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UNIFORM LAW CONFERENCE OF CANADA

UNIFORM CHANGE OF NAME AMENDMENT ACT (2017)

As adopted - August 2017
Amends *Uniform Change of Name Act (1988)*

This document is a publication of
the Uniform Law Conference of Canada.
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Introduction

[1] In August 2017 the Civil Section of the ULCC adopted the *Uniform Vital Statistics Act (2017)*, implementing recommendations of the *Uniform Vital Statistics Act (renewal)* Project working group (the “working group”).

[2] In response to Call to Action #17 in the 2015 Truth and Reconciliation Commission report, one of the working group’s recommendations was that the *Uniform Vital Statistics Act 2017* should include a provision which, at the time of birth, allows an applicant to:

- register the name of a child of indigenous heritage with a single name; and
- register the name of a child of indigenous heritage using indigenous characters and syllabics.

[3] Section 10 of the *Uniform Vital Statistics Act (2017)* implements this recommendation.

[4] The working group recommends that the *Uniform Change of Name Act (1988)* be amended to permit a person of indigenous heritage to have a single name and to have a name or surname with indigenous characters and syllabics.

[5] The proposed amendments to implement this recommendation are set out at section 2 (2) and s. 2 (3) of the *Uniform Change of Name Act (1988)* on the page that follows.

Uniform Change of Name Amendment Act (2017)

Interpretation

1. In this Act,

“director” means the Director of Vital Statistics appointed under the *Uniform Vital Statistics Act*;

“prescribed” means prescribed by the regulations made under this Act.

Person’s name

2. (1) For all purposes of (enacting jurisdiction) law,

(a) a person whose birth is registered in (enacting jurisdiction) is entitled to be recognized by the name appearing on the person’s birth certificate or change of name certificate, unless clause (c) applies;

(b) a person whose birth is not registered in (enacting jurisdiction) is entitled to be recognized by,

- (i) the name appearing on the person’s change of name certificate, if the person’s name has been changed under this Act or a predecessor of it, or
- (ii) in all other cases, the name recognized in law in the last place with which the person had a real and substantial connection before residing in (enacting Jurisdiction),

unless clause (c) applies; and

(c) a person who adopted a name on marriage before the coming into force of this Act is entitled to be recognized by that name unless the person subsequently changed that name under this Act or a predecessor of it.

What name includes

(2) Subject to s. 2(3), the name a person adopts under this Act shall include a surname and at least one given name, written in the Roman alphabet, and shall not include numbers or symbols.

Indigenous names

(3) Notwithstanding s. 2(2), the name a person of indigenous heritage adopts under this Act may:

- (a) be a single name only, and
- (b) include indigenous characters.