

Your will & estate in **Czechia.**

Estate planning for expats – which law applies and how to protect your family

If you live in Prague, Czech succession law may govern your entire estate – including your home abroad. A few decisions made today can spare your family years of cross-border probate.



01

Habitual residence decides

Myth: "My home country's law applies automatically."

Under the EU Succession Regulation, the law of your habitual residence at death governs your whole estate – including property abroad – and its courts have jurisdiction.

Art. 4, 21 Reg. (EU) No 650/2012



02

Choose your national law

You can choose the law of your nationality – expressly in a will or evident from its terms. Without a choice, living in Czechia usually means Czech law applies.

Art. 22 Reg. (EU) No 650/2012



03

Forced heirship: children only

Only descendants are forced heirs: minors must receive at least 3/4, adults 1/4 of their intestate share. Spouses and parents have none. The claim is for money, not assets.

§§ 1643, 1654 Civil Code



04

Valid forms of will

Handwritten and signed by you; signed before two witnesses present together; or a notarial deed. A private will is entered in the central register only if deposited with a notary.

§§ 1533, 1534, 1537 Civil Code; §§ 35a, 35b Notarial Code



05

Probate via a notary

Probate is handled by a notary acting as court commissioner. Assets pass by court decision; real estate is then registered in the Land Registry. Foreign documents need certified translations.

§ 100 Act No. 292/2013 Coll.



06

No inheritance tax

Inheritances are exempt from Czech income tax – there is no inheritance tax. Your home country may still tax the estate or the heirs.

§ 4a(a) Act No. 586/1992 Coll.



07

Joint property first

On death, the spouses' joint property is settled first; only the deceased's share forms the estate. A marital property agreement (notarial deed) can change what is joint.

§§ 709, 716 Civil Code



08

European Certificate of Succession

Heirs and executors can prove their status in other EU states without any special procedure – useful when assets are in several countries.

Art. 62, 69 Reg. (EU) No 650/2012



MACH LEGAL is a Prague law firm advising international clients in English – on property, family, employment, corporate and inheritance matters in the Czech Republic.

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Book a first consultation

Tell us about your situation – we will explain what Czech law means for you.

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