



**SURROGATE FORM REVISIONS (AIP Inclusion) DUE TO
AMENDMENTS TO THE FAMILY PROPERTY ACT -
EFFECTIVE JANUARY 1, 2020**

Amendments to the Matrimonial Property Act (now the Family Property Act) and the Alberta Rules of Court, have resulted in various surrogate forms being updated to formally include reference to “adult interdependent partners” (AIP’s). These amendments were effective January 1, 2020.

The main change relates to the NC 22 form which now requires service on AIPs, but references to this update can also be found on the NC 2, NC 29, NC 31, NC 33, C 5, and C 6.

It is the responsibility of applicants or their counsel to ensure that they are fully complying with the new requirements. However, to ensure continued access to services for applicants, Clerks will continue to accept and process old forms (forms prior to the January 1, 2020 amendments) until the expiry of a grace period. The grace period will expire on June 30, 2020.

During the grace period, Clerks will advise the reviewing Justice that an outdated form has been used in the application; Clerks will also note if the NC 22 was not prepared and served on an AIP identified in the application.

Following the expiry of the grace period (July 1, 2020 and onwards), Clerks will apply the existing protocol regarding the use of outdated forms. If an application is using an outdated form, the application must be accompanied by a letter explaining why the application is using an outdated form. If no such letter is provided, the application will be rejected at the counter. If such a letter is provided, the reviewing Justice will decide whether the explanation provided warrants acceptance of an outdated form.