

Heirs' access to bank accounts of a deceased person in Switzerland

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When a family member dies with assets in Switzerland, the heirs often know little about the accounts involved. Swiss banks will cooperate, provided that the heirs can prove their status and follow the bank's procedures.

1 Heirs step into the client relationship

Under Swiss law the heirs acquire the estate as a whole by operation of law on the death of the deceased (Art. 560 CC). As successors to the contractual relationship with the bank, they are in principle entitled to the same information that the deceased could have requested, including account statements for past periods. Banking secrecy is generally no obstacle between the bank and the heirs, although banks may be cautious where information concerns third parties or highly personal matters of the deceased.

2 The certificate of inheritance

To act on an account, banks usually require a certificate of inheritance (Art. 559 CC), issued by the competent Swiss authority at the deceased's last domicile, or an equivalent foreign document. Where the deceased lived abroad, banks will often ask for a foreign probate order or court document, sometimes with an apostille and certified translation, and may require additional confirmation if the documents are unfamiliar to them. Until the heirs have this document, many banks will only provide limited information, such as confirming that a relationship exists.

3 Community of heirs and executors

Where there are several heirs, they form a community of heirs and must, as a rule, act jointly in disposing of the estate. A single heir can usually obtain information, but transfers generally need the consent of all heirs or of an executor. If an executor has been appointed, banks will typically follow the executor's instructions once the appointment is documented, while heirs retain their own information rights.

4 Searching for unknown and dormant assets

If heirs suspect that the deceased held Swiss accounts but do not know where, the Swiss Banking Ombudsman offers a central search service for accounts and safe deposit boxes of deceased persons with Swiss banks. In addition, Swiss banks follow industry rules on dormant assets, under which long-dormant relationships may eventually be published so that entitled persons can come forward. Heirs should be prepared to document their relationship to the deceased in detail.

5 What pays off in practice

- **Obtain the inheritance documents early** because most banks will not act without them.
- **Request historical statements** to identify withdrawals or transfers shortly before death that may be relevant among heirs.
- **Coordinate among heirs** to avoid blocked accounts and duplicated requests.

6 How Ressos Legal helps

I assist heirs in Switzerland and abroad in identifying Swiss assets, dealing with banks and preparing the necessary documents. [Contact me](#) for a first conversation.

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