

Wills and Estates

At the May-June session, GNWT committed to providing a chapter on Wills and Estates. Following the mandate review, the GNWT would like to propose the following chapter for consideration at the October session.

Chapter WE – WILLS AND ESTATES

WE.1 WILLS AND ESTATES

WE.1.1 The Dehcho Government may make laws in relation to wills to:

- a) The wills and intestacy of citizens ordinarily resident in the Settlement Area;
- b) the probating of wills and the administration of estates of persons ordinarily resident within the Settlement Area at the time of death.

WE.1.2 Laws made pursuant to WE.1.1 shall provide for the distribution of estates in a manner that makes adequate provision for the support of persons, spouses and children, who were dependent on the deceased owner of the estate.

WE.1.3 In the event of a Conflict between a Dehcho Law made pursuant to section WE.1.1 and a Federal Law or Territorial Law, the Dehcho Law prevails to the extent of the Conflict.

WE.1.4 The authority of the Dehcho Government to make laws pursuant to section WE.1.1 does not include the authority to make laws in relation to:

- (a) survivorship and the presumption of death;
- (b) the rules governing trusts and the variation of trusts; or
- (c) legal actions with respect to fatal accidents.