

Checklist – Grant of Probate

- Review the guide *Dealing with an Estate at Probate Court* before completing the application for a Grant of Probate.
- Make a copy of the Will and any Codicils.
- If **Form 2** – Affidavit of Execution of Will or Codicil, has not been completed, contact one of the two witnesses to the Will and Codicil and have them go to Probate Court or a lawyer or a notary public to have the witness sign Form 2 with the original will. The witness must have the original will to attach as Exhibit “A” to Form 2.
- Complete **Form 8**, Application for a Grant of Probate, and other supporting documents required by the Application (such as **Forms 18 or 19** for security, and renunciations). Please note, if there is no Codicil attached to the Will, then strike out the words “and Codicil” throughout the Application.
- Contact Probate Court and arrange for an appointment.
- Bring the following with you to the appointment:
 - the Affidavit of Execution of Will or Codicil – Form 2 with the original Will and any Codicils attached as Exhibit “A”
 - if the Affidavit of Execution of Will or Codicil – Form 2 was sworn on or before March 31, 2024, and the original is not attached as an exhibit, an Affidavit explaining Circumstances with the original Will or Codicil attached as Exhibit “A” and the Affidavit of Execution of Will or Codicil attached as Exhibit “B”
 - the completed application for a Grant of Probate – Form 8
 - the death certificate, and any other required supporting documents
 - security, if required – Form 18 or 19
 - Land Registration Form 44 or 24, if required. These forms are available online at < <https://novascotia.ca/sns/access/land/forms.asp> > or from the Land Registration Office in your area.
 - other required supporting documents
 - payment for the applicable probate tax (and fees, if any)
- Get the Grant of Probate from the Court.
- Complete and serve **Form 24, 25, or 27**, the Notice of Grant, on all persons entitled to share in the estate, as applicable. Notice of Grant must be served **within 30 days** after the Grant was issued by the court. You may serve the document by registered mail, personal service, or by service on a lawyer authorized to accept service on behalf of the person to be served.
- File **Form 28**, the Affidavit of Service of the Notice of Grant, **within 60 days** after the Grant was issued by the court. Attach copies of the Notices of Grant to Form 28.
- Complete and send **Form 31**, Request for Advertisement, to the *Royal Gazette Part 1*. The office is located at 10th Floor, 1690 Hollis Street, P.O. Box 7, Halifax, Nova Scotia, B3J 1T0. There is a fee for this advertisement. Check with *Royal Gazette Part 1* staff for current fee information [902-424-8575]. Make the money order or cheque payable to the “Minister of Finance.”
- Keep the issue of *Royal Gazette Part 1* showing the advertisement once it is sent to you and file a copy at the Probate Court.
- Complete **Form 29**, Inventory, and file it **within 3 months** after the Grant was issued.
- Get the Canada Customs and Revenue Agency Tax Clearance Certificate and file it at Probate Court.

Follow up:

After the estate has been advertised for six months and you are in a position to complete the accounting of the estate, please contact the court administration office and arrange to pick up the checklist for passing the accounts of the estate and the appropriate forms.