



Province of Alberta

VITAL STATISTICS ACT

VITAL STATISTICS INFORMATION REGULATION

Alberta Regulation 108/2018

With amendments up to and including Alberta Regulation 121/2020

Current as of July 23, 2020

Office Consolidation

© Published by Alberta Queen's Printer

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(Consolidated up to 121/2020)

ALBERTA REGULATION 108/2018

Vital Statistics Act

VITAL STATISTICS INFORMATION REGULATION

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Definitions

1 In this Regulation,

- (a) “Act” means the *Vital Statistics Act*;
- (b) “medical certificate” includes a final medical certificate and an interim medical certificate, unless otherwise specified;
- (c) “next of kin” in relation to a person means the parents, children, siblings, spouse and adult interdependent partner of the person.

Registration Information and Application Requirements

Birth and stillbirth registration

2(1) In this section, “incapable” means

- (a) unable because of death,
- (b) unable because of a mental or physical disability, or
- (c) that the Registrar is otherwise satisfied that a person is unable.

(2) For the purposes of sections 3 and 19(2)(c)(i) of the Act, the person who gave birth and the other parent must complete and deliver the following to the Registrar:

- (a) a birth registration document for the registration of the child born in Alberta;
- (b) a stillbirth registration document for the registration of a child stillborn in Alberta.

(3) If the other parent of the child is not known to or is unacknowledged by the person who gave birth to the child, the person who gave birth shall complete and sign the registration document.

(4) The particulars of the other parent of a child may be registered only if the other parent is not a surrogate or adoptive parent and

- (a) if both the person who gave birth and the other parent determined in accordance with section 8 or 8.1 of the *Family Law Act* sign the registration document, or
- (b) if the other parent of a child died after conception but within one year after the birth of the child and the person who gave birth provides an affidavit demonstrating proof of death to the satisfaction of the Registrar.

(5) If the person who gave birth is incapable of completing the registration document, the registration document may be completed, subject to subsection (7), by a person who has sufficient knowledge of the child’s birth to provide the information required under section 3, and is

- (a) a person who has been appointed guardian of the child pursuant to a guardian order, or
- (b) either

- (i) the parent of the child, where the parent makes an affidavit setting out the evidence required in support of a presumption of parentage under section 8 or section 8.1 of the *Family Law Act*, or
 - (ii) a person who has been granted a declaration of parentage under section 9 of the *Family Law Act* or an equivalent order from another province or territory of Canada.
- (6) If the person who gave birth is incapable of completing the registration document, and a person referred to in subsection (5) is not available to complete the registration document on behalf of the person who gave birth, it may be completed by
- (a) the guardian of the person who gave birth, if one has been appointed
 - (i) by a court in Alberta or by a court in another province or territory of Canada, or
 - (ii) under the *Adult Guardianship and Trusteeship Act* or an equivalent enactment of another province or territory of Canada,
 - (b) the agent of the person who gave birth, if one has been appointed under the *Personal Directives Act* or an equivalent enactment of another province or territory of Canada, or
 - (c) the parent or guardian of the person who gave birth, if the person who gave birth is a minor.
- (7) A person who completes a registration document on behalf of the person who gave birth under subsection (5) or (6) shall provide a written explanation in the form of an affidavit as to why the person who gave birth is incapable of completing the registration document.
- (8) Where the person who gave birth is incapable of completing the registration document, information in respect of the other parent of the child may be provided by a person who meets the requirements set out in subsection (5)(b).
- (9) If a birth or stillbirth takes place in a hospital as defined in section 1 of the *Hospitals Act*, the hospital administrator or midwife must use their best efforts to ensure that a registration document is completed by the person responsible in accordance with this section and must ensure that it is delivered to the Registrar within 10 days from the date of birth.

(10) If a registration document is incomplete, the hospital administrator or midwife must immediately notify the person who provided the partial information and use their best efforts to ensure that the person provides the additional information necessary to complete the registration document and deliver it to the Registrar.

(11) If a notice of birth is not received by the Registrar, a replacement document must be completed and delivered to the Registrar by the hospital administrator or midwife within 10 days from the date of birth.

(12) This section does not apply to

- (a) a birth or stillbirth registration document completed in accordance with section 13 or 14 of the Act, or
- (b) a birth registration document completed in accordance with section 16 of the Act.

(13) For the purposes of section 8 of the Act, where the parents do not agree on the last name to be used for the child because the person who gave birth is incapable, a person who meets the requirements set out in subsection (5) may choose the last name to be used for the registration of the birth or stillbirth.

Information required for a birth registration document

3(1) The information that must be provided in respect of a child for the registration within one year of the birth of the child is as follows:

- (a) the full name of the child;
- (b) the date and place in Alberta where the birth occurred;
- (c) if the pregnancy resulted in the birth or stillbirth of more than one child, the number of children born or stillborn and the order of birth or stillbirth of the child being registered;
- (d) the sex of the child.

(2) The information that must be provided in respect of the person who gave birth for the registration of the birth of a child is as follows:

- (a) in the case of an online registration,
 - (i) legal name and e-mail address,
 - (ii) the usual home address of the person who gave birth, and

(iii) subject to section 2(5) and (6), the signature of the person who gave birth in the manner determined by the Registrar;

(b) in any other case,

(i) legal name,

(ii) the usual home address of the person who gave birth, and

(iii) subject to section 2(5) and (6), the signature of the person who gave birth.

(3) Additional information that must be provided, if available, in respect of the person who gave birth for the registration of the birth of a child is as follows:

(a) date and place of birth;

(b) age;

(c) marital status;

(d) currently used name;

(e) contact information.

(4) The information that must be provided in respect of the other parent listed on the registration document is as follows:

(a) legal name;

(b) sex;

(c) either

(i) the signature of the other parent, if the person who gave birth has signed the registration of birth document, or

(ii) if the person who gave birth did not sign the registration of birth document, the signature of the other parent on the birth registration document and an affidavit setting out the evidence required under section 2(5)(b) in support of a presumption of parentage under section 8 or 8.1 of the *Family Law Act*, a declaration of parentage under section 9 of the *Family Law Act* or an equivalent enactment of another province or territory of Canada.

(5) Additional information that must be provided, if available, in respect of the other parent, if the other parent is listed on the registration document, is as follows:

- (a) date and place of birth;
- (b) age.

(6) The information that must be provided in respect of a person who completes the birth registration document on behalf of the person who gave birth under section 2(5) or (6) is as follows:

- (a) full name;
- (b) contact information;
- (c) relationship to the child;
- (d) signature.

(7) Additional information that must be provided, if available, is the date on which the registration document was signed by the person who gave birth, the other parent under section 2(5) or the person who completed the birth registration document under subsection (6) or section 2(6).

(8) This section does not apply to the registration of the birth completed in accordance with section 13, 14 or 16 of the Act.

Birth registration document in respect of adoption

4(1) For the purposes of section 16 of the Act, the information that must be provided to the Registrar in respect of an adopted person is as follows:

- (a) the person's full name as it should appear pursuant to the adoption order;
- (b) the person's sex as originally recorded or the person's sex as amended prior to the adoption;
- (c) the person's date and place of birth as recorded on the birth record.

(2) For the purposes of section 16 of the Act, the legal name of the parent must be provided to the Registrar in respect of each of the person's adoptive parent or parents.

(3) For the purposes of section 16 of the Act, the information that must be provided, if available, to the Registrar in respect of each of the person's adoptive parent or parents is as follows:

- (a) the adoptive parent's date and place of birth;
- (b) the currently used name of the adoptive parent, if different from the parent's legal name;
- (c) the adoptive parent's contact information;
- (d) the adoptive parent's signature and the date of the signature.

(4) For the purposes of section 16 of the Act, the information that must be provided, if available, in respect of a person who completes a birth registration document on behalf of an adoptive parent or parents is as follows:

- (a) full name;
- (b) relationship to child;
- (c) contact information;
- (d) signature;
- (e) date signed.

Birth registration document in respect of surrogacy

5(1) For the purposes of section 14 of the Act, the information that must be provided to the Registrar in respect of a surrogate birth is as follows:

- (a) the child's full name as it appears in the declaration of the court under section 8.2 of the *Family Law Act*;
- (b) the child's sex as recorded on the birth record;
- (c) the child's date and place of birth as recorded on the birth record.

(2) For the purposes of section 14 of the Act, the legal name of the parent must be provided to the Registrar in respect of a person who is declared to be a parent of the child by the Court under section 8.2(6) of the *Family Law Act*, and any person who as a result of that declaration is a parent of the child under section 8.1 of the *Family Law Act*.

(3) For the purposes of section 14 of the Act, the information that must be provided, if available, to the Registrar in respect of each parent to be listed on the registration of a surrogate birth is as follows:

- (a) the parent's currently used name, if different,

- (b) the parent's marital status,
- (c) the parent's contact information,
- (d) the parent's date and place of birth, and
- (e) the parent's signature and the date of the signature.

Notice of birth or stillbirth

6(1) The information that must be provided on a notice of birth or stillbirth, to the extent that it is known to the person completing the notice, is as follows:

- (a) the child's date and place of birth or stillbirth;
- (b) the full name of the person who gave birth;
- (c) whether the pregnancy was a single or multiple pregnancy;
- (d) the birth order of the child, in the case of a multiple pregnancy;
- (e) whether the child was born alive or stillborn;
- (f) the child's sex, if determined;
- (g) the type and full name of attendant at the birth or stillbirth;
- (h) the full name and contact information of the person completing the notice;
- (i) if the birth or stillbirth occurred outside a hospital, the attendant's name, contact information, signature and relationship to the child.

(2) In addition to the information required under subsection (1), the following information must be provided, if available, on a notice of birth or stillbirth:

- (a) the full name of the child;
- (b) the time of birth or stillbirth;
- (c) the gestational age and birth weight of the child;
- (d) the date of birth of the person who gave birth;
- (e) the marital status of the person who gave birth;

- (f) the contact information of the person who gave birth;
- (g) in the case of a birth, whether the child will be adopted;
- (h) the age of the person who gave birth;
- (i) the number of children born alive to the person who gave birth;
- (j) the number of children stillborn to the person who gave birth;
- (k) the other parent's full name and date of birth.

Registration of a birth after one year

7(1) The information that must be provided for the registration of a birth after one year from the date of birth is as follows:

- (a) the full name of the person;
- (b) the person's sex at birth;
- (c) the person's date and place in Alberta where the birth occurred;
- (d) whether the person is alive at the time of registration;
- (e) the legal name of the person who gave birth;
- (f) the signature of the person registering the birth;
- (g) if the person registering the birth is not the person who gave birth or a parent of the person whose birth is being registered, the following information must be provided with regard to the person who is registering the birth:
 - (i) full name;
 - (ii) contact information;
 - (iii) relationship to the child.

(2) In addition to the information required under subsection (1), the following information must also be provided, if available:

- (a) the information in respect of a birth that is required under section 3(3);
- (b) the signature of the person who gave birth.

(3) If the name of the other parent is being recorded on the birth registration document under section 11 of the *Vital Statistics Ministerial Regulation*, the following information must also be provided:

- (a) the other parent's legal name and sex;
- (b) the information that is required under section 3(5), if available.

Information required for a stillbirth registration document

8(1) The information that must be provided in respect of a child for the registration within one year of a stillbirth is as follows:

- (a) the last name of the child and, if available, the child's given name;
- (b) the date and place in Alberta where the stillbirth occurred;
- (c) if the pregnancy resulted in the birth or stillbirth of more than one child, the number of children born or stillborn and the order of birth of the child being registered;
- (d) the sex of the child, if determined.

(2) The information that must be provided in respect of a person who gave birth to a stillborn child is as follows:

- (a) in the case of an online registration,
 - (i) legal name and e-mail address, and
 - (ii) subject to section 2(5) and (6), the signature of the person who gave birth in the manner determined by the Registrar;
- (b) in any other case,
 - (i) legal name, and
 - (ii) subject to section 2(5) and (6), the signature of the person who gave birth.

(3) The additional information that must be provided, if available, in respect of a person who gave birth to a stillborn child is as follows:

- (a) currently used name;
- (b) date and place of birth;

- (c) age;
- (d) marital status;
- (e) contact information.

(4) The additional information that must be provided in respect of the other parent, if the other parent is being listed on the stillbirth registration document, is as follows:

- (a) legal name and sex;
- (b) either
 - (i) the signature of the other parent, if the person who gave birth has signed the registration of stillbirth document, or
 - (ii) if the person who gave birth did not sign the registration of stillbirth document, the signature of the other parent on the stillbirth registration document and an affidavit setting out the evidence required under section 2(5)(b) in support of a presumption of parentage under section 8 or 8.1 of the *Family Law Act*, a declaration of parentage under section 9 of the *Family Law Act* or an equivalent enactment of another province or territory of Canada.

(5) The additional information that must be provided, if available, in respect of the other parent, if the other parent is listed on the stillbirth registration document, is as follows:

- (a) date and place of birth;
- (b) age.

(6) The information that must be provided in respect of a person who completes a stillbirth registration document under section 2(5) and (6) on behalf of the person who gave birth is as follows:

- (a) full name;
- (b) contact information;
- (c) signature;
- (d) relationship to the child.

(7) The information that must be provided in respect of the disposition of the remains of a stillborn child is the name and contact information of the funeral home, hospital or person who will be in charge of the remains for the purpose of disposition.

(8) If a burial permit has been issued, the following information must be provided:

- (a) the date on which the burial permit was issued;
- (b) the full name and contact information of the person or facility who issued the burial permit.

(9) The information that must be provided, if known, in respect of the disposition of the remains of a stillborn child is as follows:

- (a) method of disposition;
- (b) proposed date of disposition;
- (c) name and address of the cemetery, crematorium or other place of disposition.

(10) Additional information that must be provided, if available, is the date on which the registration document was signed by the person who gave birth, the other parent under section 2(5) or the person who completed the birth registration document under subsection (6) or section 2(6).

Medical certificate of stillbirth

9(1) The information that must be provided on a medical certificate of stillbirth is as follows:

- (a) the date and place in Alberta where the stillbirth occurred;
- (b) the sex of the child, if determined;
- (c) the full name of
 - (i) the attending physician or medical examiner, or
 - (ii) a nurse practitioner referred to in subsection (3);
- (d) the medical designation of the attending physician, medical examiner or nurse practitioner;
- (e) the contact information of the attending physician, medical examiner or nurse practitioner;
- (f) the signature of the physician, nurse practitioner or medical examiner who completed the medical certificate of death.

(2) The information that must be provided, if known, on a medical certificate of stillbirth is as follows:

- (a) the full name of the child;
- (b) the immediate and any antecedent or underlying causes or significant conditions contributing to the stillbirth;
- (c) whether an autopsy was performed and, if so, the particulars;
- (d) the manipulative, instrumental or other operative procedures used in the delivery;
- (e) whether the fetus was dead prior to the procedure referred to in clause (d);
- (f) the nature of the procedure;
- (g) whether the death occurred before or during labour;
- (h) whether labour was induced;
- (i) the date on which the attending physician, medical examiner or nurse practitioner signed the medical certificate of stillbirth.

(3) When

- (a) a stillbirth occurs without the attendance of a physician within the 14 days immediately preceding the stillbirth, or
- (b) the physician who attended the stillbirth is for any reason unable to complete the medical certificate of stillbirth or interim medical certificate of stillbirth within 48 hours of the stillbirth,

the medical certificate of stillbirth may be completed by a nurse practitioner.

Conflicting information

10 Where the date or place of the stillbirth or the sex shown on the stillbirth registration document conflicts with the information shown on the medical certificate of stillbirth, the information on the medical certificate of stillbirth must be used to register the stillbirth.

Interim medical certificate of stillbirth

11 The Registrar may register a stillbirth with an interim medical certificate of stillbirth that includes the information required under section 9(1) and, if known, section 9(2)(a).

Registration of a stillbirth after one year

12(1) The information that must be provided in respect of the registration of a stillbirth after one year from the date of the stillbirth is as follows:

- (a) the last name of the child;
- (b) the sex of the child at the time of stillbirth, if determined;
- (c) the date and place in Alberta where the stillbirth occurred;
- (d) the legal name of the person who gave birth;
- (e) the signature of the person registering the stillbirth;
- (f) if the person registering the birth is not the person who gave birth or the other parent, the following must be provided with regard to the person who is registering the birth:
 - (i) full name;
 - (ii) contact information;
 - (iii) relationship to the child.

(2) In addition to the information required under subsection (1), the following information must be provided, if available:

- (a) the child's given name;
- (b) the information in respect of the person who gave birth as set out in section 8(3);
- (c) the information in respect of disposition as set out in section 8(7) to (9);
- (d) the signature of the person who gave birth.

(3) If the name of the other parent of the person whose stillbirth is being registered is being recorded on the stillbirth registration document under section 11 of the *Vital Statistics Ministerial Regulation*, the following information must also be provided,

- (a) the other parent's legal name, and
- (b) the information in respect of a birth that is required under section 3(5) as it applies to the other parent, if available.

Information required for a marriage registration document

13(1) The information that must be provided respecting each of the parties to a marriage for the registration of the marriage within one year is as follows:

- (a) full name;
- (b) marital status at the time of issuance of the marriage licence;
- (c) date and place of birth;
- (d) signature.

(2) Additional information that may be provided respecting each of the parties to the marriage is as follows:

- (a) parents' legal names;
- (b) parents' places of birth;
- (c) the sex of each party to the marriage.

(3) For each witness to a marriage

- (a) the information that must be provided for the registration of the marriage is
 - (i) full name,
 - (ii) signature,

and

- (b) the information provided for the registration of the marriage may include the witness's contact information, if available.

(4) The information that must be provided in respect of the solemnization of the marriage is as follows:

- (a) the date of the marriage;
- (b) the place in Alberta where the marriage was solemnized;
- (c) the full name and registration number of the person authorized under the *Marriage Act* to solemnize the marriage;
- (d) whether the person referred to in clause (c) is a marriage commissioner, a marriage registrar designated by a Local Spiritual Assembly of the Baha'i Faith or a member of the

clergy and, if the person is a member of the clergy, the religious denomination to which the person belongs;

- (e) the signature of the person referred to in clause (c).

Registration of a marriage after one year

14(1) The information that must be provided for the registration of a marriage after one year is as follows:

- (a) the full name of each of the parties to the marriage;
- (b) the date of the marriage;
- (c) the place in Alberta where the marriage was solemnized.

(2) In addition to the information required under subsection (1), the following information may be provided

- (a) the marital status of each of the parties to the marriage at the time of issuance of the marriage licence;
- (b) the date and place of birth of each of the parties to the marriage;
- (c) the legal names and places of birth of the parents of each of the parties to the marriage;
- (d) the full names of each of the witnesses at the time of the marriage;
- (e) the contact information for each of the witnesses;
- (f) the signatures of the witnesses;
- (g) the signatures of the parties to the marriage;
- (h) the full name, registration number and signature of the person who solemnized the marriage;
- (i) whether the person referred to in clause (h) was a marriage commissioner, a marriage registrar designated by a Local Spiritual Assembly of the Baha'i Faith or a member of the clergy and, if the person was a member of the clergy, the religious denomination to which the person belongs;
- (j) the sex of each of the parties to the marriage.

Information required for a change of name

15(1) The information that must be provided by an applicant for a change of name under Part 3 of the Act is the applicant's

- (a) currently used name,
- (b) date of birth,
- (c) marital status if the applicant is a minor,
- (d) proof of identity that meets the requirements of section 22 or 23 of the *Vital Statistics Ministerial Regulation*,
- (e) contact information, and
- (f) signature.

(2) In addition to the requirements of subsection (1), an applicant must also provide an affidavit confirming that the address in Alberta given by the applicant under subsection (1) is the applicant's address.

(3) Where the applicant referred to in subsection (1) is an employee or agent of the Government of Alberta who is making the application in the applicant's official capacity on behalf of another person whose name is to be changed,

- (a) subsection (2) does not apply to the applicant,
- (b) the information that must be provided in respect of the applicant is
 - (i) the information required under subsection (1)(a), (e) and (f), and
 - (ii) identification satisfactory to the Registrar.

(4) Where the applicant referred to in subsection (1) is not applying in person, the applicant must submit a statutory declaration in the form established by the Registrar with respect to the applicant's identification.

(5) The information that must be provided in respect of a person referred to in section 22(2) of the Act is

- (a) if the person whose name is to be changed is the applicant, in addition to the information required under subsection (1),
 - (i) a record of the person's fingerprints taken by a fingerprinting agency authorized in accordance with section 24(2)(j) of the Act,

- (ii) all previous changes of name of the person,
- (iii) the full name being applied for,
- (iv) the person's legal name,
- (v) the person's place of birth, and
- (vi) the person's sex,

and

- (b) if the person whose name is to be changed is the spouse or adult interdependent partner of the applicant or is a represented adult,
 - (i) the information required under clause (a) as it relates to the person whose name is to be changed,
 - (ii) the person's contact information, if available,
 - (iii) the date of birth of the person,
 - (iv) the person's sex,
 - (v) proof of the person's relationship to the applicant in accordance with section 24 of the *Vital Statistics Ministerial Regulation*, and
 - (vi) the person's consent in the form established by the Registrar to the change of name.

(6) The information that must be provided in respect of a child whose name is to be changed pursuant to an application under Part 3 of the Act is

- (a) the child's legal name,
- (b) the date and the place of the child's birth,
- (c) the child's contact information, if available,
- (d) where the child is 12 years of age or older, a record of the child's fingerprints taken by a fingerprinting agency authorized in accordance with section 24(2)(j) of the Act,
- (e) the full names of the persons listed as parents on the child's birth record,
- (f) the full names of any guardians of the child,

- (g) proof of the parents' and guardians' relationship to the child in accordance with section 24 of the *Vital Statistics Ministerial Regulation*,
 - (h) if the child is 12 years of age or older, the child's consent to change the name in the form established by the Registrar,
 - (i) the parent's consent to change the name and any guardian's consent to change the name in the form established by the Registrar,
 - (j) the full name that is being applied for,
 - (k) the child's sex, and
 - (l) all previous changes of name of the child.
- (7) Information provided to confirm that a person has not been convicted of a designated offence must be
- (a) either
 - (i) a criminal record check, or
 - (ii) a police information check,
 - (b) dated not earlier than 30 days prior to the date the application is received, and
 - (c) in a form satisfactory to the Registrar.

AR 108/2018 s15;121/2020

Designated offences

15.1 The offences prescribed as designated offences are the offences listed in paragraphs (a), (c), (c.1), (d), (d.1) and (e) of the definition of "designated offence" in subsection 490.011(1) of the *Criminal Code* (Canada).

AR 121/2020 s3

Non-binary identifier

16 For the purposes of section 29.1 of the Act, the non-binary identifier "X" may be used on vital event records in accordance with

- (a) this Regulation, except sections 3(1)(d), 6(1)(f), 7(1)(b), 8(1)(d), 9(1)(b), 12(1)(b), 23(1)(b) and 26(1), and
- (b) the *Vital Statistics Ministerial Regulation*.

Amendment of sex on a birth record — eligibility to apply

17(1) For the purposes of section 30 of the Act, a person may apply to amend the sex identified on a birth record that is registered in Alberta if

- (a) the person is at least 18 years of age and is applying to amend the sex identified on their own birth record,
- (b) the person is less than 18 years of age, but is widowed, divorced, married or an adult interdependent partner or is a parent or guardian of a minor, and is applying to amend the sex identified on their own birth record,
- (c) the person is a parent or guardian of a minor applying to amend the sex identified on the minor's birth record, or
- (d) the person is applying to amend the sex identified on a minor's birth record and there is a court order under section 69 of the Act dispensing with the parents' and guardians' consents referred to in subsections (2) and (3).

(2) The consent of both parents listed on the minor's birth record is required for an application under subsection (1)(c) unless

- (a) where the applicant is a parent, the applicant makes an affidavit stating that the applicant is the only guardian,
- (b) there is a court order that appoints guardians in lieu of the parents, in which case the consent of those guardians is required and the parents' consent is not required, or
- (c) there is a court order under section 69 of the Act dispensing with consents of the parents or guardians who do not consent.

(3) Where there is a court order that appoints guardians in addition to the parents, the consent of those guardians to an application under subsection (1)(c) is also required unless there is a court order under section 69 of the Act dispensing with the consents of those guardians.

(4) Where an application under subsection (1) is in respect of a minor who is 12 years of age or older, and who is not the applicant, the minor's consent is required unless there is a court order under section 69 of the Act dispensing with the consent of the minor.

Amendment of sex on a birth record — affidavit requirement

18 An application under section 17 must include an original affidavit executed by the applicant, setting out the following information about the person whose birth record is to be amended:

- (a) the person's full name;
- (b) the person's date of birth;
- (c) a statement confirming the requested amendment to the sex identified on the birth record.

Amendment of sex on a birth record — information for minors less than 12 years of age

19(1) If a person is applying under section 17 to amend the sex identified on the birth record of a minor less than 12 years of age, the application must include a statement containing the information required by this section from one of the following professionals:

- (a) a regulated member of the College of Physicians and Surgeons of Alberta under the *Health Professions Act* who holds a practice permit issued under that Act;
- (b) a regulated member of the College of Alberta Psychologists under the *Health Professions Act* who holds a practice permit issued under that Act;
- (c) a regulated member of the College and Association of Registered Nurses of Alberta under the *Health Professions Act* who holds a practice permit issued under that Act;
- (d) a regulated member of the Alberta College of Social Workers under the *Health Professions Act* who holds a practice permit issued under that Act;
- (e) a person who is practising and who is authorized in a jurisdiction other than Alberta to practise a profession equivalent to that practised by a person referred to in clause (a), (b) or (c) or (d).

(2) The statement

- (a) must be provided as an original document signed by the professional, and
- (b) must include
 - (i) the professional's name and contact information,
 - (ii) the professional's practice permit, licence or reference number or equivalent identifier for professional licensing purposes, and

- (iii) the date on which the professional signed the statement, which must be within one year of the date of the application.

(3) The statement must set out

- (a) the name and date of birth of the person whose record of birth is to be amended, and
- (b) the professional's confirmation that
 - (i) the professional meets the requirement of subsection (1),
 - (ii) the professional has treated, evaluated or consulted with the applicant, and
 - (iii) in the professional opinion of the professional, the requested amendment to the sex on the record of birth is appropriate.

Registrar's powers and duties

20(1) On receipt of an application for amendment to the sex identified on a birth record and of

- (a) the documents required to be filed with it in accordance with sections 17, 18 and 19, or
- (b) proof satisfactory to the Registrar that an equivalent amendment has been lawfully made in another province or territory of Canada,

and on payment of the prescribed fee, the Registrar shall, if satisfied that the Act, this Regulation and the *Vital Statistics Ministerial Regulation* have been complied with, amend the sex identified on the birth record accordingly.

(2) The Registrar may require any applicant or person to return to the Registrar any previously issued birth certificate or certified copies of the birth record in the applicant's or the person's possession.

Information required to amend the sex on the record of a subsisting marriage

21(1) A person may request that the sex identified on the record of a subsisting marriage be amended if

- (a) the person is applying to amend the sex identified on a birth record under section 17,

- (b) the person's birth record has been amended in accordance with section 20, or otherwise in accordance with Alberta law, or
- (c) the person provides
 - (i) proof satisfactory to the Registrar that an equivalent amendment has occurred in a jurisdiction other than Alberta, or
 - (ii) proof satisfactory to the Registrar, by affidavit, setting out the following information about that person:
 - (A) the person's full name;
 - (B) the person's date and place of birth in a jurisdiction other than Alberta;
 - (C) a statement confirming the requested amendment to the sex of that person as identified on the record of a subsisting marriage in Alberta.

(2) The other party to the marriage must consent to the amendment in accordance with section 30.

(3) On receipt of a request for amendment to the sex identified on the record of a subsisting marriage and of the documents required to be filed with it and payment of the prescribed fee the Registrar shall, if satisfied that the Act and Regulation have been complied with, amend the sex on the record of the subsisting marriage accordingly.

(4) The Registrar may require any person to return to the Registrar any previously issued marriage certificate or certified copies of the record of marriage in the person's possession.

Information required for a death registration document

22(1) The information that must be provided in respect of a deceased person for the registration of the death of the person within one year is as follows:

- (a) the legal name of the deceased and the name used by the deceased immediately prior to death, if different;
- (b) the sex of the deceased;
- (c) the age of the deceased at the time of death;
- (d) the date and place in Alberta where the death occurred;

- (e) the full name and contact information of the person who is providing the information for registration of the death and the person's relationship to the deceased.

(2) The additional information that must be provided, if available, respecting the deceased person is as follows:

- (a) the deceased's date and place of birth;
- (b) the legal names and places of birth of the deceased's parents, if known;
- (c) the deceased's occupation and type of business prior to death;
- (d) the deceased's marital status;
- (e) whether the deceased was an adult interdependent partner at the time of death;
- (f) the full name of the deceased's spouse or adult interdependent partner, if any;
- (g) the deceased's usual permanent residence prior to death;
- (h) the deceased's Alberta personal health number;
- (i) the deceased's social insurance number;
- (j) the deceased's Alberta driver's licence number or identification card number, if any.

(3) The information that must be provided in respect of the disposition of the remains of the deceased person is the name and contact information of the funeral home, hospital or person who is in charge of the remains for the purpose of disposition or who will be in charge of the remains for the purpose of disposition.

(4) If a burial permit has been issued, the information that must be provided is as follows:

- (a) the date on which the burial permit was issued;
- (b) the full name and contact information of the person or facility who issued the burial permit.

(5) The information that must be provided, if known, in respect of the disposition of the remains of the deceased person is as follows:

- (a) method of disposition;
- (b) proposed date of disposition;

- (c) name and address of the cemetery, crematorium or other place of disposition.

**Information required for registration of death
in respect of an unidentified body**

23(1) In the case of an unidentified body, the following information must be provided for the registration of the death as it appears on the medical certificate of death:

- (a) the age of the deceased;
- (b) the sex of the deceased as recorded on the medical certificate of death;
- (c) the date of death;
- (d) the place in Alberta where the death occurred;
- (e) the full name and contact information of the person who is providing the information for registration of the death.

(2) The information that must be provided in respect of the disposition of the remains of an unidentified body is the name and contact information of the funeral home, hospital or person who is in charge of the remains for the purpose of disposition or who will be in charge of the remains for the purpose of disposition.

(3) If a burial permit has been issued, the information that must be provided is as follows:

- (a) the date on which the burial permit was issued;
- (b) the full name and contact information of the person who issued the burial permit;

(4) The information that must be provided, if known, in respect of the disposition of the remains of an unidentified body is as follows:

- (a) method of disposition;
- (b) proposed date of disposition;
- (c) name and address of the cemetery, crematorium or other place of disposition.

Information required for registration of a presumed death

24(1) In the case where the death of a person is presumed, the following information must be provided for the registration of the death:

- (a) the information set out in an order of the Alberta Court of Queen's Bench that declares or decrees that the death is presumed to have occurred in Alberta;
 - (b) the information required under section 22(1)(b) and (c).
- (2)** An order referred to subsection (1)(a) must set out
- (a) the full name of the deceased,
 - (b) the presumed date of death, and
 - (c) a statement that the place where the presumed death is presumed to have occurred is in Alberta and, if known, the name of the place.
- (3)** In addition to the information required under subsection (1), unless already contained in an order of the Alberta Court of Queen's Bench that declares or decrees that the death is presumed to have occurred in Alberta, the information referred to in section 22(1)(c) and (2), and the deceased's legal name, must also be provided, if known, in respect of a person who is presumed to be deceased.
- (4)** Section 22(3), (4) and (5) do not apply in the case of a presumed death.

Registration of a death after one year

25(1) The information that must be provided in respect of a deceased person for the registration of the death of the person after one year is as follows:

- (a) the legal name and the name used by the deceased immediately prior to death, if different;
 - (b) the date of death;
 - (c) the place in Alberta where the death occurred;
 - (d) the sex and age of the deceased;
 - (e) the full name and contact information of the person who is providing the information for registration of the death and the person's relationship to the deceased.
- (2)** In addition to the information required under subsection (1), the information that must be provided under section 22(2) to (5) must also be provided, if available.

(3) This section does not apply to the registration of a death in respect of an unidentified body under section 23 or the registration of a presumed death under section 24.

Medical certificate of death

26(1) The information in respect of a deceased person that must be provided on the medical certificate of death is as follows:

- (a) the date and place of death;
- (b) the sex of the deceased;
- (c) the full name of
 - (i) the attending physician or medical examiner, or
 - (ii) a nurse practitioner referred to in subsection (3);
- (d) the signature of the physician, nurse practitioner or medical examiner who completed the medical certificate of death;
- (e) the contact information of the attending physician, nurse practitioner or medical examiner.

(2) The information in respect of a deceased person that must be provided, to the extent that it is known, on the medical certificate of death is as follows:

- (a) the full name of the deceased;
- (b) the deceased's Alberta personal health number;
- (c) the age of the deceased;
- (d) the immediate cause of death and any antecedent or underlying causes or significant conditions that contributed to the death of the deceased;
- (e) the manner of death, which may include
 - (i) the "manner of death" within the meaning of the *Fatality Inquiries Act*,
 - (ii) the place where and the date on which the injury or incident that resulted in the death occurred, and
 - (iii) a description of the circumstances of the injury or incident;

- (f) whether an autopsy was performed and, if so, the particulars of the autopsy, including whether further information about the cause of death will be available at a later date;
- (g) whether the death occurred during or within one year following a pregnancy;
- (h) whether the death occurred within 10 days of a surgical operation and, if so, the operative findings;
- (i) the date on which the attending physician or nurse practitioner last attended the deceased before death, if applicable;
- (j) whether the attending physician, nurse practitioner or medical examiner viewed the body after death;
- (k) the date on which the attending physician, nurse practitioner or medical examiner, as the case may be, completed the medical certificate of death;
- (l) whether notification to the medical examiner is required, if applicable.

(3) When

- (a) a death occurs without the attendance of a physician in relation to the final illness of the deceased during the 14 days immediately preceding the death, or
- (b) the physician who attended the deceased is for any reason unable to complete the medical certificate of death or interim medical certificate of death within 48 hours of the death,

the medical certificate of death may be completed by a nurse practitioner.

Conflicting information

27 Where the date or place of death of the deceased person shown on a death registration document conflicts with the information shown on the medical certificate of death, the information shown on the medical certificate of death shall be used to register the death of the deceased person.

Interim medical certificate of death

28 The Registrar may register a death with an interim medical certificate of death that includes the following:

- (a) date and place of death;
- (b) the information required under section 26(1);
- (c) the information required under section 26(2)(a), if known.

Delivery to the Registrar

29 Where a funeral director or a hospital administrator receives a medical certificate of death or stillbirth, the funeral director or hospital administrator shall, within 10 days after the date of death or stillbirth, deliver the registration document and the medical certificate to the Registrar.

General consent

30(1) Unless otherwise provided in the Act or regulations, where a person's consent is required, the consent must be provided in accordance with this section, in the form established by the Registrar.

(2) The person eligible to provide consent must provide the following information to the satisfaction of the Registrar:

- (a) their full name;
- (b) their contact information;
- (c) their signature;
- (d) the date of their signature, which must be within one year of the application;
- (e) the full name of the person to whom the consent is being provided and their relationship to that person, where applicable;
- (f) the purpose for which the consent is being provided.

(3) The information provided by a person giving consent must be witnessed by a person who

- (a) is 18 years of age or older, and
- (b) in the opinion of the Registrar,
 - (i) is not involved in and does not stand to benefit or be impacted by the application or service being requested, and
 - (ii) is not otherwise in a conflict of interest with respect to the application or service being requested.

(4) A witness to a person's consent must provide the following information to the satisfaction of the Registrar:

- (a) their full name;
- (b) their contact information;
- (c) their relationship to the person providing consent;
- (d) their signature;
- (e) the date of the signature, which must be within one year of the application.

Waiving consent

31 For the purposes of section 51.2 of the Act, the Registrar may conclude that

- (a) a child is unable to give consent, on receipt of an affidavit satisfactory to the Registrar,
- (b) a represented adult is unable to give consent, when there is a guardianship order in effect under Part 2, Division 3 of the *Adult Guardianship and Trusteeship Act* or under the equivalent legislation of another jurisdiction, and
- (c) the child or represented adult is unable to give consent, if the Registrar is provided any other documentary evidence demonstrating the incapacity to the satisfaction of the Registrar.

Release of Information

Application

32 The information to be provided by an eligible applicant for information, records or services under sections 46 to 49 of the Act is

- (a) the applicant's full name,
- (b) the applicant's contact information,
- (c) the details concerning the event, information, record or service request that are satisfactory to the Registrar,
- (d) the relationship of the applicant to the person to whom the record applies,
- (e) proof of identity that meets the requirements of section 22 or 23 of the *Vital Statistics Ministerial Regulation* or that

is satisfactory to the Registrar for the purpose of determining the identity of the applicant, and

- (f) the date and the signature of the applicant.

Designated agent

33(1) Except in the case of an electronic application, a person who wishes to apply for information, records or services under the Act may by consent designate an individual as an agent to make the application on that person's behalf if the designated agent

- (a) is 18 years of age or older, and
- (b) has known the person for at least one year.

(2) Notwithstanding subsection (1)(b), the Registrar may accept an application by a designated agent who has known the person for less than one year where

- (a) the consent is otherwise valid, and
- (b) the application meets the requirements of this section.

(3) Consent for the purposes of this section must

- (a) be in the form established by the Registrar,
- (b) contain
 - (i) the full name and contact information of the applicant giving the consent,
 - (ii) the signature of the applicant,
 - (iii) the full name of the designated agent to whom consent is being given,
 - (iv) the contact information of the designated agent, and
 - (v) the length of time the designated agent has known the applicant,

and

- (c) be surrendered at the time of making the application.

(4) The designated agent must at the time of making the application

- (a) provide proof of identity that meets the requirements of section 23(1) or (2) of the *Vital Statistics Ministerial Regulation*,
 - (b) provide a statutory declaration in the form established by the Registrar in accordance with subsection (5) or (6), and
 - (c) produce the original signed consent form.
- (5) If the designated agent makes the application in person, the statutory declaration referred to in subsection (4) must contain
- (a) the full name of the designated agent,
 - (b) the contact information of the designated agent,
 - (c) the full name of the person on whose behalf the application is being made, and
 - (d) the length of time the designated agent has known the person.
- (6) If the designated agent makes the application by mail, the statutory declaration referred to in subsection (4) must, in addition to the information set out in subsection (5), meet the requirements set out in section 23(3) to (5) of the *Vital Statistics Ministerial Regulation*.

Birth certificate or certified copy of a birth record

34(1) Subject to subsection (2), the following persons may apply to the Registrar in the form established by the Registrar for a birth certificate or a certified copy of a birth record:

- (a) the person whose birth was registered;
- (b) a person who is named on the birth record as a parent of the person referred to in clause (a);
- (c) a person who is named as a parent of the person referred to in clause (a) in a declaration of parentage under the *Family Law Act*;
- (d) a person who is named as a parent of the person referred to in clause (a) in an order respecting parentage that is substantially equivalent to a declaration of parentage referred to in clause (c) and that was made by a court under an enactment of another province or territory of Canada;

- (e) a person who is designated by the personal directive of the person referred to in clauses (a) to (d), as that person's agent;
- (f) a person who is in the process of adopting the person referred to in clause (a);
- (g) a person who is, pursuant to an enactment or a court order made by a Canadian court, the guardian or trustee of a person referred to in clauses (a) to (d), if the making of the application is consistent with the authority granted to the guardian or trustee;
- (h) a person who holds a power of attorney to act on behalf of a person referred to in clauses (a) to (d), if the making of the application is consistent with the powers and duties of the attorney conferred by the power of attorney;
- (i) a lawyer who has been retained by a person referred to in clauses (a) to (h), (k), (m) or (n) to provide legal services to that person, if the information is required for the provision of those legal services;
- (j) the designated agent of a person referred to in clauses (a) to (h), (m)(iii) or (n) or a person referred to subsection (2), on providing the person's consent in the form established by the Registrar;
- (k) a person authorized to make the application by an order of a court in Alberta issued within one year of the application;
- (l) a person who requires the certificate or certified copy for the purposes of complying with another enactment;
- (m) if the person referred to in clause (a) is deceased,
 - (i) a personal representative, an executor or an administrator of the deceased's estate,
 - (ii) for the purpose of complying with the *Public Trustee Act* or an equivalent enactment of another province or territory of Canada,
 - (A) the Public Trustee or equivalent official of the other jurisdiction, or
 - (B) an agent designated by a public trustee, if that agent is designated in accordance with the applicable enactment or agreement,

or

- (iii) a person who is the next of kin of the deceased;
- (n) where there is no person referred to in clause (m)(iii) living, a relative of the person referred to in clause (a);
- (o) any person who by affidavit satisfies the Registrar that the certificate or certified copy is required;
- (p) any person affiliated with a police service or law enforcement agency who satisfies the Registrar that the certificate or certified copy is required.

(2) Where the person referred to in subsection (1)(a) is a child younger than 12 years of age, the application may be made by the child, with the consent of the child's parent or guardian in the form established by the Registrar.

(3) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Marriage certificate or certified copy of a marriage record

35(1) The following persons may apply to the Registrar in the form established by the Registrar for a marriage certificate or a certified copy of a marriage record:

- (a) either of the persons whose names appear on the marriage record as the parties to the marriage;
- (b) a person who is, pursuant to an enactment or a court order, the guardian or trustee of a person referred to in clause (a), if the making of the application is consistent with the authority granted to the guardian or trustee;
- (c) a person who holds a power of attorney to act on behalf of a person referred to in clause (a), if the making of the application is consistent with the powers and duties of the attorney conferred by the power of attorney;
- (d) the designated agent of a person referred to in clauses (a) to (c), (f), (h)(i) or (iii) or (i), on providing the person's consent in the form established by the Registrar;
- (e) a lawyer who has been retained by a person referred to in clauses (a) to (c), (f) to (i) to provide legal services to that person, if the information is required for the provision of those legal services;
- (f) a person who is designated by the personal directive of a person referred to in clause (a) as that person's agent;

- (g) a person authorized to make the application by an order of a court in Alberta issued within one year of the application;
 - (h) if one of the parties to the marriage referred to in clause (a) is deceased,
 - (i) the personal representative, executor or administrator of the deceased's estate,
 - (ii) for the purpose of complying with the *Public Trustee Act* or an equivalent enactment of another province or territory of Canada,
 - (A) the Public Trustee or equivalent official of the other jurisdiction, or
 - (B) an agent designated by a public trustee, if that agent is designated in accordance with the applicable enactment or agreement,
- or
- (iii) a person who is the next of kin of the deceased;
 - (i) where one of the parties to the marriage referred to in clause (a) is deceased and there is no person referred to in clause (h)(iii) living, a relative of the deceased party to the marriage;
 - (j) any person who by affidavit satisfies the Registrar that the certificate or certified copy is required;
 - (k) any person affiliated with a police service or law enforcement agency who satisfies the Registrar that the certificate or certified copy is required.

(2) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Death certificate or certified copy of a death record

36(1) In this section, "record" does not include a medical certificate of death.

(2) The following persons may apply to the Registrar in the form established by the Registrar for a death certificate or a certified copy of a death record:

- (a) the personal representative, executor or administrator of the deceased's estate;

- (b) for the purpose of complying with the *Public Trustee Act* or an equivalent enactment of another province or territory of Canada,
 - (i) the Public Trustee or equivalent official of the other jurisdiction, or
 - (ii) an agent designated by a public trustee, if that agent is designated in accordance with the applicable enactment or agreement;
- (c) a person who is the next of kin of the deceased;
- (d) a person who immediately before the deceased's death was, pursuant to an enactment or a court order, the guardian or trustee of the deceased;
- (e) a person authorized to make the application by an order of a court in Alberta issued within one year of the application;
- (f) a person who was, immediately before the deceased's death, a joint tenant with the deceased;
- (g) the designated agent of a person referred to in clauses (a), (c), (d), (f), (h) or (i), on providing the person's consent in the form established by the Registrar;
- (h) where there is no person referred to in clause (c) living, a relative of the deceased;
- (i) at the discretion of the Registrar, a former spouse or former adult interdependent partner of the deceased;
- (j) at the discretion of the Registrar, a government agency or other individual or organization that has a particular interest concerning the deceased;
- (k) a representative of the funeral home that registers the death or makes the arrangements for the disposition of the deceased's body, at the time of the registration or disposition;
- (l) a lawyer who has been retained by a person referred to in clauses (a) to (f) and (h) to (j) to provide legal services to that person, if the information is required for the provision of those legal services;
- (m) any person affiliated with a police service or law enforcement agency who satisfies the Registrar that the certificate or certified copy is required;

- (n) any person who satisfies the Registrar by affidavit that the certificate or certified copy is required.

(3) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Certified copy of a stillbirth record

37(1) In this section, “record” does not include a medical certificate of stillbirth.

(2) The following persons may apply to the Registrar in the form established by the Registrar for a certified copy of a stillbirth record:

- (a) the next of kin of the stillborn child;
- (b) where there is no person referred to in clause (a) living, a relative of the stillborn child;
- (c) the designated agent of a person referred to in clause (a) or (b), on providing the person’s consent in the form established by the Registrar;
- (d) a person authorized to make the application by an order of a court in Alberta issued within one year of the application;
- (e) a representative of the funeral home that registers the stillbirth or makes the arrangements for the disposition of the stillborn child’s body, at the time of the registration or disposition;
- (f) any person who satisfies the Registrar by affidavit that the certified copy of the stillbirth record is required;
- (g) a lawyer who has been retained by a person referred to in clause (a), (b) or (d) to provide legal services to that person, if the information is required for the provision of those legal services.

(3) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Certified copy of a medical certificate or an interim medical certificate of stillbirth or death

38(1) The following persons may apply to the Registrar in the form established by the Registrar for a certified copy of a medical certificate or interim medical certificate of stillbirth or death:

- (a) the next of kin of the stillborn child or deceased person;
- (b) a personal representative, executor or administrator of the deceased's estate;
- (c) the designated agent of a person referred to in clauses (a) and (b), on providing the person's consent in the form established by the Registrar;
- (d) the guardian or trustee of a person referred to in clause (a);
- (e) a person who immediately before the death of the deceased person was, pursuant to an enactment or court order, the guardian or trustee of the deceased person;
- (f) a person authorized to make the application by an order of a court in Alberta issued within one year of the application;
- (g) a person who satisfies the Registrar that the certified copy of the medical certificate or interim medical certificate of stillbirth or death is required to accompany an application for a burial permit or disinterment permit or for the purpose of transporting the body or remains of the stillborn child or deceased person;
- (h) a lawyer who has been retained by a person referred to in clause (a), (b) or (d) to (g) to provide legal services to that person, if the information is required for the provision of those legal services;
- (i) any person who satisfies the Registrar by affidavit that the certificate or certified copy of the medical certificate is required.

(2) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Certificate of change of name

39(1) The following persons may apply to the Registrar in the form established by the Registrar for a certificate in respect of a change of name:

- (a) the person whose name was changed, if the person is 12 years of age or older;
- (b) a person who is, pursuant to an enactment or a court order, the guardian or trustee of the person referred to in clause

- (a), if the making of the application is consistent with the authority granted to the guardian or trustee;
- (c) where the person whose name was changed is a minor younger than 12 years of age,
 - (i) a parent who is listed on the person's birth record,
 - (ii) the guardian or trustee of the person's parent,
 - (iii) a person who is named as a parent of the person in a declaration of parentage under the *Family Law Act*,
 - (iv) a person who is named as a parent of the person in an order respecting parentage that is substantially equivalent to a declaration of parentage referred to in subclause (iii) and that was made by a court under an enactment of another province or territory of Canada, or
 - (v) the child whose name was changed, with the consent of the child's parent or guardian in the form established by the Registrar;
- (d) the designated agent of a person referred to in clauses (a) to (c), on providing the person's consent in the form established by the Registrar;
- (e) a person who holds a power of attorney to act on behalf of a person referred to in clauses (a) or (c)(i), (iii) or (iv), if the making of the application is consistent with the powers and duties of the attorney conferred by the power of attorney;
- (f) a person authorized to make the application by an order of a court in Alberta issued within one year of the application;
- (g) if the person referred to in clauses (a) or (c)(i), (iii) or (iv), is deceased, the personal representative, executor or administrator of the deceased person's estate, or the Public Trustee for the purpose of complying with the *Public Trustee Act* or an equivalent enactment of another province or territory of Canada;
- (h) any person affiliated with a police service or law enforcement agency who satisfies the Registrar that the certificate is required;
- (i) a lawyer who has been retained by a person referred to in clause (a), (b), (c), (e), (f) or (g) to provide legal services

to that person, if the information is required for the provision of those legal services;

- (j) any person who satisfies the Registrar by affidavit that the certificate of change of name is required.

(2) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Search of registration records

40(1) The following information must be provided by a person for a search of a birth or stillbirth record to determine if they are identified on the record as a parent:

- (a) their full name;
- (b) their date of birth;
- (c) their place of birth.

(2) The following information must be provided by a person for a search of a marriage record to determine if they are identified on the record as a spouse:

- (a) their full name;
- (b) their date of birth;
- (c) their place of birth.

(3) The following information must be provided by a person for a search of a death record to determine if they are identified on the record as deceased:

- (a) their full name;
- (b) their date of birth;
- (c) their place of birth.

Release of information

41(1) The Registrar may give access to or provide copies of or information from any register or record on file in the office of the Registrar to the following persons:

- (a) a representative of the Government of Canada, the Government of Alberta, the government of another province or territory of Canada, the Government of the United States of America, the government of any state of the United States of America, the government of a

member of the British Commonwealth or, at the discretion of the Registrar, any other government;

- (b) a representative of a police service or law enforcement agency who satisfies the Registrar that the certified copy is required for purposes relating to law enforcement as defined in the *Freedom of Information and Protection of Privacy Act*;
- (c) a representative of a regional health authority established pursuant to the *Regional Health Authorities Act* or an approved hospital designated pursuant to the *Hospitals Act*;
- (d) a representative of any Workers' Compensation Board in Canada;
- (e) the Chief Medical Examiner appointed under the *Fatality Inquiries Act* or any delegate or deputy of the Chief Medical Examiner;
- (f) the Chief Medical Officer appointed under the *Public Health Act* or any delegate or deputy of the Chief Medical Officer;
- (g) a representative of a pension plan in respect of information necessary for the administration of the pension of one of its members;
- (h) a private adoption agency for adoption purposes;
- (i) a person or organization for purposes relating to First Nations (*Indian Act (Canada)*), Metis or Inuit registration, membership, status, services or rights;
- (j) a person in accordance with
 - (i) an enactment of Alberta or Canada that authorizes or requires the disclosure or access, or
 - (ii) a treaty, arrangement or agreement under an enactment of Alberta or Canada that authorizes or requires the disclosure or access;
- (k) an employee, organization, agent of an organization or person contracted to act on behalf of a person listed in clauses (a) to (j) acceptable to the Registrar.

(2) An applicant must provide proof acceptable to the Registrar that the applicant is eligible as set out in this section.

Duties of researcher

42(1) The Registrar may give access to or provide copies of or information from any register or record on file in the office of the Registrar to a researcher who satisfies the Registrar that

- (a) the purpose of the research is legitimate and cannot reasonably be accomplished unless the information is provided in individually identifiable form,
- (b) any record linkage is not harmful to the individuals the information is about and the benefits to be derived from the linkage are clearly in the public interest,
- (c) the information to be released will not be used in any way that would reveal the identity of any individual who is the subject of the information, and
- (d) all individual identifiers will be removed or destroyed at the earliest reasonable time.

(2) A researcher must

- (a) sign an agreement with the Registrar in respect of the use, subsequent use, disclosure, security and confidentiality of information disclosed to the researcher under subsection (1), and
- (b) take the following oath:

OFFICIAL OATH

I, (name), do swear (or solemnly affirm) that I will diligently, faithfully and to the best of my ability execute according to law the responsibilities required of me by the research agreement dated _____, which allows me access to registers or records specified in the agreement, and that I will not, without due authorization, disclose or make known any matter or thing that the terms of the research agreement forbid me to disclose.

SO HELP ME GOD

(omit if affirmed)

(signature of person swearing or affirming)

TAKEN and subscribed before me at (place) on (date),
20__.

(signature of Commissioner for Oaths or Notary Public)

(A Commissioner for Oaths or a Notary Public
in and for the Province of Alberta)

Transitional

Transitional

43(1) All registrations, applications and information submitted to the Registrar on or before the coming into force of this regulation shall proceed and be used as if the registration, application or information had been submitted under this regulation.

(2) Following the coming into force of this regulation the Registrar may, in the Registrar's discretion, accept a registration, application or information submitted to the Registrar in the form required immediately before the coming into force of this regulation.

(3) The Registrar may request additional information consistent with the Act, this regulation and the *Vital Statistics Ministerial Regulation*, with respect to any registration, application or information referred to in this section.

Repeal, Expiry and Coming into Force

Repeal

44 The *Vital Statistics Information Regulation* (AR 3/2012) is repealed.

Expiry

45 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2021.

Coming into force

46 This Regulation comes into force on the coming into force of section 38 of the *Vital Statistics and Life Events Modernization Act*, SA 2016 c26.



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