

UPDATE - PROBATE ACT REFORM

**Continuing Legal Education Society
of Nova Scotia**

WILLS, ESTATES & PROBATE 2000

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ADMINISTRATOR PRIORITIES

- First priority to spouse and children of deceased followed by adult residuary beneficiaries or those entitled to inherit under the ISA.
- Non-resident Administrators?
- Nominee of heirs as Administrators?
- Public Trustee role.



BONDS

- All Administrators
- Non-resident Administrators and Executors
- Registrar discretion to dispense with bond.
- Public Trustee and corporate trustee exempt from bond.
- Flexibility - type of bond.



ANCILLARY PROBATE AND ADMINISTRATION AND RESEALING A GRANT

- Combine these two procedures into one, called extra-provincial grants.
- Require translation into English of all documents required for the grant.
- Registrar discretion to deny a grant.
- Probate tax to be levied.


