

Bill No. 45 of 1941.

A BILL TO AMEND THE CHANGE OF NAME ACT

NOTE.

This Bill amends *The Change of Name Act*.

The amendment to paragraph (d) of section 4 is to make it clear that it is not necessary to advertise either in the local paper or in *The Alberta Gazette* when the applicant is applying to have his Christian name only, changed.

There is at present no provision in this Act for the alteration of the records of the Registrar General of Vital Statistics where a change of name has taken place other than under the provisions of this Act. Thus a person who was once resident within the Province and whose birth or marriage certificates are recorded in the Vital Statistics Office in this Province may legally change his name in some other Province after having taken up residence there, and yet be unable to have these records changed here to conform to his changed name.

The additions to section 8 enables a non-resident who has legally changed his name pursuant to the laws in force in the jurisdiction in which he is resident to have his vital statistics records appearing in this Province changed accordingly upon the production of satisfactory proof of his identity and of his changed name.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 45 of 1941.

An Act to amend The Change of Name Act.

(Assented to _____, 1941.)

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

1. This Act may be cited as "*The Change of Name Act Amendment Act, 1941.*"

2. *The Change of Name Act*, being chapter 230 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 4 by striking out paragraph (d) thereof and by substituting therefor the following:

"(d) where the applicant is applying for a change of his surname, a copy of *The Alberta Gazette* and a copy of the issue of the newspaper published or circulating in the district in which the applicant is domiciled containing a notice in Form D in the Schedule to this Act or to the like effect;"

3. The said Act is further amended as to section 8 by renumbering the present section as subsection (1) and by adding thereto the following new subsections:

"(2) Without restricting the effect which a change of name may have by law, it is hereby declared that any person whose birth or marriage is registered in the Province of Alberta, and who while resident elsewhere than in the Province of Alberta, has had his or her name changed in accordance with the laws then in force in the jurisdiction in which such person was then resident shall upon production of satisfactory proof of such change of name and of identity be entitled to have his or her new name substituted in lieu of his or her former name in the records kept and certificates issued by the Registrar General of Vital Statistics and thereafter upon production of a certificate from the Registrar General of Vital Statistics certifying to such change of name and upon satisfactory proof of identity shall be entitled to have his or her new name substituted in lieu of his or her former name in any and every record, certificate, instrument, document, contract or other writing whatsoever whether the same is or is not *ejustem generis* with those hereinbefore recited and whether the same is public or private upon payment of such fees, if any, as are prescribed by law in that behalf.

“(3) In any case where in the application of this section any question arises concerning the existence of or compliance with any or all of the facts or matters herein required or contained, the person seeking substitution of his or her new name in lieu of his or her former name may upon such notice as a Judge of the Supreme Court may require, apply to such Judge in a summary manner for an order declaring that such person has complied with all the provisions and requirements of this section and directing the Registrar General of Vital Statistics to alter his records in conformity therewith.

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

FIRST SESSION
NINTH LEGISLATURE
5 GEORGE VI
1941

BILL

An Act to amend The Change of
Name Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING.

EDMONTON:
A. Shnitka, King's Printer
1941