

1993 BILL 224

First Session, 23rd Legislature, 42 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 224

**CHILD WELFARE AMENDMENT ACT, 1993
(NO. 2)**

MR. SEKULIC

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 224
Mr. Sekulic

BILL 224

CHILD WELFARE AMENDMENT ACT, 1993 (NO. 2)

(Assented to , 1993)

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

1 The Child Welfare Act is amended by this Act.

*2 Section 66.1 of the Child Welfare Act is repealed and the
following is substituted:*

Disclosure of
information
relating to adopted
persons

66.1(1) The following persons may, upon payment of the
prescribed fee, apply to the Minister as follows:

- (a) adopted persons who are adults may apply for a copy of
their original long form birth certificate or certified facsimile
thereof if the original cannot be located;
- (b) biological parents of an adopted person may apply for a
copy of the amended birth certificate of the adopted person,
provided that the adopted person is an adult;
- (c) adult siblings of an adopted person may apply for a copy
of the adopted siblings' long form birth certificate provided
that the adopted person has reached the age of majority;

Explanatory Notes

1 This Bill will amend Chapter C-8.1 of the Revised Statutes of Alberta.

2 This amendment will replace the "passive" adoption registry with an "active" registry for adopted persons, their parents, and biological parents.

(d) adoptive parents on behalf of their child or a disabled adult may apply for a copy of their adopted child's original long form birth certificate;

(e) adults related by blood to the adopted person may apply for a copy of the amended birth certificate of the adopted person, if the biological parents of the adopted person consent in writing or, in the event that a biological parent is deceased, upon production of a death certificate.

(2) If the Minister is unable to locate an original document as required by this section, a certified facsimile may be produced instead.

3 *The following is added after section 66.1:*

Identifying
background
information

66.2 Upon production of an original or amended birth certificate obtained pursuant to section 66.1, the following persons may, upon payment of the prescribed fee, apply to the Minister for the following:

(a) an adopted person may apply for photocopies of all unaltered information including medical histories in the possession of the Minister with respect to the biological parents of the adopted person and other adults related by blood to the adopted person;

(b) the biological parents of an adopted person may apply for photocopies of all unaltered information in the possession of the Minister with respect to the adoptive parents of the adopted person including photocopies of all unaltered surrender documents;

(c) adult siblings of an adopted person may apply for photocopies of all unaltered information in the possession of the Minister with respect to the adopted person and the parents of the adopted person;

(d) parents of the adopted child or on behalf of a disabled adult may apply for photocopies of all unaltered information in the possession of the Minister with respect to the biological parents of the adopted child including medical history.

(e) adults related by blood to the adopted person may apply for photocopies of all unaltered information in the possession of the Minister with respect to the adopted person and the parents of the adopted person.

Active searches.

66.3 Upon payment of the fees prescribed in the regulations, an agency designated in writing and according to the regulations by the person making the application will be provided by the Minister with the original or amended birth certificate, and all identifying background information in the Minister's possession in order to conduct an active search for the person requested on behalf of:

(a) adopted persons, biological parents, adult siblings of an adopted person; and

(b) adults related by blood to an adopted person provided such adults obtain the written consent of the biological parent of the adopted person, or produce a death certificate if the biological parent is deceased.

Right to veto

66.4(1) The Minister shall maintain a contact veto registry wherein adopted persons or the biological parents of an adopted person may register the fact that they do not wish to be contacted.

(2) Upon each application for a birth certificate or active search, the contact veto registry shall be examined.

(3) The Minister shall inform the applicant that the biological parents or the adopted person do not wish to be contacted and no documents shall be provided under section 66.1 or 66.2.

(4) A person who has registered pursuant to subsection 1 may withdraw their registration at any time and any person who was previously informed of the of the registration shall be advised of its withdrawal.

Regulations

66.5 The Minister may make regulations governing applications under this Part and

(a) prescribing the form for any application, and

(b) prescribing a tariff of fees payable with respect to any application .

under this Part.

4 *This Act comes into force on Proclamation.*