

# *The Missing Persons and Presumption of Death Regulations*

*being*

[Chapter M-20.01 Reg 1](#) (effective September 28, 2009) as  
amended by Saskatchewan Regulations [9/2019](#).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## **CHAPTER M-20.01 REG 1**

### *The Missing Persons and Presumption of Death Act*

#### **Title**

- 1** These regulations may be cited as *The Missing Persons and Presumption of Death Regulations*.

18 Sep 2009 cM-20.01 Reg 1 s1.

#### **Interpretation**

- 2** In these regulations:

- (a) “**Act**” means *The Missing Persons and Presumption of Death Act*;
- (b) “**form**” means the appropriate form set out in the Appendix.

18 Sep 2009 cM-20.01 Reg 1 s2.

#### **Forms prescribed**

- 3** For the purposes of the Act:

- (a) Form A is the form for the application for:
  - (i) declaration of a person as missing pursuant to section 6 of the Act; or
  - (ii) appointment as a property guardian pursuant to section 6 of the Act;
- (b) Form B is the form for the affidavit of an applicant for an appointment or declaration to be used in conjunction with Form A;
- (c) Form C is the form for consent by a nearest relative to an application pursuant to clause 4(2)(b) or clause 16(d) of the Act;
- (d) Form D is the form for the affidavit of execution to be used in connection with Form C;
- (e) Form E is the form for the statement of objection pursuant to section 5 or 17 of the Act;
- (f) Form F is the form for a notice pursuant to clause 7(4)(a) of the Act;
- (g) Form G is the form for an order for access to information pursuant to clause 8(3)(b) of the Act;
- (h) Form H is the form for an affidavit of an applicant to be used in conjunction with Form G;
- (i) Form I is the form for the inventory required pursuant to subsection 9(2) of the Act if an application is made for the appointment of a property guardian;

- (j) Form J is the form for the notice of authority to act as property guardian filed pursuant to section 11 of the Act;
- (k) Form K is the form for the withdrawal of notice pursuant to section 12 of the Act;
- (l) Form L is the form for the amended notice pursuant to section 12 of the Act;
- (l.1) Form L.1 is the form for an application for a search order pursuant to section 14.2 of the Act;
- (l.2) Form L.2 is the form for an affidavit of an applicant to be used in conjunction with Form L.1;
- (l.3) Form L.3 is the form for an application for a record access order pursuant to section 14.2 of the Act;
- (l.4) Form L.4 is the form for an affidavit of an applicant to be used in conjunction with Form L.3;
- (l.5) Form L.5 is the form for a demand for records pursuant to section 14.5 of the Act;
- (l.6) Form L.6 is the form for an affidavit of service to be used in conjunction with Form L.5;
- (m) Form M is the form for application for presumption of death pursuant to section 15 of the Act;
- (n) Form N is the form for an affidavit to be used in conjunction with Form M;
- (o) Form O is the form for the annual accounting required pursuant to subsection 22(2) of the Act if an order is made for the appointment of a property guardian.

18 Sep 2009 cM-20.01 Reg 1 s3; 1 Mar 2019  
SR 9/2019 Reg 1 s3.

**Amount for section 7 of the Act**

- 4 For the purposes of section 7 of the Act, the prescribed amount is \$25,000.

18 Sep 2009 cM-20.01 Reg 1 s4.

**Application for search order**

- 4.1 An application for a search order pursuant to section 14.2 of the Act must be made in Forms L.1 and L.2.

1 Mar 2019 SR 9/2019 s4.

**Application for record access order**

- 4.2 An application for a record access order pursuant to section 14.2 of the Act must be made in Forms L.3 and L.4.

1 Mar 2019 SR 9/2019 s4.

**Application for order to comply**

**4.3** An application for an order directing a person to comply with a demand for records pursuant to section 14.6 of the Act must be in the same form as an application for a record access order pursuant to section 14.2 of the Act.

1 Mar 2019 SR 9/2019 s4.

**Requirement re annual report**

**4.4** An annual report required pursuant to section 14.94 of the Act must be made available to the public in one or both of the following ways:

- (a) posting the annual report on the police service's website;
- (b) making the annual report available for review at the head office of the police service.

1 Mar 2019 SR 9/2019 s4.

**Service of orders**

**4.5** An order pursuant to section 14.2, 14.5 or 14.6 of the Act must be served personally on:

- (a) the person having care and control of the records; or
- (b) an owner or occupant of the dwelling house or other premises.

1 Mar 2019 SR 9/2019 s4.

**Order re presumption of death**

**5** The local registrar of the court shall forward to the Chief Coroner for Saskatchewan an order made pursuant to section 15 within 30 days after the date the order was made.

18 Sep 2009 cM-20.01 Reg 1 s5.

**Order re person found to be alive**

**6** If an order is made pursuant to subsection 20(2) of the Act, a copy of that order must be provided to the Registrar of Vital Statistics and the Chief Coroner for Saskatchewan.

18 Sep 2009 cM-20.01 Reg 1 s6.

**Coming into force**

**7(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Missing Persons and Presumption of Death Act* comes into force.

**(2)** If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Missing Persons and Presumption of Death Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

18 Sep 2009 cM-20.01 Reg 1 s7.

**Appendix**FORM A  
[Clause 3(a)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Application for Declaration of a Person  
as Missing and Appointment of a Property Guardian**

**NOTE: *The Missing Persons and Presumption of Death Act* provides that a person served with a copy of this application may file a statement of objection with the court setting out the reasons he or she objects to the application.**

1. I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, apply for an order that:
  - a. \_\_\_\_\_ be declared a missing person pursuant to section 6 of *The Missing Persons and Presumption of Death Act*
  - b. \_\_\_\_\_ be appointed as a property guardian for the estate of \_\_\_\_\_ pursuant to section 6 of *The Missing Persons and Presumption of Death Act*:

☐ with a bond for \$ \_\_\_\_\_

☐ without a bond.

2. (Where the application is for appointment of a property guardian) I seek the authority to make decisions with respect to matters relating to the estate of the missing person and I request that the following terms or conditions apply to the authority requested: (optional)

**NOTE: *The Missing Persons and Presumption of Death Act* provides that the court shall consider whether an order appointing a property guardian should be made subject to terms or conditions.**

\_\_\_\_\_  
\_\_\_\_\_

3. Service

**NOTE: You must include the addresses of the persons listed below who have been served other than the public guardian and trustee.**

I have served the following persons with all of the documents filed as part of this application:

☐ the public guardian and trustee

☐ the nearest relative:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

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Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

☐ other: \_\_\_\_\_  
\_\_\_\_\_

4. Optional

I request that the order include the following terms: *(check as appropriate)*

☐ that I receive the following fee for services: \$ \_\_\_\_\_

☐ other: *(specify)* \_\_\_\_\_  
\_\_\_\_\_

5. Documents Attached

The following documents are filed with the court as part of this application:

☐ proof of service of application on all persons required to be served

☐ affidavit of applicant *(Form B)*

☐ (optional) consent(s) of nearest relative(s) to appointment of the proposed property guardian and affidavit(s) of execution with respect to the consent(s) *(Form C and Form D)*

☐ inventory of the estate of the missing person

☐ other: *(describe)* \_\_\_\_\_  
\_\_\_\_\_

Dated at \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
*(Signature of Applicant)*

Address for service: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Permanent address *(if different from address for service)*:

\_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

FORM B  
[Clause 3(b)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Affidavit in Support of an Application for Appointment of a Property Guardian**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,

**MAKE OATH AND SAY THAT:**

1. 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. I am over 18 years of age.
3. I am the \_\_\_\_\_ of the person named in the application (the "missing person").  
(state relationship)

4. The nearest relative(s) of the missing person is (are):

Name

Address

Relationship

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. The missing person was born on \_\_\_\_\_.

6. The missing person last resided at:

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

7. To the best of my information and belief, the missing person has not been heard of or from since \_\_\_\_\_

8. The missing person owned the following property in Saskatchewan:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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9. To the best of my information and belief, the following are the circumstances surrounding the missing person's disappearance:

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10. The following are the efforts I believe have been made to locate the missing person:  
*(describe efforts, type and frequency)*

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11. To the best of my information and belief the person had the following relationship with his or her family and friends: *(describe relationship with family and friends)*

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12. I believe the person would have contacted me: \_\_\_\_\_  
*(describe relationship)*

— or —

I believe the person would have contacted his or her family and friends and it is my understanding that there has been no contact.

13. I believe I would be a suitable property guardian for the following reasons: *(where the applicant is also seeking appointment)*

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14. I *(check as appropriate)* ☐ have / ☐ have not been appointed as a property guardian for another person pursuant to *The Missing Persons and Presumption of Death Act* *(where the applicant is also seeking appointment and is not the public guardian and trustee).*

Details, including name and address of missing person, date of order, authority granted, if security was ordered, and fees for services received: *(if applicable)*

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15. I *(check as appropriate)* ☐ have / ☐ have not been in a relationship of financial trust with another person, including under a power of attorney *(where the applicant is also seeking appointment and is not the public guardian and trustee).*

Details: *(if applicable)*

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16. I (check as appropriate) ☐ have / ☐ have not been convicted of, or received a pardon for, a criminal offence relating to theft or fraud (where the applicant is also seeking appointment).

Details: (if applicable)

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17. I (check as appropriate) ☐ have / ☐ have not applied for or been petitioned into bankruptcy (where the applicant is also seeking appointment).

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

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18. I am able to carry out my duties as property guardian in a satisfactory manner, for the following reasons: (where the applicant is also seeking appointment and is not the public guardian and trustee)

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19. My general plan with respect to the missing person's estate is as follows (where the applicant is also seeking appointment):

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20. The estimated value of the missing person's estate is as follows:

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21. I believe the missing person's estate requires management by a property guardian for the following reasons:

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22. Attached are the following exhibits, marked A to \_\_\_\_\_, all of which I believe to be true copies of the originals: (check as appropriate)

☐ power of attorney given by the missing person

☐ last will and testament made by the missing person

☐ other: (describe) \_\_\_\_\_

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23. To the best of my information and belief, no other application, other than the following, has been made to this court for the appointment of a property guardian for the estate of the missing person:

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24. I am not aware of any conflict of interest that presently exists or will exist if I should be appointed (*where the applicant is also seeking appointment*).
25. I will undertake, on my appointment as property guardian, to exercise the duties and powers assigned to me by the court diligently, in good faith and in the best interests of the estate of the missing person (*where the applicant is also seeking appointment and is not the public guardian and trustee*).
26. I make this affidavit in support of an application pursuant to *The Missing Persons and Presumption of Death Act* for an Order appointing \_\_\_\_\_ as the property guardian for the estate of \_\_\_\_\_.

SWORN before me at \_\_\_\_\_  
Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_



\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public  
My appointment expires \_\_\_\_\_

FORM C  
[Clause 3(c)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Consent to Appointment of a Property Guardian/Presumption of Death Application**I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, the \_\_\_\_\_  
(state relationship)

of the alleged missing person, consent to:

☐ the application for the presumption that \_\_\_\_\_ is dead, or☐ the appointment of \_\_\_\_\_

as property guardian for \_\_\_\_\_ :

☐ with a bond for \$ \_\_\_\_\_☐ without a bond.

Dated at \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Witness)\_\_\_\_\_  
(Signature of Consenting Nearest Relative)

Address for service: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Permanent address (if different from address for service):

\_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

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FORM D  
[Clause 3(d)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Affidavit of Execution**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,  
(print full name of witness)

MAKE OATH AND SAY THAT:

1. I was present and saw \_\_\_\_\_, who is personally known to me to be the person named in the "Consent to Appointment of a Property Guardian/Application for Presumption of Death" (Form C), duly sign and execute the same for the purposes named in that document.
2. The same was executed at \_\_\_\_\_, \_\_\_\_\_, and that I am the subscribing witness.
3. I know the said \_\_\_\_\_ and he/she is in my belief 18 years of age or more.

SWORN before me at \_\_\_\_\_

Saskatchewan, this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public

My appointment expires \_\_\_\_\_

FORM E  
[Clause 3(e)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Statement of Objection**

**NOTE: *The Missing Persons and Presumption of Death Act* requires the filing of this statement of objection within 10 days after the last person is served with an application for the appointment of a property guardian or application for presumption of death.**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,  
object to the application for:

☐ an Order for the presumption that \_\_\_\_\_  
is dead pursuant to *The Missing Persons and Presumption of Death Act*, or

☐ an Order for the appointment of \_\_\_\_\_  
as property guardian for \_\_\_\_\_  
(the "alleged missing person") pursuant to *The Missing Persons and Presumption of Death Act*.

My relationship to the person who is the subject of the application for the Order mentioned above is that of \_\_\_\_\_

The reasons for my objection are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated at \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
(Signature of Objector)

Address for service: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Permanent address (if different from address for service):

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

MISSING PERSONS AND  
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[Clause 3(f)]

IN THE MATTER OF \_\_\_\_\_ of \_\_\_\_\_ ,  
SASKATCHEWAN AND IN THE MATTER OF *The Missing Persons and Presumption  
of Death Act*

**NOTICE**

Pursuant to the authority in clause 7(4)(a) of *The Missing Persons and Presumption of  
Death Act*, the public guardian and trustee for Saskatchewan is acting as the property  
guardian for \_\_\_\_\_ .

DATED at the City of \_\_\_\_\_ , in the Province of Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_ , \_\_\_\_\_ .

(seal)

**PUBLIC GUARDIAN AND TRUSTEE  
FOR SASKATCHEWAN**

Per: \_\_\_\_\_

FORM G  
[Clause 3(g)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

IN THE MATTER OF \_\_\_\_\_ of \_\_\_\_\_, Saskatchewan  
AND IN THE MATTER OF *The Missing Persons and Presumption of Death Act*APPLICATION FOR ACCESS TO INFORMATION  
MEMORANDUM TO THE PRESIDING JUDGE1. THIS IS AN EX PARTE APPLICATION made pursuant to section 8 of *The Missing Persons and Presumption of Death Act*, for an order that the following information be disclosed to \_\_\_\_\_.2. I request that the following information be disclosed: (*specify information*)

a \_\_\_\_\_

b \_\_\_\_\_

c \_\_\_\_\_

3. Documents attached

The following documents are filed with the court as part of this application:

a affidavit in support of an order for access to information

b \_\_\_\_\_

c \_\_\_\_\_

DATED at \_\_\_\_\_, in the Province of Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.\_\_\_\_\_  
(Name of Applicant)



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FORM H  
[Clause 3(h)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

IN THE MATTER OF \_\_\_\_\_ of \_\_\_\_\_, Saskatchewan  
AND IN THE MATTER OF *The Missing Persons and Presumption of Death Act*

Affidavit in Support of an Order for Access to Information

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,

MAKE OATH AND SAY THAT:

1. 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. I am over 18 years of age.
3. I am the \_\_\_\_\_ (*state relationship if any*) of the person named in the application (the 'missing person').

or I am the public guardian and trustee for Saskatchewan.

4. \_\_\_\_\_ was reported as missing to the \_\_\_\_\_  
(police service) on \_\_\_\_\_.

or/and

I believe the person to be missing because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. To the best of my information and belief the person has not been heard of or from since \_\_\_\_\_.
6. I believe the missing person's date of birth to be \_\_\_\_\_.
7. The last known address for the missing person is:

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

8. I require the information outlined in the application in order to:

- ☐ prepare an application to obtain an order appointing a property guardian for the estate of the person \_\_\_\_\_ ;
- ☐ aid in an attempt to locate the missing person; or
- ☐ other: (describe) \_\_\_\_\_

9. THAT I make this affidavit in support of an application pursuant to *The Missing Persons and Presumption of Death Act* for an Order for access to information.

SWORN before me at \_\_\_\_\_  
Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_ , 20 \_\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public  
My appointment expires \_\_\_\_\_

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FORM I  
[Clause 3(i)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Statement of Inventory re Application for Appointment of a Property Guardian**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,  
MAKE OATH AND SAY THAT: the information in this Statement of Inventory is true  
and complete to the best of my knowledge and belief, and sets out all of the assets and  
debts of \_\_\_\_\_ as of \_\_\_\_\_.  
*(name of missing person)* *(date)*

SWORN before me at \_\_\_\_\_  
Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
*(Signature of Applicant)*

\_\_\_\_\_  
A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public  
My appointment expires \_\_\_\_\_

ASSETS OF THE MISSING PERSON

**A. Financial Institution Accounts**

Financial Institution	Account Number	Jointly Owned With <i>(if applicable)</i>	Value
1.			
2.			
3.			

Total Value:

**B. Term Deposits**

Financial Institution	Interest Rate	Maturity Date	Jointly Owned With <i>(if applicable)</i>	Face Value
1.				
2.				
3.				

Total Value:

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Issuer	Jointly Payable to (if applicable)	Value
1.		
2.		
3.		
Total Value:		

**D. Cash on Hand**

Total Value:

**E. Real Estate**

Legal description	Jointly Owned With (if applicable)	Value
1.		
2.		
3.		
Total Value:		

**F. Stocks and Investment Funds**

Company	Number of Shares or Units	Jointly Owned With (if applicable)	Value
1.			
2.			
3.			
Total Value:			

**G. Bonds**

Issuer	Interest Rate	Maturity Date	Jointly Owned With (if applicable)	Face Value
1.				
2.				
3.				
Total Value:				

**H. RRSP, RRIF**

Company	Description/Policy Number	Value
1.		
2.		
3.		
Total Value:		

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**I. Insurance (including but not limited to life, disability, loss of employment or critical illness insurance) or Pension or Annuity that are owned by the missing person or where the missing person is a beneficiary**

Company	Description/Policy Number	Value
1.		
2.		
3.		
		Total Value:

**J. Property Insurance**

Company	Description/Policy Number	Value
1.		
2.		
3.		
		Total Value:

**K. Vehicles**

Description	Jointly Owned With (if applicable)	Value
1.		
2.		
3.		
		Total Value:

**L. Machinery**

Description	Value
1.	
2.	
3.	
Total Value:	

**M. Commodities**

Description	Value
1.	
2.	
3.	
Total Value:	

**N. Livestock**

Description	Value
1.	
2.	
3.	
Total Value:	

**O. Prepaid Funeral Contracts**

Description	Value
1.	
2.	
3.	
Total Value:	

**P. Other Personal Property**

Description	Jointly Owned With (if applicable)	Value
1.		
2.		
3.		
Total Value:		

TOTAL VALUE OF ABOVE-LISTED ASSETS  
(A+B+C+D+E+F+G+H+I+J+K+L+M+N+O+P):

**Q. Monthly Payments Received by the Missing Person**

(annuities, pensions, salary, support payments)

Paid By	Description	Jointly Owned With (if applicable)	Monthly Amount
1.			
2.			
3.			
Total Monthly Amount:			

**R. Funds Held in a Discretionary Trust for the Benefit of the Missing Person**

Estate of	Trustee	Amount
1.		
2.		
3.		

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DEBTS OF THE MISSING PERSON

**A. FINANCIAL INSTITUTION LOANS**

Owing to	Description	Security Held, if any	Amount Owing
1.			
2.			
3.			
Total Amount Owing:			

**B. Credit Cards**

Owing to	Description	Amount Owing
1.		
2.		
3.		
Total Amount Owing:		

**C. Mortgages**

Owing to	Description	Security Held, if any	Amount Owing
1.			
2.			
3.			
Total Amount Owing:			

**D. Other Debts** (including support payments and judgments)

Owing to	Description	Security Held, if any	Amount Owing
1.			
2.			
3.			
Total Amount Owing:			

TOTAL AMOUNT OF ABOVE LISTED DEBTS (A + B + C + D)

FORM J  
[Clause 3(j)]**Notice of Authority of Property Guardian**

To the Registrar of Titles

Re: \_\_\_\_\_  
(name of missing person)

Pursuant to section 11 of *The Missing Persons and Presumption of Death Act*, take notice that I am the property guardian of the above-named missing person.

In my opinion, the missing person has an interest in the following titles and interests:

\_\_\_\_\_  
(description)

You are required to register this notice against all titles to land described in this notice.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Signature of the Property Guardian)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_



MISSING PERSONS AND  
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FORM K  
[Clause 3(k)]**Withdrawal of Notice**

To the Registrar of Titles

Re: \_\_\_\_\_  
(name of missing person)

The Notice dated \_\_\_\_\_, 20 \_\_\_\_\_, and sent to you pursuant to section 11 of *The Missing Persons and Presumption of Death Act* with respect to the above-named missing person and registered in your office on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, as No. \_\_\_\_\_ is withdrawn with respect to the following titles and interests:

\_\_\_\_\_  
(description)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Signature of the Property Guardian)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

FORM L  
[Clause 3(l)]**Amended Notice**

To the Registrar of Titles

Re: \_\_\_\_\_  
(name of missing person)

The Notice dated \_\_\_\_\_, 20 \_\_\_\_\_, and sent to you pursuant to section 11 of *The Missing Persons and Presumption of Death Act* with respect to the above-named missing person and registered in your office on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, as No. \_\_\_\_\_ is amended as follows:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Signature of the Property Guardian)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

MISSING PERSONS AND  
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FORM L.1  
[Clause 3(l.1)]

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE \_\_\_\_\_

APPLICANT \_\_\_\_\_, a peace officer

IN THE MATTER OF \_\_\_\_\_, a missing person

**Application Without Notice for Search Order**

1. THIS IS AN APPLICATION WITHOUT NOTICE made pursuant to section 14.2 of *The Missing Persons and Presumption of Death Act*.
2. The Applicant, being a peace officer, seeks an order authorizing peace officers in the service of \_\_\_\_\_ to enter, at any time and by force if necessary,  
(name of police service)  
the premises located at \_\_\_\_\_, Saskatchewan, to search for  
\_\_\_\_\_, a missing person who is  
(name of missing person)  
\_\_\_\_\_  
(a minor/vulnerable person/member of category of prescribed persons  
mentioned in section 14.3 of *The Missing Persons and Presumption of Death Act*.)
3. The following documents are filed with and in support of this application:
  - a. affidavit of \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_

DATED at \_\_\_\_\_, in the Province of Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(name of applicant)

**CONTACT INFORMATION AND ADDRESS FOR SERVICE****If prepared by a lawyer for the Applicant:**

Name of firm: \_\_\_\_\_

Name of lawyer in charge of file: \_\_\_\_\_

Address of legal firm: \_\_\_\_\_  
(set out the street address)

Telephone number: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

E-mail address (if any): \_\_\_\_\_

*or***If prepared by Applicant::**

Name of Peace Officer: \_\_\_\_\_

Address for service: \_\_\_\_\_  
(set out the street address)

Telephone number: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

E-mail address (if any): \_\_\_\_\_

MISSING PERSONS AND  
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FORM L.2  
[Clause 3(l.2)]

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE \_\_\_\_\_

APPLICANT \_\_\_\_\_, a peace officer

IN THE MATTER OF \_\_\_\_\_, a missing person

**Affidavit in Support of a Search Order**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,  
MAKE OATH AND SAY THAT:

1. 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. I am over 18 years of age.
3. I am a peace officer with \_\_\_\_\_.
4. \_\_\_\_\_ was reported as missing to the  
(missing person)  
\_\_\_\_\_ on \_\_\_\_\_.  
(police service)

or/and

I believe the person to be missing because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. To the best of my information and belief the person has not been heard of or from since \_\_\_\_\_.
6. I believe the missing person's date of birth to be \_\_\_\_\_.

7. I believe the person is \_\_\_\_\_  
*(describe whether minor/vulnerable person/member of category  
 prescribed person mentioned in section 14.3 of the Act.)*
8. The last known address for the missing person is:  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_
9. I believe the missing person to be in the dwelling or premises located at:  
 \_\_\_\_\_  
 because:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
10. The premises mentioned in item 9 are \_\_\_\_\_  
*(describe type of premises, e.g. dwelling,  
 place of business, etc.)*  
 owned by \_\_\_\_\_  
*(name of owner if known)*
11. THAT I make this affidavit in support of an application pursuant to *The Missing Persons and Presumption of Death Act* for a search order.

SWORN (OR AFFIRMED) BEFORE ME

at \_\_\_\_\_, Saskatchewan,  
 this \_\_\_\_\_ day of \_\_\_\_\_,  
 2 \_\_\_\_\_.

\_\_\_\_\_  
 A Commissioner for Oaths for  
 Saskatchewan (or a Notary Public)

My commission (or appointment) expires: \_\_\_\_\_

\_\_\_\_\_  
*(signature of applicant)*

MISSING PERSONS AND  
PRESUMPTION OF DEATH

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FORM L.3  
[Clause 3(l.3)]

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE \_\_\_\_\_

APPLICANT \_\_\_\_\_, a peace officer

IN THE MATTER OF \_\_\_\_\_, a missing person

**Application Without Notice for Record Access Order**

1. THIS IS AN APPLICATION WITHOUT NOTICE made pursuant to section 14.2 of *The Missing Persons and Presumption of Death Act*.
2. The Applicant, being a peace officer, seeks an order to direct  
 \_\_\_\_\_ to give  
 (name of person or organization in possession or control of record)  
 \_\_\_\_\_ access to, and  
 (name of police service)  
 if requested, copies of, the following records: (specify records)
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
3. The following documents are filed with and in support of this application:
  - a. affidavit of \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_

DATED at \_\_\_\_\_, in the Province of Saskatchewan,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
 (name of applicant)

**CONTACT INFORMATION AND ADDRESS FOR SERVICE****If prepared by a lawyer for the Applicant:**

Name of firm: \_\_\_\_\_

Name of lawyer in charge of file: \_\_\_\_\_

Address of legal firm: \_\_\_\_\_  
(set out the street address)

Telephone number: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

E-mail address (if any): \_\_\_\_\_

*or***If prepared by Applicant:**

Name of Peace Officer: \_\_\_\_\_

Address for service: \_\_\_\_\_  
(set out the street address)

Telephone number: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

E-mail address (if any): \_\_\_\_\_



MISSING PERSONS AND  
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FORM L.4  
[Clause 3(l.4)]

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE \_\_\_\_\_

APPLICANT \_\_\_\_\_, a peace officer

IN THE MATTER OF \_\_\_\_\_, a missing person

**Affidavit in Support of a Record Access Order**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,  
MAKE OATH AND SAY THAT:

1. 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. I am over 18 years of age.
3. I am a peace officer with \_\_\_\_\_.
4. \_\_\_\_\_ was reported as missing to the  
(missing person)  
\_\_\_\_\_ on \_\_\_\_\_.  
(police service)

or/and

I believe the person to be missing because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. To the best of my information and belief the person has not been heard of or from since \_\_\_\_\_.
6. I believe the missing person's date of birth to be \_\_\_\_\_.

7. The last known address for the missing person is:

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

8. I require the information outlined in the application in order to:

☐ aid in an attempt to locate the missing person; or

☐ other: *(describe)* \_\_\_\_\_

9. THAT I make this affidavit in support of an application pursuant to *The Missing Persons and Presumption of Death Act* for a record access order.

SWORN (OR AFFIRMED) BEFORE ME

at \_\_\_\_\_, Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
A Commissioner for Oaths for  
Saskatchewan (or a Notary Public)

My commission (or appointment) expires: \_\_\_\_\_

} \_\_\_\_\_  
*(signature of applicant)*

MISSING PERSONS AND  
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FORM L.5  
[Clause 3(l.5)]

**Emergency Demand for Records**

TO: \_\_\_\_\_  
(name of subject of emergency demand)

\_\_\_\_\_ has been reported as a missing person  
(name of missing person)

to the \_\_\_\_\_ which is conducting an investigation  
(police service)

into the missing person's whereabouts.

It is believed that the missing person is at risk of imminent serious bodily harm or death. Immediate access to the records listed below may assist the police service in locating the missing person before he or she suffers any harm and it is not practicable to obtain a record access order, given the urgency of the circumstances. You have been identified as a holder of records that may be of assistance in locating the missing person.

Therefore, pursuant to the authority of section 14.5 of *The Missing Persons and Presumption of Death Act*, you are required to give copies of, or access to, the records specified below as soon as possible but no later than \_\_\_\_\_  
(time) (day) (month) (year)

to \_\_\_\_\_ of \_\_\_\_\_  
(member of police service) (police service)

who may be contacted at telephone no. \_\_\_\_\_ email address: \_\_\_\_\_

**RECORDS TO BE PROVIDED:**

- ☐ Records containing contact or identification information about the missing person
- ☐ Telephone records for the period \_\_\_\_\_ to \_\_\_\_\_
- ☐ Records related to signals from a wireless device indicating the location of the device
- ☐ Cellular telephone records for the period \_\_\_\_\_ to \_\_\_\_\_
- ☐ Inbound and outbound text messaging records for the period \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_

- ☐ Internet browsing history records for the period \_\_\_\_\_ to \_\_\_\_\_
- ☐ Global positioning system tracking records for the period \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_
- ☐ Video or closed circuit television records from \_\_\_\_\_  
(location of camera)  
for the period \_\_\_\_\_ to \_\_\_\_\_
- ☐ Records containing employment information indicating
- ☐ when the missing person was last seen or heard from
- ☐ when, where and how the missing person was paid
- ☐ Records indicating whether the missing person has been admitted to a hospital, including which hospital and the date, time and reason for admission
- ☐ School, university or other educational institutional attendance information
- ☐ Records containing travel and accommodation information
- ☐ Records containing financial information
- ☐ that show credit card usage for the period \_\_\_\_\_ to \_\_\_\_\_  
that show when, from where and for what purpose the credit card was used
- ☐ recent access to bank accounts for the period \_\_\_\_\_ to \_\_\_\_\_  
that show when, from where and for what purpose the bank accounts were accessed

DATED at \_\_\_\_\_, in the Province of Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(name of member of police service)

\_\_\_\_\_  
(signature of member of police service)

Subsection 14.5(6) of *The Missing Persons and Presumption of Death Act* requires you to locate all records specified in this emergency demand that are in your possession or under your control and give members of the police service in question access to, and copies of, these records as soon as possible.

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FORM L.6  
[Clause 3(l.6)]

**Affidavit of Service**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,

MAKE OATH AND SAY THAT:

1. I am a peace officer with \_\_\_\_\_.
2. I 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.
3. I did on the \_\_\_\_\_ day of \_\_\_\_\_ serve the emergency demand for records personally on \_\_\_\_\_.  
(person to whom it is directed)
4. THAT I make this affidavit in support of an application pursuant to *The Missing Persons and Presumption of Death Act* for an emergency demand for records.

SWORN (OR AFFIRMED) BEFORE ME

at \_\_\_\_\_, Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
2 \_\_\_\_\_.

\_\_\_\_\_  
A Commissioner for Oaths for  
Saskatchewan (or a Notary Public)

My commission (or appointment) expires: \_\_\_\_\_

\_\_\_\_\_  
(signature of applicant)

FORM M  
[Clause 3(m)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Application for Presumption of Death**

**NOTE: *The Missing Persons and Presumption of Death Act* provides that a person served with a copy of this application may file a statement of objection with the court setting out the reasons he or she objects to the application.**

1. I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, apply for an order that \_\_\_\_\_ be presumed dead for the following purposes:

(a) all purposes or

(b) the following purposes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. I have contacted the Chief Coroner for Saskatchewan to advise the Chief Coroner of this application.
3. Service

**NOTE: You must include the addresses of the persons listed below who have been served other than the public guardian and trustee.**

I have served the following persons with all of the documents filed as part of this application:

☐ the public guardian and trustee

☐ the nearest relative:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

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- ☐ the property guardian pursuant to *The Missing Persons and Presumption of Death Act* \_\_\_\_\_
- ☐ the property guardian pursuant to *The Adult Guardianship and Co-decision-making Act* or attorney pursuant to *The Powers of Attorney Act, 2002* \_\_\_\_\_
- ☐ other: (*specify*) \_\_\_\_\_

4. Documents Attached

The following documents are filed with the court as part of this application:

- ☐ proof of service of application on all persons required to be served
- ☐ affidavit of applicant
- ☐ (optional) consent(s) of nearest relative(s) to an Order respecting the Presumption of Death and affidavit(s) of execution with respect to the consent(s)
- ☐ other: (describe) \_\_\_\_\_

DATED at \_\_\_\_\_, \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
(Signature of Applicant)

Address for service: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Permanent address (if different from address for service): \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

FORM N  
[Clause 3(n)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Affidavit in Support of an Application for Presumption of Death**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,

MAKE OATH AND SAY THAT:

1. 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. I am over 18 years of age.
3. I am the \_\_\_\_\_ of the person named in the application.  
(state relationship)
4. I have contacted the Chief Coroner for Saskatchewan to advise the Chief Coroner of this application.
5. The nearest relative(s) of the person named in the application is (are):

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. The person named in the application was born on \_\_\_\_\_.
7. The person named in the application last resided at:  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_
8. The person named in the application has not been heard of or from since \_\_\_\_\_
9. To my knowledge and belief the following efforts have been made to locate the person named in the application: *(describe efforts, type, and frequency)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. I have the following reasonable grounds for supposing that the person named in the application is dead: *(describe)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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11. Attached are the following exhibits, marked A to \_\_\_\_\_ ,  
all of which I believe to be true copies of the originals: *(check as appropriate)*

☐ last will and testament made by the person named in the application

☐ other: *(describe)* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. To my knowledge and belief no other application, other than the following, has been made to this court for the presumption that the person named in the application is dead:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. I make this affidavit in support of an application pursuant to *The Missing Persons and Presumption of Death Act* for an Order presuming \_\_\_\_\_  
to be dead for the purposes outlined in the application.

SWORN before me at \_\_\_\_\_

Saskatchewan, this \_\_\_\_\_ day

of \_\_\_\_\_ , 20\_\_\_\_\_

}

\_\_\_\_\_  
*(Signature of Applicant)*

\_\_\_\_\_  
A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public

My appointment expires \_\_\_\_\_

MISSING PERSONS AND  
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[Clause 3(o)]

In the Queen's Bench

Judicial Centre of \_\_\_\_\_

**Annual Accounting by Property Guardian**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_,

MAKE OATH AND SAY:

1. THAT I am the property guardian for \_\_\_\_\_ .  
(the "missing person")
2. THAT the information set out in this Annual Accounting of the missing person's property is true and complete to the best of my knowledge and belief, and is for the period from \_\_\_\_\_ to \_\_\_\_\_ .  
(period of accounting)

SWORN before me at \_\_\_\_\_

Saskatchewan, this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Property Guardian)\_\_\_\_\_  
A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public

My appointment expires \_\_\_\_\_

**A. Funds Received:**

	Date Received	Received From	Description	Amount
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

Total Funds Received:

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**B. Funds Spent:**

Date Spent	Paid To	Description	Amount
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Total Funds Spent:			

**C. Assets Sold or Redeemed:**

Date Sold or Redeemed	Description	Amount
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
Total Assets Sold or Redeemed:		

**D. Assets Purchased or Invested:**

Date Purchased or Invested	Description	Amount
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
Total Assets Purchased or Invested:		

Attach statement of inventory (*Form I*) updated to the end of the accounting period.

