

MINISTRY OF EDUCATION AND TRAINING  
HO CHI MINH CITY UNIVERSITY OF LAW

**INFORMATION OF THE NEW CONTRIBUTIONS  
OF THE THESIS**

**Thesis title:** Testamentary formalities according to Vietnamese Civil law

**Major:** Civil Law and Civil Procedure

**Major code:** 9380103

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**THE NEW CONTRIBUTIONS OF THE THESIS**

The thesis is an in-depth scientific research on testamentary formalities according to Vietnamese Civil law to confirm the role of testamentary formalities in recording and authenticating the testator's will, helping the process of making the will more conveniently. Therefore, the results of the thesis bring these new contributions:

*Firstly*, the thesis enriches, systematizes and explains theoretical issues on testamentary formalities such as the concept, characteristics and the roles of tetamentary formalities. The thesis points out and analyzes factors that influence the law on the form of wills, such as: customs and traditions, unique characteristics of society in each period; the freedom of the testator's will; conditions of the testator; the circumstances in which the wills are made and the assets are determined in the will.

*Secondly*, this is the first scientific research about electronic will in Vietnam. The thesis refers experiences in application of electronic will of some countries such as the US, Australia and Canada to recognize electronic will in Vietnam.

*Thirdly*, the thesis analyzes and evaluates totally the provisions of the Civil Code 2015 on written wills, compares with foreign laws and practical application to point out limitations in the provisions of the Civil Code and provides proposals on: Changing the names of some types of written wills; the languages used in the wills; the problem of handwriting assessment when there are no reference assessment samples; the conditions of

witnesses; the formality of the will which is made from a person who cannot read, hear, sign or fingerprint; supplying the form of sealed wills with notarization or authentication; perfecting the practice of applying appropriate legal provisions for a situation.

*Fourthly*, the thesis analyzes and evaluates totally the provisions of the Civil Code 2015 on oral wills, compares with foreign laws and practical application of laws to point out limitations in the provisions of the Civil Code and provides proposals on: People who cannot speak and people from over fifteen years old to under eighteen years old can make an oral will; people can make an oral will with simple procedures according to the type of properties and value of properties; determining the time to record the testator's will within 5 working days from the time the testators express their decisions; supplying the right to confirm oral wills for people who are not notaries or the authorities authenticate wills.

Ho Chi Minh city, 24/10/2023

PhD Student

Nguyen Thanh Thu