
Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 62

THE CHANGE OF NAME AMENDMENT ACT, 1976

MR. HYLAND

First Reading

Second Reading

Third Reading

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Bill 62
Mr. Hyland

BILL 62

1976

THE CHANGE OF NAME AMENDMENT ACT, 1976

(Assented to , 1976)

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

1. The Change of Name Act, 1973 is hereby amended.

2. Section 6 is amended by striking out subsection (2) and substituting the following:

(2) A widowed person who applies for a change of surname shall also apply to change the surname of each child who is a child of both that person and the deceased spouse of that person to the same surname as that for which the widowed person is applying.

3. Section 7 is amended by striking out subsection (1) and substituting the following:

7. (1) A person whose marriage has been dissolved and who has lawful custody of a child of the dissolved marriage may, with the consent of the other parent of the child, if living, apply

(a) to change a given name of the child, or

(b) to change the surname of the child to the applicant's surname or, if the applicant is also applying for a change of surname, to the proposed surname.

4. This Act comes into force on the day upon which it is assented to.

Explanatory Notes

1. This Bill will amend chapter 63 of the Statutes of Alberta, 1973.

2. Section 6, subsection (2) presently reads:

(2) A widowed person who applies for a change of surname shall also apply for a change of the surname of each child of the widowed person who is also a child of the deceased spouse of the widowed person.

Presently a widowed person who applies for a change of surname is required to apply to change the surname of each child of both that person and the deceased spouse of that person but the surname for the children does not have to be the same surname as that for which the widowed person is applying. This amendment will require that the proposed surname for the widowed person and the children be the same.

3. Section 7, subsection (1) presently reads:

7. (1) A person whose marriage has been dissolved and who has lawful custody of a child of the dissolved marriage may, with the consent of the other parent of the child, if living, apply

(a) to change a given name of the child;

(b) to change the surname of the child.

This amendment will permit a person whose marriage has been dissolved and who has custody of a child of the dissolved marriage to apply to change the child's surname only to the applicant's surname or, if the applicant is also applying for a change of surname, to the proposed surname. Presently the child's surname can be changed to any surname.