

AFFIDAVIT OF EXECUTION

Version 1

An **affidavit of execution** is a sworn statement made by one of the witnesses to your will. When they sign it, they are confirming that they saw you sign your will on a certain date and that you signed it in front of both witnesses at the same time.

Arrange for one of your witnesses to swear the affidavit of execution in front of a lawyer or notary. Use the fillable pdf below, follow the pop-up instructions to fill it in, then print it. The witness who is swearing the affidavit must not sign it until they are in front of a lawyer or notary. This should be done in person. This can be done at any time after you sign your will. But it is best to do it right away, because witnesses might move away or die before you.

There are **two** versions of the affidavit. This is Version 1. Use Version 2 if the testator was blind/could not read the will/signed the will by making their mark. Otherwise, use Version 1.

Lawyers and notaries will generally charge a fee for this service in the range of \$40 to \$75. You can call law firms near you to make an appointment for the witness and to find out the cost. If you cannot pay a lawyer or notary, you can try your nearest Probate Court or [Nova Scotia Legal Aid](#).

Once the affidavit of execution is complete, keep it with your will. After you die, your executor will use the affidavit at [Probate Court](#) to show that the will was properly signed and witnessed. If no affidavit of execution has been done before your death, your executor must find one of your witnesses and have the witness swear an affidavit then. There will most likely be added costs, and this will take extra time.

Tip: If your will has been properly signed, dated, and witnessed, it is still valid even if you cannot arrange for one of your witnesses to do an affidavit of execution right away.

<p>Reminder: A beneficiary or the spouse of a beneficiary cannot be a witness to a will.</p>

**Affidavit of Execution of Will or Codicil
(S. 11(1))**

I, _____,
of _____,

make oath/affirm and say:

1. On _____, I was present and saw the Will attached to this
Affidavit signed by _____.
2. _____ executed the document in the presence of me
and _____, of _____.
3. We were both present at the same time and signed the document in the
testator's presence as attesting witnesses.

Sworn/affirmed before me at _____
in the County of _____
Province of Nova Scotia, on _____

A Barrister of the Supreme Court of Nova Scotia,
Notary Public, Registrar of Probate or
Deputy Registrar of Probate

Warning: A beneficiary or the spouse of a beneficiary cannot be a witness to a Will.