

## Checklist

# Setting up a handwritten testament (Eigenhändige Verfügung)

✓	Short description	Description
<input type="checkbox"/>	<b>Get an overview</b>	To get an overview, it is advisable to first make a list of all valuables that you want to leave to those that will survive you, for example: a house, an apartment, jewelry, money and so on. Debts should also be taken into account here.
<input type="checkbox"/>	<b>Look into the division of assets under statutory law</b>	It is important to know that, in the absence of a will, your assets will be automatically divided by law. In this case, only the legal heirs inherit in accordance with the order of inheritance established under Austrian law. These usually are spouses or registered partners as well as children or their descendants. If there are no children or children's children, parents and their descendants or grandparents and their descendants also may qualify as legal heirs.
<input type="checkbox"/>	<b>Determine how you want to divide your assets</b>	<p>With the help of a will, it is also possible to deviate from the standard distribution of assets under statutory law. To a certain extent, you yourself can determine which of your heirs should get what – be it your spouse, children, friends or, for example, a charitable organization.</p> <p>In Austria, however, there are compulsory shares (Pflichtteile) that will automatically go to some of your close relatives even if they are not mentioned in the will. These shares represent half of what they would get if the inheritance were divided according to statutory law. If a person entitled to a compulsory share already received gifts (from the testator when this person was still alive) these gifts may count toward the compulsory share.</p>
<input type="checkbox"/>	<b>Look into possible waivers of compulsory shares</b>	<p>Through a special contract drawn up by a notary, people who would normally receive a compulsory share can sign a waiver in advance. This can be useful in some cases to ensure that the inheritance is distributed the way you want it to be.</p> <p>Example: A businesswoman has a husband and a daughter. The husband waives his inheritance so that the daughter can inherit the entire business in the event of her mother's death including the husband's compulsory share.</p>

<input type="checkbox"/>	<b>Choose the type of will</b>	<p>Choosing the right type of will is important, as different types of wills have different formal requirements. The handwritten will is the most frequently used form in Austria. This type of will needs to be drawn up personally and written in one's own hand.</p>
<input type="checkbox"/>	<b>Draw up the will</b>	<p>The entire will must be handwritten and signed by the author. The signature should be at the end of the text. It is also recommended to observe the following points:</p> <ul style="list-style-type: none"> <li>• The text should be clearly labeled as "My last will" or "My testament."</li> <li>• The wording should clearly and unambiguously describe who the heirs are and what they are to inherit.</li> <li>• Your full name, place and date should be added to the signature.</li> <li>• If there are previous wills, these should be revoked or destroyed.</li> </ul>
<input type="checkbox"/>	<b>Store your will in a safe place</b>	<p>Keeping the will in a safe place is important but it should also be easy to locate in the event of death. Registration in the central register of wills (Testamentsregister) is recommended, as the notary responsible will make an inquiry there in the event of death.</p>