



About this Guide

Now that our Estate Team has prepared your Last Will and Testament, there are a few simple steps remaining to finalize it and ensure that you and anyone involved in your eventual estate are best prepared. The information contained is general best practice and should not be taken as legal advice or supercede legal advice provided by a lawyer practicing in your province of residence based on your individual situation.

Finalizing your Will

Getting your Will Signed and Witnessed

In order to be valid, your will must be signed and and be witnessed by two people. These signatures must be done in 'wet ink' and signed by hand on the final copy of your will. The witnesses must be of the age of majority and of sound mind. It is important to remember that the witnesses only need witness you signing your will and are not required to read the will or know it's contents. Once your will is signed and witnessed, it is valid and will be your Last Will and Testament.

Affidavit of Execution

Your will also comes with a template for an Affidavit of Execution. The Affidavit of Execution must be completed by one of your two witnesses and notarized to confirm that the signing of your will was done properly. You do not require an Affidavit of Execution for your will to be valid and it can be completed at any time, even posthumously. However, it is required for probate applications in almost every province and not having it on hand can delay the process should there be a challenge with contacting one the witnesses or having them complete it. As such, a best practice is to have it completed and notarized shortly after the signing of your will. Once signed and notarized, the Affidavit of Execution should be kept with your original will.

Best Practices Once your Will is Signed

Storing your Will

Your original will should be stored in a safe place so that it doesn't get lost or damaged. It will need to be legible and in good condition should anything happen to you and it is required.

Ensuring Your Will can be Located

While you need to keep your will somewhere safe, it is also important to ensure that your will can be easily located and accessed by the executor of your estate should anything happen to you. It is a best practice to tell them where your will is and any other information needed to access it (e.g. providing them with the combination if it is in a safe).