

FORM 74R.1

REQUEST FOR RESEALING OF FOREIGN  
GRANT OF PROBATE

THE QUEEN'S BENCH

\_\_\_\_\_ Centre

IN THE ESTATE OF \_\_\_\_\_, deceased.

(I/We) \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_,  
in (specify jurisdiction), (occupation(s)), hereby request that the foreign grant of probate of the last will of  
the deceased be resealed by this court based on the following information:

1. THAT \_\_\_\_\_, late of the \_\_\_\_\_ of \_\_\_\_\_, in (specify jurisdiction), died on the \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_, having duly made (his/her) last will on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, which is  
identified by (my/our) signature(s).

2. THAT at the time of (his/her) death, the deceased [choose all statements below that apply]

had never married

was married to: \_\_\_\_\_ (name) \_\_\_\_\_

was divorced from: \_\_\_\_\_ (name) \_\_\_\_\_

was predeceased by (his/her) spouse: \_\_\_\_\_ (name) \_\_\_\_\_.

*(Note: complete paragraph 3 only if the deceased died on or after June 30, 2004.)*

3. THAT at the time of (his/her) death, the deceased [read the explanatory notes following paragraph 3,  
then choose all statements below that apply]

had never cohabited with a common-law partner

was cohabiting with (his/her) common-law partner: \_\_\_\_\_ (name) \_\_\_\_\_

was separated from (his/her) common-law partner, \_\_\_\_\_ (name) \_\_\_\_\_, but their  
relationship had not been terminated

had a common-law relationship with \_\_\_\_\_ (name) \_\_\_\_\_ that had been terminated

was predeceased by (his/her) common-law partner: \_\_\_\_\_ (name) \_\_\_\_\_.

NOTE: For the purposes of this Form,

**"common-law partner"** of a deceased person means

(a) a person who, with the deceased, registered a common-law relationship under section 13.1 of *The Vital Statistics Act*, or

(b) a person who, not being married to the deceased, cohabited with him or her in a conjugal relationship

(i) for a period of at least three years, or

(ii) for a period of at least one year and they are together the parents of a child.

**"termination of a common-law relationship"** means

(a) where the common-law relationship was registered with Vital Statistics (under section 13.1 of *The Vital Statistics Act*), the dissolution of the relationship has been registered with Vital Statistics; or

(b) where the common-law relationship was not registered with Vital Statistics, the parties to the common-law relationship have lived separate and apart for a period of at least three years.

4. THAT probate of the last will of the deceased (or specify equivalent document) was granted by the \_\_\_\_\_ (name of court) in \_\_\_\_\_ (specify jurisdiction), on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and a grant of probate (or specify equivalent document) was issued out of that court on that date.

5. THAT the deceased was of the full age of 18 years at the time of the execution of the will and did not marry since then.

6. THAT (I/we) \_\_\_\_\_, (am/are) the executor(s) named in the said will and (am/are each) of the full age of 18 years, and (my/our) residence(s) and occupation(s) (is/are) above correctly stated.

7. THAT (I/we) have not released (my/our) rights to be an executor.

8. THAT the deceased died possessed of, or entitled to, immovable property in Manitoba worth \$\_\_\_\_\_, and moveable property in Manitoba worth \$\_\_\_\_\_, true particulars of which are set out in the attached inventory.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(signature(s) of applicant(s))