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This pamphlet is up to date to December 1, 2021.

Making a Will

When you live in a First Nations community in Quebec

This pamphlet is for the family and friends of people:

- ▶ registered under the Indian Act, and
- ▶ living in a First Nations community ("reserve") when they die.

Why Make a Will?

If you die without a will, the *Indian Act* decides who gets your property. It isn't you or your family who decides.

A will gives you more control over what happens after you die. This makes it easier on your family.

Here are examples of instructions you can leave in your will:

- ▶ Say who will inherit your property
- ▶ Name someone to care for children under 18
- ▶ Name someone to settle your affairs
- ▶ State your wishes for your funeral

How to Make a Will

You can make a will on your own at no cost.

To make a valid will, you must do these things:

- ▶ Write it by hand, on a computer or ask someone else to write it for you
- ▶ Clearly say who will get your property after you die
- ▶ Sign the will

It's also a good idea to do these things:

- ▶ Sign your will in front of two people you trust
- ▶ Have both people sign the will
- ▶ Write the date next to each signature

Tell a person you trust where you keep your will. The government must approve it after you die.

You can ask a notary or lawyer to prepare your will. This is a good idea if your situation is complicated, for example, you own a house or business.

Important: Special rules apply when you transfer land in a community ("reserve"). Learn more by visiting our website. You can also contact Indigenous Services Canada to make sure your will follows the rules.