

## What to do when someone Dies in the Var

1. Even an expected death causes unimaginable stress in the survivors. A friend, who can step in and help, lifts an enormous burden at a critical time. Sometimes the wishes of the deceased are well known, or there is a sealed letter left with instructions and even a funeral director may have been chosen and pre-paid. These notes are intended for those people who have had little or no warning or preparation.
2. If there has been time to set the family affairs in order, the following are just a few of the points which you may wish to consider. Is the house in joint ownership? Hopefully yes. However, succession law is different in France to that of the UK. To ensure a smooth transfer of house and funds to the survivor, measures can be taken. For a surviving spouse to assume all responsibilities, it is always easier if all ownership of property, possessions and insurance policies has been in joint names. It is recommended that professional advice is sought to aid this process. Appointments should be made, depending on individual circumstances, with the accountant, tax advisor, banker lawyer, business partners and family members as appropriate. In addition to this, if one or other of a couple holds strong feelings about unnecessary prolongation of life and excessive and invasive attempts at resuscitation, then Living Wills may be drafted to deal with this potential problem.
3. If the death occurs naturally at home a doctor should be called, who will issue a death certificate, '*Certificat de Décès*' which will not show the cause of death. If the death is violent e.g. suicide or the result of an accident, then the '*Commissariat*' (Police Station) or '*Gendarmerie*' (see local telephone directory or dial 17) must be informed. If the death occurs in a hospital or private clinic the management will be responsible for issuing the death certificate. If the deceased had been fitted with a "pacemaker" the doctor must be informed so he can arrange for its removal. **The removal of this is essential if the deceased is to be cremated.**
4. Within 24 hours the local '*Mairie*' must be informed. This can be done by a friend (it does not have to be the surviving spouse) or by a member of the Funeral Directors' staff. The informant must take his or her own identity papers ('*Carte de Séjour*' or Passport) as well as the '*Certificat de Décès*'\* and the identity documents ('*Carte de Séjour*'\*, if held, or Passport) of the deceased.

\*Note—these documents will be retained permanently by the '*Mairie*'

The following information will be needed:

- A. The full name of the deceased (Maiden, not married name, in the case of a woman.)
- B. Time, date and place of death. The place must be in the commune whose '*Mairie*' is being notified of the death.



- C. Normal residential address of the deceased.
- D. Place and date of birth and profession of the deceased.
- E. Full names of the deceased's parents (maiden name only for the mother) and ages or a statement that they themselves are deceased.
- F. Full names of the spouse or spouses if any (maiden names only for wife or wives).

Where possible it is recommended that all details in a family are collected in advance, as these details are not always easy to collect in a hurry, particularly where the spouse is already deceased or there have been two or more marriages. The 'Mairie' will issue the 'Acte de Décès'. It is best to ask for 15 - 20 copies as they will all be needed. Another form is 'Un Permis d'Inhumer' (permission to bury or cremate). If it is intended to bury the body outside the commune yet another certificate must be obtained. In certain circumstances a 'Certificat d'Hérédité' may be granted, if the deceased has left only few possessions and little cash.

5. By French Law the burial or cremation must take place within six days. If relatives have to travel from England or other parts of the world decisions have to be made very rapidly. Consideration may be given to the idea of a small family funeral, followed by a larger memorial service later. In some communes the body cannot be moved for 24 hours.
6. If the deceased did not leave instructions, you must choose a funeral director ('*Pompes Funèbres*'). Since the Law of 10th. January 1998 it is possible to choose a funeral director from your commune or from the department. Your doctor may recommend one, or you may obtain a list of those approved by the Prefecture from the 'Mairie', the offices of the Cemeteries (they are all secular) or the funeral parlours. The spouse is advised to always have a second person with them. Some directors will visit the surviving spouse in their home. You are able to ask more than one for an estimate ('*Devis*') which will be free.
7. If repatriation is required, a relative or formally appointed representative must instruct an undertaker in UK or France. If the deceased is insured, contact the insurance company who will make the arrangements. Ask for precise details of the total cost of return journey of the hearse '*aller/retour*', or the cost of air transport. If the death is to be recorded at the General Registrar Office in London, contact the local British Consul. Registration of the death in England is not compulsory; however, it is advised in case there are later unforeseen problems with insurance companies or legal firms. In any case, the local Consulate may be able to offer advice and assistance.

When a body is repatriated to England or Wales from France, a Coroner is always involved and can authorise burial or cremation. He will only hold an inquest or post mortem examination if the death was not natural or the cause unknown. However, as cause of death is not stated on a French death



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certificate, the Coroner may require one, as he will not have information from, or access to, the French Judicial File.

In Scotland, there are no Coroners, and it is the Scottish Office which gives permits for cremation.

8. The bank must be informed by lodging the '*Acte de Décès*' within seven days. The deceased's bank account will be blocked, but not if it is a joint account. The next of kin can obtain up to approximately 5300 Euros from the deceased's personal bank account on production of the '*Acte de Décès*', their own identification, and the undertaker's bill. Should more money be needed a '*notaire*' can liaise with the bank to obtain a further advance.
9. Within 7 days you must inform your lawyer ('*notaire*'). The local British Consul can provide you with a list of English speaking lawyers. The lawyer ('*notaire*') will '*régler la succession*' and issue the '*Déclaration de Succession*.' In cases of suspicious death, he is also able to obtain the details of the cause of death from the court, if required.
10. If the husband was receiving a French pension, within one week, the widow is obliged to contact the pension office for a '*Reversion*'. In France the surviving spouse may receive 54% of the deceased's pension or the widow(er's) allocation if the '*reversion*' is not obtainable.
11. Where the deceased was receiving an English State Pension, the Pensions and Overseas Benefits Directorate of the Department of Work and Pensions must be informed, with as much detail as possible; name, date of birth and death, address, NI number, pension reference number, (found at the top right hand corner of their letters), as well as the spouse's details. A bereavement benefit (lump sum) as well as a widow's benefit (for a limited time) is usually payable, but must be claimed within 6 months. The contact details of the International Pension Centre are shown below.
12. If there are other occupational pensions, Life Insurances or widow's benefits, these must be claimed. An '*Acte de Décès*' should accompany each letter. Premium Bonds need not be cashed in at once but within one year. Some English Insurance companies find it difficult to accept the '*Acte de Décès*' alone. They require a documented cause of death, presumably because some policies may be invalidated by a suicide. It is necessary to prove to them that the death was not caused by a suicide.
13. If the deceased was a French Tax payer or permanently resident in France, WITHIN SIX MONTHS of the death, the survivor must send to the local '*Hôtel des Impôts*' the '*Declaration de Succession*' as well as the '*Declaration des Revenus*'. This is form 2024N showing all income received by each member of the household between 1st. Jan. and the date of death. It is usually the '*Notaire*' who will complete and file these documents. NB, where there is



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TAX to be paid on the estate, the amount will be increased by a penalty of 10% if you are even one day late after the six months. In larger estates where the final details are not complete in the six month period, it is important to pay an estimate of the final sum, so that the 10% penalty is only paid on the outstanding amount.

14. A sealed letter left by the deceased with his/her private papers can be most helpful. Besides instructions for the funeral it should contain details of all the writer's affairs. This list is not exclusive but should include most of the following: note of who holds any will, birth certificate, marriage certificate(s), divorce certificate(s), death certificate of spouse, names and whereabouts of any children or other relatives. Also included should be details about pensions, state benefits, stocks and shares, insurance policies, details of property owned and where other papers and keys may be found. The names and addresses of accountant, lawyer and stockbroker may be relevant for some people.

### 15. Useful Addresses:

#### **Bereavement Support Network of the Var**

Sandra 04 94 84 64 89

or 06 32 35 31 24

[info@bsnvar.org](mailto:info@bsnvar.org)

[www.bsnvar.org](http://www.bsnvar.org)

#### **International Pension Centre**

Tyneview Park

Newcastle Upon Tyne

NE98 1BA

UK

Tel. +44 191 218 7777 8am to 8pm Monday to Friday

Fax. +44 191 218 7021 8am to 8pm Monday to Friday

[www.thepensionservice.gov.uk](http://www.thepensionservice.gov.uk)

#### **British Embassy, Consular Section.**

18bis rue d'Anjou, 75008 Paris

Tel 01 44 51 31 00

Fax 01 44 51 31 27

#### **British Consulate-General, Marseille**

24 avenue du Prado

13006 Marseille.

Tel 04 91 15 72 10

Fax 04 91 37 47 06

email: [marseilleconsular.marseille@fco.gov.uk](mailto:marseilleconsular.marseille@fco.gov.uk)

website: [www.ukinfrance.fco.gov.uk](http://www.ukinfrance.fco.gov.uk)





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Within 30 days	Apply for a Pension Revision for a French pension Claim other Pensions Benefits and Life Assurances from all sources Inform service providers to terminate any contracts Register any change of status with Social Security Inform the tax office of altered income tax levels for ' <i>taxe d'habitation</i> ' and ' <i>taxe foncière</i> ' CAF—if entitled to the allowance for single parents (API)	Para 10 Para 12
Within 6 Months	Send ' <i>Déclaration de Succession</i> ' and ' <i>Déclaration des Revenus</i> ' to <i>Hôtel Des Impôts</i> . PAY TAX or Estimate of Tax	Para 13

In order to assist in the collection of information, **prior** to its being needed, it is recommended that you complete the following table in respect of both partners. This can then be handed to the Registrar ('*Officier de l'état civil*') at the '*Mairie*' to assist in the preparation of the '*Acte de Décès*'. In the event that either partner has previous marriages, similar information should be recorded for earlier partners, including date, time and place of divorce. This information may also be of use to the '*Notaire*' and other officials.

	Husband	Wife
Christian Names ' <i>Prénoms</i> '		
Surname ' <i>Nom de Famille</i> ' or Maiden Name ' <i>Nom de jeune fille</i> '		
Time, Date and Place of Death ' <i>Heure, date et lieu de décès</i> '		
Normal Residential Address ' <i>Adresse résidentielle</i> '		
Place and Date of Birth ' <i>Lieu et date de naissance</i> '		
Profession ' <i>Profession</i> '		
Christian Name and Surname of Father ' <i>Prénoms et nom de famille du père</i> '		
Christian Name and Maiden Name of Mother ' <i>Prénoms et nom de jeune fille de la mère</i> '		
Ages of parents ' <i>Ages des parents</i> ' (unless deceased)		



## Pro-forma Letter

This pro-forma letter may be used for informing banks, insurance companies and other authorities of the death of someone.

(Your Name  
Your Address)  
(Your telephone, fax and/or e-mail address)

(Name and Address of Recipient)  
(e.g. M. Le Directeur Crédit Agricole)

A (place of writing - e.g. Lorgues or London)  
Le (date) Recommandé avec accuse de réception  
(recorded delivery)

Objet : décès de M/Mme/Mlle\* (full name of deceased, surname capitals)

Références : (account or reference number within the addressee's  
organization)

Madame, Monsieur,

J'ai le regret de vous informer du décès de M/Mme/Mlle.\* (full name of deceased, surname in capitals) mon mari/ma femme/mon père\*, survenu le (date of death).

Vous voudrez bien trouver ci-joint, un certificat de décès. Je vous remercie de m'indiquer les formalités à remplir auprès de votre établissement.

Le Notaire qui s'occupe de la succession sera Maître (name and address of Notaire)

Je vous remercie par avance et vous prie d'agréer, Madame, Monsieur, l'expression de mes sentiments distingués.

Pour la succession  
(Signature)

(Your name)

\*Delete as appropriate



***Free translation***

Mme. Susan Bull  
Malmaison  
83510 Lorgues  
Tel/Fax 04 94 12 34 56  
susanbull@orange.fr

M. le Directeur  
Crédit Agricole  
87 rue de Waterloo  
83510 Lorgues

At Lorgues, the 8 September 2009

By Recorded Delivery

Subject : Death of James BULL  
Account Nos: 0001546982 & 0002569837

Madame, Monsieur,

I regret to have to inform you of the death of my husband, M. James BULL, who died on the 3 September 2009.

Please find enclosed a copy of the death certificate, I should be grateful if you would inform me of the formalities to be completed for your establishment.

The notary who will be handling the estate is Maitre Philippe GAVOIS of Cabinet Gavois et Martin at 9 rue de la Gare, 83510 LORGUES.

Yours faithfully,  
On behalf of the Estate

***Susan Bull***

Mme. Susan Bull

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Information is published to help you make your own decisions and guide you when taking professional advice.