



Should you have a separate Israeli will?

Why Consider a Separate Will in Israel?

If you own real estate, hold bank accounts, or possess any other assets in Israel, we strongly advise preparing a separate will here in Israel. This ensures that your assets pass to your heirs as efficiently and promptly as possible. A separate will can simplify the probate process in Israel and reduce delays, particularly when compared with the use of complex foreign wills.

Identification and Registration Requirements

In Israel, ownership of assets is registered by number, Israeli ID numbers for citizens and usually passport numbers for everyone else. It is therefore essential that your Israeli will references the correct identification number. If you have renewed your passport since acquiring property, ensure the registration reflects your current passport number. A certified copy should be retained with your will.

If you make Aliyah (obtain Israeli citizenship), you should re-register all assets under your Israeli ID number and update your will accordingly.

Limitations of Foreign Wills

Foreign wills often include trusts and tax planning structures relevant to your country of residence, but these may not be recognised or enforceable in Israel. They also tend to be lengthy and complex, which can cause difficulties during the probate process. In contrast, a simple Israeli will can be probated far more quickly and easily.

Although the Israeli probate registry may accept documents in English, they are less inclined to do so if the will is complex or long.

Tax and Legal Considerations

Currently, there is no inheritance or estate tax in Israel, and death is not considered a taxable event. However, Israeli assets may still be subject to taxation in your country of residence, and professional advice is recommended.

Note also that the Israeli courts generally do not appoint non-resident executors. If your main will names foreign executors, this may complicate administration in Israel. A separate Israeli will allows you to appoint executors locally or proceed without one, since Israeli law does not require the appointment of an executor and the heirs can apply directly for probate and asset transfer.



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Practical Issues in the Probate Process

Israeli probate requires the original will or a certified copy together with a foreign probate order. If only a copy is available, a special application must be made. Preparing a local will in advance avoids this issue and eliminates potential delay.

Property and Beneficiary Details

Property in Israel is registered by block and parcel number and should be identified this way in your will. Be sure the property's registration matches your current identification number.

Life insurance policies, Kupot Gemel, and some investment accounts do not form part of your estate. They pass directly to the named beneficiaries and should be reviewed to ensure accuracy.

Joint Wills and Spousal Rights

If you are preparing a joint will with your spouse, consider whether you want the surviving partner to be able to alter the will after the first partner's death. In Israel, unless stated otherwise, a surviving spouse cannot amend their mutual will without returning assets inherited from the deceased partner. For Jewish couples, if the husband is not leaving all his property to his wife, you may wish to state whether the bequest includes her entitlement under the Ketubah (Jewish marriage contract).

Guardianship Provisions

You may include preferences for guardianship of minor children. While not legally binding, the Israeli courts take such wishes into account when determining guardianship.

Final Considerations

A separate Israeli will ensures clarity, reduces legal obstacles, and accelerates administration of your estate in Israel. It also provides an opportunity to tailor your wishes to Israeli legal and cultural practices.

This fact sheet is presented as a general information service only and does not constitute legal or financial advice. You should obtain specific advice before taking (or deciding not to take) any action. Please contact us for further information.