

FORM D
[Clause 3(d)]

In the Queen's Bench

Judicial Centre of _____

IN THE MATTER OF AN APPLICATION FOR AN ORDER
FOR THE APPOINTMENT OF A PROPERTY AND PERSONAL GUARDIAN

FOR _____

PURSUANT TO *THE ADULT GUARDIANSHIP AND CO-DECISION-MAKING ACT*

**Affidavit in Support of an Application for Confirmation of a Testamentary
Nomination (Appointment by Will)**

FORM D
[Clause 3(d)]

In the Queen's Bench

Judicial Centre of _____

**Affidavit in Support of an Application for Confirmation of a Testamentary
Nomination (Appointment by Will)**

I, _____, of _____, _____, MAKE
OATH AND SAY:

1. THAT I am the applicant and have personal knowledge of the matters deposed to in this affidavit, except where stated to be on information and belief, and where so stated I believe them to be true.
2. THAT I have been nominated in the will of _____, who died on _____, to act in that person's place as the _____ for _____ (the "adult"), and have been so acting since that person's death.
3. THAT I notified the public trustee of the above on _____ (*where application is for the confirmation of a property co-decision-maker or property guardian*).
4. THAT I am _____ years of age.
5. THAT I am the _____ (*state relationship*) of the adult.
6. THAT the nearest relative(s) of the adult, other than myself, is (are):

Name

Address

Relationship

| |
|--|
| |
| |
| |

7. THAT the adult was born on _____, and is now _____ years of age.
8. THAT the adult currently resides at:

Address: _____

Phone: _____

9. THAT the current living arrangements of the adult, including the name, address and telephone number of any person, institution or agency providing ongoing support or primary care and assistance to the adult are:

| |
|--|
| |
|--|

10. THAT I believe the wishes of the adult are as follows: (*attach written statement of adult's wishes, if available, including the adult's wishes with respect to whether the authority requested should be granted and whether the proposed co-decision-maker or guardian is acceptable to him or her; indicate date signed, if possible*)

| |
|--|
| |
|--|

11. THAT I believe I would be a suitable _____ for the following reasons:

| |
|--|
| |
|--|

12. THAT I (*check as appropriate*) ☐ have/ ☐ have not been appointed as a decision-maker for another person pursuant to *The Dependent Adults Act* or *The Adult Guardianship and Co-decision-making Act*.

Details, including name and address of adult, date of order, authority granted and fees for services received: (*if applicable*)

13. THAT I (*check as appropriate*) ☐ have/ ☐ have not been in a relationship of financial trust with another person, including under a power of attorney.

Details: (*if applicable*)

14. THAT I (*check as appropriate*) ☐ have/ ☐ have not been convicted of, or received a pardon for, a criminal offence relating to assault, sexual assault or other acts of violence, intimidation, criminal harassment, uttering threats, theft or fraud (*attach criminal record check completed by your local police service*).

Details: (*if applicable*)

15. THAT I (*check as appropriate*) ☐ have/ ☐ have not been a respondent pursuant to *The Victims of Domestic Violence Act* or a defendant pursuant to a section of the *Criminal Code* relating to securing a peace bond.

Details: (*if applicable*)

16. THAT I (*check as appropriate*) ☐ have/ ☐ have not applied for or been petitioned into bankruptcy.

Details, including the status or outcome of that application or petition: (*if applicable*)

17. THAT I am able to carry out my duties as _____ in a satisfactory manner, for the following reasons:

18. THAT my general plan with respect to the adult or the adult's estate is as follows:

19. (If applicable) THAT I request an order dispensing with the requirement to file a bond pursuant to section 55 of *The Adult Guardianship and Co-decision-making Act* for the following reasons: (where application is for the appointment of a property co-decision-maker or property guardian) (attach consent of nearest relative or public trustee, if applicable)

20. (If applicable) THAT the reasons I seek an order stating that I am not required to serve the following persons are:

Name: _____

Relationship: _____

Reason for dispensing with service:

Name: _____

Relationship: _____

Reason for dispensing with service:

21. THAT attached are the following exhibits, marked A to _____ , all of which I believe to be true copies of the originals: (check as appropriate)

☐ written statement of the adult's wishes

☐ other: (describe)

22. THAT no other application, other than the following, has been made to this court for the appointment or confirmation of a personal co-decision-maker, personal guardian, property co-decision-maker or property guardian for the adult, to the best of my information and belief:

23. THAT I am not aware of any conflict of interest that presently exists or will exist if I should be so confirmed.
24. THAT I will undertake, on my appointment as co-decision-maker or guardian, to exercise the duties and powers assigned to me by the court diligently, in good faith and in the best interests of the adult. I will exercise my powers and duties in a way that encourages the adult to participate as fully as possible in decision-making and to act independently in all matters where he or she is able. I will protect the adult's civil and human rights and limit my interference in his or her life to the greatest extent possible.
25. THAT I make this affidavit in support of an application pursuant to *The Adult Guardianship and Co-decision-making Act* for an Order confirming me as the _____ for _____ .

SWORN before me at _____)

Saskatchewan, this _____ day)

of _____, 20 _____)

(Signature of Applicant)

A Commissioner for Oaths in and for Saskatchewan

My appointment expires _____

