

Author: Kacper Górniak

Title: Mandat na wypadek śmierci w prawie francuskim / The power of attorney with posthumous effect (mandat á effet posthume) in French law

Source: Kwartalnik Prawa Prywatnego (“Quarterly of Private Law”)

Year: 2019, vol. XXVIII, number 4, pages: 919-939

Keywords: power of attorney, inheritance law, administration of the estate, comparative law, French law

Discipline: Private Law

Language: Polish

Document Type: Article

Publication order reference: Jagiellonian University Cracow
[kacper.gorniak.95@gmail.com]

Abstract:

The article describes a legal solution, which was introduced to French inheritance law in 2006 and which is referred to as the mandat á effet posthume (the power of attorney with posthumous effect). It is a specific contract, under which an agent administers the estate or a part thereof after the death of a principal. The author analyses the provisions of the French civil code on the mandat á effet posthume (offering their translation into Polish), as well as the case law and scholars’ views on this solution and its legal background. In consequence, readers are provided with a complete overview of the mandat á effet posthume, as it was regulated and as it actually operates in France.