

**INSTRUCTIONS TO COMPLETE
FORM 83-074E
APPLICATION FOR APPROVAL OF WILL
(TO BE USED WHEN THERE IS A WILL)**

This form is to be used when the deceased is under the Minister's jurisdiction, and there is a will and an executor is named in the will. This form is to be used to approve the will.

For more general information about estates go to the Government of Canada Estate Services for First Nations website at <https://www.sac-isc.gc.ca/eng/1100100032357>.

If you have any questions relating to estate services for First Nations or this application, please email Estate Services at estates-successions@sac-isc.gc.ca or contact your nearest regional office of ISC or CIRNAC.

HOW TO SUBMIT THIS COMPLETED APPLICATION

- **By Mail:** Send to the regional office nearest you. **Attention: Estates**
- **By Email with a mail follow up:** estates-successions@sac-isc.gc.ca
- **In Person:** Bring the application to the nearest regional office. Call ahead as an appointment may be required.

**INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR APPROVAL OF WILL.
PLEASE READ CAREFULLY.**

For common definitions please see the enclosed Guide.

SECTION 1 – DETAILS OF THE DECEASED

Please complete as much information under the “Details of deceased” section as possible.

Fill in:

- **Name:** Provide the legal name of the deceased (i.e. as per legal documents such as birth, marriage or death certificate, legal name change document, etc.)
- **Registration number (10 digits):** This is the registration (Indian Status) number of the deceased
- **First Nation/Band name:** The First Nation/Band that the deceased was affiliated with
- **Ordinarily resident at:** The location where the deceased usually resided before their death (e.g., reserve, city, town)

- **The date of birth:** The deceased's date of birth.
- **The date of death:** The deceased's date of death.
- **The date of last will:** Provide the date on the written or typed document (the will) stating how the deceased wants their property to be administered and distributed after death (if applicable). Please note that not all wills include a date. Please note under the [Indian Act](#) in order for a will to be found valid, it must:
 - Be in writing (hand written or typed, could also be a form from online).
 - Be signed by the testator.
 - Indicate wishes or intentions as to the disposition of property.
 - Be intended to take place upon death.

Value of the Estate

An estate is all of the real property and personal possessions belonging to an individual. Below are examples that may be included in the estate of a deceased individual.

The estate may include: cash, pensions, proceeds from legal actions, insurance settlements or other settlement funds, personal effects (e.g., jewelry), personal property (e.g., vehicles, bank accounts) or lands and buildings owned both on and off-reserve.

An estate does not generally include: jointly held assets (e.g., joint bank accounts, bonds, investments, or real property if one owner is alive) and lands or buildings owned by a First Nation.

Fill in:

- **Personal property:** Includes items such as vehicles and bank accounts.
- **On-reserve real property:** Consists of reserve lands for which a Certificate of Possession has been issued, along with any permanent improvements, such as buildings and structures.
- **Off-reserve real property:** Consists of lands owned off-reserve but hold title to properties, like a house or wood lot.
- **Total value of estate:** Calculate the total by adding all the estimated values from Personal property, On-reserve real property, Off-reserve real property to get a total value.

PLEASE NOTE: The value entered should be an estimate only (does not have to be a true accounting).

BENEFICIARIES NAMED IN THE WILL

Helpful Information:

It is important to include every individual designated as a beneficiary within the will, as this ensures clarity in the distribution of assets. Additionally, it is important to note that the person appointed is responsible for managing all of the legal and financial matters of the estate and is accountable for distributing the estate assets. An example is provided below to help you with listing and naming all beneficiaries within the will.

Example for listing beneficiaries:

Name	Address (number / street / apartment / P.O. box, city or town, province/territory, postal code)
Jane Doe	10 Wellington Gatineau QC K1A 0H4
John Doe	10 Wellington Gatineau QC K1A 0H4
Janie Doe	10 Wellington Gatineau QC K1A 0H4

Note: If your address or that of a family member changes after submitting the application, please inform us to avoid delays in receiving further correspondence.

SECTION 2 – AFFIDAVIT OF EXECUTOR

This section is to be completed in front of a Commissioner of Oaths who will hear you speak your formal promise that the information you have provided in writing in the application is true.

Fill in:

- **Name:** The name of the person who is named in the will to administer the estate
- **Name of testator:** The name of the person who made the will (the name of the deceased)
- **The Day, Month, Year:** The date you are signing the application. Important: You must sign in front of the commissioner of oaths.

This section is to be completed in front of a Commissioner of Oaths who will hear you speak your formal promise that the information you have provided in writing in the application is true.

Fill in:

- **at:** Enter the city or town where you are signing the application.
- **In the Province/Territory of:** Enter the Province or Territory
- **This Day, Month, Year:** The date you are signing the application.
- **Signature:** This is where the **Commissioner for Oaths** must sign.

Please remember to date and sign this section to avoid delays in the processing of your application.

- **Signature of executor:** This must be signed by the person named as the executor.

Important: Please do not forget to complete the address of executor, telephone number and relationship to the deceased.

THE SECTION TITLED “FOR DEPARTMENTAL USE ONLY” IS TO BE COMPLETED BY EMPLOYEES OF INDIGENOUS SERVICES CANADA (ISC) OR CROWN INDIGENOUS RELATIONS CANADA .