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Barristers and Solicitors

Trust Experience™

A new regulation, [O. Reg 193/15](#), was filed on July 9, 2015, that will affect the [Rules of Civil Procedure](#) as they apply to Applications for Certificates of Appointment of Estate Trustee, Applications to Pass Accounts and mediation of estate matters.

Some of the changes are already in effect. In particular, the courts are now using new forms for Applications for Certificates of Appointment of Estate Trustee with a Will (forms 74.4, 74.4.1, 74.5 and 74.5.1), Applications for Certificates of Appointment of Estate Trustee without a Will (forms 74.14 and 74.15), Applications for Certificates of Appointment of a Foreign Estate Trustee's Nominee as Estate Trustee without a Will (form 74.20.1), and Applications for Confirmation by Resealing of Appointment or Certificates of Ancillary Appointment of Estate Trustee (form 74.27). The forms now contain additional language notifying the applicant that information given in the application may be provided to the Ministry of Finance for the purposes of determining the amount of estate administration tax payable. The new forms are available online [here](#).

Several other changes to the *Rules* come into effect on January 1, 2016. They will affect, amongst other things, service and filing requirements and deadlines under Rule 74. As the new year approaches, it will be important to review the changes and to proceed accordingly.