|  |
| --- |
| Form 11Probate District: Probate Court File No:  |

**IN THE COURT OF PROBATE FOR NOVA SCOTIA**

**IN THE ESTATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Deceased**

**Application for Extra-Provincial Grant of Probate**

**(S. 33(4))**

I,               name in full, of              street and postal address, place, province/state, country              , applicant,

**make oath and say:**

1.     name of deceased        , late of        place, province/state, country        ,        occupation, died on or about month and day , 20 , at               place, province/state, country        and at the time of death the residence of the deceased was outside Nova Scotia and the deceased had, at such time, property in Nova Scotia.

2.    The deceased died testate leaving a will and codicil(s) in which the applicant was named as executor.

3.    A grant of probate [or as the case may be] , was granted in the estate of the deceased on month and day, 20 , by the        name of court               , being the court having jurisdiction in testamentary matters in        province/country        , where the deceased was resident at the date of death, and the applicant is the executor named in it.

[If otherwise give details.]

4.    The grant is still in full force and effect and the applicant has not been discharged by the court.

5.    To the best of my information and belief

       (a)    the deceased was/was not of the age of majority at the time the will was made and was/was not married and was/was not a registered domestic partner at that time;

       (b)    the deceased, at the time of death, was married / unmarried / a widower / a widow / separated / divorced / a registered domestic partner; [circle one]

       (c)     the deceased did/did not marry and was/was not a registered domestic partner after the deceased’s will was made;

       (d)    neither name of witness        nor        name of witness               , the witnesses to the attached will and any codicil(s), is a beneficiary or the spouse of a beneficiary named in the will or any codicil(s); [If so, give details.]

       (e)    the deceased was predeceased by [List the names, addresses and dates of death respectively of predeceasing beneficiaries named in the will, predeceasing spouse(s) and predeceasing child(ren).] ;

       (f)     there are/are no marriage contracts, separation agreements or court orders that affect the appointment of the applicant as personal representative of the estate of the deceased; [If there are, give details.]

       (g)    the will and any codicil(s) attached to this application and marked Exhibit "A" is/are copies of the original last will and codicil(s) certified by the court that issued the grant of probate [or as the case may be] ;

       (h)    no other application has been made for a grant for this estate in Nova Scotia;

       (i)     the fair market value of all the assets of the deceased in Nova Scotia that the deceased died possessed of or entitled to, that pass by a will or wills or that are transferred or will be transferred to a trust under a will or wills, whether or not the trust is described in the will as being separate from the estate, or that pass upon intestacy and for which an extra-provincial grant is applied for is

                (i)   real property less encumbrances$

                (ii)  personal property (gross value)$

                Total:                                                                                                                       $

which includes all insurance, RRSPs, RRIFs, pensions, superannuation and annuities payable to the estate of the deceased. [Do not include real property outside Nova Scotia, real property held in joint tenancy or insurance, RRSPs, RRIFs, pensions, superannuation and annuities payable to a named beneficiary.]

6.    The real property of the deceased is situate at               place in Nova Scotia              .

7.    I will faithfully administer the property of the deceased by

       (a)    paying the just debts of the deceased and all taxes payable in respect of the estate of the deceased and the legacies contained in the attached will and codicil(s) so far as it or they extend and the law binds me;

       (b)    filing with the court a full and true inventory of all assets of the deceased in the Province in Form 29 within 3 months after the date of the grant;

       (c)    disclosing to the court the existence of any asset and any encumbrance on real property the value of which has not been disclosed in the inventory within 30 days of when I learn of it;

       (d)    undertaking to pay the Minister of Finance and Treasury Board the taxes payable under the *Probate Act* with respect to any other asset that passes to me as the personal representative of the deceased and has not previously been disclosed to the court, upon a determination being made as to the value of that asset;

       (e)    rendering a true account of my executorship whenever required by law to do so; and

       (f)     distributing all the property of the deceased according to law.

8.    I will surrender to this court the grant to be issued to me whenever so required by the court or the registrar.

9.    I request that the court issue an extra-provincial grant of probate to the applicant.

|  |  |  |
| --- | --- | --- |
| **Sworn before me** at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,        [county, province/state, country]on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[Title] | )))))) |  Signature of applicant |

**[Note: the text and signature areas of this form may be adapted as required where there is more than one applicant.]**