

Ontario government to allow remote witnessing
of Wills and Powers of Attorney

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Dear Howard,

Ontario has strict requirements for the valid execution of a will, detailed in the [Succession Law Reform Act, R.S.O. 1990](#), c. S.26. Section 4 of the SLRA states that a Will must be signed by the testator "in the presence of two or more attesting witnesses". Courts have interpreted "presence" to mean physical presence.

In light of the COVID-19 pandemic, the Lieutenant Governor in Council made an order under s. 7.0.2(4), of the [Emergency Management and Civil Protection Act](#) permitting virtual witnessing for Wills and powers of attorney provided that at least one person who is providing the service as a witness is a licensee pursuant to the [Law Society Act](#).

The Order is not retroactive and will be in place for the duration of the declaration of emergency.

To view a copy of the Order, click [here](#).

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