|  |  |  |  |
| --- | --- | --- | --- |
| **Grant Application** | |  | Court File Number |
|  |  |  | {{estate.court\_file}} |
| Court | **Court of Queen’s Bench of Alberta (Surrogate Matter)** |  |  |
|  | **Clerk’s Stamp** |
| Judicial Centre | **{{estate.centre}}** |  |
| Estate Name | **{{deceased.name}}{% if deceased.aka\_name and deceased.aka\_name|length > 0 %}**  **also known as {{deceased.aka\_name|merge(“a, b and c”)}}{% endif %}** |  |
| Address for Service and Contact Information for Party Filing this Document | Address   |  | | --- | | **{{firm\_name}}{% if firm\_name2 %}, {{firm\_name2}}{% endif %}**  **{{office.street}}** |   City or Town Province Postal Code   |  |  |  |  |  | | --- | --- | --- | --- | --- | | **{{office.city}}** |  | **AB** |  | **{{office.postal}}** |   Phone Email Address   |  |  |  | | --- | --- | --- | | **{{lawyer.phone}}** |  | **{{lawyer.email}}** | |  |
|  |
|  |
|  |
|  |
|  | | | |

**Part 1 – The Deceased**

**1.1 Information about the Deceased**

Please provide the following information about the Deceased:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{deceased.first\_name}}** |  | **{{deceased.middle\_name}}** |  | **{{deceased.last\_name}}** |

|  |  |
| --- | --- |
| Other Names Known by | {% if deceased.aka\_name and deceased.aka\_name|length > 0 %}{% else %}{% endif %} Not applicable |
| **{{deceased.aka\_name|merge(“a, b and c”)}}** | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date of Birth yyyy-mm-dd |  | Date of Death yyyy-mm-dd |  |  |
| **{{deceased.birth\_date|toDate(“1990-12-31”)}}** |  | **{{deceased.death\_date|toDate(“1990-12-31”)}}** |  |  |

{%p if not deceased.habitual\_resident or deceased.habitual\_resident == "Yes" %}

|  |
| --- |
| Was the Deceased habitually resident in Alberta?  Yes  No |
| If the answer to the above question is “yes”, please enter the address of the Deceased’s habitual residence in Alberta below:   |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Address |  | City or Town |  | Province |  | Postal Code | | **{{deceased.street}}** |  | **{{deceased.city}}** |  | **AB** |  | **{{deceased.postal}}** | |

{%p else %}

|  |  |
| --- | --- |
| Was the Deceased habitually resident in Alberta?  Yes  No  If the answer to the above question is “no”, please answer the following questions:  What was the province (or other jurisdiction) of the Deceased’s habitual residence?   |  | | --- | | **{{deceased.habitual\_province}}** | |

{%p if inv\_ab\_land\_list|length > 0 %}

Did the Deceased own property in Alberta?  Yes  No

If the answer to the above question is “yes”, please enter the address(es) of the property in Alberta owned by the Deceased below:

{%p for land in inv\_ab\_land\_list %}

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
| **{{land.street}}** |  | **{{land.city}}** |  | **AB** |  | **{{land.postal}}** |

{%p endfor %}

{%p else %}

Did the Deceased own property in Alberta?  Yes  No

{%p endif %}

{%p endif %}

{%p if estate.will %}

Did the Deceased leave a will?  Yes  No

{%p else %}

Did the Deceased leave a will?  Yes  No

{%p endif %}

**1.2 Net value of the Deceased’s estate in Alberta**

Use the inventory (Form GA2) to calculate the net value of the Deceased’s estate in Alberta. Check the box below that corresponds to the net value of the Deceased’s estate in Alberta. If the inventory describes the value of any of the Deceased’s assets as “to be determined”, indicate this below by checking the box.

If part of the Deceased’s estate has already been administered under the authority of a prior grant, check the box below that corresponds to the net value of the Deceased’s unadministered property.

This information is used to calculate the applicable Court fee for issuing the grant.

Residuary beneficiaries and other interested parties will receive more detailed information about the Deceased’s estate in the inventory that will be served on them by the Applicant(s).

{% if inventory\_alberta\_net <= 10000 %} {% else %} {% endif %}$10,000 or under

{% if inventory\_alberta\_net > 10000 and inventory\_alberta\_net <= 25000 %} {% else %} {% endif %}Over $10,000 but not more than $25,000

{% if inventory\_alberta\_net > 25000 and inventory\_alberta\_net <= 125000 %} {% else %} {% endif %}Over $25,000 but not more than $125,000

{% if inventory\_alberta\_net > 125000 and inventory\_alberta\_net <= 250000 %} {% else %} {% endif %}Over $125,000 but not more than $250,000

{% if inventory\_alberta\_net > 250000 %} {% else %} {% endif %}Over $250,000

**Check if applicable:**

{% if inventory\_unknown\_tf %}{% else %}{% endif %} The inventory (Form GA2) describes the values of one or more of the Deceased’s assets as “to be determined”.

If this box is checked, the Applicant must serve all residuary beneficiaries and other interested parties with an updated inventory when the values of the Deceased’s assets become known. The applicant must confirm service of the updated inventory using Form GA5. Additional Court fees may apply.

**1.3 Prior Grants**

**Prior grants issued by the Court of Queen’s Bench of Alberta**

Please indicate which of the following grants, if any, have already been issued by the Court of Queen’s Bench of Alberta in relation to the Deceased’s estate.

{%p if estate.prior\_ab\_grant %}

**Not applicable – no prior grants issued by the Court of Queen’s Bench of Alberta**

{% if estate.ancillary\_original == “Administration” %} {% else %} {% endif %}**Administration**

This application will be considered an **application for a grant of administration of unadministered property**.

{% if estate.ancillary\_original == “Administration with Will Annexed” %} {% else %} {% endif %}**Administration with will annexed**

This application will be considered an **application for a grant of administration of unadministered property**.

{% if estate.ancillary\_original == “Probate” %} {% else %} {% endif %}**Probate**

This application will be considered an **application for a grant of double probate** if the Applicant is named as a personal representative in the Deceased’s will.

This application will be considered an **application for a grant of administration of unadministered property** if the Applicant is not named as a personal representative in the Deceased’s will.

{% if estate.prior\_ab\_grant and estate.ancillary\_original not in [“Administration”, “Administration with Will Annexed”, “Probate”] %} {% else %} {% endif %}**Other (e.g., supplemental grant)**

Describe:

|  |
| --- |
| **{{estate.ancillary\_original}}** |

{%p else %}

**Not applicable – no prior grants issued by the Court of Queen’s Bench of Alberta**

{%p endif %}

**Prior grants issued by a foreign court**

{%p if estate.prior\_foreign\_grant %}

**Not applicable – no prior foreign grants**

{%p if estate.prior\_foreign\_grant %}

Has a foreign court issued a grant in relation to the Deceased’s estate?  Yes  No

If the answer to the above question is “**yes**”, please answer the following question for each foreign grant:

{%p if estate.prior\_commonwealth\_grant %}

Was the foreign grant issued by any of the following?  Yes  No

{%p else %}

Was the foreign grant issued by any of the following?  Yes  No

{%p endif %}

* a court in a province or territory of Canada other than Alberta
* a court in the United Kingdom
* a court in a British possession, colony or dependency
* a court in a member nation of the British Commonwealth

If the foreign grant was issued by a court in one of the listed jurisdictions, this application will be considered an **application to reseal the foreign grant**.

If the foreign grant was **not** issued by a court in one of the listed jurisdictions, this application will be considered an **application for an ancillary grant**.

{%p else %}

Has a foreign court issued a grant in relation to the Deceased’s estate?  Yes  No

{%p endif %}

{%p else %}

**Not applicable – no prior foreign grants**

{%p endif %}

**Part 2 – The Applicant(s)**

Where there are 2 or more Applicants, each Applicant must provide a separate response to the questions in this Part unless the responses of all Applicants are identical.

**2.1 Information about the Applicant(s)**

Please provide the following information about each person applying for appointment as a personal representative (the “Applicant(s)”).

{%p for party in active\_pr\_list %}

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| {%tr if party.party\_type == “Person” %} | | | | |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |
| {%tr else %} | | | | |
| Legal Name | | | | |
| **{{party.full\_name}}** | | | | |
| {%tr endif %} | | | | |

|  |  |
| --- | --- |
| Other Names Known by | {% if party.aka\_names\_list|length > 0 %} {% else %} {% endif %} Not applicable |
| **{{ party.aka\_names\_list|merge(“a, b and c”)}}** | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
| {% if party.relationship == "Trust Company" %}c/o {{ party.selected\_contact\_name }}, {{ party.trust\_contact\_title }}  {% endif %}**{{party.street}}** |  | **{{party.city}}** |  | **{{party.province}}** |  | **{{party.postal}}** |

|  |
| --- |
| Email address of the Applicant |
| **{{party.email\_on\_file}}** |

{%p endfor %}

**Law Firm(s) representing Applicant(s)**

**Not applicable**

|  |
| --- |
| Name of Law Firm |
| **{{firm\_name}}{% if firm\_name2|answered %}, {{firm\_name2}}{% endif %}** |

|  |
| --- |
| Applicant(s) Represented by this Law Firm |
| **{{active\_pr\_names}}** |

|  |
| --- |
| Address of Law Firm |
| **{{office.street}}** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| City or Town |  | Province |  | Postal Code |
| **{{office.city}}** |  | **{{office.province}}** |  | **{{office.postal}}** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Responsible Lawyer First Name |  | Middle Name |  | Last Name |
| **{{lawyer.first\_name}}** |  | **{{lawyer.middle\_name}}** |  | **{{lawyer.last\_name}}** |

|  |  |  |
| --- | --- | --- |
| Email Address of Responsible Lawyer |  | Lawyer’s File Number |
| **{{lawyer.email}}** |  | **{{estate.matter\_number}}** |

**2.2 Priority of Applicant(s)**

**Priority among Applicants where a will exists**

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

Section 13(1)(a) of the *Estate Administration Act* states that, unless the Court orders otherwise, the priority will be given to an Applicant for a grant, if a will exists, is as follows, in descending order of priority:

1. to a personal representative named in the will, unless that person is incapable of acting or unwilling to act;
2. to a personal representative appointed by the person expressly authorized in the will to appoint a personal representative;
3. to a residuary beneficiary named in the will;
4. to a life tenant of the residue named in the will;
5. to a beneficiary under an intestacy if the residue is not completely disposed of in the will;
6. to a beneficiary receiving a specific gift in the will;
7. to a contingent beneficiary of the residue in the will;
8. to a contingent beneficiary of a specific gift in the will;
9. to the Crown in right of Alberta.

Where a will exists, section 13(2) of the *Estate Administration Act* requires that between Applicants of equal priority, preference must be given to a resident of Alberta unless the Court, on application, rules otherwise.

Section 13(4) of the *Estate Administration Act* permits the persons who are entitled to administer the estate to nominate a person to administer the estate if the Deceased died leaving a will but did not appoint a personal representative or if the personal representative named in the will is incapable of acting or unwilling to act.

Section 14 of the *Public Trustee Act* states that where a person dies anywhere leaving property in Alberta and a minor or a represented adult for whom the Public Trustee is trustee has an interest in the estate, the Public Trustee has the same priority to apply as the minor or the represented adult for whom the Public Trustee is trustee would have if they were an adult of full legal capacity. In addition, where a person dies anywhere leaving property in Alberta and a minor or a represented adult for whom the Public Trustee is trustee has an interest in the estate, the Public Trustee has priority to apply over any person who is not a resident of Alberta in the following circumstances:

1. the Deceased did not leave a will;
2. the Deceased’s will does not appoint an executor;
3. any executors appointed by the Deceased’s will have renounced their right to apply, have died or cannot be located.

|  |  |
| --- | --- |
| {%tr if estate.will and other.has\_priority %} | |
| **Do the Applicant or Applicants have priority to apply over all other persons named as personal representative in the will?** | Yes  No |
| {%tr elif estate.will %} | |
| **Do the Applicant or Applicants have priority to apply over all other persons named as personal representative in the will?** | Yes  No |
| {%tr endif %} | |

**Explain below why the Applicant is applying if the Applicant is not the person with priority to apply**. If a person having equal or higher priority to apply is deceased or unable to act, this should be stated below. It is not necessary to provide proof of death or incapacity.

If the Applicant’s priority to apply is dependent upon the renunciations and/or nominations of other persons, identify those persons renouncing and/or nominating below and attach completed Form GA11 (renunciation) and/or Form GA13 (nomination), as appropriate.

|  |
| --- |
| **{%p if other.applicant\_priority and other.applicant\_priority|length > 0 %}**  **{%p for line in other.applicant\_priority %}**   * **{{line}}**   **{%p endfor %}**  **{%p else %}**  **{%p endif %}** |

**Are the Applicant or Applicants 18 years of age or older?**  Yes  No

Section 13(5) of the Estate Administration Act requires the Court to grant authority to administer the estate to another person the Court considers appropriate if the sole executor named in a will is a minor. On becoming an adult, the executor named in the will may be granted the authority to administer the remainder of the estate.

**Possible revocation of appointment due to change in Applicant’s relationship with the Deceased**

Under section 25 of the *Wills and Succession Act*, the appointment of an individual as personal representative is revoked in certain circumstances where the relationship between the Deceased and the Applicant has changed unless the Court, in interpreting the will, finds otherwise.

|  |  |
| --- | --- |
| {%tr if estate.will and revoked\_by.divorce %} | |
| At any time on or after February 1, 2012, and after the will was made, was the marriage of the Applicant to the Deceased terminated by a divorce judgment? | Yes  No |
| {%tr else %} | |
| At any time on or after February 1, 2012, and after the will was made, was the marriage of the Applicant to the Deceased terminated by a divorce judgment? | Yes  No |
| {%tr endif %} | |
| {%tr if estate.will and revoked\_by.void\_marriage %} | |
| At any time on or after February 1, 2012, and after the will was made, was the marriage of the Applicant to the Deceased found by a court to be void? | Yes  No |
| {%tr else %} | |
| At any time on or after February 1, 2012, and after the will was made, was the marriage of the Applicant to the Deceased found by a court to be void? | Yes  No |
| {%tr endif %} | |
| {%tr if estate.will and revoked\_by.end\_aip %} | |
| At any time on or after February 1, 2012, and after the will was made, had the Applicant ceased to be the adult interdependent partner of the Deceased? | Yes  No |
| {%tr else %} | |
| At any time on or after February 1, 2012, and after the will was made, had the Applicant ceased to be the adult interdependent partner of the Deceased? | Yes  No |
| {%tr endif %} | |

If the answer to any of the above questions is “yes”, the Applicant’s appointment as personal representative will be deemed to have been revoked by operation of law unless the Court, in interpreting the will, finds that the Deceased had a contrary intention.

If the Application believes the Deceased had a contrary intention, the Applicant must apply to Court for an order interpreting the Deceased’s will before proceeding further. Notice of the application in Form C 1/C 2 must be served upon the person or persons who have the next highest priority to apply for the grant.

**Renunciations**

{%p if estate.will and "ga11" in cfa.app\_docs %}

**Not applicable**

**Name of person(s) renouncing**

{%p for party in renouncing\_pr\_list %}

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| {%tr if party.party\_type == “Person” %} | | | | |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |
| {%tr else %} | | | | |
| Legal Name | | | | |
| **{{party.full\_name}}** | | | | |
| {%tr endif %} | | | | |

{%p endfor %}

Attach completed Form GA11 for each person renouncing

{%p else %}

**Not applicable**

{%p endif %}

**Nominations**

{%p if estate.will and "ga13" in cfa.app\_docs %}

**Not applicable**

**Name of person(s) nominating**

{%p for party in nominating\_list %}

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| {%tr if party.party\_type == “Person” %} | | | | |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |
| {%tr else %} | | | | |
| Legal Name | | | | |
| **{{party.full\_name}}** | | | | |
| {%tr endif %} | | | | |

{%p endfor %}

Attach completed Form GA13 for each person nominating

{%p else %}

**Not applicable**

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

**Priority among Applicants where no will exists**

{%p if not estate.will %}

**Not applicable because the Deceased left a will**

Section 13(1)(b) of the *Estate Administration Act* states that, unless the Court orders otherwise, the priority to be given to an applicant for a grant, if no will exists, is as follows, in descending order of priority:

1. to the surviving spouse or surviving adult interdependent partner;
2. to a child of the Deceased;
3. to a grandchild of the Deceased;
4. to a descendant of the Deceased other than a child or grandchild;
5. to a parent of the Deceased;
6. to a brother or sister of the Deceased;
7. to a child of the Deceased’s brother or sister if the child is a beneficiary under the intestacy;
8. to the next of kin of the Deceased determined in accordance with sections 67 and 68 of the *Wills and Succession Act* who are beneficiaries under the intestacy and are not otherwise described above;
9. to a person who has an interest in the estate because of a relationship with the Deceased;
10. to a claimant;
11. to the Crown in right of Alberta.

Where no will exists, section 13(2) of the *Estate Administration Act* requires the following preferences be given unless the Court, on application, rules otherwise:

1. that between the Applicants of equal priority, preference must be given to a resident of Alberta;
2. that as between a surviving spouse and a surviving adult interdependent partner, preference be given to the surviving spouse or surviving adult interdependent partner who lived with the Deceased immediately or most recently before the Deceased’s death.

Section 13 (4) of the *Estate Administration Act* permits the persons who are entitled to administer the estate to nominate a person to administer the estate if the Deceased died intestate.

Section 14 of the *Public Trustee Act* states that the Public Trustee has the same priority to apply as a minor or a represented adult for whom the Public Trustee is trustee would have if they were an adult of full legal capacity. In addition, the Public Trustee has priority to apply over any person who is not resident of Alberta in the following circumstances:

1. the Deceased did not leave a will;
2. the Deceased’s will does not appoint an executor;
3. any executors appointed by the Deceased’s will have renounced their right to apply, have died or cannot be located.

{%p if estate.will != True and other.has\_priority %}

**Do the Applicant or Applicants have priority to apply where no will exists?**  Yes  No

{%p elif estate.will != True %}

**Do the Applicant or Applicants have priority to apply where no will exists?**  Yes  No

**Explain below why the Applicant is applying if the Applicant is not the person with priority to apply.**

If a person having equal or higher priority to apply is deceased or unable to act, this should be stated below. It is not necessary to provide proof of death or incapacity.

If the Applicant’s priority to apply is dependent upon the renunciations and/or nominations of other persons, identify those persons renouncing and/or nominating below and attach completed Form GA11 (renunciation) and/or Form GA13 (nomination), as appropriate.

|  |
| --- |
| **{%p if other.applicant\_priority and other.applicant\_priority|length > 0 %}**  **{%p for line in other.applicant\_priority %}**   * **{{line}}**   **{%p endfor %}**  **{%p else %}**  **{%p endif %}** |

{%p endif %}

**Renunciations**

{%p if estate.will != True and "ga11" in cfa.app\_docs %}

**Not applicable**

**Name of person(s) renouncing**

{%p for party in renouncing\_pr\_list %}

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| {%tr if party.party\_type == “Person” %} | | | | |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |
| {%tr else %} | | | | |
| Legal Name | | | | |
| **{{party.full\_name}}** | | | | |
| {%tr endif %} | | | | |

{%p endfor %}

Attach completed Form GA11 for each person renouncing

{%p else %}

**Not applicable**

{%p endif %}

**Nominations**

{%p if estate.will != True and "ga13" in cfa.app\_docs %}

**Not applicable**

**Name of person(s) nominating**

{%p for party in nominating\_list %}

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| {%tr if party.party\_type == “Person” %} | | | | |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |
| {%tr else %} | | | | |
| Legal Name | | | | |
| **{{party.full\_name}}** | | | | |
| {%tr endif %} | | | | |

{%p endfor %}

Attach completed Form GA13 for each person nominating

{%p else %}

**Not applicable**

{%p endif %}

{%p else %}

**Not applicable because the Deceased left a will**

{%p endif %}

**2.3 Bond or permission required**

The *Surrogate Rules* require that unless at least one of the Applicants resides in Alberta, the Applicant or Applicants must either provide a bond or obtain permission from the Court to proceed.

{%p if other.bond == “No” %}

**Do at least one of the Applicants reside in Alberta?**  Yes  No

{%p else %}

**Do at least one of the Applicants reside in Alberta?**  Yes  No

{%p endif %}

If “yes”, the Applicant or Applicants may proceed without a bond.

If “no”, the Applicant(s) must either provide a bond, or obtain the Court’s permission to proceed without a bond, with a bond in a reduced amount, or alternate security.

{%p if other.bond != “No” %}

**Providing a bond**

If a bond is required, the *Surrogate Rules* require that the bond be from an insurer licensed under the *Insurance Act* to undertake fidelity insurance as defined in the *Classes of Insurance Regulation* (AR 144/2011). The amount of the bond must be equal to the gross value of the Deceased’s property in Alberta.

{%p if other.bond == “Application to Dispense” %}

**Not applicable because the Applicant is requesting the Court’s permission to proceed without a bond, with a bond in a reduced amount, or other security**

{%p elif other.bond == “Yes” %}

|  |  |
| --- | --- |
| What is the gross value of the Deceased’s estate in Alberta?  (attach completed Form GA2) | **{{inventory\_alberta\_net|money}}** |
|  |
| Amount of Bond | **{{other.bond\_amount|money}}** |

|  |
| --- |
| **Name of insurer licensed to undertake fidelity insurance (attach bond)** |
| **{{other.bond\_insurer}}** |

{%p endif %}

**Obtaining the Court’s Permission to Proceed**

The Court may, in its discretion, permit the Applicant(s) to proceed without a bond, by providing a bond for a reduced amount or by providing other security approved by the Court. The Applicant(s) may request the Court’s permission to proceed by completing the section below.

{%p if other.bond == “Yes” %}

**Not applicable because the applicant is providing a bond (see above)**

{%p elif other.bond == “Application to Dispense” %}

|  |  |
| --- | --- |
| What is the gross value of the Deceased’s estate in Alberta?  (attach completed Form GA2) | **{{inventory\_alberta\_net|money}}** |

**The Applicant(s) make(s) the following proposal:** (select one of the following options)

{% if other.bond\_request == “Proceed” %} {% else %} {% endif %}One or more of the Applicants is requesting the Court’s permission to proceed without a bond.

{% if other.bond\_request == “Reduce” %} {% else %} {% endif %}The Applicant(s) is(are) requesting the Court’s permission to reduce the amount of the bond.

{% if other.bond\_request == “Other” %} {% else %} {% endif %} The Applicant(s) is(are) requesting the Court’s permission for approval of security other than a bond.

{%p if other.bond\_request == “Proceed” %}

Briefly explain why this proposal has been made.

|  |
| --- |
| **{{other.security\_statement }}** |

{%p elif other.bond\_request == “Reduce” %}

|  |  |
| --- | --- |
| What bond amount is proposed? | **{{other.security\_amount|money}}** |

Briefly explain why this amount has been proposed.

|  |
| --- |
| **{{other.security\_statement }}** |

{%p elif other.bond\_request == “Other” %}

What alternate security is proposed? Briefly explain why this proposal has been made.

|  |
| --- |
| **{{other.security\_statement }}** |

{%p endif %}

{%p endif %}

**Consent of Beneficiaries**

When determining whether to proceed without requiring a bond, the Court will take into consideration whether some or all of the beneficiaries have consented to the Applicant(s)’s proposal to proceed without a bond, to proceed with a reduced bond amount or to proceed with alternate security.

{%p if "ga14" in cfa.app\_docs %}

**Not applicable**

{%p for party in ben\_consent\_list %}

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| {%tr if party.party\_type == “Person” %} | | | | |
| First Name of Beneficiary |  | Middle Name of Beneficiary |  | Last Name of Beneficiary |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |
| {%tr else %} | | | | |
| Name of Beneficiary | | | | |
| **{{party.full\_name}}** | | | | |
| {%tr endif %} | | | | |

{%p endfor %}

Attached completed Forms GA2 and GA14

{%p else %}

**Not applicable**

{%p endif %}

{%p endif %}

**2.4 Information about the will and any codicils**

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date of Will** (yyyy-mm-dd) | **{{will.date|toDate(“1990-12-31”)}}** | |  | |
| {%tr if codicils\_list|length == 0 %} | | | | |
| **Date(s) of Codicil(s)** (yyyy-mm-dd) | |  | | **Not applicable** |
| {%tr else %} | | | | |
| {%tr for **codicil in codicils\_list** %} | | | | |
| **Date(s) of Codicil(s)** (yyyy-mm-dd) | | **{{codicil.date|toDate("1990-12-31")}}** | | **Not applicable** |
| {%tr endfor %} | | | | |
| {%tr endif %} | | | | |

{%p if will.will\_doc == "Yes" %}

**Does the will refer to a document that forms part of the will?**  Yes  No

If the answer to the above questions is “yes”, the Applicant(s) must either attach the document to this application or explain below why the document is not attached.

{%p if will.will\_doc\_attached == ‘No’ %}

|  |
| --- |
| **{{will.will\_doc\_reason}}** |

{%p endif %}

{%p else %}

**Does the will refer to a document that forms part of the will?**  Yes  No

{%p endif %}

{%p if will.applicant\_doc == "Yes" %}

**Does the Applicant or do the Applicants know of any other document that forms part of the will?**  Yes  No

If the answer to the above questions is “yes”, the Applicant(s) must either attach the document to this application or explain below why the document is not attached.

{%p if will.applicant\_doc\_attached %}

|  |
| --- |
| **{{will.applicant\_doc\_reason}}** |

{%p endif %}

{%p else %}

**Does the Applicant or do the Applicants know of any other document that forms part of the will?**  Yes  No

{%p endif %}

{%p if will.will\_questions[0] == ‘Yes’ %}

**Was the Deceased at least 18 years of age when the will was made?**  Yes  No

{%p else %}

**Was the Deceased at least 18 years of age when the will was made?**  Yes  No

If the answer to the above question is “no”, please answer the following questions:

{%p if will.will\_questions[1] == ‘Yes’ %}

Did the Deceased have a spouse or adult interdependent partner when the will was made?  Yes  No

{%p else %}

Did the Deceased have a spouse or adult interdependent partner when the will was made?  Yes  No

{%p endif %}

{%p if will.will\_questions[2] == ‘Yes’ %}

Was the Deceased a member of a regular force as defined in the *National Defence Act* (Canada)?  Yes  No

{%p else %}

Was the Deceased a member of a regular force as defined in the *National Defence Act* (Canada)?  Yes  No

{%p endif %}

{%p if will.will\_questions[3] == ‘Yes’ %}

Was the Deceased a member of another component of the Canadian Forces placed on active  Yes  No  
service under the *National Defence Act* (Canada) when the will was made?

{%p else %}

Was the Deceased a member of another component of the Canadian Forces placed on active  Yes  No  
service under the *National Defence Act* (Canada) when the will was made?

{%p endif %}

{%p if will.will\_questions[4] == ‘Yes’ %}

Was the Deceased authorized to make a will by an order of the Court under section 36 of the *Wills*  Yes  No  
*and Succession Act*?

{%p else %}

Was the Deceased authorized to make a will by an order of the Court under section 36 of the *Wills*  Yes  No  
*and Succession Act*?

{%p endif %}

{%p endif %}

{%p if will.will\_questions[5] == ‘Yes’ %}

**Did the Deceased marry or enter into an adult interdependent partner**  Yes  No **agreement after the date of the will and before February 1, 2012?**

If the answer to the above question is “yes”, please answer the following questions:

{%p if will.will\_questions[6] == ‘Yes’ %}

Is there a declaration in the will that it is made in contemplation of the Deceased’s marriage  Yes  No  
or entry into an adult interdependent partner agreement?

{%p else %}

Is there a declaration in the will that it is made in contemplation of the Deceased’s marriage  Yes  No  
or entry into an adult interdependent partner agreement?

{%p endif %}

{%p if will.will\_questions[7] == ‘Yes’ %}

Was the will made in exercise of power of appointment or real or personal property that would not  Yes  No  
in default of the appointment pass to the heir, executor, or administrator of the testator or to the   
persons entitled to the estate of the testator if the testator died intestate?

{%p else %}

Was the will made in exercise of power of appointment or real or personal property that would not  Yes  No  
in default of the appointment pass to the heir, executor, or administrator of the testator or to the   
persons entitled to the estate of the testator if the testator died intestate?

{%p endif %}

{%p else %}

**Did the Deceased marry or enter into an adult interdependent partner**  Yes  No **agreement after the date of the will and before February 1, 2012?**

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

**Part 3 – Persons requiring notification**

**3.1 Beneficiaries**

Applicants are required by the *Surrogate Rules* to serve notice in Form GA3 on persons who are beneficiaries of the Deceased’s estate.

Wills must be carefully reviewed to identify the Deceased’s intended beneficiaries and the nature of the gifts those beneficiaries are to receive. Gifts in a will can be immediate, postponed, or contingent. Beneficiaries who are to receive an immediate gift or a postponed gift must be served notice in Form GA3. Beneficiaries who are to receive only a contingent gift need not be served any form of notice.

**Beneficiaries – specific gifts**

Provide the following information for each person who is a beneficiary that is to receive a specific gift in the will. These beneficiaries receive only specified amounts of money or specific property items. They do not share in the residue of the estate.

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

{%p if estate.will and non\_res\_ben\_list|length > 0 %}

{%p for party in non\_res\_ben\_list %}

**Beneficiary {{loop.index}}**

{{p party.non\_res\_ben\_insert }}

{%p endfor %}

{%p else %}

**Beneficiary 1**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
|  |  |  |  |  |

|  |  |
| --- | --- |
| Name in Will (if different than above) | Not applicable |
|  | |

|  |
| --- |
| Gift |
|  |

Has this gift adeemed?  Yes  No

A gift has adeemed if it has been sold, given away, converted or destroyed during the lifetime of the deceased.

Does this person have capacity to make decisions respecting financial matters?  Yes  No

If the person lacks capacity, is this person represented by either an attorney or trustee?

Yes – by an attorney  Yes – by a trustee  No Notice is to be served on the person’s attorney or trustee.

|  |  |
| --- | --- |
| Name of Attorney or Trustee | Not applicable |
|  | |

Was this beneficiary a minor on the Deceased’s date of death?  Yes  No

If “yes”, notice is to be served on the Public Trustee (Form GA4).

Is this beneficiary still a minor?  Yes  NoIf “yes”, notice is to be served on the minor’s guardian(s) (Form GA3).

Does this person have the legal capacity to be served?  Yes  No If “yes”, provide the complete address for service below.

**Complete Address for Service**

This is the beneficiary’s address.  This is the attorney’s address.

This is the trustee’s address.  This person cannot be located.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
|  |  |  |  |  |  |  |

**Email Address**

This is the beneficiary’s email address.  This is the attorney’s email address.

This is the trustee’s email address.

|  |
| --- |
| Email Address |
|  |

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

**Residuary Beneficiaries**

Provide the following information for each person who is a residuary beneficiary of the Deceased’s estate.

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

{%p if estate.will and res\_ben\_list|length > 0 %}

{%p for party in res\_ben\_list %}

**Beneficiary {{loop.index}}**

{{p party.res\_ben\_insert }}

{%p endfor %}

{%p else %}

**Beneficiary 1**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
|  |  |  |  |  |

|  |  |
| --- | --- |
| Name in Will (if different than above) | Not applicable |
|  | |

|  |
| --- |
| Gift |
|  |

Does this person have capacity to make decisions respecting financial matters?  Yes  No

If the person lacks capacity, is this person represented by either an attorney or trustee?

Yes – by an attorney  Yes – by a trustee  No Notice is to be served on the person’s attorney or trustee.

|  |  |
| --- | --- |
| Name of Attorney or Trustee | Not applicable |
|  | |

Was this beneficiary a minor on the Deceased’s date of death?  Yes  No

If “yes”, notice is to be served on the Public Trustee (Form GA4).

Is this beneficiary still a minor?  Yes  NoIf “yes”, notice is to be served on the minor’s guardian(s) (Form GA3).

Does this person have the legal capacity to be served?  Yes  NoIf “yes”, provide the complete address for service below.

**Complete Address for Service**

This is the beneficiary’s address.  This is the attorney’s address.

This is the trustee’s address.  This person cannot be located.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
|  |  |  |  |  |  |  |

**Email Address**

This is the beneficiary’s email address.  This is the attorney’s email address.

This is the trustee’s email address.

|  |
| --- |
| Email Address |
|  |

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

**Beneficiaries on intestacy**

Provide the following information for each person who is a beneficiary on intestacy.

{%p if estate.will and not intestacy\_bens %}

**Not applicable because the Deceased left a will and no intestacy arises under the will**

{%p else %}

**Not applicable because the Deceased left a will and no intestacy arises under the will**

{%p if not (estate.will and not intestacy\_bens) and int\_ben\_list|length > 0 %}

{%p for party in int\_ben\_list %}

**Beneficiary {{loop.index}}**

{{p party.int\_ben\_insert }}

{%p endfor %}

{%p else %}

**Beneficiary 1**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
|  |  |  |  |  |

|  |
| --- |
| Relationship to Deceased |
|  |

|  |
| --- |
| Gift |
|  |

|  |
| --- |
| Applicable section of the *Wills and Succession Act* |
|  |

Does this person have capacity to make decisions respecting financial matters?  Yes  No

If the person lacks capacity, is this person represented by either an attorney or trustee?

Yes – by an attorney  Yes – by a trustee  No Notice is to be served on the person’s attorney or trustee.

|  |  |
| --- | --- |
| Name of Attorney or Trustee | Not applicable |
|  | |

Was this beneficiary a minor on the Deceased’s date of death?  Yes  No

If “yes”, notice is to be served on the Public Trustee (Form GA4).

Is this beneficiary still a minor?  Yes  NoIf “yes”, notice is to be served on the minor’s guardian(s) (Form GA3).

Does this person have the legal capacity to be served?  Yes  NoIf “yes”, provide the complete address for service below.

**Complete Address for Service**

This is the beneficiary’s address.  This is the attorney’s address.

This is the trustee’s address.  This person cannot be located.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
|  |  |  |  |  |  |  |

**Email Address**

This is the beneficiary’s email address.  This is the attorney’s email address.

This is the trustee’s email address.

|  |
| --- |
| Email Address |
|  |

{%p endif %}

{%p endif %}

**3.2 Void gifts**

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

{%p if void\_gifts|length != 0 %}

Are there any void gifts?  Yes  No

{%p else %}

Are there any void gifts?  Yes  No

{%p endif %}

{%p if void\_gifts.witness %}

Did a beneficiary act as a witness to the signature of the Deceased on the will?  Yes  No

{%p else %}

Did a beneficiary act as a witness to the signature of the Deceased on the will?  Yes  No

{%p endif %}

{%p if void\_gifts.witness\_spouse %}

Did the spouse or adult interdependent partner of a beneficiary act as  Yes  No  
a witness to the signature of the Deceased on the will?

{%p else %}

Did the spouse or adult interdependent partner of a beneficiary act as  Yes  No  
a witness to the signature of the Deceased on the will?

{%p endif %}

**Answer the following questions only if the will was made on or after February 1, 2012.**

{%p if void\_gifts.signer %}

Was the will signed on the Deceased’s behalf by a beneficiary?  Yes  No

{%p else %}

Was the will signed on the Deceased’s behalf by a beneficiary?  Yes  No

{%p endif %}

{%p if void\_gifts.signer\_spouse %}

Was the will signed on the Deceased’s behalf by the spouse or adult  Yes  No  
interdependent partner of a beneficiary?

{%p else %}

Was the will signed on the Deceased’s behalf by the spouse or adult  Yes  No  
interdependent partner of a beneficiary?

{%p endif %}

{%p if void\_gifts.interpreter %}

Did a beneficiary act as an interpreter who provided translation services in  Yes  No  
respect of making the will?

{%p else %}

Did a beneficiary act as an interpreter who provided translation services in  Yes  No  
respect of making the will?

{%p endif %}

{%p if void\_gifts.interpreter\_spouse %}

Did the spouse or adult interdependent partner of a beneficiary act as an  Yes  No  
interpreter who provided translation services in respect of making the will?

{%p else %}

Did the spouse or adult interdependent partner of a beneficiary act as an  Yes  No  
interpreter who provided translation services in respect of making the will?

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

{%p if void\_gifts|length > 0 %}

**Intended recipients of void gifts**

Provide the following information for each person who is an intended recipient of a void gift.

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

{%p if estate.will and void\_gifts\_list|length > 0 %}

{%p for party in void\_gifts\_list %}

**Beneficiary {{loop.index}}**

{{p party.void\_ben\_insert }}

{%p endfor %}

{%p else %}

**Beneficiary 1**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
|  |  |  |  |  |

|  |  |
| --- | --- |
| Name in Will (if different than above) | Not applicable |
|  | |

|  |
| --- |
| Gift |
|  |

Does this person have capacity to make decisions respecting financial matters?  Yes  No

If the person lacks capacity, is this person represented by either an attorney or trustee?

Yes – by an attorney  Yes – by a trustee  No Notice is to be served on the person’s attorney or trustee.

|  |  |
| --- | --- |
| Name of Attorney or Trustee | Not applicable |
|  | |

Does this person have the legal capacity to be served?  Yes  No If “yes”, provide the complete address for service below.

**Complete Address for Service**

This is the beneficiary’s address.  This is the attorney’s address.

This is the trustee’s address.  This person cannot be located.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
|  |  |  |  |  |  |  |

**Email Address**

This is the beneficiary’s email address.  This is the attorney’s email address.

This is the trustee’s email address.

|  |
| --- |
| Email Address |
|  |

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

{%p endif %}

**3.3 Revoked gifts**

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

{%p if revoked\_gifts|length != 0 %}

Are there any revoked gifts?  Yes  No

{%p else %}

Are there any revoked gifts?  Yes  No

{%p endif %}

Answer the questions below to indicate if a gift has been revoked (subject to a finding by the Court, in interpreting the will, that the Deceased had a contrary intention).

{%p if revoked\_gifts.divorce %}

At any time on or after February 1, 2012, and after the will was made, was the marriage  Yes  No  
of the intended recipient to the Deceased terminated by a divorce judgment?

{%p else %}

At any time on or after February 1, 2012, and after the will was made, was the marriage  Yes  No  
of the intended recipient to the Deceased terminated by a divorce judgment?

{%p endif %}

{%p if revoked\_gifts.void\_marriage %}

At any time on or after February 1, 2012, and after the will was made, was the marriage  Yes  No  
of the intended recipient to the Deceased found by a court to be void?

{%p else %}

At any time on or after February 1, 2012, and after the will was made, was the marriage  Yes  No  
of the intended recipient to the Deceased found by a court to be void?

{%p endif %}

{%p if revoked\_gifts.end\_aip %}

At any time on or after February 1, 2012, and after the will was made, had the intended  Yes  No  
recipient ceased to be the adult interdependent partner of the Deceased?

{%p else %}

At any time on or after February 1, 2012, and after the will was made, had the intended  Yes  No  
recipient ceased to be the adult interdependent partner of the Deceased?

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

{%p if revoked\_gifts|length > 0 %}

**Intended recipients of revoked gifts**

Provide the following information for each person who is an intended recipient of a revoked gift.

{%p if estate.will %}

**Not applicable because the Deceased did not leave a will**

{%p if estate.will and revoked\_gifts\_list|length > 0 %}

{%p for party in revoked\_gifts\_list %}

**Beneficiary {{loop.index}}**

{{p party.rev\_ben\_insert }}

{%p endfor %}

{%p else %}

**Beneficiary 1**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
|  |  |  |  |  |

|  |  |
| --- | --- |
| Name in Will (if different than above) | Not applicable |
|  | |

|  |
| --- |
| Gift |
|  |

Does this person have capacity to make decisions respecting financial matters?  Yes  No

If the person lacks capacity, is this person represented by either an attorney or trustee?

Yes – by an attorney  Yes – by a trustee  No Notice is to be served on the person’s attorney or trustee.

|  |  |
| --- | --- |
| Name of Attorney or Trustee | Not applicable |
|  | |

Does this person have the legal capacity to be served?  Yes  No If “yes”, provide the complete address for service below.

**Complete Address for Service**

This is the beneficiary’s address.  This is the attorney’s address.

This is the trustee’s address.  This person cannot be located.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address |  | City or Town |  | Province |  | Postal Code |
|  |  |  |  |  |  |  |

**Email Address**

This is the beneficiary’s email address.  This is the attorney’s email address.

This is the trustee’s email address.

|  |
| --- |
| Email Address |
|  |

{%p endif %}

{%p else %}

**Not applicable because the Deceased did not leave a will**

{%p endif %}

{%p endif %}

**3.4 Persons with potential claims against the estate – Part 5 of the *Wills and Succession Act***

The Applicant(s) is (are) required by section 11(1) of the *Estate Administration Act* to serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members under Part 5 of the *Wills and Succession Act* on certain family members.

**Spouse**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members on the Deceased’s spouse unless the spouse is entitled to receive the Deceased’s entire estate.

Please provide the following information about any spouse of the Deceased.

{%p if spouse\_list|length == 0 %}

**Not applicable**

{%p else %}

**Not applicable**

{%p for spouse in spouse\_list %}

{{p spouse.spouse\_claimant\_insert }}

{%p endfor %}

{%p endif %}

**Adult Interdependent Partner**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members on the Deceased’s adult interdependent partner unless the adult interdependent partner is entitled to receive the Deceased’s entire estate. Please refer to the *Adult Interdependent Relationship Act* for a definition of the term “adult interdependent partner”.

Please provide the following information about any adult interdependent partner of the Deceased.

{%p if aip\_list|length == 0 %}

**Not applicable**

{%p else %}

**Not applicable**

{%p for aip in aip\_list %}

{{p aip.aip\_claimant\_insert }}

{%p endfor %}

{%p endif %}

**Adult children – unable to earn a livelihood (physical disability)**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members on each child of the Deceased who, on the date of the Deceased’s death, was an adult who was unable by reason of physical disability to earn a livelihood.

Please provide the following information about any adult child of the Deceased who is unable to earn a livelihood due to physical disability.

{%p if dep\_adult\_physical\_list|length != 0 %}

**Not applicable**

{%p for dep\_adult in dep\_adult\_physical\_list %}

**Adult Child {{loop.index}}**

{{p dep\_adult.phys\_da\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Adult children – full-time students**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members on each child of the Deceased who was, on the date of the Deceased’s death,

1. at least 18 but less than 22 years of age, and
2. unable to withdraw from their parents’ charge because the child was a full-time student as determined in accordance with the *Family Law Act* and its regulations.

Please provide the following information about any adult child of the Deceased who was a full-time student.

{%p if student\_list|length != 0 %}

**Not applicable**

{%p for student in student\_list %}

**Adult Child {{loop.index}}**

{{p student.student\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Adult children – unable to earn a livelihood (mental disability)**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members on the attorney or trustee of each adult

1. who is a child of the Deceased,
2. who was an adult on the date of the Deceased’s death, and
3. who is unable to earn a livelihood by reason of mental disability.

Please provide the following information about any adult child of the Deceased who is unable to earn a livelihood due to mental disability.

{%p if dep\_adult\_mental\_list|length !=0 %}

**Not applicable**

{%p for dep\_adult in dep\_adult\_mental\_list %}

**Adult Child {{loop.index}}**

{{p dep\_adult.ment\_da\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Minor children, grandchildren and great-grandchildren**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA4 pertaining to the rights of family members on the Public Trustee, if the Deceased is survived by

1. a child who was a minor on the date of the Deceased’s death, or
2. a grandchild or great-grandchild who was a minor on the date of the Deceased’s death and in respect of whom the Deceased stood in the place of a parent on the date of the Deceased’s death.

Please provide the following information about any child, grandchild or great-grandchild of the Deceased described in (a) or (b) above.

{%p if minor\_dependent\_list|length != 0 %}

**Not applicable**

{%p for party in minor\_dependent\_list %}

**Minor {{loop.index}}**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Minor’s Legal First Name |  | Minor’s Legal Middle Name |  | Minor’s Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |

{% if party.is\_ben %}{% else %}{% endif %} Also a beneficiary

|  |  |
| --- | --- |
| Name in Will (if different than above) | {% if party.aka\_name\_in\_will|length > 0 %} {% else %} {% endif %} Not applicable |
| **{{party.aka\_name\_in\_will|merge(“a, b and c”)}}** | |

|  |  |
| --- | --- |
| Minor’s Date of Birth yyyy-mm-dd | Minor’s Relationship to the Deceased |
| {%tr if party.relationship == “Son” or party.relationship == “Daughter” %} | |
| **{{party.date\_of\_birth|toDate(“1990-12-31”)}}** | **Child**  **Grandchild**  **Great-grandchild** |
| {%tr elif “Grand” in party.relationship and “Great-” not in party.relationship %} | |
| **{{party.date\_of\_birth|toDate(“1990-12-31”)}}** | **Child**  **Grandchild**  **Great-grandchild** |
| {%tr elif “Great-” in party.relationship %} | |
| **{{party.date\_of\_birth|toDate(“1990-12-31”)}}** | **Child**  **Grandchild**  **Great-grandchild** |
| {%tr endif %} | |

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Guardians**

The Applicant(s) must serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of family members on each guardian of

1. a child who was a minor on the date of the Deceased’s death, and
2. a grandchild or great-grandchild who was a minor on the date of the Deceased’s death and in respect of whom the Deceased stood in the place of a parent on the date of the Deceased’s death.

Please provide the following information about any guardian of a child, grandchild or great-grandchild of the Deceased described in (a) or (b) above.

{%p if minor\_ben\_guardians\_list|length != 0 %}

**Not applicable**

{%p for party in minor\_ben\_guardians\_list %}

**Guardian {{loop.index}}**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Guardian’s Legal First Name |  | Guardian’s Legal Middle Name |  | Guardian’s Legal Last Name |
| **{{party.guardian\_first}}** |  | **{{party.guardian\_middle}}** |  | **{{party.guardian\_last}}** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Minor’s Legal First Name |  | Minor’s Legal Middle Name |  | Minor’s Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |

|  |  |
| --- | --- |
| Name in Will (if different than above) | {% if party.aka\_name\_in\_will|length > 0 %} {% else %} {% endif %} Not applicable |
| **{{party.aka\_name\_in\_will|merge(“a, b and c”)}}** | |

|  |  |
| --- | --- |
| Minor’s Date of Birth yyyy-mm-dd | Minor’s Relationship to the Deceased |
| {%tr if party.relationship == “Son” or party.relationship == “Daughter” %} | |
| **{{party.date\_of\_birth|toDate(“1990-12-31”)}}** | **Child**  **Grandchild**  **Great-grandchild** |
| {%tr elif “Grand” in party.relationship and “Great-” not in party.relationship %} | |
| **{{party.date\_of\_birth|toDate(“1990-12-31”)}}** | **Child**  **Grandchild**  **Great-grandchild** |
| {%tr elif “Great-” in party.relationship %} | |
| **{{party.date\_of\_birth|toDate(“1990-12-31”)}}** | **Child**  **Grandchild**  **Great-grandchild** |
| {%tr endif %} | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Guardian’s Complete Address for Service |  | City or Town |  | Province |  | Postal Code |
| **{{party.notice\_street}}** |  | **{{party.notice\_city}}** |  | **{{party.notice\_prov}}** |  | **{{party.notice\_postal}}** |

|  |
| --- |
| Guardian’s Email Address |
| **{{party.notice\_email}}** |

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**3.5 Persons with potential claims against the estate – *Family Property Act***

**Spouse**

Section 11(2) of the *Estate Administration Act* requires the Applicant(s) to serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of a spouse under the *Family Property Act* on any spouse (as defined in that Act) unless that spouse is entitled to receive the Deceased’s entire estate.

Generally, the *Family Property Act* requires that an application for a family property order by a spouse or former spouse be commenced not later than 2 years after whichever of the following applies:

1. the date upon which the decree nisi is issued in divorce proceedings;
2. the date upon which a declaration of nullity of marriage has been made with respect to the Deceased’s death;
3. the date upon which a judgment of judicial separation has been granted to one of the spouses;
4. the date upon which a declaration of irreconcilability has been made under the *Family Law Act*.

Please provide the following information about any spouse of the Deceased.

{%p if spouse\_fpa\_list|length != 0 %}

**Not applicable**

{%p for spouse in spouse\_fpa\_list %}

{{p spouse.fpa\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Former spouses**

The Applicant(s) must also serve a copy of this grant application an notice in Form GA3 pertaining to the rights of a spouse under the *Family Property Act* on a former spouse if the former spouse has a right to make a claim against the Deceased’s estate under the *Family Property Act*.

Generally, the *Family Property Act* requires that an application for a family property order by a spouse or former spouse be commenced not later than 2 years after whichever of the following applies:

1. the date upon which the decree nisi is issued in divorce proceedings;
2. the date upon which a declaration of nullity of marriage has been made with respect to the Deceased’s death;
3. the date upon which a judgment of judicial separation has been granted to one of the spouses;
4. the date upon which a declaration of irreconcilability has been made under the *Family Law Act*.

Please provide the following information about any former spouse of the Deceased.

{%p if former\_spouse\_fpa\_list|length != 0 %}

**Not applicable**

{%p for former\_spouse in former\_spouse\_fpa\_list %}

{{p former\_spouse.fpa\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Adult interdependent partners**

Section 11(2.1) of the *Estate Administration Act* requires the Applicant(s) to serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of an adult interdependent partner under the *Family Property Act* on any adult interdependent partner (as defined in that Act) unless that adult interdependent partner is entitled to receive the Deceased’s entire estate.

Generally, the *Family Property Act* requires that an application by an adult interdependent partner or former adult interdependent partner for a family property order by commenced not later than 2 years after the date the applicant under the *Family Property Act* knew or in the circumstances, ought to have known that the applicant had become a former adult interdependent partner.

Please provide the following information about any adult interdependent partner of the Deceased.

{%p if aip\_fpa\_list|length != 0 %}

**Not applicable**

{%p for aip in aip\_fpa\_list %}

{{p aip.fpa\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Former adult interdependent partners**

The Applicant(s) must also serve a copy of this grant application and a notice in Form GA3 pertaining to the rights of an adult interdependent partner under the *Family Property Act* on any former adult interdependent partner if that former adult interdependent partner has a right to make a claim against the Deceased’s estate under the *Family Property Act*.

The *Family Property Act* requires that an application by an adult interdependent partner or former adult interdependent partner for a family property order by commenced not later than 2 years after the date the applicant under the *Family Property Act* knew or in the circumstances, ought to have known that the applicant had become a former adult interdependent partner.

Please provide the following information about any former adult interdependent partner of the Deceased who has a right to make a claim against the Deceased’s estate under the *Family Property Act*.

{%p if former\_aip\_fpa\_list|length != 0 %}

**Not applicable**

{%p for former\_aip in former\_aip\_fpa\_list %}

{{p former\_aip.fpa\_claimant\_insert }}

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**3.6 Persons declared by the Court to missing persons under the *Public Trustee Act***

Section 12(1)(c)(iii) of the *Estate Administration Act* requires the Applicant(s) to serve notice in Form GA4 on the Public Trustee in accordance with the *Surrogate Rules* if the Court has declared that person to be a missing person under the *Public Trustee Act*.

Please provide the following information about any person declared to be a missing person under the *Public Trustee Act*.

{%p if missing\_parties\_list|length != 0 %}

**Not applicable**

{%p for party in missing\_parties\_list %}

**Missing Person {{loop.index}}**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |

|  |  |
| --- | --- |
| Name in Will (if different than above) | {% if party.aka\_name\_in\_will|length > 0 %}{% else %}{% endif %} Not applicable |
| **{{party.aka\_name\_in\_will|merge (“a, b, and c”)}}** | |

|  |  |
| --- | --- |
| Person’s Interest in Estate | |
| {%p if “N” in party.ben\_code%}  Beneficiary of a specific gift  {%p else %}  Beneficiary of a specific gift  {%p endif %}  {%p if “R” in party.ben\_code%}  Residuary beneficiary  {%p else %}  Residuary beneficiary  {%p endif %}  {%p if party.void\_gift%}  Intended recipient of void gift  {%p else %}  Intended recipient of void gift  {%p endif %}  {%p if “I” in party.ben\_code%}  Beneficiary on intestacy  {%p else %}  Beneficiary on intestacy  {%p endif %} | {%p if party.claimant\_act in [“WSA”, “Both”] %}  Potential claimant – *Wills and Succession Act*  {%p else %}  Potential claimant – *Wills and Succession Act*  {%p endif %}  {%p if party.claimant\_act in [“FPA”, “Both”] %}  Potential claimant – *Family Property Act*  {%p else %}  Potential claimant – *Family Property Act*  {%p endif %}  {%p if party.revoked\_gift%}  Intended recipient of revoked gift  {%p else %}  Intended recipient of revoked gift  {%p endif %} |

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**3.7 Persons not notified**

The *Estate Administration Act* and the *Surrogate Rules* require the following persons to be notified. However, for reasons given below, the following persons have not been notified:

{%p if suppress\_notice\_list|length != 0%}

**Not applicable**

{%p for party in suppress\_notice\_list %}

**Person {{loop.index}}**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Legal First Name |  | Legal Middle Name |  | Legal Last Name |
| **{{party.first\_name}}** |  | **{{party.middle\_name}}** |  | **{{party.last\_name}}** |

|  |  |
| --- | --- |
| Name in Will (if different than above) | {% if party.aka\_name\_in\_will|length > 0 %}{% else %}{% endif %} Not applicable |
| **{{party.aka\_name\_in\_will|merge(“a, b, and c”)}}** | |

|  |  |
| --- | --- |
| Person’s Interest in Estate | |
| {%p if “N” in party.ben\_code%}  Beneficiary of a specific gift  {%p else %}  Beneficiary of a specific gift  {%p endif %}  {%p if “R” in party.ben\_code%}  Residuary beneficiary  {%p else %}  Residuary beneficiary  {%p endif %}  {%p if party.void\_gift%}  Intended recipient of void gift  {%p else %}  Intended recipient of void gift  {%p endif %}  {%p if “I” in party.ben\_code%}  Beneficiary on intestacy  {%p else %}  Beneficiary on intestacy  {%p endif %} | {%p if party.claimant\_act in [“WSA”, “Both”] %}  Potential claimant – *Wills and Succession Act*  {%p else %}  Potential claimant – *Wills and Succession Act*  {%p endif %}  {%p if party.claimant\_act in [“FPA”, “Both”] %}  Potential claimant – *Family Property Act*  {%p else %}  Potential claimant – *Family Property Act*  {%p endif %}  {%p if party.revoked\_gift%}  Intended recipient of revoked gift  {%p else %}  Intended recipient of revoked gift  {%p endif %} |

Reason for not Notifying

{%p if party.t\_notices.no\_capacity %}

This person does not have legal capacity to be served.

{%p else %}

This person does not have legal capacity to be served.

{%p endif %}

{%p if party.t\_notices.cannot\_locate %}

This person cannot be located.

{%p else %}

This person cannot be located.

{%p endif %}

{%p if party.t\_notices.other\_reason %}

|  |  |
| --- | --- |
| Other (describe). | **{{party.t\_notices.reason}}** |

{%p else %}

Other (describe).

{%p endif %}

Proposal for Service

{%p if party.t\_notices.disp\_service %}

Dispense with service

{%p else %}

Dispense with service

{%p endif %}

{%p if party.t\_notices.sub\_service %}

Substitutional service

{%p else %}

Substitutional service

{%p endif %}

Describe the proposal for service below:

|  |
| --- |
| **{{party.t\_notices.desc\_proposal}}** |

{%p endfor %}

{%p else %}

**Not applicable**

{%p endif %}

**Part 4 – Documents and Other Information for the Court’s Consideration**

**4.1 Documents**

The following documents form part of this grant application.

**Proof of Death**

Death certificate or funeral director’s statement of death

**Testamentary Documents (attach originals)**

{% if estate.will %}{% else %}{% endif %} Will

{% if estate.codicil %}{% else %}{% endif %} Codicil(s)

{% if court\_info.testamentary and “comp” in court\_info.testamentary %}{% else %}{% endif %} Fee agreement governing compensation payable to personal representative

{% if court\_info.testamentary and “mutual” in court\_info.testamentary %}{% else %}{% endif %} Mutual will agreement

{% if court\_info.testamentary and “other” in court\_info.testamentary %}{% else %}{% endif %} Other documents incorporated by reference into the will

Describe below

|  |
| --- |
| **{{court\_info.testamentary\_other}}** |

**Court Orders**

{% if court\_info.court\_orders and “interpret” in court\_info.court\_orders %}{% else %}{% endif %} Order interpreting will

{% if court\_info.court\_orders and “validate” in court\_info.court\_orders %}{% else %}{% endif %} Order validating will

{% if court\_info.court\_orders and “rectify” in court\_info.court\_orders %}{% else %}{% endif %} Order rectifying will

{% if court\_info.court\_orders and “gift” in court\_info.court\_orders %}{% else %}{% endif %} Order validating gift

{% if court\_info.court\_orders and “other” in court\_info.court\_orders %}{% else %}{% endif %} Other order

Describe below

|  |
| --- |
| **{{court\_info.order\_other}}** |

**Other Documents**

{% if "ga8" in cfa.app\_docs or (court\_info.other\_docs and “ga8” in court\_info.other\_docs) %}{% else %}{% endif %} Affidavit(s) of witness to will or codicil (Form GA8)

{% if "ga9" in cfa.app\_docs or (court\_info.other\_docs and “ga9” in court\_info.other\_docs) %}{% else %}{% endif %} Affidavit(s) of handwriting (Form GA9)

{% if "ga10" in cfa.app\_docs or (court\_info.other\_docs and “ga10” in court\_info.other\_docs) %}{% else %}{% endif %} Affidavit(s) verifying translation of a non-English will (Form GA10)

{% if "ga11" in cfa.app\_docs or (court\_info.other\_docs and “ga11” in court\_info.other\_docs) %}{% else %}{% endif %} Renunciation(s) (Form GA11)

{% if "ga13" in cfa.app\_docs or (court\_info.other\_docs and “ga13” in court\_info.other\_docs) %}{% else %}{% endif %} Nomination(s) (Form GA13)

{% if court\_info.other\_docs and “other” in court\_info.other\_docs %}{% else %}{% endif %} Other documents

Describe below

|  |
| --- |
| **{{court\_info.other\_docs\_other}}** |

**Documents Required for Bonding**

{% if other.bond == “Yes” %}{% else %}{% endif %} Bond

{% if other.bond != “No” %}{% else %}{% endif %} Inventory (Form GA2)

{% if other.bond == “Application to Dispense” %}{% else %}{% endif %} Consent(s) to waive bond (Form GA14)

**Documents Required for Grants of Double Probate**

{% if estate.grant\_type == “Double-Probate” %}{% else %}{% endif %} Current grant of probate

**Documents Required to Reseal Grants and for Ancillary Grants**

{% if court\_info.docs\_reseal and “grant” in court\_info.docs\_reseal %}{% else %}{% endif %} Certified copy of foreign grant

{% if estate.grant\_type in [“Reseal foreign grant”, “Ancillary grant”] %}{% else %}{% endif %} Inventory (Form GA2)

{% if court\_info.docs\_reseal and “certificate” in court\_info.docs\_reseal %}{% else %}{% endif %} Certificate of foreign court confirming foreign grant is unrevoked and fully effective

**4.2 Other information for the Court’s consideration**

Provide any additional information that the Court should consider with this grant application.

|  |
| --- |
| **{%p if predeceased\_list|length != 0 or unusual\_circumstances|length != 0%}**  **{%p for party in predeceased\_list %}**   1. **{{party.predeceased\_language}}**   **{%p endfor %}**  **{%p for circ in unusual\_circumstances %}**   1. **{{circ.text}}**   **{%p endfor %}**  **{%p else %}**   1. **None**   **{%p endif %}** |

**4.3 Express authorizations – digital assets**

An express authorization from the Court may be required by a digital asset provider to enable a personal representative to deal with the deceased’s digital assets (e.g., email or social media accounts).

Describe any express authorizations being requested.

|  |
| --- |
| **{{court\_info.express\_auth}}** |

**4.4 Proposed conditions and limitations on grant**

Use this section to describe to the Court any conditions or limitations that the Applicant(s) propose(s) for the grant.

{% if court\_info.conditions and “none” in court\_info.conditions %} {% else %} {% endif %} None

{% if court\_info.conditions and “no\_dist” in court\_info.conditions %} {% else %} {% endif %} No distribution to beneficiaries without further order of the Court

{% if court\_info.conditions and “other” in court\_info.conditions %} {% else %} {% endif %} Other

Describe below:

|  |
| --- |
| **{{court\_info.conditions\_desc}}** |

**Part 5 – Applicant’s Oath or Affirmation**

**Oath or Affirmation**

The Applicant(s) (severally) swear(s) or affirm(s) as follows:

5.1. All information contained in this grant application is true to the best of my knowledge and belief.

5.2. I believe the original will (and codicil(s), if any) attached to this grant application are the will (and codicil(s), if any) made by the Deceased. I do not know of any later wills or codicils.

5.3. I acknowledge that I am required by law to carry out the core tasks of a personal representative, which are as follows:

(a) identifying the estate assets and liabilities;

(b) administering and managing the estate;

(c) satisfying the debts and obligations of the estate;

(d) distributing and accounting for the administration of the estate.

I further acknowledge that the core tasks of a personal representative may including, but are not limited to, those activities describe in the Schedule to the *Estate Administration Act*. I have reviewed the current version of the Schedule.

5.4. I acknowledge that I am required by law to perform my role as personal representative

(a) honestly and in good faith;

(b) in accordance with the Deceased’s intentions and with the will and codicils; and

(c) with the care, diligence and skill that a person or ordinary prudence would exercise in comparable circumstances where a fiduciary relationship exists.

I further acknowledge that I may be required by law to exercise a greater degree of skill if, because of my profession, occupation or business, I possess or ought to possess a particular degree of skill that is relevant to the performance of my role of personal representative and that is greater than that which a person of ordinary prudence would be expected to exercise in dealing with the property of another person.

5.5. I undertake to give notice of this grant application to all persons entitled to receive notice according to law.

5.6. I undertake to serve an inventory of the Deceased’s assets and liabilities in Form GA2 on all persons entitled to receive one according to law.

I undertake to file proof of service of the inventory in Form GA5.

5.7. If the value of any asset or debt listed in the inventory served by me is described as “to be determined”, I undertake to serve an amended inventory in Form GA2 on all persons entitled to receive one according to law when updated information becomes available.

I undertake to file proof of service of the amended inventory in Form GA5.

5.8. I acknowledge that as personal representative, I am required by law to distribute the estate as soon as practicable.

5.9. I will not distribute any property to a trustee described in form GA20 until the trustee has signed an Affidavit of Trustee in Form GA20, which I undertake to retain.

5.10. I undertake to notify all beneficiaries and persons with potential claims against the estate who have been identified in this grant application by providing them with a notice of grant issuing in Form GA7 when the grant has issued.

5.11. I will faithfully administer the Deceased’s estate according to law and will give a true accounting of its administration to the persons entitled to it when lawfully required.

{%p for party in active\_pr\_list %}

**Applicant {{loop.index}}**

{%if party.swear\_affirm == “Swear” %}{% else %}{% endif %} SWORN OR {%if party.swear\_affirm == “Affirm” %}{% else %}{% endif %} AFFIRMED BEFORE A {{party.comm\_notary\_language.sentence|upper}} AT {{party.place\_of\_commissioning|comm\_place|upper}} ON {{estate.signing\_date\_options|signing\_date(estate.signing\_date\_other)|upper}}.

{%if party.swear\_affirm == “Affirm” %}{% else %}{% endif %} BASIS FOR AFFIRMATION CONFIRMED

{%p for sig in party.signer\_list %}

|  |  |  |
| --- | --- | --- |
| Signature of Applicant |  | {{party.comm\_notary\_language.signature}}  {{party.commissioner|comm\_notary\_name(lawyer, assistant)}} |

|  |  |  |
| --- | --- | --- |
| {{sig}} |  | {{party.appt\_expiry|comm\_expiry(lawyer, assistant, ga=True)}} |
| Name of Applicant |  | Appointment Expiry Date yyyy-mm-dd |

{%p endfor %}

{%p endfor %}

|  |  |
| --- | --- |
| **COURT USE ONLY** | |
| **ORDER: ISSUE A GRANT** | **TYPE OF GRANT TO ISSUE** |
|  | PROBATE |
|  | ADMINISTRATION |
|  | ADMINISTRATION WITH WILL ANNEXED |
|  | DOUBLE PROBATE |
|  | ADMINISTRATION OF UNADMINISTERED PROPERTY |
|  | OTHER: |

CONDITIONS AND LIMITATIONS:

|  |
| --- |
|  |

|  |  |  |
| --- | --- | --- |
| Date yyyy-mm-dd |  | Justice of the Court of Queen’s Bench of Alberta |