

1971 Bill 107

Fourth Session, 16th Legislature, 20 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 107

An Act to amend The Change of Name Act

THE ATTORNEY GENERAL

First Reading

Second Reading

Third Reading

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BILL 107

1971

AN ACT TO AMEND THE CHANGE OF NAME ACT

(Assented to _____, 1971)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Change of Name Act is hereby amended.*
 2. *Section 2 is amended*
 - (a) *by striking out clause (e),*
 - (b) *by relettering clause (d) as clause (e),*
 - (c) *by adding the following clause after clause (c):*
 - (d) "Director" means the Director of Vital Statistics;
 3. *The word "Minister" is struck out and the word "Director" is substituted wherever it appears in the following sections:*
 - section 10, subsections (1) and (2);
 - section 11, subsection (1);
 - section 12, subsection (2);
 - section 13, clause (f);
 - section 14, subsection (1).
 4. *Sections 16 and 17 are struck out and the following sections are substituted:*
 - 16.** (1) Where a change of name has been effected under this Act the certificate thereof shall be kept in the office of the Director and shall be preserved and remain in his custody as part of the records of his office.
 - (2) The Director shall forthwith amend his other records in conformity with any certificate issued hereunder and shall make no charge for the amendments.
 - 17.** Every certificate issued under section 16 and all duplicates thereof shall be signed by the Director and sealed with his seal.
5. *Section 20 is amended by striking out the word "Minister" and by substituting the word "Director".*

Explanatory Notes

The amendments to The Change of Name Act will transfer administration of the Act to the Director of Vital Statistics.

1. This Bill amends chapter 41 of The Revised Statutes of Alberta 1970.

2. Definition of Minister struck out and definition of Director inserted.

3. Self-explanatory.

4. Certificates to be issued and signed by the Director.

5. Section 20 presently reads:

20. The Minister shall cause notice of the issuance of a certificate issued under section 14 to be published forthwith in the *Gazette*.

6. *Section 22 is amended*

(a) *by striking out the word "Minister" wherever it occurs in subsections (1), (2) and (5), and by substituting the word "Director"*

(b) *by striking out subsection (4) and by substituting the following*

(4) The Director shall without charge make any alterations in his records which are necessary by reason of the annulling order.

7. *This Act comes into force on a date to be fixed by Proclamation.*

6. Section 22 reads as follows:

22. (1) The Minister may, if satisfied that any change of name has been obtained by fraud or misrepresentation, annul the change of name by order, effective from a date named therein.

(2) A marginal notation of the annulling order shall be made on the certificate kept in the office of the Minister.

(3) Notice of the annulment shall be forthwith published in the Gazette.

(4) A copy of the annulling order shall be forwarded to the Director of Vital Statistics who shall without charge make such alterations in his records as are necessary by reason of the said order.

(5) The Minister may in any such case by order require any person to whom a duplicate or a certified copy of the certificate of change of name has been issued forthwith to deliver up the same.

(6) Any person who refuses or neglects to comply with an order issued under subsection (5) is guilty of an offence and liable on summary conviction to a fine of not more than one hundred dollars and in default of payment to imprisonment for a term of not more than thirty days.