

# *The International Wills Regulations, 1997*

*being*

[Chapter W-14.1 Reg 1](#) (effective August 1, 1997).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

1	Title
2	Interpretation
3	Registrar
4	Registration
5	Entry and filing
6	Notice of revocation
7	Safekeeping
8	Record of safekeeping
9	Release from safekeeping
10	Search
11	Certificate of information
12	R.R.S. c.W-14 Reg 1 repealed

### **Appendix**

## CHAPTER W-14.1 REG 1

### *The Wills Act, 1996*

#### **Title**

- 1 These regulations may be cited as *The International Wills Regulations, 1997*.

#### **Interpretation**

- 2 In these regulations:

“**Act**” means *The Wills Act, 1996*; («*Loi*»)

“**register**” means the record of information kept respecting international wills by the registrar pursuant to these regulations; («*registre*»)

“**registration form**” means an International Will Registration Form in Form A of the Appendix; («*formule d’enregistrement*»)

“**will**” means an international will as defined in section 41 of the Act. («*testament*»)

1 Aug 97 cW-14.1 Reg 1 s2.

#### **Registrar**

- 3(1) The registrar of wills is the Registrar of Courts appointed pursuant to section 3 of *The Court Officials Act, 1984*.

- (2) The registrar shall maintain a register of wills at the Court House, Regina, Saskatchewan.

1 Aug 97 cW-14.1 Reg 1 s3.

#### **Registration**

- 4(1) A registration form accompanied by the appropriate fee is to be filed with the registrar for each will, in accordance with section 50 of the Act.

- (2) The fee for registration of a will is the fee set out in the tariff prescribed pursuant to *The Queen’s Bench Act*.

- (3) The information provided in Form A of the Appendix must be typewritten in a neat and legible manner.

- (4) The envelope containing the registration form is to bear the notation “Re: International Will”.

1 Aug 97 cW-14.1 Reg 1 s4.

**Entry and filing**

**5** The registrar shall, on the day of receipt:

- (a) open all sealed envelopes forwarded to the registrar pursuant to section 4;
- (b) number each registration form consecutively in the order in which it is received;
- (c) index each registration form alphabetically according to the surname of the testator; and
- (d) file all registration forms received in chronological order.

1 Aug 97 cW-14.1 Reg 1 s5.

**Notice of revocation**

**6(1)** The testator or a person authorized by the testator may notify the registrar in writing of the revocation of a will.

(2) Where the registrar receives notice pursuant to subsection (1), he or she shall enter the particulars of the notice of revocation in the register beside the original entry regarding the will.

1 Aug 97 cW-14.1 Reg 1 s6.

**Safekeeping**

**7** A lawyer or testator may deposit a will with the registrar for safekeeping by enclosing it in an envelope on which is endorsed, "This envelope contains the last will and testament (*or codicil to the last will and testament, or as the case may be*) of (*name, address and occupation of the testator*) dated (*stating date*), and the executor(s) is (*are*) (*name, address and occupation of executor(s)*)", followed by the signature of the testator.

1 Aug 97 cW-14.1 Reg 1 s7.

**Record of safekeeping**

**8** The registrar, on receipt of a will for deposit pursuant to section 7, shall:

- (a) mark the words "International Will" on the envelope;
- (b) number the envelope consecutively in the order in which it is received;
- (c) record it alphabetically according to the surname of the testator, in accordance with rule 695 of *The Queen's Bench Rules*, indicating the name of the testator, the name of the person depositing the will, the number on the envelope and the date of deposit; and
- (d) issue a Certificate of Deposit of Will for Safekeeping in Form B of the Appendix and deliver it to the person who deposited the will.

1 Aug 97 cW-14.1 Reg 1 s8.

**Release from safekeeping**

**9** Where a will has been deposited for safekeeping pursuant to section 7, the registrar may release the will without a court order in accordance with subsection 49(2) of the Act.

1 Aug 97 cW-14.1 Reg 1 s9.

**Search**

**10(1)** A request for search of the register for particulars of a will of a testator is to be made in an International Will Search Application in Form C of the Appendix.

(2) The fee for a search of the register is the fee set out in the tariff prescribed pursuant to *The Queen's Bench Act*.

1 Aug 97 cW-14.1 Reg 1 s10.

**Certificate of information**

**11** On receipt of a request for search in Form C of the Appendix accompanied by the appropriate fee, the registrar, where the registrar is satisfied that the person placing the request is entitled pursuant to subsection 49(1) of the Act to obtain the information, shall:

- (a) search the record; and
- (b) prepare a certificate setting out the information in the register or verifying that no will has been registered, as the case may be.

1 Aug 97 cW-14.1 Reg 1 s11.

**R.R.S. c.W-14 Reg 1 repealed**

**12** *The International Wills Regulations* are repealed.

1 Aug 97 cW-14.1 Reg 1 s12.

**Appendix****FORM A****International Will Registration Form**

[Section 4]

To the Registrar  
Court House,  
Regina, Saskatchewan

Name in full of testator \_\_\_\_\_

Address in full of testator \_\_\_\_\_

Description of testator

(i) date of birth

\_\_\_\_\_  
(day)\_\_\_\_\_  
(month)\_\_\_\_\_  
(year)

(ii) occupation \_\_\_\_\_

(iii) marital status

married \_\_\_\_\_

widow(er) \_\_\_\_\_

separated \_\_\_\_\_

divorced \_\_\_\_\_

single \_\_\_\_\_

Name in full of spouse of  
testator or, if single, name  
of father and mother with  
mother's maiden name

Nature of testamentary document

will \_\_\_\_\_

codicil \_\_\_\_\_

revocation \_\_\_\_\_

other \_\_\_\_\_

specify \_\_\_\_\_

Date of execution of document

\_\_\_\_\_  
(day)\_\_\_\_\_  
(month)\_\_\_\_\_  
(year)

Place of safekeeping of document if  
not deposited with registry, if known \_\_\_\_\_

Name(s) and address(es) of executor(s), personal representatives(s) or other proper  
person(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and certified to be correct by:

---

*(type name below signature)*

---

*(Name of lawyer if other than above (typed))*

---

*(Firm name and address of lawyer (typed))*

\*This form is to be filed with the registrar, in a sealed envelope, before the tenth day of the month following the date of execution.

1 Aug 97 cW-14.1 Reg 1.

## FORM B

**Certificate of Deposit of Will for Safekeeping***[Clause 8(d)]*

This is to certify that there has this day been deposited in my office for safekeeping an envelope purporting to contain a will (or codicil) particulars of which are stated to be as follows:

Name in full of testator \_\_\_\_\_

Address in full of testator \_\_\_\_\_

Date of execution of document \_\_\_\_\_

Name(s) and address(es) of executor(s), personal representative(s) or other proper person(s)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Dated at the City of Regina, in the Province of Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Registrar

1 Aug 97 cW-14.1 Reg 1.



## FORM C

**International Will Search Application**

[Section 10]

Warning: No information contained in the International Will Registry System concerning the international will of a testator is to be released from the system, except in accordance with section 49 of *The Wills Act, 1996*.

To the Registrar  
Court House,  
Regina, Saskatchewan

Name in full of testator

\_\_\_\_\_

Address in full of testator

\_\_\_\_\_

Description of testator

(i) date of birth

\_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

(ii) occupation

\_\_\_\_\_

(iii) marital status

married \_\_\_\_\_ widow(er) \_\_\_\_\_  
separated \_\_\_\_\_ divorced \_\_\_\_\_  
single \_\_\_\_\_

Name in full of spouse of  
testator or, if single, name  
of father and mother with  
mother's maiden name

\_\_\_\_\_  
\_\_\_\_\_

If deceased state:

(i) date of death

\_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

(ii) place of death

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Application for search made by:

\_\_\_\_\_  
\_\_\_\_\_  
(Name of applicant in full)

\_\_\_\_\_  
(Address of applicant in full)

Phone Number

\_\_\_\_\_

Date

\_\_\_\_\_

Relationship to testator

\_\_\_\_\_

Signature

\_\_\_\_\_

