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## **Thinking of an Inter-Provincial Move?**

As employment opportunities migrate due to the ongoing impacts of the COVID-19 pandemic, you may be considering a move as well.

If you're packing your bags and moving within Canada, you likely wouldn't think that an inter-provincial move would impact your estate plan. Well, as we will discuss, you might be surprised to learn that the opposite is quite true.

Estate law, including Wills, Powers of Attorney, and probate fees are all governed by the individual provinces and territories. As a result, it is important to address all areas of your estate plan once you've settled into your new residence.

### **Estate planning areas that should be kept in mind:**

1. Obtain legal advice: Consulting a lawyer in your new jurisdiction will ensure you are protecting your assets and your family's future in the event of an unplanned event.
2. Review documents: If you don't have a Will, Power of Attorney and personal care directives in place, now is a good time to draft these documents. If already in place, a lawyer can review to ensure they comply with legislation in your new province.
3. Jointly owned property and beneficiary designations of registered plans: If moving to/from Quebec, these items should be addressed as the legal system in Quebec is different from other jurisdictions in Canada.
4. Taking title to the new home: Similar to point #3, if moving to/from Quebec, the importance of joint ownership with a right of survivorship or lack of it in Quebec needs to be discussed with a lawyer.
5. Status of common-law couples: Advice should be sought regarding marital status in your new province. Civil law unions in Quebec may have no status in other provinces. Similarly, common-law relationships in other provinces may hold no status in Quebec.
6. Marriage contract or co-habitation agreements: As rules on property rights differ in Quebec to the rest of Canada, these agreements should be reviewed to ensure assets in your estate are eventually transferred in the manner you intended.
7. Estate and incapacity planning: After making a move to a new province, it would be a good time to review these documents to ensure they still align with your current wishes and circumstances.



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### **Concluding Thoughts?**

Life seems to be changing on a near daily basis over the past 6+ months. Make sure you are taking the time to update your estate plan, especially if you planning on or have made an inter-provincial move.

Just because life throws you a curve ball, doesn't mean you should leave your estate planning behind. In fact, the opposite is quite true. Consultation with a lawyer in your new jurisdiction is a key step in protecting your family's future. Make the call.

By Jared Pilon CPA, CGA