



225 Bretelle de l'Echangeur Est
Les Capucines
06210 MANDELIEU
Tel/Fax : 04 93 47 94 20
E-mail : admin@sunny-bank.org
Web-site : www.sunny-bank.org



Telephone : 04 92 94 05 85
E-mail : allison@club-internet.fr

Information Sheet

Bereavement – Before and After

Introduction

Bereavement is a topic that few of us want to contemplate before being forcibly obliged to do so, - all too often in unexpected or even tragic circumstances. It is then that we learn the real meaning of friends, and are blessed if we can count on the support of family, welfare associations, churches or other local communities to face the emotional shock and cope with the administrative formalities. These are particularly unwelcome at such a time, especially since for so many couples it is the man who usually deals with these, whereas in 9 cases out of 10 it is his widow who now has to take on the unfamiliar task.

This burden can be greatly eased with a measure of preparation whereby each partner understands in advance the main steps to be taken, the notifications to be made, and the information in the form of property ownership, reference & telephone numbers, addresses, etc. which will be needed. Whilst every case is unique, the purpose of this paper is to provide a general overview which would of course need adapting to individual circumstances. It follows the sequence through time, from the immediate requirements following the death, to the items that can be dealt with in a more leisurely manner. For each grouping, it would be good to setup in advance a file containing the key addresses and reference numbers (see the Appendices below), and, where appropriate, a set of draft letters ready to be finalised and posted when the time comes, along with a good supply of stationery and stamps.

A. As soon as possible:

1. Declaration of Death: Either the doctor or the hospital will certify the death within 24 hours, and this is to be declared immediately to the local *Mairie* (or Town Hall). Those without a French '*Livret de Famille*' (which shows your parentage) will need to supply the surname of the father and the maiden-name of the mother of the deceased. As well as a Burial Permit (*permit d'inhumer*), it is a good idea at this stage to request from the *Mairie* two dozen official multi-lingual extracts of the death certificate (*Acte de Décès*), which will be needed to accompany subsequent notifications as detailed below. However, these certificates do not show the *cause* of death, which may also be required to satisfy some Life Assurance Companies. France has no central registry of deaths, but it is possible (for a fee) to register the death of a British national with the British Consulate General in Paris. This may help later in the event of UK-based legal, insurance, inheritance etc. problems. Advice must also be requested from the British Consular

Services in Marseille or Paris in the event of Police/Judicial enquiries into suspicious causes of death or if repatriation of the body for burial in the UK is required. Since the costs of this are likely to be significant, it is wise to ask first for detailed estimates of both land and air transport.

2. **Funeral Arrangements:** Under French law, the burial or cremation must occur within 6 days. So in order to avoid organisational stress, it may help to separate an early small-scale family-attended funeral from a larger memorial service later on. The undertakers, - either private (ask around for recommendations) or assigned directly by the Municipality through the *Mairie*, - are generally very helpful with their guidance and organisation of funeral arrangements. Even so, it is advisable to be accompanied by a fluent French-speaker when dealing with them, to request (free) estimates in advance and to compare different offers. Funeral services can be arranged at:

- A Crematorium Chapel (arrive well ahead of the scheduled time!).
- A local Church, followed by cremation or burial (enquiries to the *Mairie* for a plot).
- The Cannes 'Athenée' Undertakers' Chapel, near Broussailles. (May involve extra cost).

In the case of Cremation, the French custom is to watch the coffin enter the furnace. Although this may be assumed, there is no obligation to comply, and the offer may be politely declined.

Useful Support Contacts

<u>Place</u>	<u>Name or Locality</u>	<u>Address</u>	<u>Phone</u>
<u>Churches</u>			
HT Cannes	Rev. Peter Anderson	2 ave Général Ferrié, 06400 CANNES	04 93 94 54 61
HT Nice	Arch-Deacon Letts	11 rue de la Buffa, 06000 NICE	04 93 87 19 83
St. John's, Menton	ave Carnot	2 sent Pigautier, 06500 MENTON	04 93 57 20 25
St. John's, St.Raphael	Canon Eaton	ave Paul Doumer, 83700 ST RAPHAEL	04 94 40 48 61
St. Michaels, Beaulieu	Canon Greenacre	9 rue Paul-Doumer, 06310 BEAULIEU	04 93 01 45 61
St. Paul's, Monaco		22 ave Grande Bretagne, 98000 MONACO	+377 93 30 71 06
Danish Lutheran, Nice	Christensen Henri	89 bd Napoleon III, 06200 NICE	04 93 21 07 02
Swedish Church	Stille Ingeborg	1 ch des Caucours, 06800 CAGNES-s-MER	04 93 20 40 64
<u>Crematoria</u>			
Cannes la Bocca	near Ranguin	Chemin de Laval, 06150 CANNES LA BOCCA	04 93 48 66 04
Cuers		Quartier St.Roch, 83390 CUERS	04 94 28 50 69
Nice	Rte de Grenoble	Vallon du Roguez, D6202, 06670 COLOMARS	04 93 29 03 50
Vidauban		Quartier L'Aubièdes, 83550 VIDAUBAN	04 94 99 73 73
<u>Official & Professional</u>			
Brit Consul - Marseille	Simon Taylor	24 av Prado 13006, MARSEILLE	04 91 15 72 10
Brit Embassy - Paris	Consular Service	18 bis r Anjou, 75008 PARIS	01 44 51 31 02
Hon. Brit Consul - M-C	Eric Blair	33 bd Princesse Charlotte, 98000 MONACO	+377 93 50 99 54
Lawyer - Barrister	Robert Floyd	22 bd Alexandre III, 06400 CANNES	04 93 43 93 55
Lawyer - Tax	Sylvie Schmitt	25 av Commdt Bret, 06400 CANNES	04 93 68 59 70
Lawyer - Family etc...	Cabinet Revello	109, rue d'Antibes, 06400 CANNES	04 93 99 12 59
Lawyer - Family etc...	Cabinet Revello	246, avenue des Pignatières, 06700 ST LAURENT DU VAR	04 93 14 42 79
Lawyer - many others...	Directory Search for:	'Solicitor' on website: http://riviera.angloinfo.com/	

3. Banks and other Financial Organisations: In principle the deceased's accounts are frozen until the often long succession process has finally been concluded, apart from around €3000 needed for funeral expenses, on presentation of the death certificate and the undertaker's bill. Hence the importance of ensuring in advance:

- either, that each party has sufficient funds independently in his or her own name
- or, that the combination of marriage contract (if any) and/or joint account name setup allows the surviving partner continued access to the funds in question.

In France a marriage contract under the regime of '*Communauté Universelle*' implies no succession proceedings nor inheritance tax following a first death and all the assets of the deceased become the sole property of the survivor. Even so, it is still highly recommended for continuity to have home ownership, shared bank or savings accounts, life insurance policies etc., setup in the name of M. ou Mme. However, such a contract has a negative impact on inheritance tax on the second death, since only one set of allowances is applicable then. So it is important to review the impact carefully in advance with a *notaire*, so as to understand precisely the inheritance consequences and procedures following the first death.

4. Pension Funds: In many cases the deceased will have been in receipt of one or more state, industry or institutional pensions. Generally the surviving spouse will be entitled to receive a 'reversionary' pension, usually based on a percentage of about 50 – 60% of that of his or her partner. This reversionary pension must be explicitly claimed, - and the earlier the better, in order to avoid having to reimburse excess pension payments made to the deceased.

5. Mutuelles, Health, and/or Accident Insurances: According to the circumstances, one or more of these may provide allocations or indemnities in the case of death, either for funding funeral and follow-up expenses or to raise a capital sum to help adapt to the new situation. So it is important to notify the death to these organisations promptly.

6. Caisse Primaire d'Assurance Maladie (local Health Service office): The health coverage of the surviving partner often depends upon that of the deceased. To acquire independent coverage and to assess his or her rights and obligations, it is necessary to communicate rapidly with the local (or Nice International) CPAM office – preferably by a visit, bringing the appropriate documentation and the *Carte Vitale* of both the deceased and the surviving partner. A '*capital-décès*' grant may also be made forthcoming.

7. Caisse d'Allocations Familiales (Family Allowances office): If the surviving partner benefits from the '*Allocation Logement*' or supports dependent members of his or her family, a visit to the C.A.F. will help clarify the new situation and the right to possible further benefits.

B. Within 30 Days

8. Your Solicitor: Even in the case of a '*Communauté Universelle*' marriage, your *notaire* will charge around €3000 to make the formal public notifications validating the transfer of the deceased's property to the sole survivor. In the case of other marriage or partnership contracts, where each partner owned property in their own name, or where there have been previous unions with or without offspring, the question of inheritance inevitably arises for which you will need your *notaire's* intervention to establish the succession and resulting taxes due. This will be greatly helped if you both have already taken his advice in setting up your wills and in optimising your affairs to benefit from the rapidly evolving inheritance tax laws. Note that for those resident here for tax purposes, your worldwide assets come within the scope of the French inheritance tax laws, but that, unlike in the UK, each beneficiary has the right to his or her own tax-free allowance. The topic is complex enough to make a *notaire's* advice indispensable, - preferably before the first death! But always ask for an estimate before giving him work to do.

9. Life Insurance, Premium Bonds, Savings Plans, etc.: These may be claimed on the basis of a letter and the Death Certificate, but since some Insurance Companies require proof that death was not due to suicide, it may be best to make the claim via your Solicitor, in the context of the formal winding up of the estate of the deceased described above.
10. Mortgage Company: If you have outstanding debt on a house or other property, the institution must be informed, and you should check to see if there is a built-in life insurance still open which may be able to pay off all or part of the remaining amount due.
11. The Owner or Tenant of your house or flat if it is rented or let out: Even if the contract was signed by the deceased partner, the contract passes on automatically to the survivor. In case of difficulty your *notaire* can advise.
12. Utility Companies – Gas, Electricity, Water, Telephone, Mobile phone, Internet provider, etc.: In case it is necessary to transfer or cancel the contracts for any of these services.
13. House and Car Insurances as well as the Préfecture: If the name on the *Carte Grise* (grey registration card) of the car, and/or on the Insurance policies, needs to be changed.

C. Within 3-6 Months

14. Your local Tax Office: To register the succession (if applicable) and to update their records concerning your *Foyer Fiscal* (Taxable Household) for the purpose of Income and Local Taxes. Note that SIX MONTHS is the limit for submitting a ‘*Déclaration de Succession*’ and a ‘*Déclaration de Revenus*’, on Income Tax form 2024N, declaring all income, including pensions, dividends, capital gains etc., received by each member of the household between 1st Jan and the date of death. Where Tax is due, a penalty of 10% will be applied for payments late by even one day! So for large estates, taking longer to settle, it is vital to pay in advance an estimate of the final sum so as to minimise any possible penalty. Once again, it is wise to use the services of your *Notaire* to complete and submit the relevant documents on your behalf.
15. Associations, Subscriptions, Credit Cards, etc: You may be able to save considerable unnecessary outgoings by cancelling subscriptions for no longer required journals, clubs, associations etc., before they automatically roll over, - especially those paid periodically by direct-debit.

Conclusion

This brief check-list is certainly incomplete, and in any case it should be adapted to each specific case. But hopefully it may provide a starting point to getting on top of the unwelcome administrative burden of coping with the inevitable paperwork following a death that causes quite enough heartache already, without further unnecessary stress from such matters. This can be greatly helped by up front preparation in the form of a periodic visit to your solicitor, along with a clear and up-to-date valuation list of assets and debts, with names, addresses, phones and reference numbers for each item, and copies of key policies, wills, certificates (birth, marriage, divorce), contracts, pension documents, life insurance policies, property ownership & details, tax records etc. The names and addresses of your accountant, lawyer, stockbroker, etc. may also be needed. Make sure also that third party, - next of kin if possible, - knows where to find this vital information, in the event of the simultaneous death of *both* partners resulting from an accident of some kind.

Sunny Bank exists, along with the BA branches and local churches, to help those in need in such circumstances. They are ready to provide hands-on guidance and support and, if necessary, to seek professional advice to take care of special complex cases. Contact details are also available in the 'blue pages' near the back of the 'Riviera Reporter' and for Sunny Bank and the BA at the heading of this paper.

Suggestions for correcting or improving this text will be very welcome. Thanks are due to all those who have already contributed to it, and especially to the British Association of the Var, whose Information Sheets on these (and other) topics are particularly useful and clearly presented. If it helps to alleviate even one case of unnecessary anxiety, then it will have been worthwhile.

"Were it not for death, we would not be able to enjoy life". Seneca – 4-65 AD.

AGV 20081006

Disclaimer

The advice in this paper is presented on an 'as-is' basis. Whilst every effort has been taken to ensure the accuracy of these guidelines, neither Sunny Bank nor the British Association can accept liability for anything in it that may be erroneous or misleading. In case of any doubt, or for further details, you should not hesitate to take professional advice, and/or to consult with the relevant Consular Services.

Appendices

- A. Summary Communication Checklist
- B. Identification Details required for the Death Certificate (*Acte de Décès*)
- C. Documents to have available
- D. Correspondence Record Check-list
- E. Model Notification Letters

Note: A set of worked examples is available in a separate 'Bereavement Examples' document.

Helpful Web-Sites

http://www.baofthevar.com/publications_nm.htm
<http://riviera.angloinfo.com/countries/france/death.asp>

Appendix A – Summary Communication Checklist

A. As soon as possible

1. Multi-lingual extracts of the Declaration of Death at the Mairie (within 24 hours)
2. Funeral Arrangements (Burial or Cremation within 6 days)
3. Banks and other Financial Organisations
4. Pension Funds – UK State, French or other State, Industry, Occupational etc.
5. *Mutuelles* and/or other Health or Accident Insurances
6. *Caisse Primaire d'Assurance Maladie* (local Health Service office)
7. *Caisse d'Allocations Familiales* (Family Allowances office)

B. Within 30 Days

1. Your Solicitor (*Notaire*)
2. Life Insurance, Premium Bonds, Savings Plans, etc.
3. Mortgage Company
4. Owner or Tenant of your Property
5. Utility Companies – Gas, Electricity, Water, Telephone, Mobile phone, Internet, etc.
6. House and Car Insurances, along with the *Préfecture*.

C. Within 3-6 Months

1. Your Local Tax Office (with help from your *Notaire*)
2. Associations, Subscriptions, Credit Cards, etc.

Keep copies of all letters. Include a Multi-Lingual extract of the *Acte de Décès* in each case with the first letter. Register each letter with recorded delivery (*Avis de Réception*). In case of no reply, write again! Keep records of any phone calls: Name of Establishment, purpose, date, time, name & rank of correspondent, summary of conclusions, action items required by you or them, expected timing, need for confirmation, final outcome. Tick off and date items as completed subsequently.

Appendix B – Death Certificate identification

A. Local Mairie - Within 24 Hours (may be performed by a friend, or by the Funeral Directors)

1. Identity Papers (*Carte de Séjour* or Passport) of the person making the declaration
2. Identity Papers (*Carte de Séjour* or Passport) of the deceased
3. Doctor's or Hospital's *Certificat de Décès*.
4. Full name of the deceased (maiden name for a woman).
5. Time, date and place of death – in the same *Commune* as the *Mairie*.
6. Normal residential address of the deceased.
7. Place, date of birth and profession of the deceased.
8. Full names of the deceased's parents (maiden name only for the mother), and ages or a statement that they themselves are deceased.
9. Full names of the (current or previous) spouse or spouses if any (maiden names only for wives).

The above items may sound easy to acquire. But it is surprising how such details may have been forgotten or mislaid, or at least hard to track down under the stress of the occasion. So it is highly recommended to collect as much as possible in advance for both husband and wife, - *and* any *previous* partners (including time, date and place of divorce or death), - already written down ready for presentation to the Registrar *Officier de l'état civil* at the *Mairie* when needed. The same information may come in useful also for the *Notaire* and other officials. eg:

Item	Husband - <i>Époux</i>	Wife - <i>Épouse</i>
1. First Names/ <i>Prénoms</i>		
2. Surname/ <i>Nom de Famille ou Nom de Jeune Fille</i>		
3. Time, Date, Place of death (or divorce) / <i>Heure, date, lieu de décès(ou divorce)</i>		
4. Main residential address/ <i>Adresse résidentielle principale</i>		
5. Place and date of Birth/ <i>Lieu et date de Naissance</i>		
6. Profession/ <i>Profession</i>		
7. First Names and Surname of Father / <i>Prénoms et Nom de famille du père</i>		
8. First Names and Maiden Name of Mother / <i>Prénoms et Nom de jeune fille de la mère.</i>		
9. Age of parents / <i>Ages des parents</i> (unless deceased)		

NB : In the case of one or more previous partners, for succession purposes under French law it is necessary to show documentary evidence of the offspring from these unions, - even if there were none! So be sure to keep carefully the Divorce certificates and any other such documentation.

Appendix C – Administrative Documentation

A. For Collection and Filing *in advance* – in a dedicated and clearly labelled place.

1. Personal Identification of Deceased & Spouse – see Appendix B above
2. Birth & Marriage Certificates or Contracts & Divorce/Death Certificate of previous partner(s).
3. Name and whereabouts of any offspring, with identification of their other parent(s).
4. Wills (may be handwritten, or typed, signed and witnessed at the *Notaire*).
5. Any special Funeral or other Memorial instructions.
6. Details of State and other Pensions and/or Benefits.
7. Details of Property owned (buildings, apartments, yachts, cars, art, jewellery, etc.).
8. Associated Mortgages or other Debts.
9. Details of Bank & Interest-Bearing Deposit Accounts.
10. Insurance Policies, Bonds, Stocks & Shares or other Assets.
11. Tax Records (Income Tax, ISF, etc).
12. Names, Addresses, Reference No's, Phone Numbers or Email addresses of all relevant friends, suppliers, professionals, associations, businesses, subscriptions etc. who may need to be contacted.
13. Location of strong-boxes, safes, etc., and keys, codes or combinations for physical access.
14. Passwords for Computer access.

Appendix D – Correspondence Record Checklist

A. To keep track of phone conversations – one sheet per topic

1. Establishment – Name & Phone Number	
2. Purpose	
3. Date & Time of call(s)	
4. Correspondent – Name & Position	
5. Summary of Conclusions	
6. Action(s) to Take	
7. Expected timing	
8. Need for Confirmation?	
9. Final Outcome & Date of Completion.	
10. Other Comments	

Appendix E – Pro-Forma Letter of Notification to Banks, Insurance Co's etc

A. French

*(Your name
Your address)*

(Your telephone, fax and/or email address)

*(Name & Address of Recipient
(eg. M. le Directeur,
La Banque Mutuelle
etc)*

À (place of writing, eg. Cannes or Brighton)

Le (date) Recommandé avec accusé de réception (recorded delivery)

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

Votre Référence : (account or reference number within their establishment)

Madame/Monsieur,

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

Veillez trouver ci-joint un acte de décès et me signaler les formalités à remplir auprès de votre établissement.

Le notaire qui s'occupe de la succession sera Maître *(name and address of your solicitor)*.

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

Pour la succession

(Signature)

(Your Name in capitals)

Documents joints : *(list enclosed document(s))*

(delete as appropriate)*

Appendix E – Pro-Forma Letter of Notification to Banks, Insurance Co’s etc

B. English

*(Your name
Your address)
(Your telephone, fax and/or email
address)*

(date)

(Name & Address of Recipient)

*(eg. The Manager,
My Bank
etc)*

Letter by recorded delivery

Purpose : Death of Mr/Mrs/Miss* *(full name of deceased, surname in capitals)*

Your Reference : *(account or reference number within their establishment)*

Dear Sir/Madam,

I regret to inform you of the death of Mr/Mrs/Miss* *(full name of deceased, surname in capitals)* which occurred on *(date of death)*.

Please find enclosed a copy of the death certificate and inform me of any formalities required by your establishment.

The solicitor in charge of this case is *(name and address of your solicitor)*.

Yours faithfully

(Signature)

(Your Name in capitals)

Enclosed documents: *(list enclosed document(s))*

(delete as appropriate)*