

**INFORMATION EXCHANGE BETWEEN NOTARIES
AND SOCIAL PROTECTION AUTHORITIES AS A
GUARANTEE OF THE INHERITANCE RIGHTS OF
LOW-INCOME PERSONS AND WARDS**

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Abstract. *The thesis examines, from the perspective of inheritance law, the provisions introduced into the Law of the Republic of Uzbekistan “On the Notariat” by Law No. ZRU-1102 of 17 December 2025, which oblige notaries to provide information to social protection authorities. It shows the importance of this duty for safeguarding the future inheritance rights of wards, the housing of elderly citizens and the accurate assessment of the property status of families receiving social assistance, and puts forward proposals for balancing it with notarial confidentiality.*

Keywords: *inheritance, notary, notarial confidentiality, social protection, guardianship, lifelong maintenance, personal data.*

Introduction

Inheritance and gift are among the most common grounds on which citizens acquire property, and in most cases they are formalised with the participation of a notary. The notary therefore holds the most reliable information on the property status of citizens. At the same time, social protection authorities, which are responsible for granting social assistance and protecting elderly and lonely citizens and wards, were for a long time unable to use this information. As a result, there remained a risk that property inherited by a ward could be disposed of contrary to his or her interests, or that social

assistance could be granted to persons who had received substantial property by inheritance.

Main Part

Law No. ZRU-1102 supplemented part four of Article 6 of the Law “On the Notariat” with a new paragraph that added the National Agency for Social Protection under the President and its “Inson” social services centres to the list of bodies entitled to receive information on notarial acts¹. Article 18 of the Law now obliges the notary to provide the social protection authority with information on contracts for the transfer of a dwelling subject to lifelong maintenance and on life annuity contracts, on transactions concerning the division of a ward’s property and, upon the authority’s request, on the value of property passing to citizens by inheritance and gift.² These provisions were drafted on the basis of a proposal developed by the author in the course of her doctoral research³.

From the standpoint of inheritance law, the significance of these amendments is threefold. **First**, information on transactions with property inherited by a ward (a minor or legally incapable heir) now reaches the social protection authority as well. Together with the consent of the guardianship authority, this creates an additional level of control and reduces the risk that the ward’s inheritance share will be alienated in the interests of the guardian. **Second**, an elderly citizen who transfers a dwelling under a lifelong maintenance contract often gives up the only property that could have passed to his or her heirs. The awareness of the social protection authority makes it possible to monitor whether maintenance is actually provided and, where

¹ Law of the Republic of Uzbekistan No. ZRU-1102 of 17 December 2025; Law “On the Notariat”, Art. 6, part four, paragraph six. <https://lex.uz/docs/54458>

² Law “On the Notariat”, Art. 18, part one, paragraphs thirteen and fourteen (as amended by Law No. ZRU-1102).

³ Act of implementation of the Institute for Parliamentary Research under the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, No. 3/dn-81 of 26 May 2026.

necessary, to take measures to terminate the contract⁴. **Third**, request-based access to information on property acquired by inheritance and gift helps to direct social assistance to families that are genuinely in need.

Observations from notarial practice (personal and quantitative data are not disclosed owing to notarial confidentiality) show that in transactions for the sale or exchange of a ward's inheritance share the main risk lies in the interests of the guardian and family members being placed above those of the minor heir. When certifying the transaction the notary verifies the permission of the guardianship authority, but has no means of monitoring whether the proceeds are subsequently used in the heir's interests. The transmission of information to the social protection authority fills precisely this gap.

At the same time, notarial confidentiality is one of the core principles of the notariat, and the trust of citizens in the notary rests on it. Information exchange must therefore strictly observe the principles of purpose limitation and data minimisation established by the Law "On Personal Data"⁵. The current procedure does not specify the exact composition of the data to be transmitted, the transmission channel or the procedure for recording requests; this may lead either to excessive disclosure or, conversely, to notaries refusing to provide information.

Conclusion and Proposals

Information exchange between notaries and social protection authorities constitutes a new guarantee of the property rights, including the inheritance rights, of low-income persons and wards. To ensure its effective implementation, the following is proposed:

⁴ Civil Code of the Republic of Uzbekistan, Part Two, provisions on life annuity and the transfer of a dwelling subject to lifelong maintenance. <https://lex.uz/docs/180552>

⁵ Law of the Republic of Uzbekistan "On Personal Data" No. ZRU-547 of 2 July 2019. <https://lex.uz/docs/4396419>

1) to approve, by a joint resolution of the Ministry of Justice and the National Agency for Social Protection, an exhaustive list of the data to be transmitted for each category;

2) to carry out the exchange exclusively in electronic form through the “Notarius” automated information system, with automatic logging of every request and response;

3) to establish in the Instruction on the Procedure for Performing Notarial Acts the notary’s duty to inform the parties to transactions involving a ward heir, as well as the parties to lifelong maintenance and life annuity contracts, that the information will be sent to the social protection authority;

4) to prohibit the social protection authority from using the information received for purposes not provided for by law.

REFERENCES

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3. Law of the Republic of Uzbekistan “On Personal Data” No. ZRU-547 of 2 July 2019. <https://lex.uz/docs/4396419>
4. Civil Code of the Republic of Uzbekistan, Part Two. <https://lex.uz/docs/180552>
5. Family Code of the Republic of Uzbekistan. <https://lex.uz/docs/104720>