

Leaving inheritance to companion animals

Abstract

This article reflects on the legal status of animals as in relation to the possibility of their being beneficiaries of donations or inheritance. To the Spanish legal system animals are , and for this reason they cannot receive inheritance directly, but through a third person designated to administer the legacy so that the animal is taken care of. In the United States the makes it possible for companion animals to be direct beneficiaries of inheritances in spite of their being legal . This legal arrangement reflects the social sensitiveness to the wellbeing of pets in a country where they are present in over half of all homes. In Austria, Germany and Switzerland (and in Catalonia), animals have gained legal recognition as and not merely , in contrast to what is the case in the rest of Europe and Latin America. This could have important practical consequences, such as making it possible for animals to inherit directly, and having their interests taken into account. However, such progress has not yet been made in any European country.

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