

**EXTRAORDINARY
TESTAMENTS
SPANISH LAW**

LAW OF SUCCESSION

PABLO COLOMINA URIOS

TESTAMENT IN IMMINENT DANGER OF DEATH

If the testator is in imminent danger of death can be granted (art. 700 C.C.):

- before **five** suitable **witnesses**
- without a Notary = is impossible

The ***state of danger*** is essential for the validity of the will,

of

- is not Enough the serious
- disease requires urgent, immediate and extreme situation
- proximity to death.



TESTAMENT IN CASE OF EPIDEMIC **ART. 701 C.C.**

- can be granted before **3 witnesses** over **16 years**
- without the need of notary
- The CC does not require the testator ***to suffer epidemic disease.***



It is enough that it is in the affected place



FORM:

Art. 702 C.C.: They must be written, if possible.

know

If it is not possible the will is valid even if the **witnesses do not know how to write**, keep in their memory until their elevation to public deed by the notary.

EXPIRATION DATE:

at **3 months** since the testator came out of the danger of death
or

stopped the epidemic

Art. 703 C. C.

ESPECIAL TESTAMENTS

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FORMS OF THE MILITARY TESTAMENT:

- Open:

In *writing* before an officer with rank of captain and two suitable witnesses.

you.

If the testator is injured before the captain or physician who assists

- Closed:

Before a war Commissioner (art. 717 C.C.).

- Extraordinary situations:

art. 720 C.C. , battle, assault, combat...

Before two witnesses who must formalize it before the auditor of War (in 3 months).

- Inefficacy

Art. 719 C.C. :-----} 4 months end of campaign.

MARITIME TESTAMENT



- Granted by those who are aboard on a maritime voyage, **art. 722 C.C.**
The journey begins at the time of embarkation.

- Requirements:

Warship: Before the **accountant** and **two suitable witnesses**.

Merchant ship: Before the **captain** and **two suitable witnesses**.

- *Witnesses, chosen among the passengers (art. 722*

C.C.).

- Expiry maritime will: **4 months** from end trip

