

One of Life's Certainties

By Rob Westwater

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Like taxes, death is one of life's certainties, yet we often don't think about the plans that need to be considered. As always, it pays to have a Spanish will for Spanish property and a UK will for UK property. However, some of you may be thinking beyond your portfolio and considering whether to donate your body to medical science. If so minded, you should contact your local health centre, complete the forms and receive your donor card. However, please note that certain criteria apply, namely your body must be made available for dissection within 24 hours of death, you cannot have died from an infectious disease (for obvious reasons) and you cannot have been subjected to an autopsy – necessary where there is doubt as to the cause of death.

Similarly, in the event of a serious accident rendering you medically vegetative, should you wish that your life support machine is turned off, you will need to have previously registered your wishes with the Junta de Andalucía in Seville and have two doctors confirm that you are indeed in a position of no return.

Original copies of the Spanish death certificate are obtained from the *Registro Civil* and are required by particular bodies for particular reasons. For example: the Central Wills Agency in Madrid – in order to obtain a Certificate of Last Will; the Department of Work and Pensions – if you received a state pension; the Paymaster General – if you received payment from the State or received a company pension; the Inland Revenue – if you paid tax in UK; the Probate Office - if you had a UK will and, or property in the UK; banks - with which you held an account and; insurance companies - with which you had a life policy. Generally, speaking, I advise that ten or so should do the trick and remember that if the particular body is UK based, it will also require a sworn translation of the certificate.

In order that a death may be formally registered in the United Kingdom, one needs to inform the Consular authorities of the death, provide the death certificate, a sworn translation and confirm the deceased's passport details as well as the details of the next of kin. Although not obligatory, experience suggests that registering a death in Spain with the UK authorities makes for tidier paperwork and less stress.

Some people prefer to be buried or cremated in their country of origin, which can add an extra 4,000€ or so to the cost and give rise to extra administrative requirements such as notifying the relevant UK district Registry of Births, Deaths and Marriages and, or seeking permission from the Home Office for cremation. You may also wish to bear in mind that freight charges are premised on weight – so flying a coffin back to blighty is significantly costlier than flying an urn.

If you wish more information on this particular topic or would like to discuss any matter raised therein, contact Rob Westwater or Reyes Gomez Llorente, De Cotta McKenna y Santafe, on 952 527 014. Offices in Mijas Costa, Coín, Nerja, Granada and Tenerife.

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