

What to do when someone dies in France

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/partner 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.** Where the death occurred in a hospital or clinic, the body will usually be placed in a "*chambre mortuaire*" (mortuary). Use of this is free for the first 3 days but there may be a fee for any extra days. If the death occurred at home, the Funeral Director should be contacted who will remove the body once the death certificate has been issued and place it in a "*chambre funéraire*" (private or municipal mortuary) which may cost more than a hospital mortuary. In both cases, you will be asked to select some suitable clothing for the deceased to be dressed in. Note that no-one can impose the removal of a body to the deceased's home or "*chambre funéraire*" without permission from the family. The only exception to this is where a care home is unable to contact the family within 10 hours of the death. In such a case, it can arrange the transfer at the establishment's cost.



4. Within 24 hours the local '*Mairie*' must be informed - i.e. the Mairie of the commune where the death took place. This can be done by a friend (it does not have to be the surviving spouse/partner) or by a member of the Funeral Directors' staff or by a care home or medical establishment if this is where the death occurred. 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/partner 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/partner 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. If it is intended to transfer the body to a different commune for burial, the mairie of the receiving commune must give authorisation. The Mairie of the place of death will provide authorisation for the coffin to be sealed ('*fermeture du cercueil*') and the mairie of the receiving commune will issue the burial permit ('*Permis d'Inhumer*'). However, if the deceased is to be cremated, then this is authorised by the commune where the death took place or, if the body was transported, where the coffin was sealed. In certain circumstances a '*Certificat d'Hérédité*' may be granted, if the deceased has left only few possessions and little money.

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. An extension to the 6 day rule may sometimes be granted in exceptional circumstances. 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. Burial in a cemetery requires permission from the Mairie. If there is no plot already reserved, then this needs to be purchased at the Mairie or the '*bureau des cimetières*' for larger towns and cities. Note that plots ('*une*



concession’) are sold for varying timespans from 5 years to perpetuity with varying costs. To renew a concession, a request must be made within 2 years after the initial period runs out.

6. If the deceased did not leave instructions, you must choose a funeral director (*‘Pompes Funèbres’*). 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 or the offices of the Cemeteries. The spouse/partner is advised to always have a second person with them. Some directors will visit the surviving spouse/partner in their home. You are able to ask more than one for an estimate (*‘Devis’*) which will be free. Make sure that any estimate includes all charges and labour - the average cost of a funeral is about €3,600 (Connexion, 2016). Note that some mutuelles include a sum towards the cost of the funeral.
7. If repatriation is required to the UK, a relative or formally appointed representative must instruct a Funeral Director in the UK and France. Funeral Directors in both countries will need to liaise and so, it is advisable not to arrange a date for the funeral in the UK before all the required procedures are completed. If the deceased is insured, contact the insurance company who will make the arrangements. Some credit cards also provide insurance cover. Ask for precise details of the total cost of the 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.

Note that it is much simpler in terms of cost and bureaucracy to take ashes back to the UK rather than a body. It is possible to send ashes through the post, drive them back or take them on an airline. In all cases, you will need a certificate from the crematorium, a copy of the death certificate and permission from the prefecture. The Funeral Director will assist in obtaining the relevant permissions and ensuring the suitability of the urn. You should also check with the airline and UK customs to check any procedures for example some airlines may insist the ashes are placed in the hold rather than taken as hand luggage.

When a body is repatriated to England or Wales from France, the Funeral Directors will take care of the formalities including obtaining a *‘laissez-passer’* from the prefecture where the death occurred. They will also need the death certificate, a certificate provided by a doctor that the body has no contagious diseases and the authorisation from the Mairie for the closure of the coffin. Some prefectures may demand a certificate from the police that they were present when the coffin was closed. They will also need the deceased’s passport, birth certificate and/or marriage certificate. The body must be embalmed and the coffin be of a specific type for transportation.



If the death occurred in straightforward circumstances, there is no requirement for an inquest. If the body is to be cremated in the UK, the Home Office will issue a cremation order. In Scotland, it is the Scottish Office which gives permits for cremation. Note that there is no equivalent order for burials. A Coroner 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 certificate, the Coroner may require a post mortem even if an autopsy has already been performed in France, as he will not have information from, or access to, the French Judicial File.

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 €5,000 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. You or the notaire should also contact '*FICOBA*' (*Fichier des comptes bancaires*) which maintains lists of all accounts held by an individual. You will need to provide them with a copy of the death certificate, proof of identity and a document proving you are an heir.
9. Unless the estate is worth less than €5,000, 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/she is also able to obtain the details of the cause of death from the court, if required. Note that if the deceased has opted for the right that his/her will is subject to UK law, evidence of this must be provided to the notaire and it will be required for the will to be translated into French by a recognised translator, lists of whom can be obtained either from the mairie or '*palais de justice*'.
10. If the deceased was receiving a French pension, within one week, the surviving spouse is obliged to contact the pension office and may be eligible to receive part of the deceased's pension called a '*pension de réversion*'.
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 payment (lump sum) and/or a bereavement allowance (formerly widow's pension) may be payable for up to 52 weeks from the date of death of the spouse/civil partner. Eligibility is dependent on your age, whether the deceased paid sufficient NI contributions and/or if the death was due to an industrial accident or disease. The bereavement payment may be claimed up to 12 months from the date of death BUT the bereavement allowance must be claimed within 3 months. The contact details of the International Pension Centre are shown below.

The surviving spouse of a person working in France or one who is registered unemployed or claiming disability benefits may be entitled to a temporary benefit under the French system from the CaF, (*'Caisse d'allocations Familiales'*) called a *'allocation de veuvage'* however this does not apply to PACS or British civil partners.

12. If there are other occupational and/or private pensions, these companies must be notified to minimise any overpayments whilst the residual spouse/partner's pension if any is calculated and paid. Similarly, any companies providing Life Insurances should be notified and benefits 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.
13. If the deceased was a French Tax payer or permanently resident in France, the local *'Hôtel des Impôts'* should be informed of the death and, WITHIN SIX MONTHS of the death, the survivor must provide 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 January and the date of death. It is usually the *'Notaire'* who will complete and file these documents. NB, where there is 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/partner; 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.



Bereavement Support Network

15. Useful Addresses:

Bereavement Support Network

04 94 84 64 89 or 06 32 35 31 24 (07:00 to 23:00)

Email: info@bsnvar.org

www.bsnvar.org

UK Department for Work and Pensions - International Pension Centre

<https://www.gov.uk/international-pension-centre>

State Pension Queries: Tel. +44 191 218 7777 8am to 8pm Monday to Friday

Bereavement Benefits Queries: Tel. +44 191 218 7608

Department for Work and Pensions

Bereavement and Widows' benefits

International Pension Centre

Tyneview Park

Newcastle-upon-Tyne

NE98 1BA

British Embassy, Consular Section.

35, rue du Faubourg St Honoré

Paris Cedex 08 75383 Paris

Tel 01 44 51 31 00

Fax 01 44 51 31 27

email : France.Enquiries@fco.gov.uk

<https://www.gov.uk/government/world/organisations/british-embassy-paris>

British Consulate-General, Marseille

1st floor, 10.3 Rue des Docks

13002 Marseille

Tel 04 91 15 72 10

Fax 04 91 37 47 06

email: France.Enquiries@fco.gov.uk

<https://www.gov.uk/government/world/organisations/british-consulate-marseille>

FICOBA

Centre National de Traitement FBFV

BP31 77421 Marne-la-Vallée

Cedex 02

Keep photocopies of all correspondence - a sample pro-forma letter is attached as an Annex. Always include an 'Acte de Décès' in the first letter. Register the letter with notification of reception 'Avis de Réception'. In case of non-reply, do not hesitate to write again. If you talk on the phone to an organization, always note: Name of Organization, date, time, name of person contacted and their rank, summary of the conversation, action desired or to be taken, how long it will take to accomplish and whether a letter of confirmation was desired, when written and result achieved. On the list of jobs below, tick off, with date, when completed.

Checklist: What to do when someone dies in France

Within 24 hours	<p>Obtain ‘<i>Acte de Décès</i>’. (Ask for at least 15 - 20 copies) Advise local ‘<i>Mairie</i>’ Contact the funeral director (‘<i>pompes funèbres</i>’) Inform relevant insurance and credit card companies—if on holiday, consult travel insurance documents. Also check if the deceased had a pre-paid funeral plan with a ‘<i>pompes funèbres</i>’</p>	Para 3
Within 36 hours	<p>The PACS ends by the death of one of the partners. The survivor must send a copy of the death certificate to the ‘<i>Grefe du Tribunal d’Instance</i>’ which recorded the initial act</p>	
Within 48 hours	<p>Inform the deceased’s employer, or Pôle Emploi/CaF, if the de-ceased was unemployed and receiving benefits</p>	
Within 6 days	<p>Burial or cremation must take place Notify British Consul (optional unless death to be recorded officially in London)</p>	Para 5 Para 7
Within 7 days	<p>Inform: Banks in France and elsewhere Post office accounts Mortgage provider CPAM and any other healthcare scheme e.g. mutuelle Pension fund providers in all countries ‘<i>Notaire</i>’—for single bank accounts, if you are renting or renting out property and for succession UK solicitor if applicable Accountant Credit companies UK passport agency DVLA to return a driving licence if a UK type</p>	Para 8 Para 11 Para 9
Within 15 days	<p>Car registration —‘<i>carte grise</i>’</p>	
Within 30 days	<p>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>’</p>	Para 10 Para 12
Within 6 Months	<p>Send ‘<i>Déclaration de Succession</i>’ and ‘<i>Déclaration des Re-venus</i>’ to <i>Hôtel Des Impôts</i>. PAY TAX or Estimate of Tax</p>	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)		

DISCLAIMER

The details given in this Information Sheet are for help and guidance only and, whilst every effort is made to ensure that the information herein is accurate, the BSN accepts no liability for anything that may be erroneous or misleading.

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

Annex: Example Pro-forma Letter

This pro-forma letter may be helpful 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