



Bulletin No. **2000-5**

Registry Act

Ministry of Consumer
and Commercial Relations

Date: December 14, 2000

Registration Division

To: All Land Registrars

WILLS

The *Red Tape Reduction Act, 2000* repealed subclasses 53(1)(a)(i) and (ii) of the *Registry Act* and amended subclause 53(1)(a)(iii) by adding paragraph 1.1.

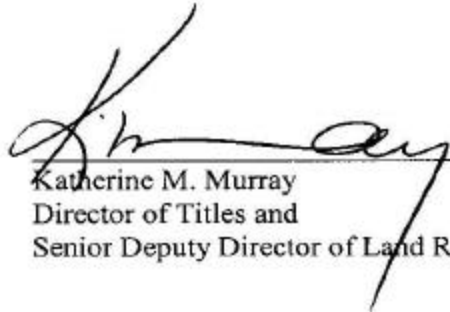
The Act now provides that a will may be registered by registering the original will or a notarial copy of it with:

- (i) In the case of a will that is not a holograph will,
 - (A) a statement by one of the subscribing witnesses to the will proving the due execution of it by the testator,
 - (B) a statement by a person well acquainted with the testator attesting to the signature of the testator on the will, or
 - (C) a notarial copy of a statement described in sub-subclause (A) or (B),
- (ii) In the case of a holograph will,
 - (A) a statement by a person well acquainted with the testator attesting to the handwriting and the signature of the testator of the will, or
 - (B) a notarial copy of a statement in sub-subclause(A), and
- (iii) One of the following:
 - 1. A statement that the testator died on or about a specified date, made by any person who has personal knowledge of that fact.
 - 1.1 A notarial copy of a statement described in paragraph 1.
 - 2. A death certificate under the *Vital Statistics Act* in respect of the death of the testator or a notarial copy of the certificate.

3. A certificate in respect of the death of the testator issued by a funeral director who has provided funeral services in respect of the death or a notarial copy of the certificate.

NOTE:

If a statement or affidavit is made by someone who knew the deceased's handwriting, it must be made by someone of good standing within the community and must be someone who can state that they knew the handwriting of the testator. For example, a bank manager, an employer, or those individuals who can attest to an application for a passport. It cannot be a family member, a beneficiary or someone who can benefit from the estate.



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