



COURT OF QUEEN'S BENCH OF ALBERTA

NOTICE TO THE PROFESSION

Amendments to the Surrogate Rules and Forms – Grace Period

The new *Estate Administration Act* SA 2014 c E-12.5 came into effect on June 1, 2015. Amendments to the Surrogate Rules arise from this legislation. These amendments necessitate a number of new forms as well as some changes to existing forms. Some procedural changes for the Court of Queen's Bench also arise.

To facilitate an orderly transition, a grace period will be observed. That grace period will expire on September 1, 2015. During that grace period, existing forms will be accepted.

Application of the grace period as described above will not, however, relieve against compliance with substantive changes effected by this new legislation. For example, Section 11 of the *Estate Administration Act* requires a copy of an application and a notice under Part 5 of the Wills and Succession Act to be served on the spouse or adult interdependent partner, who is not the sole beneficiary of the deceased's estate, who resides outside of Canada. Under predecessor legislation, the service and notice requirement applied only to a spouse or adult interdependent partner who resided in Canada.

To the extent that substantive changes are reflected in new or amended forms, no grace period will be extended regarding the use of existing forms. Applicants will be expected to employ new or amended forms, as applicable.

A black ink signature of Neil C. Wittmann, consisting of several overlapping, fluid strokes.

Neil C. Wittmann, Chief Justice

A blue ink signature of John D. Rooke, written in a cursive style.

John D. Rooke, Associate Chief Justice