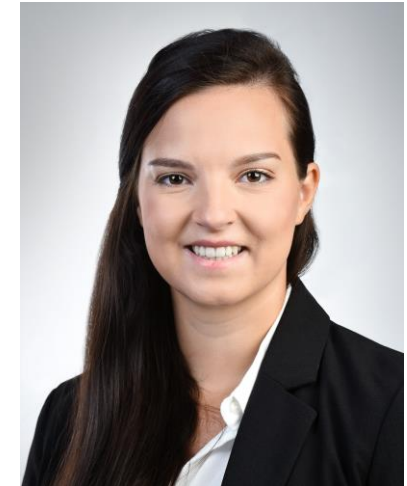
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