



UNIFORM LAW CONFERENCE OF CANADA

UNIFORM VITAL STATISTICS ACT 1987 (RENEWAL)
REPORT OF THE WORKING GROUP

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Report of the Working Group

August 2017

1. Introduction

[1] This introduction updates prior reports and the project's status. Part 2 reviews the approach to the project and drafting of the *Uniform Vital Statistics Act 2017* which is being submitted with this report for approval. Part 3 sets out a recommendation for corrections to the text of the 2016 report. Parts 4 through 6 report on activity since August 2016 and set out new recommendations for approval. Part 7 provides an overview of drafting decisions that were made when modernizing the *Uniform Vital Statistics Act 1987*. Part 8 outlines the structure of the *Uniform Vital Statistics Act 2017* and part 9 sets out next steps and matters for consideration by the ULCC Civil Section. The report includes several appendices, including Appendix G - Draft Uniform Vital Statistics Act 2017 with Commentaries; Appendix F - Consolidation of ULCC Working Group Recommendations (2016 and 2017), and Appendix H - Concordance Tables.

1.01 Background

[2] The ULCC Uniform Vital Statistics Act was last updated in 1987 (the "1987 Act"). Appendix I provides a jurisdictional comparison of the 1987 Act and current vital statistics legislation, highlighting where the uniform law has been adapted in whole, in part, or where it has not been adopted.¹

[3] Although some jurisdictions have updated certain provisions of their legislation to reflect modern needs², many have not. Vital statistics legislation across Canada must continue to adapt to current legal and societal needs. Many provisions in current vital statistics legislation across Canada, are out of date and in need of reform. The lack of consistency between jurisdictions poses challenges for vital statistics registries.

[4] Vital statistics agencies across Canada collect important data including records of births, deaths, and marriages. Basic vital statistics information, such as birth rates and causes of death, are an important source of information for statisticians and other researchers. As health and social issues become more complex, it is increasingly necessary to ensure that:

- a) the content of vital statistics information collected better reflects modern requirements,
- b) the means of collection can be adapted to new technologies, and
- c) the purpose for the collection of information remains relevant and constitutionally sound.

[5] Reforming vital statistics legislation to respond to these needs will ensure that vital statistics agencies can better fulfill their mandate to collect and register vital information.

[6] Since the passage of the 1987 Act there have been significant developments in

areas of law relevant to vital statistics legislation – in particular, the laws pertaining to one’s identity, parentage and family relations. Many medical and social changes have taken place. They include the development of assisted reproductive technologies, new and dynamic family structures, same-sex marriage, gender confirmation surgery,³ recognizing that gender confirmation surgery should not be a requirement to record a change in sex designation, and recognition of non-binary gender identity.

[7] In 2015 the Final Report of the Truth and Reconciliation Commission of Canada (TRC) was released. Canada, the provinces and territories continue to work toward implementing the recommendations.

[8] In 2017 a number of government and international agencies are in the process of finalizing policy recommendations to address identity issues related to gender and sex, and important cases are being heard. A further backdrop relevant to the policy recommendations arising from this project, and related to the anticipated policy guidance and legal challenges noted above, is the UN *Convention of the Rights of the Child* (ratified by Canada in 1991). In particular, Articles 7 and 8 of the Convention set out the rights of a child to know his or her parents and to preserve his or her identity, including family relations.

[9] As a result of the developments noted above, social norms and government policy in 21st century Canada continue to evolve. Laws characterized by traditional and more rigid, conceptions of identity, parentage and family, are being replaced by more flexible and complex conceptions. Indigenous conceptions of identity, parentage and family relations are also recognized.

[10] Throughout the life of this project the piecemeal evolution of the changes described above has continued in tribunals, courts and legislatures around the country, and in the public discourse. This evolution is expected to continue for years to come. How jurisdictions decide to modernize and harmonize their legislation will have important implications for how, and what, information a vital statistics agency collects, the information it releases, and the rules governing when, to whom and the manner in which information may be released.

[11] The aim of the proposed *Uniform Vital Statistics Act (2017)* (the “Draft Act 2017”), submitted as Appendix G to this report, is to capture the jurisprudential and legislative developments that have occurred since 1987, to modernize practices and to ensure more consistency between agencies as they adapt to address these developments. This report and the commentaries to the Draft Act 2017 identify provisions which should be monitored and/or considered before a jurisdiction implements this Act or provisions within it.

1.02 Project Status

[12] The project commenced in April 2014. The ULCC Vital Statistics Act Renewal Working Group (“the ULCC WG”) has provided updates to the ULCC annually since August 2014. At the August 2016 conference, the ULCC WG presented its final list of policy recommendations for modernization and renewal of the *Uniform Vital Statistics*

Act (1987) (“the 1987 Act”).

[13] The ULCC WG asked the ULCC to provide guidance on the recommendations related to registration of births conceived using assisted human reproduction. In the end, recommendations 21 – 21.6 and recommendation 22 in the 2016 report were not approved.

[14] The ULCC WG was asked to seek feedback from the CCSO Family Justice Council on two recommendations⁴ and the ULCC WG was directed to proceed to prepare a new *Uniform Vital Statistics Act* for consideration at the 2017 conference.

[15] This report reviews activity since August 2016 and updates the ULCC WG’s final policy recommendations for modernization and renewal of the *Uniform Vital Statistics Act* (1987).

[16] Appendix G–Draft *Uniform Vital Statistics Act (2017)* (the “Draft Act 2017”) implements the recommendations of 2016, as amended in accordance with the recommendations set out in this report. Appendix F offers readers a consolidated list of the 2016 recommendations, the 2017 amendments to certain 2016 recommendations and new 2017 recommendations.

[17] **The ULCC WG is seeking approval to:**

- a) the recommendations in this report and
- b) the Draft Act 2017 with commentaries.

1.03 Project organization

[18] The ULCC Uniform Vital Statistics Act Renewal Project was guided by the two committees described at 1.04 and 1.05 below.

1.04 ULCC Working Group

[19] The ULCC Vital Statistics Act Renewal Working Group (“the ULCC WG”) is a ULCC project committee. Members include provincial and territorial vital statistics registrars, ministry counsel responsible for their jurisdiction’s vital statistics file, and legislative counsel. Jim Emmerton, Executive Director of the BC Law Institute, chaired the ULCC WG until his retirement in June 2015. His successor, Kathleen Cunningham, assumed the role in August 2015. See Appendix A for a list of past and present committee members.

[20] The ULCC WG reviewed research carried out by British Columbia Law Institute (BCLI) staff and the recommendations of the Vital Statistics Group (see below). The ULCC WG members applied their expertise and considered the legal and political landscapes of their respective jurisdictions, the processes for developing internal vital statistics policies, and anticipated or ongoing legislative and judicial developments.

[21] The ULCC WG held 28 meetings between January 24 and July 7, 2017 to consider feedback from CCSO Family Justice Council members and to review the Draft

Act, prepare commentaries to the Draft Act and prepare this 2017 report.

1.05 Vital Statistics Group

[22] The Vital Statistics Group (“VSG”) of the ULCC Uniform Vital Statistics Act Renewal Project was a national advisory committee. It included vital statistics registrars and senior staff, government counsel, and statisticians. The VSG was co-chaired by Krista Dewey (Director and Deputy Registrar General of Vital Statistics in Nova Scotia) and Josée Dubé (Director and Registrar General of New Brunswick Vital Statistics). See Appendix B for a list of the VSG committee members, past and present.

[23] VSG members provided expert front-line experience and knowledge, highlighting and discussing problematic areas where current vital statistics legislation is (or will soon be) inadequate. Members are involved with ongoing policy developments in their jurisdictions, as well as relevant litigation on issues under discussion.

[24] At its monthly meetings, the VSG examined issues, related experiences dealing with these issues, and proposed reforms for consideration by the ULCC Working Group.

[25] The VSG’s last met in January 2016.

1.06 Funding and Legislative Drafting Support

[26] Research and writing to support the development of the ULCC WG recommendations up to and including the 2016 report was carried out by the BC Law Institute. Funding to secure the BC Law Institute’s assistance was provided by a generous contribution from Statistics Canada and the following provincial and territorial governments: British Columbia, Saskatchewan, Manitoba, Ontario, New Brunswick, Nova Scotia, and Nunavut.

[27] Funding to complete the project following the 2016 ULCC conference was not forthcoming. Notwithstanding the shortfall in funding, the BC Law Institute has continued to support the project through 2017 to oversee and manage the review of the drafting of the Draft Act 2017, as well as the drafting of the commentaries to the Draft Act 2017 and this 2017 report.

[28] BC legislative counsel took on the task of first modernizing the 1987 Act and then incorporating the 2016 and 2017 recommendations. Professional editing services were also provided.

[29] The Office of Legislative Counsel for the Ministry of the Attorney General for Ontario prepared the French version of the legislation and commentary.

[30] See Appendix C for a list of the counsel who contributed to these efforts.

2. Approach to the *Uniform Vital Statistics Act (Renewal)* Project

[31] This section updates past reports of the ULCC WG.

2.01 Priority Issues

[32] The project's purpose as reported in August 2014, was to consider the current state of vital statistic legislation in Canada and strive to develop a modern, uniform Vital Statistics Act which would:

- a) Incorporate new advances in information collection and use
- b) Reflect changes in society and family structures
- c) Conform with developments in family law legislation
- d) Bring uniformity to information collection procedures across Canada

[33] A number of topics were identified for review. However, the ULCC WG acknowledged that a full review of all provisions of the 1987 Act was not practical. The ULCC WG therefore limited its study and recommendations to the following priority topics:

- a) Change of sex designations on birth registrations and birth certificates that respect the human rights of transgender persons;
- b) Modernization of privacy and information disclosure provisions;
- c) Registration of the births of children conceived using assisted human reproduction technologies;
- d) Development of uniform standards for the registration and disclosure of information relating to adoption, including Aboriginal custom adoptions;
- e) Updating naming convention rules to align with the recommendations of the Truth and Reconciliation Commission report recommendations; and
- f) Addressing discrete administrative issues, including the requirements for submitting a birth report and changing a parent's particulars on a birth registration, the development of a uniform standard for delayed registrations, and the expansion of standards for certifying deaths on death registrations.

[34] Items (c) and (d) were studied and preliminary recommendations made. However, much falls outside of the mandate and purpose of vital statistics legislation. Specifically, the ULCC WG agrees that item (c) is properly addressed under each jurisdiction's family law and/or child status legislation and item. However, the language of the Draft Act 2017 must be drafted to ensure it accommodates the laws governing parentage in all jurisdictions. Item (d) requires further consultation within each jurisdiction. Each issue is discussed below.

2.02 Guiding principles

[35] The ULCC WG developed a set of "first principles" to guide discussions and recommendations throughout the project. These principles may also guide vital statistics offices when developing policies during implementation of the Draft Act 2017 and

related regulations. Proposed recommendations should recognize the need for vital statistics legislation and registries to:

- a) provide essential vital statistics data on populations across Canada;
- b) remove obstacles which could interfere with human rights according to provincial, territorial, and federal human rights legislation and the Charter of Rights and Freedoms⁵;
- c) respect the privacy of all parties whose information is being registered;
- d) provide, to the extent that it is practicable, uniform practices that can be adopted generally by all Canadian jurisdictions and that do not impose unreasonable or unjustifiable obligations on registry staff; and
- e) provide practices and policies which reflect current societal needs and, to the extent that it is practicable, anticipate future developments in the law.

[36] When reviewing the modernization of the 1987 Act more generally, the ULCC WG acknowledged that its role was necessarily limited to ensuring that the 2017 Draft Act accurately carried forward provisions of the 1987 Act and that any amendments to the 1987 Act provisions must be limited to clarifying the legislation and/or reflecting current practice. Any further change would be a policy change requiring ULCC approval and was therefore out of scope. Section 7 of this report identifies the sections where amendments were made to clarify the provisions of the 1987 Act and/or reflect current practice. The commentary to these provisions in the Draft Act 2017 also identifies provisions that may not align with current norms and practices.

2.03 Documents issued by Vital Statistics Agencies - terminology

[37] On a number of occasions during the ULCC WG discussions, clarification of terminology related to the documents (and information) issued by vital statistics registries was required. It is important to distinguish between the documents used to submit information to the registry, the information that is extracted from the documentation received to create a registration in the registry, certificates which are extracts of information from the registration (and often used as official documents as proof of an event such as a person's birth, marriage or death), and disclosure of information on the registration more generally.

[38] The ULCC WG noted that today registration information derived from reports received is often stored electronically. The Draft Act 2017 acknowledges that in the 21st century, information is received and stored in both paper based format and electronically. The Draft Act 2017 also facilitates limited release of information to eligible persons to apply for certified copies of all or part of a report or extracts of all or part of a registration. See Appendix D for a more detailed explanation of the terminology used in this report and the Draft Act 2017.

2.04 Organization of 2017 Report to the ULCC

[39] The remainder of this report is set out in 6 parts:

- a) Corrections to the 2016 Report (part 3)

- b) Recommendations arising from consultation with the CCSO Family Justice Council with respect to 2016 recommendations 30 and 33 (part 4)
- c) Amendments to 2016 recommendations related to Change of Sex Designation Provisions (part 5)
- d) Amendments to correct or clarify 2016 recommendations (part 6)
- e) A summary of drafting decisions to give effect to the modernization of the 1987 Act by addressing ambiguities, drafting issues and change to practice (part 7)
- f) An overview of the organization of the Draft Act 2017(part 8)
- g) Next steps (part 9)

[40] Appendix G sets out a proposed *Uniform Vital Statistics Act 2017*, the “Draft Act 2017”. It modernizes the 1987 Act, incorporates the recommendations approved in August 2016, as well as the amended or new recommendations set out in the recommendations that follow and the drafting decisions noted below.

[41] Unless otherwise noted in this 2017 report, the underlying issues and ULCC WG decisions are discussed in the 2016 report to the ULCC and readers are directed to that report for more information.

3. Amendments to 2016 Report

[42] Prior to and during the 2016 Uniform Law Conference meeting in Fredericton, three edits to the 2016 report were identified in order to clarify the text and/or correct errors. Specifically:

- a) Paragraph [17] should be clarified.
- b) The text of Recommendation 3 should be corrected to indicate the proposed warning would be on the application form, and not on the certificate itself.
- c) Paragraphs [64] and [65] addressed the approach to be adopted as the ULCC WG prepared to prepare draft legislation to implement its recommendations. Given that the recommendations are being introduced to modernize a uniform statute passed by the ULCC 30 years ago, the ULCC WG agreed that a modern drafting approach was required. Therefore, Recommendation 36 should be amended to reflect that the proper approach is to repeal and replace the 1987 Act. Paragraphs [64], [65] and recommendation 36 should be amended.

Recommendation #1 2017: (replacing text in 2016 Report)

The ULCC Vital Statistics Renewal project 2016 report, should be amended as set out below.

- a) Paragraph 17 should read:

[17] The project committees considered the possibility of allowing a third sex on birth registrations and certificates.⁶ The committees—concluded that flexible reform options on the issue of displaying additional (or no) sexes on birth certificates could be provided,

but registrations should continue to display a binary designation.

b) Recommendation 3 should read:

The Act should provide that the Registrar should make available an optional “short form” birth certificate which does not display the sex field. The Registrar will clearly warn on the application form that such a certificate may not be an acceptable form of identification by third parties.

c) Paragraphs [64], [65] and recommendation 36 should be amended to read as follows:

[64] The ULCC WG discussed options for a renewed Uniform Vital Statistics Act. Committee members reviewed the 1987 Act and agreed that the remainder of the Act continues to be appropriate. The committee considered whether the recommendations in this report should be incorporated into the 1987 Act, or passed as a new separate “amendments statute”.

[65] The committee members noted that the likelihood of a jurisdiction adopting the recommendations would be significantly increased if a complete statute, following modern drafting rules was prepared. The committee agreed that the recommendations in this report should be incorporated into a modernized Act, and that as part of the VSA renewal, the drafting of the 1987 Act should be modernized and a French draft should be prepared.

RECOMMENDATION 36:

The 1987 Act should be repealed and replaced to reflect modern drafting rules, the recommendations in this report should be incorporated into the modernized Act and a French version of the legislation should be prepared.

4. Recommendations arising from the consultation with the CCSO Family Justice Council

[43] The ULCC did not approve the 2016 Recommendations 21 through 22. These recommendations are not listed in Appendix F and have not been implemented in the Draft Act 2017.

[44] The ULCC WG was asked to consult further with the CCSO Family Justice Council on Recommendation 30 regarding Aboriginal Custom Adoptions and Recommendation 33 regarding parental signatures on birth registrations. The consultation occurred in the period January – February 2017. Feedback was received from representatives in BC, Alberta, Manitoba and Nova Scotia. The ULCC WG’s response and amended recommendations are noted below.

4.01 Response to Recommendation #30 (2016) regarding Aboriginal Custom Adoptions

[45] While some jurisdictions have incorporated recognition of Aboriginal⁷ custom adoptions in their vital statistics legislation,⁸ many have not. The approach and needs of members of each indigenous community vary across jurisdictions and their respective indigenous group. Some groups recognize pre-existing bonds of filiation and some allow rights and obligations to subsist between the adoptee and the family of origin.⁹

[46] The ULCC WG 2016 report proposed a model for recognizing aboriginal custom adoptions. The recommendation largely followed the model found in Nunavut.

[47] The CCSO Family Justice Council members were asked: “Do the Working Group recommendations regarding Aboriginal custom adoption impact legal issues outside the scope of the Uniform Vital Statistics Act?”

[48] Responses from CCSO Family Justice Council members indicated that the impact of the ULCC WG recommendation was uncertain and/or confirmed that other legislation could be impacted.

[49] The ULCC WG also noted that in the fall of 2016, Quebec introduced legislation dealing with Aboriginal custom adoptions. The proposed legislation addresses the many legal and practical issues that must be considered when introducing such legislation. Although still under study, the commentary to the Quebec inquiry is instructive in that it identifies the practical and legal issues that must be addressed when implementing such legislation. Extensive consultations were conducted in Quebec and government committee reviews continue. The Quebec developments reinforce that it is premature for the Draft Act 2017 to propose a single uniform model to address all Aboriginal custom adoption systems. The legal relationships and parental obligations that can arise from a determination of a parental relationship (by law or by agreement) can have significant financial implications for both a “parent” and for the child.

[50] The ULCC WG determined that further consultation on Aboriginal custom adoptions is required before a uniform statutory provision could be recommended. The ULCC WG did not have the time or resources to conduct a national consultation.

[51] The ULCC WG recommends that Recommendation 29, defining Aboriginal custom adoption, and Recommendation 30, setting out a process for recognizing Aboriginal custom adoptions, be withdrawn. However, the ULCC WG recommends that commentary to the adoption provisions should acknowledge this gap and jurisdictions should be encouraged to carry out consultations with the indigenous groups in their jurisdictions to ensure that vital statistics provisions address the needs of the jurisdiction’s indigenous populations and the legal relationships that arise from their custom adoptions.

Recommendation #2 (2017): New

The *Uniform Vital Statistics Act 2017* should not include provisions for recognition of Aboriginal custom adoptions at this time. Recommendations 29

and 30 from the 2016 Report should be withdrawn. Commentary to the adoption provisions of the Draft Act should acknowledge that there are differences between most statutorily based adoption schemes and Aboriginal custom adoptions. The commentary should encourage enacting jurisdictions to consult within their jurisdiction with a view to developing policy and guidelines that ensure that in the case of an Aboriginal custom adoption the relationships between the family of origin, the new family and the adopted person are accurately recorded.

4.02 Response to Recommendation #33 (2016)

[52] Vital statistics legislation must clearly set out who should make a birth report¹⁰ and what information is to be included about the birth and the child's parent(s). The circumstances of a child's birth can vary significantly: a birth parent may not know who the other parent is; the other parent may be incapable (unavailable) or deceased; legislation may set out presumptions of parentage; or legislation or a surrogacy agreement may determine who is a child's parent.

[53] The CCSO Family Justice Council members were asked: "Do the Working Group recommendations regarding the requirements for parental signatures on birth registrations impact legal issues outside the scope of the Uniform Vital Statistics Act?"

[54] The BC respondent noted that BC has a scheme for establishing parentage and registering births resulting from assisted human reproduction. The respondent was comfortable with a proposed provision that would defer to BC's laws and did not have concerns about requiring other parent(s) to sign the registration documents as this is the practice in BC. Respondents from Alberta and Manitoba were concerned about interference with and/or confusion about the determination of legal parentage.

[55] The ULCC WG has considered how uniform vital statistics legislation can be drafted to ensure that vital statistics legislation in the enacting jurisdiction defers to the local law which establishes who is, or may be, a child's "parent", and carries forward the approach to registration of a child's birth as found in s. 3(4) and (5) of the 1987 Act.

Recommendation #3 (2017): New (amending R#33 2016)

Recommendation 33 from the 2016 Report should be replaced to read as follows: The *Uniform Vital Statistics Act* should include a provision governing parental signatures on birth reports which provides for the following:

- 1) For purposes of the provisions governing the submission of a birth report of a child and providing the particulars of the child's parents, the term "birth parent" should be defined to mean the person who gave birth to a child. Commentary should note that amendments will be required if the jurisdiction does not recognize certain persons as a birth parent (e.g. a surrogate who gives birth to the child)
- 2) A birth report may be completed by:
 - a) The birth parent alone;

- b) The birth parent and a person who is a parent of the child;
 - c) A person who is a parent of the child, if the birth parent is incapable or deceased; or
 - d) Any other person having knowledge of the birth, if none of the people listed above are capable or available.
- 3) A person who makes a birth report shall include the particulars of the birth parent (subject to any laws in the jurisdiction which do not recognize the birth parent in certain situations).
- 4) A birth report may only include the particulars of another parent if:
- a) The birth parent submits an affidavit and supporting evidence to the Registrar that the other parent is deceased or incapable of completing the birth report.
 - b) The other parent(s) completes the report with the birth parent at the time of the child's birth;
 - c) The other parent submits an affidavit and supporting evidence to the Registrar that the birth parent is deceased or incapable of completing the birth report.
 - d) An order of parentage from a court of competent jurisdiction-is submitted with the birth report.
- 5) A birth registration may be amended at a later date to add or remove a parent of a child from the birth registration if an order from a court of competent jurisdiction is submitted to the registry declaring that the person is, or is not, a parent of the child.
- 6) A birth registration may be amended at a later date to add a parent of a child if the parent(s) on the birth registration, and the person requesting to be added as a parent, apply together to add the person as a parent.

5. Amendment to Change of Sex Designation – Recommendations 4-6

[56] The ULCC WG made recommendations #4 - #6 in 2015. The recommendations were approved in August 2016. As noted in the Introduction above, much continues to change in this area of the law. In 2017 the recommendations should be reviewed. The ULCC WG consulted with a policy advisor at the Canadian Human Rights Commission (CHRC) for guidance on how the current recommendations might be amended. The ULCC WG was advised that that jurisdictions will want to consider the outcomes of legal cases currently before human rights tribunals and the courts as well as policy recommendations from the Canadian Human Rights Commission expected to be released in late 2017 or early 2018, guidance anticipated to be released from Statistics Canada on what statistical information to request and how to make the request, and the United Nations document [Living Free and Equal](#), and any subsequent guidance from the United Nations. Specific legislative initiatives introduced by Canadian provincial and territorial jurisdictions should also be considered.

[57] The ULCC WG was advised that the CHRC is generally recommending that policy

makers defer final policy decisions until such time as the above noted policy guidance documents are published and legal decisions are released. Alternatively, if policy decisions are made and implemented, policy makers are urged to ensure that a policy review is carried out within 2-3 years.

[58] Given the foregoing the ULCC WG recommends that no changes be made to core elements of recommendations 4 to 6 at this time. However, the ULCC WG observed that there was a gap in the recommendations that could, and should, be addressed. Specifically, recommendations 4-6 only deal with applications to change the sex designation on a birth registration. It was noted that Manitoba's legislation provides for a change of sex designation certificate to be issued to a person living, but not born, in Manitoba.

[59] In addition, the ULCC WG agreed that if a change of sex designation is recorded in a jurisdiction that is not the jurisdiction where the birth registration is located, a process similar to that which applies when there is a change of name should be provided for in the Act. Specifically, if a certificate of change of sex designation is issued, the registrar should forward the information to the registrar where the birth registration of the person is located and the registrar should amend the birth registration. The registrar in the jurisdiction where the person's birth is registered should be able to rely on a change of sex designation certificate if the jurisdiction that issued the certificate has similar legal requirements to the jurisdiction where the birth is registered. This accomplishes two objectives: First, the person who is seeking a change of sex designation in the jurisdiction where they live will not need to duplicate the process in the jurisdiction where the birth registration is located. Second, the sharing of information ensures that the person does not have conflicting identity documents from different jurisdictions.

[60] Finally, if a change of sex designation is recorded on a birth registration, a change of sex certificate should be available, upon application.

[61] The ULCC WG believes that recommendations 4-6 in the 2016 report can be amended and expanded to address the foregoing, and that it is necessary to do so in order to ensure that, although the overall policy requires review, the current policy, as implemented by the Draft Act 2017, will permit a person to obtain proof of a change of sex designation in the jurisdiction where the person currently lives.

[62] The ULCC WG does not propose recommendations with respect to making changes to marriage registrations after a change of sex designation is recorded. Recommendations on this issue involve a number of policy and practical decisions. Given the current state of the law in this area, and the WG's limited time and resources, the WG recommends that this omission be noted in the commentary to the relevant provision of the Draft Act 2017.

Recommendation #4 (2017): New (amending R#4 2016)

Recommendation 4 (2016) should be amended to include an application for a change of sex designation certificate. The recommendation should read as follows:

An individual may apply for a change of sex designation on a birth registration, or a change of sex designation certificate, if the individual is:

- a) an adult;
- b) a minor with the capacity to make decisions about their vital records; or
- c) a parent or guardian applying on behalf of a minor who does not have the capacity to make decisions about their vital records.

Recommendation #5 (2017): New (amending R#5 2016)

Recommendation 5 (2016) should be amended to include an application for a change of sex designation certificate so that it reads as follows:

The Registrar should not make inquiries as to the capacity of adult applicants for a change of sex designation on a birth registration or a change of sex designation certificate. Capacity should be assumed unless there is a genuine reason to believe otherwise.

Recommendation #6 (2017): New (amending R#6 2016)

Recommendation 6 (2016) should be amended to include an application for a change of sex designation certificate so that it reads as follows:

The evidence sufficient for the Registrar to accept an application for a change of sex designation on a birth registration, or a change of sex designation certificate, should include:

- 1) a statement by the applicant that they:
 - a) are currently identifying as their desired sex designation; and
 - b) intend to live full-time as their desired sex designation; and
- 2) a statement by a guarantor/supporter¹¹ stating that they:
 - a) have known the applicant for a certain period of time¹²;
 - b) have an honest belief that the applicant identifies as their desired sex designation; and
 - c) have an honest belief that the application is made in good faith.

Recommendation #7 (2017): New (adding to R#4-6 2016)

If a person's birth registration has been amended, the person who applied for the change of sex designation, or the person, may also apply for a change of sex designation certificate.

If a person authorized to apply for a change of sex certificate applies for a change of sex certificate, and the person who is the subject of the certificate does not live in the jurisdiction where the birth is registered, the change of sex designation certificate cannot be issued unless the person who is the subject of the certificate has lived in the jurisdiction for at least one year.

Recommendation #8 (2017): New (adding to R#4-6 2016)

If a registrar issues a change of sex designation certificate, the registrar shall

forward a copy of the certificate to the registrar in the jurisdiction where the birth is registered (if in Canada), and if the birth is registered outside Canada, upon request of the person who made the application, to the place where the birth is registered. Upon receipt of information about a change of sex designation, the registrar may amend the birth registration of the person who is the subject of the certificate if satisfied that the laws in the jurisdiction that sent the information are sufficiently similar to the laws governing the change of sex designation in the jurisdiction where the birth is registered.

Recommendation #9 (2017): New (adding to R#4-6 2016)

The Draft Act 2017 should include commentary under the part dealing with marriage registrations noting that the provisions do not address the rules that should govern amendment to a marriage registration where a change of sex designation has been recorded on the birth registration to one of the parties to the marriage, or a change of sex designation certificate has been issued.

6. New and Amended Recommendations Arising from Drafting Review

[63] The following recommendations are proposed in 2017 to address the need to clarify provisions in the 1987 Act or reflect current practice. They are introduced in the order found in the Draft Act 2017.

6.01 Issuing Birth Certificates without Indicating the Person's Sex

[64] Recommendations 1 and 2 in the 2016 Report retained the current requirement that the sex of a child be indicated on the birth notice and recorded on the birth registration. Recommendation 2 provided that where the medical professional certifying the birth (on the Birth Notice) is unable to make a determination of the child's sex, the registrar will record the birth and indicate that the sex is undetermined. Once the sex is determined, the registration will be amended to reflect the updated information. This facilitates the registration of the birth.

[65] Recommendation 3 permits the issuance of a birth certificate without the sex being noted, subject to a warning on the application for the certificate that a birth certificate that does not include the subject person's sex may not be accepted as an identity document.

[66] Sections 11(2) and 21(3) and (4) of the Draft Act 2017 implement recommendations 2 and 3. However, during the drafting process it was noted that paragraph [18] of the 2016 report, which precedes Recommendation 2, stated that "a birth certificate would not be issued until the information on the sex of the child is accurately reflected in a follow-up examination by a medical professional and provided to the registry". This restriction arguably conflicts with Recommendation 3. Accordingly, the ULCC WG recommends that paragraph [18] be amended.

Recommendation #10 (2017): (replacing text in 2016 report)

Paragraph [18] of the 2016 Report be amended so that it reads as follows:

This option would allow the birth registration to be completed. Until information about the sex of the child is provided to the registry, a birth certificate issued by the registrar will not indicate the sex of the person who is the subject of the birth certificate. See also Recommendation 3.

6.02 Registration of a Birth by the Registrar without a Birth Report (s. 7 Draft Act)

[67] Circumstances arise where a birth notice may have been received, but not a birth report. Or the birth report information is insufficient to complete the registration. In some jurisdictions, the registrars have a statutory duty to ensure that all births are reported. In others, whether or not the duty is clearly set out, the registrar may have sufficient information from other sources to be able to complete a registration so that a birth certificate may be issued for a child.

If a child dies shortly after the birth, a birth notice and birth report may not be received. However, the medical certificate generally has sufficient information that allows for the birth registration to be completed.

[68] The ULCC WG recommends that the Draft Act 1987 include a provision that specifically authorizes the registrar to register a birth without having received a birth report, in the situations identified above. This reflects practice. The Draft Act 2017 is inspired by s. 7 of Alberta's legislation.

Recommendation #11 2017: New

The Act should clearly provide that the registrar may register a birth, relying on information available, in situations where a birth report has not been received or a child has died shortly after birth and neither a birth notice or birth report has been received.

6.03 Eligibility for access to information from a registration

[69] Recommendation 17 (2016) sets out who can access information from a birth, marriage or death registration. It sets out that eligible applicants are:

- a) a person¹³ who requires it for a stated reason that, in the opinion of the Registrar, justifies the issuance of the certified copy or extract;
- b) an officer of Her Majesty in the right of Canada who requires it for use in the discharge of official duties of the officer;
- c) a person with a court order; or
- d) any other person, as defined by regulation.

[70] The ULCC WG noted two issues during the drafting process. First, the second bullet only refers to “an officer of Her Majesty in the right of Canada”. The list should include public officers at the provincial or territorial level. Second, upon review of the 1987 Act, it was noted the list of persons entitled to information from the death registration in s. 31(6) of the 1987 Act was more restrictive than the 2016

Recommendation #17. The ULCC WG group recommends that the general list be expanded to include public officers at the provincial/territorial level and that the limits with respect to access to information from the death registration in the 1987 Act be carried forward in the Draft Act 2017.

Recommendation #12 2017: New (amending R#17 2016)

Recommendation 17 (2016) should be amended to read as follows:

The *Uniform Vital Statistics Act* should distinguish between certificates and registrations. The access provisions of the *Uniform Vital Statistics Act*'s should permit the following people to request a copy or extract of a birth, or marriage registration:

- a) a person¹⁴ who requires it for a stated reason that, in the opinion of the Registrar, justifies the issuance of the certified copy or extract;
- b) a public officer of (the enacting jurisdiction) or Canada who requires the copy for use in the discharge of official duties;
- c) a person with a court order; or
- d) any other person, as defined by regulation.

The Uniform Vital Statistics Act should permit the following people to request a copy or extract of a death registration:

- a) a person¹⁵ who requires it for a stated reason that, in the opinion of the Registrar, justifies the issuance of the certified copy or extract;
- b) a person with a court order; or
- c) any other person, as defined by regulation.

6.04 Conflicts of law

[71] Recommendation#19 (2016) provided that if a provision of the new Act was inconsistent with a provision of provincial or federal privacy legislation, that the provision of the new Act should prevail. It is beyond a provincial jurisdiction's power to oust the jurisdiction of federal legislation. Therefore, recommendation 19 should be amended to only refer to legislation within the jurisdiction. See Draft Act 2017 s. 57(3).

Recommendation #13 2017: (amending R#19 2016)

Recommendation#19 (2016) should be amended to read as follows:

If a provision of the *Uniform Vital Statistics Act* is inconsistent or in conflict with a provision of provincial privacy legislation, that provision of the *Uniform Vital Statistics Act* should prevail.

6.05 Final list of recommendations

[72] Appendix F sets out a consolidated list of the ULCC WG's 2016 Recommendations, as amended above, and including the new recommendations. These recommendations are reflected in the Draft Act 2017.

7. Modernization and Clarifications of the 1987 Act

[73] Appendix H offers an unofficial table of concordance to assist readers seeking to match the 1987 Act provisions with the Draft Act 2017 provisions, and the Draft Act 2017 provisions with final recommendations listed in Appendix F.

[74] The Draft Act 2017 modernizes provisions of the 1987 Act. Where the 1987 Act provisions were unclear or needed amendment to implement a recommendation or reflect current practice, the Draft Act 2017 seeks to address the issue without introducing policy reforms which would have required debate and approval to additional recommendations.

[75] Although the clarifications and updates are often addressed in the commentary, highlights follow:

- a) **Definitions:** A number of definitions are added or modernized. Some are deleted. The commentary identifies the definitions affected. Unless otherwise noted in the commentary, these changes are consequential amendments to facilitate the modernization of the act. Readers should note that the Draft Act 2017 now refers to “reports” of births, marriages and deaths. This new terminology was introduced to avoid confusion with “statements” used in other contexts and legislation.
- b) **Prescribed forms:** The Draft Act 2017 frequently refers to documents provided in the “form and manner approved by the Registrar”. These provisions replace provisions that require a prescribed form under the 1987 Act. This reflects current practice. Some provisions continue to provide for prescribed information and jurisdictions are free to continue to prescribe forms as appropriate to reflect the jurisdiction’s preference. See Appendix E for a list of the forms which are no longer prescribed.
- c) **Confidentiality of adoption records:** The Act replaces “special registers” to reflect that not all records today are documents that are physically stored (see s. 26 of the Draft Act 2017).
- d) **Issuance of birth and marriage certificates after a change to a registration (regarding change of name or change of sex designation):** Provisions in the Draft Act 2017 seek to ensure privacy and confidentiality (see s. 22 and 36, replacing the 1987 Act sections 9,10,12, and 29).
- e) **Responsibility for making a death report:** amended to clarify the priority of persons who should make a death report (see section 37 (1)).
- f) **Definition of Health Practitioner:** Introduced to acknowledge that health care professionals, other than medical practitioners, may include in their scope of practice the completion of medical certificates of death (see s. 38).
- g) **Issuance of a burial permit (see Part 5 Division 2):** amended to reflect that others may be authorized to issue a burial permit.

- h) ***Registrar's discretion to require return of certificates:*** S. 55 consolidates provisions from the 1987 Act and ensures that the registrar can require any certificate issued under the Draft Act 2017 be returned if it has been cancelled.
- i) ***Appeals of registrar's decisions:*** S. 61 and 62 of the Draft Act 2017 distinguish appeals related to applications for a registration and applications for certificates and searches. The sections are adapted to ensure that the confidentiality issues arising from adoptions and the recognition of change of sex designation are preserved.
- j) ***Regulation making powers:*** Section 67 of the Draft Act 2017 is amended as required to implement recommendations, and consolidate the provisions which authorize that matters be prescribed.

8. Structure and Organization

[76] The Draft Act 2017 organizes the content into Parts and Divisions. It begins with a definition section in Part 1. Part 2 addresses all matters related to registering births, adding to or changing registrations and the release of information. Part 3 governs the registration of adoptions and the confidentiality of adoption records. Part 4 governs the registration of marriages and all related matters, including the release of information and issuing certificates. Part 5 sets out the rules for registering deaths, issuing burial permits and issuing death certificates. Part 6 consolidates provisions that govern the release of information and issuance of certificates generally. Part 7 sets out the rules governing the registrar's duty to maintain the privacy and confidentiality of information. Part 8 deals with appeals of registrar decisions and other miscellaneous matters.

9. Next Steps and Outstanding Decisions

[77] This report uses the term "Aboriginal heritage" at s. 10 of the Draft Act 2017 which deals with single names and symbols and syllabics, and "Aboriginal custom adoptions" in the commentary under Part 3 - Registering Adoptions. The ULCC WG noted that the report of the Truth and Reconciliation Commission uses the term "aboriginal" as well as "indigenous". Section 25 of the Canadian Charter of Rights and Freedoms also uses the term "aboriginal". A brief survey for guidance on the proper use of "aboriginal" and "indigenous" suggests that the choice of language is context specific and/or the words may be used interchangeably. The WG seeks the ULCC's guidance on whether the word "Aboriginal" as used in this report is appropriate.

[78] This report makes corrections and amendments to text in the 2016 report and recommendations. See Recommendation #1 2017, #10 2017, #12 2017 and #13 2017. The ULCC WG suggests that the minutes of the proceedings indicate how these amendments will be brought to readers' attention.

10. List of Appendices

[79] The following is a list of the appendices that form part of this report.

[80] Appendix A – E are found in one document.

[81] Appendix F lists the 2016 and 2017 recommendations that have been implemented in the Draft Act 2017 which is set out as Appendix G along with commentaries. Each is a separate document. Appendices H and I are offered for reference purposes and are also separate documents.

List of Appendices:

- Appendix A: ULCC Vital Statistics Act Renewal Working Group members
- Appendix B: Vital Statistics Act Group
- Appendix C: Uniform Vital Statistics Act 2017 Drafting Teams
- Appendix D: “Reports”, “Registrations” and “Certificates” – A brief review of terminology
- Appendix E: List of Prescribed Forms under the 1987 Act now in “form and manner” or “form” approved by the Registrar in Draft Act 2017
- Appendix F: Consolidation of ULCC Working Group 2016 and 2017 Recommendations (separate document)
- Appendix G: Draft Uniform Vital Statistics Act 2017 with Introduction and Commentaries (separate document)
- Appendix H: Concordance Tables (separate document)
- Appendix I: ULCC Comparison Table for the Vital Statistics Act in Canadian Provinces and Territories (separate document – replaces Appendix A to 2016 Report - updated for Quebec August 16, 2016)

End Notes –

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- ¹ Appendix I replaces Appendix C of the 2016 report. The information relevant to Quebec was added after the Fredericton meeting.
- ² Many jurisdictions have adopted discrete provisions relating to assisted human reproduction for example, and all jurisdictions have revised their legislation to remove references to the discriminatory practice of requiring change of sex surgery as a prerequisite to obtaining a change of sex designation. However, these amendments are not uniform between jurisdictions.
- ³ The preferred term “gender confirmation surgery” is used in this report instead of “change of sex surgery” or its variants, except where directly quoting legislation.
- ⁴ Specifically, recommendations #30 and #33.
- ⁵ The ULCC Working Group carefully considered the implications of human rights litigation decided under provincial and territorial human rights legislation (such as the Ontario Human Rights Tribunal’s decision in *X.Y. v. Ontario*, 2012 HRTO 726) and under the Charter (such as the Alberta Court of Queen’s Bench decision in *C.F. v. Alberta* (Vital Statistics), 2014 ABQB 237).
- ⁶ The birth registration contains information about the birth parent, the other parent(s) of the child, the child’s name, the child’s sex, the place of birth, the attending physician, and a range of other information used internally by vital statistics agencies for statistical research. A “birth certificate” is “foundational identification” (a piece of identification that is the foundation for other forms of identification – such as passports and drivers’ licenses) that includes certain information from the birth registration – such as the child’s name, date of birth, place of birth, and sex. A birth certificate is used as a piece of identification, whereas a birth registration is primarily informational. See also Appendix D for further information.
- ⁷ For purposes of this report, the term “Aboriginal” is used as it is the formal word used in some legal contexts. The ULCC WG acknowledges that the term has been amended to “indigenous” in many contexts.
- ⁸ As at the time of the 2016 recommendations, Nunavut and Northwest Territories had enacted legislation. In the fall of 2016 Quebec introduced Bill # 113 “An Act to amend the Civil Code and other legislative provisions as regards adoption and the disclosure of information”.
- ⁹ For example, see Quebec’s recently introduced Bill #. 113 *supra*.
- ¹⁰ There are two steps to reporting a birth. A notice of birth is filed by the medical practitioner or other person who attends the birth. However the “parent”/“parents” must then file a birth report.
- ¹¹ The list of persons who may act as guarantor or supporters has not been finalized, but is intended to be as broad as possible in order to protect against potential geographical, cultural, or religious barriers the applicant may face. The ULCC Working Group believed development of this list is best left to regulation.
- ¹² The ULCC Working Group believed the final figure is best left to regulation.
- ¹³ Including the subject of the certificate themselves.
- ¹⁴ Including the subject of the certificate themselves.
- ¹⁵ Including the subject of the certificate themselves.

Appendix A: ULCC Vital Statistics Act Renewal Working Group members

ULCC Working Group	
Jim Emmerton (BCLI) - Chair Executive Director, BCLI	Retired in July 2015. Replaced by Kathleen Cunningham.
Kathleen Cunningham (BCLI) - Chair Executive Director, BCLI	Joined July 2015.
Alexandre Blondin (BCLI) Lead Researcher, Writer	Left BCLI August 30, 2016 Replaced by Valerie LeBlanc
Valerie LeBlanc (BCLI) Legal Researcher	Joined January 2017
Fiona Gow (BC) Barrister and Solicitor, BC Ministry of Justice (Health and Social Services Division)	
Lonnie Stewardson (AB) Barrister and Solicitor, Alberta Ministry of Justice and Attorney General	
Gail Mildren (MB) General Counsel, Manitoba Department of Justice	Retired in October 2014. Replaced by Leslie Turner.
Leslie Turner (MB) Crown Counsel, Manitoba Department of Justice	
Frédérique Sabourin (QC) Counsel, Quebec Ministry of Justice (Policy Development)	Withdrew in February 2017
Myriam Cyr (QC) Notary, Quebec Department of Judicial Affairs	Observer – did not attend meetings
Josée Dubé (NB) Director and Registrar General, Vital Statistics Branch	Retired January 31, 2017
Michelle MacFarlane (NS) Director / Deputy Registrar General, Nova Scotia Vital Statistics	Retired in April 2015. Replaced by Krista Dewey
Krista Dewey (NS) Director / Deputy Registrar General, Nova Scotia Vital Statistics	
Thomas Ahlfors (NU) Legislative Counsel, Government of Nunavut	
Observers	
Clark Dalton, QC (ULCC) Research Projects Co-ordinator	ULCC Liaison
Sherie Verhulst (BC) Legislative Counsel, BC Ministry of Justice	Legislative drafter (English)

Members in **red text** indicate past members who participated in the project but who resigned, retired, or were replaced at some point since the project began in 2014. Members in black text indicate current members.

Appendix B: Vital Statistics Act Group

Vital Statistics Group	
Josée Dubé (NB) – Co-chair Director and Registrar General, Vital Statistics Branch	Retired January 31 2017
Michelle MacFarlane (NS) – Co-chair Director / Deputy Registrar General, Nova Scotia Vital Statistics	Retired in April 2015. Replaced by Krista Dewey
Krista Dewey (NS) – Co-chair Director / Deputy Registrar General, Nova Scotia Vital Statistics	
Jim Emmerton (BCLI) Executive Director, BCLI	Retired in July 2015. Replaced by Kathleen Cunningham.
Kathleen Cunningham (BCLI) Executive Director, BCLI	Joined July 2015
Alexandre Blondin (BCLI) Lead Researcher, Writer	Left BCLI Aug 30 2016
Ingrid Bloomfield (BC) Regional Manager, BC Vital Statistics	
Mona Bichai (AB) Director, Corporate Registry, Vital Statistics, and Personal Property Registry	Took extended leave of absence in April 2015. Replaced by Eileen Joly.
Eileen Joly (AB) Acting Director, Corporate Registry, Vital Statistics, and Personal Property Registry	
Mikale White (SK) Regulatory Policy Manager, Registrar of Vital Statistics	Resigned position in August 2014. Replaced by Pat Dean.
Pat Dean (SK) Acting Registrar of Vital Statistics / Director, Ministry of Health (Health Registration)	Retired in May 2016.
Linda Harlos (MB) Assistant Director of Agency Management, Manitoba Vital Statistics Agency	Resigned from project in January 2015. Replaced by Denise Koss.
Denise Koss (MB) Director, Manitoba Vital Statistics Agency	
Alexandra Schmidt (ON) Deputy Registrar General/Director, Ontario Vital Statistics (Thunder Bay Production and Verification Services Branch)	
Josée Lalancette (QC) Counsel, Quebec Ministry of Justice	Replaced by Myriam Cyr.
Myriam Cyr (QC) Notary, Quebec Department of Judicial Affairs	

Ken Mullaly (NL) Registrar, Vital Statistics Division	
Alise Brown (NS) Solicitor, Government of Nova Scotia	
Jennifer Anawak (NT) Registrar, Northwest Territories Vital Statistics	Resigned from project in January 2016
Observers	
Valerie Gaston (Statistics Canada) Chief, Statistics Canada (Vital Statistics Program)	
Owen Phillips (Statistics Canada) Senior Analyst, Statistics Canada (Vital Statistics Program)	Joined mailing list in 2015

Members in **red text** indicate past members who participated in the project but who resigned, retired, or were replaced at some point since the project began in 2014.

Members in black text indicate current members.

The group has not met since January 2016.

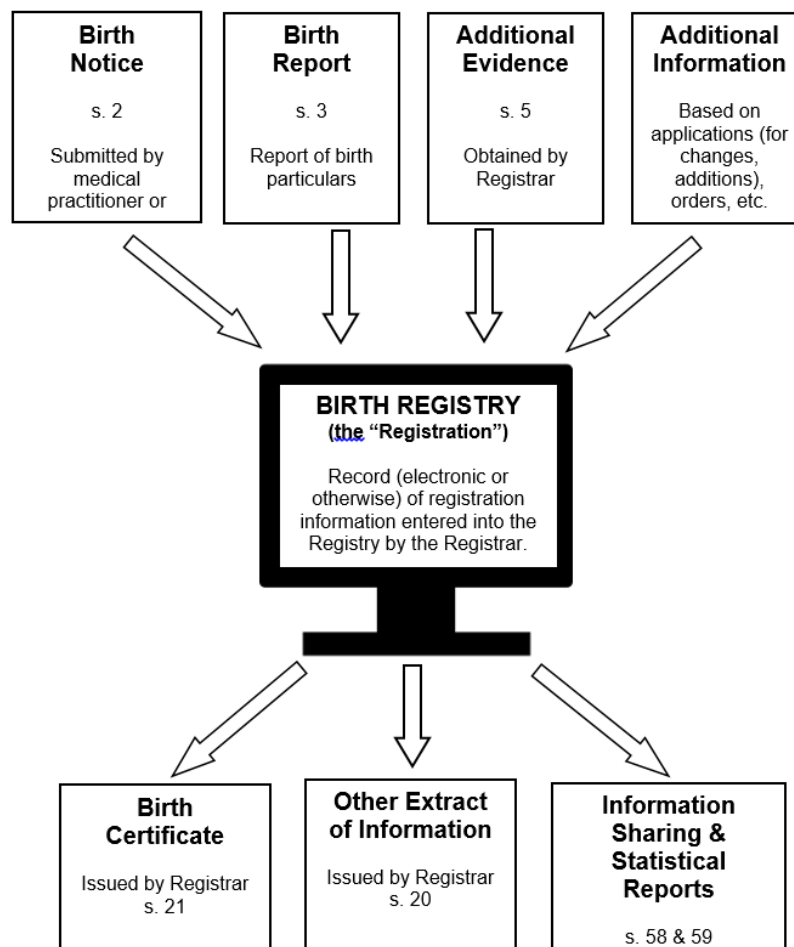
Appendix C: *Uniform Vital Statistics Act (2017)* Drafting Teams

Uniform Vital Statistics Act (2017) Drafting Teams	
English	
Sherie Verhulst (BC) Legislative Counsel, Ministry of Justice, BC	Modernize Uniform Vital Statistics Act 1987 and incorporate 2016 and 2017 Recommendations
Erin Fedotov (BC) Legislative Professional, Office of Legislative Counsel, Ministry of Justice, BC	
Treava Kellington (BC) Legislative Editor, Office of Legislative Counsel, Ministry of Justice (BC)	Professional editing of Draft Act 2017, Introduction to the Act and Commentaries, and Commentaries
Valerie Hanson (BC) Legislative Editor, Office of Legislative Counsel, Ministry of Justice (BC)	
French	
Gérard Hernando Directeur des services législatifs en français Director, French Legislative Services Ontario Ministry of Attorney General	French Drafting of Draft Act 2017, Translation of Introduction to the Act and Commentaries
Gina Letourneau Ontario Ministry of Attorney General	

Appendix D: “Reports”, “Registrations” and “Certificates” - A brief review of terminology

Generally, a birth registration is created from many information sources. Sources include the birth notice under s. 2 and a birth report under s. 3. Additional information may also be submitted shortly after the birth or at a later. For example, additional information submitted to the registrar may relate to a change to, or addition of, a given name; a change of name; the addition or removal of a parent; an adoption; or a change of sex. Or, a correction to the registration information may have been submitted. The relevant information from this additional information is added to the registration record.

Historically, information held by the registrar was received and held in paper format. Information from applications and other documents was recorded in the birth registration. Today, although original documents are retained and stored in safe keeping, much information is recorded and accessed by the registry staff through an electronic registration system.



Appendix E: List of Prescribed Forms under the 1987 Act now in “form and manner” or “form” approved by the Registrar in Draft Act 2017

"prescribed form" in 1987 VSA		"form and manner approved" in 2017 VSA		"form approved" in 2017 VSA	
S#	Title	S#	Title	S#	Title and/or Note
2	Notice of birth	2	Notice of birth		
3	Reporting of birth	3	Birth report		
6	Birth registration	3	Birth report		
7	Birth registration by director	8	Delayed registration of birth		
7				8	
11	Stillbirth registration	23	Registration of stillbirth		
11				23	cross-reference to s. 23(1)
16	Marriage statement	29	Marriage report		
17	Late marriage restration	31	Delayed registration of marriage	31	declaration respecting marriage
18	Annulment registration	33	Registration of annulment		
19	Reporting of death	37	Death report		
20	Medical certificate	38	Medical certificate generally		
30	Search of Records	56	Search of records		
31	Application for issue of birth certificate			21	Application for birth certificate after change of name
31	Application for issue marriage certificate			35	application for marriage certificate
31	Application for copy of registration information, and information after 100 years	50	Application for copy of report, registration extract or certificate		
31	Application for copy of church record			52	application for religious records
		New			
		12	Information respecting foundling		
		14	If foundling identified		
		15	Change of parent's particulars - new/modernized re 1987 s. 3(6)		
		16	Change of given name		
		18	Change of sex		
		27	Disclosure of adoption registration information		
		42	Delayed registration of death	42	Declaration re delayed registration of death

Appendix F: Consolidation of ULCC Working Group 2016 and 2017 Recommendations

The following list is a compilation of the recommendations approved at the ULCC 2016 Conference, as amended and proposed for adoption at the ULCC 2017 Conference.

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		<i>Issue: Sex Designation on Birth Registrations</i>
1	2016	RECOMMENDATION 1 (2016) (ADDITION TO SECTION 3 - 1987) Where there is certainty as to the anatomical sex of the infant, as determined by the medical professional who attended the birth, the Registrar will make a record of the birth which includes a designation of the male or female sex of the child.
2	2016	RECOMMENDATION 2 (2016) (ADDITION TO SECTION 3 - 1987) Where there is uncertainty as to the anatomical sex of the infant, as determined by the medical professional who attended the birth, the Registrar will make a record of the birth as “undetermined” until such time that a sex designation can be determined and the registration is amended to reflect the updated information. Once the sex is confirmed, a birth certificate may then be issued. The evidence required to update the registration of the sex of the infant should be determined by regulation. [See also Recommendation #1 2017 for amendment to 2016 report paragraph #17.]
		<i>Issue: Sex designation on birth certificates</i>
3	2016	RECOMMENDATION 3 (2016) (ADDITION TO SECTION 31(2) - 1987) The Act should provide that the Registrar should make available an optional “short form” birth certificate which does not display the sex field. The Registrar will clearly warn (on the application form or on the certificate itself) on the application form that such a certificate may not be an acceptable form of identification by third parties.
1(b)	2017	Recommendation #1 (b) (2017): (correction to 2016 Report) The ULCC Vital Statistics Renewal project 2016 report, should be amended as set out below: Recommendation 3 (2016) should read: The Act should provide that the Registrar should make available an optional “short form” birth certificate which does not display the sex field. The Registrar will clearly warn on the application form that such a certificate may not be an acceptable form of identification by third parties.
		<i>Issue: Change of sex designation applications - eligibility</i>
4	2016	RECOMMENDATION 4 (2016) (REPLACEMENT/ADDITION TO SECTION 12 - 1987) An individual may apply for a change of sex designation on a birth registration if the individual is: <ul style="list-style-type: none"> • an adult; • a minor with the capacity to make decisions about their vital records; or • a parent or guardian applying on behalf of a minor who does not have the capacity to make decisions about their vital records.

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
4	2017	<p>Recommendation #4 (2017): New (amending R#4 2016)</p> <p>Recommendation 4 (2016) should be amended to include an application for a change of sex designation certificate. The recommendation should read as follows:</p> <p>An individual may apply for a change of sex designation on a birth registration, or a change of sex designation certificate, if the individual is:</p> <ul style="list-style-type: none"> a) an adult; b) a minor with the capacity to make decisions about their vital records; or c) a parent or guardian applying on behalf of a minor who does not have the capacity to make decisions about their vital records.
5	2016	<p>RECOMMENDATION 5 (2016) (REPLACEMENT/ADDITION TO SECTION 12 - 1987)</p> <p>The Registrar should not make inquiries as to the capacity of adult applicants for a change of sex designation on a birth registration. Capacity should be assumed unless there is a genuine reason to believe otherwise.</p>
5	2017	<p>Recommendation #5 (2017): New (amending R#5 2016)</p> <p>Recommendation 5 (2016) should be amended to include an application for a change of sex designation certificate so that it reads as follows:</p> <p>The Registrar should not make inquiries as to the capacity of adult applicants for a change of sex designation on a birth registration or a change of sex designation certificate. Capacity should be assumed unless there is a genuine reason to believe otherwise.</p>
6	2016	<p>RECOMMENDATION 6 (2016) (REPLACEMENT/ADDITION TO SECTION 12 - 1987)</p> <p>The evidence sufficient for the Registrar to accept an application for a change of sex designation on a birth registration should include:</p> <ul style="list-style-type: none"> • a statement by the applicant that they: <ul style="list-style-type: none"> ◊ are currently identifying as their desired sex designation; and ◊ intend to live full time as their desired sex designation; and • a statement by a guarantor/supporter stating that they: <ul style="list-style-type: none"> ◊ have known the applicant for a certain period of time; ◊ have an honest belief that the applicant identifies as their desired sex designation; and ◊ have an honest belief that the application is made in good faith.
6	2017	<p>Recommendation #6 (2017): New (amending R#6 2016)</p> <p>Recommendation 6 (2016) should be amended to include an application for a change of sex designation certificate so that it reads as follows:</p> <p>The evidence sufficient for the Registrar to accept an application for a change of sex designation on a birth registration, or a change of sex designation certificate, should include:</p> <ul style="list-style-type: none"> 1) a statement by the applicant that they: <ul style="list-style-type: none"> a) are currently identifying as their desired sex designation; and b) intend to live full-time as their desired sex designation; and

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		<p>2) a statement by a guarantor/supporterⁱ stating that they:</p> <p>a) have known the applicant for a certain period of timeⁱⁱ;</p> <p>b) have an honest belief that the applicant identifies as their desired sex designation; and</p> <p>c) have an honest belief that the application is made in good faith.</p>
7	2017	<p>Recommendation #7 (2017): New (adding to R#4-6 2016)</p> <p>If a person's birth registration has been amended, the person who applied for the change of sex designation, or the person, may also apply for a change of sex designation certificate.</p> <p>If a person authorized to apply for a change of sex certificate applies for a change of sex certificate, and the person who is the subject of the certificate does not live in the jurisdiction where the birth is registered, the change of sex designation certificate cannot be issued unless the person who is the subject of the certificate has lived in the jurisdiction for at least one year.</p>
8	2017	<p>Recommendation #8 (2017): New (adding to R#4-6 2016)</p> <p>If a registrar issues a change of sex designation certificate, the registrar shall forward a copy of the certificate to the registrar in the jurisdiction where the birth is registered (if in Canada), and if the birth is registered outside Canada, upon request of the person who made the application, to the place where the birth is registered. Upon receipt of information about a change of sex designation, the registrar may amend the birth registration of the person who is the subject of the certificate if satisfied that the laws in the jurisdiction that sent the information are sufficiently similar to the laws governing the change of sex designation in the jurisdiction where the birth is registered.</p>
9	2017	<p>Recommendation #9 (2017): New (adding to R#4-6 2016)</p> <p>The Draft Act 2017 should include commentary under the part dealing with marriage registrations noting that the provisions do not address the rules that should govern amendment to a marriage registration where a change of sex designation has been recorded on the birth registration to one of the parties to the marriage, or a change of sex designation certificate has been issued.</p>
		Issue: Disclosure principles
7	2016	<p>RECOMMENDATION 7 (2016) (ADDITION TO SECTION 30 - 1987)</p> <p><i>The Uniform Vital Statistics Act should include a guiding principle that requires the Registrar to be satisfied that the proposed use of the information justifies the disclosure of the information.</i></p>
		Issue: Information Sharing Agreements
8	2016	<p>RECOMMENDATION 8 (2016) (ADDITION TO SECTION 30 - 1987)</p> <p>Unless otherwise required by regulation, the <i>Uniform Vital Statistics Act</i> should provide the Registrar with discretion to decide whether or not to enter into an ISA.</p>
9	2016	<p>RECOMMENDATION 9 (2016) (ADDITION TO SECTION 30 - 1987)</p> <p>The <i>Uniform Vital Statistics Act</i> should set out categories of prescribed recipients with whom information may only be shared subject to an ISA.</p>

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
10	2016	RECOMMENDATION 10 (2016) (ADDITION TO SECTION 30 - 1987) The Registrar should have the discretion to set the information disclosure terms before entering into an ISA with a prescribed recipient.
11	2016	RECOMMENDATION 11 (2016) (ADDITION TO SECTION 30 - 1987) The Minister in charge of vital statistics should have the ability to add or modify categories of prescribed recipients in order to provide for ongoing or bulk disclosure, as well as disclosure to support pilot or research projects.
12	2016	RECOMMENDATION 12 (2016) (ADDITION TO SECTION 30 - 1987) The <i>Uniform Vital Statistics Act</i> should make compliance with the legislative requirement to use an ISA mandatory. Agencies included under the legislated list of authorized recipients must enter into an ISA with the Registrar before information can be obtained from the vital statistics agency.
13	2016	RECOMMENDATION 13 (2016) (ADDITION TO SECTION 30 - 1987) The <i>Uniform Vital Statistics Act</i> should include a purpose-based discretionary provision that allows the Registrar to enter into ISAs with any other agency or organization, subject to the Registrar's approval of the purpose and use of information being requested.
		<i>Issue: Eligibility of other recipients to access informationⁱⁱⁱ - certificates</i>
14	2016	RECOMMENDATION 14 (2016) (AMENDMENT TO SECTION 31 - 1987) The access provisions of the <i>Uniform Vital Statistics Act</i> should permit the following people to request a birth certificate: <ul style="list-style-type: none"> • the subject of the certificate; • a parent or guardian of the subject, if the subject is a minor or is incapable; • an adult with written authorization from the subject, if they have known the subject for at least one year; • a person with a court order; • a person authorized in writing by the registrar; or • any other person, as defined by regulation.
15	2016	RECOMMENDATION 15 (2016) (AMENDMENT TO SECTION 31 - 1987) The access provisions of the <i>Uniform Vital Statistics Act</i> should permit the following people to request a death certificate: Any person who, in the opinion of the registrar, is able to supply all the required information for the application.
16	2016	RECOMMENDATION 16 (2016) (AMENDMENT TO SECTION 31 - 1987) The access provisions of the <i>Uniform Vital Statistics Act</i> should permit the following people to request a marriage certificate: <ul style="list-style-type: none"> • a party to the marriage; • an adult with written authorization from a party to the marriage, if they have known the subject for at least one year; • a person with a court order; • a person authorized in writing by the Registrar; or

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		<ul style="list-style-type: none"> any other person, as defined by regulation.
		Issue: Eligibility of other recipients to access information - registrations
17	2016	<p>RECOMMENDATION 17 (2016) (ADDITION TO SECTION 31 - 1987)</p> <p>The <i>Uniform Vital Statistics Act</i> should distinguish between certificates and registrations. The access provisions of the <i>Uniform Vital Statistics Act's</i> should permit the following people to request a copy or extract of a birth, death, or marriage registration:</p> <ul style="list-style-type: none"> a person who requires it for a stated reason that, in the opinion of the Registrar, justifies the issuance of the certified copy or extract; an officer of Her Majesty in the right of Canada who requires it for use in the discharge of official duties of the officer; a person with a court order; or any other person, as defined by regulation.
12	2017	<p>Recommendation #12 (2017): New (amending R#17 2016)</p> <p>Recommendation 17 (2016) should be amended to read as follows:</p> <p>The <i>Uniform Vital Statistics Act</i> should distinguish between certificates and registrations. The access provisions of the <i>Uniform Vital Statistics Act's</i> should permit the following people to request a copy or extract of a birth or marriage registration:</p> <ol style="list-style-type: none"> a person^{iv} who requires it for a stated reason that, in the opinion of the Registrar, justifies the issuance of the certified copy or extract; a public officer of (the enacting jurisdiction) or Canada who requires the copy for use in the discharge of official duties; a person with a court order; or any other person, as defined by regulation. <p>The <i>Uniform Vital Statistics Act</i> should permit the following people to request a copy or extract of a death registration:</p> <ol style="list-style-type: none"> a person^v who requires it for a stated reason that, in the opinion of the Registrar, justifies the issuance of the certified copy or extract; a person with a court order; or any other person, as defined by regulation.
		Issue: Residual discretion
18	2016	<p>RECOMMENDATION 18 (2016) (ADDITION TO SECTION 31 1987)</p> <p>Discretionary powers should be preserved for the Registrar, along with language to help guide the registry staff in exercising that discretion. This discretion would allow for both registry staff as well as the Registrar to make appropriate disclosure decisions in accordance with the "information use principle".</p>
		Issue: Conflicts of law
19	2016	<p>RECOMMENDATION 19 (2016) (ADDITION TO SECTION 31 - 1987)</p> <p>If a provision of the <i>Uniform Vital Statistics Act</i> is inconsistent or in conflict with a provision of provincial or federal privacy legislation, that provision of the <i>Uniform Vital Statistics Act</i> should prevail.</p>

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
13	2017	<p>Recommendation #13 (2017): (correcting R#19 2016)</p> <p>Recommendation#19 (2016) should be amended to read as follows:</p> <p>If a provision of the <i>Uniform Vital Statistics Act</i> is inconsistent or in conflict with a provision of provincial privacy legislation, that provision of the <i>Uniform Vital Statistics Act</i> should prevail.</p>
		Issue: Default approach to registration of children conceived using AHR
20	2016	<p>RECOMMENDATION 20 (2016) (ADDITION TO SECTION 3 1987)</p> <p>The <i>Uniform Vital Statistics Act</i> should include a provision which defers to the jurisdiction's family law legislation definitions and principles governing births conceived using AHR.</p>
21 - 22	2016	<p>RECOMMENDATIONS 21 – 22 (2016)</p> <p>These recommendations were not approved in 2016 and are not listed in this recommendation summary.</p>
		Issue: Registration
11	2017	<p>Recommendation #11 (2017): New</p> <p>The Act should clearly provide that the registrar may register a birth, relying on information available, in situations where a birth report has not been received or a child has died shortly after birth and neither a birth notice or birth report has been received.</p>
23	2016	<p>RECOMMENDATION 23 (2016) (PRESERVE FROM 1987 ACT)</p> <p>Vital statistics agencies, upon receipt of an adoption order, should amend the birth registration of the adopted child to reflect the names of the adoptive parents.</p>
		Issue: Privacy and disclosure
24	2016	<p>RECOMMENDATION 24 (2016) (ADDITION TO SECTION 13 - 1987)</p> <p>Adoption orders in the possession of vital statistics agencies should be considered evidence of the registration process and should be treated with the same level of scrutiny and confidentiality as all other evidentiary documents used in other vital statistics applications.</p>
25	2016	<p>RECOMMENDATION 25 (2016) (ADDITION TO SECTION 13 - 1987)</p> <p>Subject to applicable restrictions on disclosure contained in legislation governing adoptions, the original birth registration should only be released by vital statistics agencies to the agency responsible for providing post-adoption services once:</p> <ul style="list-style-type: none"> a) An application by a party to the adoption has been made to the agency responsible for providing post-adoption services, and b) A request for the original birth registration is relayed from that agency to the vital statistics agency possessing such records.
26	2016	<p>RECOMMENDATION 26 (2016) (ADDITION TO SECTION 13 - 1987)</p> <p>Where there is no agency responsible for providing post-adoption services, or where vital statistics agencies have traditionally fulfilled that purpose, additional regulations should be implemented to ensure that the information is properly disclosed.</p>

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		Issue: Information sharing
27	2016	<p>RECOMMENDATION 27 (2016) (ADDITION TO SECTION 13 - 1987)</p> <p>The <i>Uniform Vital Statistics Act</i> should include a provision that will ensure the unimpeded sharing of adoption information between vital statistics agencies and agencies providing post-adoption services, but should not mandate the mechanics of the information sharing process. The Act should ensure that vital statistics agencies are free to communicate with post-adoption agencies and disclose the original birth registration of an adopted child or their biological parent(s) making an application for disclosure.</p>
		Issue: Disclosure vetoes and contact preferences
28	2016	<p>RECOMMENDATION 28 (2016) (ADDITION TO SECTION 13 - 1987)</p> <p>The <i>Uniform Vital Statistics Act</i> should ensure that a vital statistics agency can inquire about, and disclose the existence of, a veto or other contact preferences^{vi} to the vital statistics or post-adoption agencies in the jurisdiction where a disclosure application has, or had the opportunity to have been made.^{vii}</p>
		Issue: Aboriginal custom adoptions
29	2016	<p>RECOMMENDATION 29 (2016) (ADDITION TO SECTION 1 - 1987)</p> <p><i>"Aboriginal customary adoption"</i> should be defined as: "an adoption performed in accordance with the customary traditions of an Aboriginal group in Canada to which some or all of the parties of the adoption (birth parents, adoptive parents, adopted child) are members."</p>
30	2016	<p>RECOMMENDATION 30(2016) (ADDITION TO ADOPTIONS SECTION)</p> <p>The <i>Uniform Vital Statistics Act</i> should include the following provision for recognizing and registering Aboriginal customary adoptions:</p> <ul style="list-style-type: none"> • An applicant may give notice to the Registrar of an "Aboriginal Customary Adoption" occurring in accordance with Aboriginal customs or traditions. • A notice under this section must be given in a form required by the Registrar, and must include, at minimum: <ul style="list-style-type: none"> ○ The name, date of birth, place of birth, and particulars of birth of the adopted child; ○ The names, dates of birth, and places of birth at the time of adoption of adoptive parent(s); ○ Where applicable, the Aboriginal group to which the biological parents, the adoptive parent(s), and/or the adopted child are members; ○ The names, dates of birth, and places of birth of the birth parents; and ○ An attestation by the biological parents (where applicable) and the adoptive parent(s) that the information supplied is true and that the child was adopted in accordance with local aboriginal customs or traditions. • Additional requirements may be added as necessary at the discretion of the Registrar or by provincial or territorial regulation. • An order of a court, or a certificate of an Aboriginal customary adoption that is

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		deemed to be an order of a court from any Canadian jurisdiction, should be registered in lieu of notice under the Act.
2	2017	Recommendation #2 (2017): New (repeal R#29 and R#30) (2016)) The <i>Uniform Vital Statistics Act 2017</i> should not include provisions for recognition of Aboriginal custom adoptions at this time. Recommendations 29 and 30 from the 2016 Report should be withdrawn. Commentary to the adoption provisions of the Draft Act should acknowledge that there are differences between most statutorily based adoption schemes and Aboriginal custom adoptions. The commentary should encourage enacting jurisdictions to consult within their jurisdiction with a view to developing policy and guidelines that ensure that in the case of an Aboriginal custom adoption the relationships between the family of origin, the new family and the adopted person are accurately recorded.
		Issue: Single names
31	2016	RECOMMENDATION 31 (2016) (ADDITION TO SECTION 4 - 1987) In response to the Truth and Reconciliation Commission Report recommendations, the <i>Uniform Vital Statistics Act</i> should include a provision which allows Aboriginal applicants to register their child's name with single name at the time of birth.
		Issue: Aboriginal characters and syllabics
32	2016	RECOMMENDATION 32 (2016) (ADDITION TO SECTION 4 - 1987) In response to the Truth and Reconciliation Commission Report recommendations, the <i>Uniform Vital Statistics Act</i> should include a provision which allows Aboriginal applicants to register their child's name with Aboriginal characters and syllabics at the time of birth.
		Issue: Parental signatures on birth registrations
33	2016	RECOMMENDATION 33 (2016) (REPLACEMENT OF SECTION 3 - 1987) <ul style="list-style-type: none"> The <i>Uniform Vital Statistics Act</i> should include a provision governing parental signatures on birth registrations which provides for the following: A birth registration may be completed by: <ul style="list-style-type: none"> ○ The birth parent alone; ○ The birth parent and the other parent of the child; ○ The other parent of the child alone, if the birth parent is incapable or deceased; or ○ Any other person present at the time of the birth, if both the birth parent and other parent are incapable. A birth registration may only include the particulars of another parent if: <ul style="list-style-type: none"> ○ The other parent completes the registration at the time of the child's birth; ○ The other parent completes a joint request for parentage with the birth parent and the request is submitted to the registry; ○ The birth parent submits an affidavit and supporting evidence to the Registrar that the other parent is deceased or incapable of completing the birth registration. ○ An order of parentage from a court of competent jurisdiction, is obtained by the birth parent or other parent; or

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		<ul style="list-style-type: none"> A birth registration may be amended to remove a parent of a child from a birth registration if an order from a court of competent jurisdiction is submitted to the registry which demonstrates that a registered parent is not a biological parent of the child.
3	2017	<p>Recommendation #3 (2017): New (amending R#33 2016)</p> <p>Recommendation 33 from the 2016 Report should be replaced to read as follows:</p> <p>The <i>Uniform Vital Statistics Act</i> should include a provision governing parental signatures on birth reports which provides for the following:</p> <ol style="list-style-type: none"> 1) For purposes of the provisions governing the submission of a birth report of a child and providing the particulars of the child's parents, the term "birth parent" should be defined to mean the person who gave birth to a child. Commentary should note that amendments will be required if the jurisdiction does not recognize certain persons as a birth parent (e.g. a surrogate who gives birth to the child) 2) A birth report may be completed by: <ol style="list-style-type: none"> a) The birth parent alone; b) The birth parent and a person who is a parent of the child; c) A person who is a parent of the child, if the birth parent is incapable or deceased; or d) Any other person having knowledge of the birth, if none of the people listed above are capable or available. 3) A person who makes a birth report shall include the particulars of the birth parent (subject to any laws in the jurisdiction which do not recognize the birth parent in certain situations). 4) A birth report may only include the particulars of another parent if: <ol style="list-style-type: none"> a) The birth parent submits an affidavit and supporting evidence to the Registrar that the other parent is deceased or incapable of completing the birth report. b) The other parent(s) completes the report with the birth parent at the time of the child's birth; c) The other parent submits an affidavit and supporting evidence to the Registrar that the birth parent is deceased or incapable of completing the birth report. d) An order of parentage from a court of competent jurisdiction-is submitted with the birth report. 5) A birth registration may be amended at a later date to add or remove a parent of a child from the birth registration if an order from a court of competent jurisdiction is submitted to the registry declaring that the person is, or is not, a parent of the child. 6) A birth registration may be amended at a later date to add a parent of a child if the parent(s) on the birth registration, and the person requesting to be added as a parent, apply together to add the person as a parent.
		Issue: Delayed registrations
34	2016	<p>RECOMMENDATION 34 (2016) (ADDITION TO SECTIONS 1, 7, 17, 23 - 1987)</p> <p>The <i>Uniform Vital Statistics Act</i> should define a "delayed" registration as a registration</p>

R#	Year	Final Text as approved 2016 and as amended in 2017 or new in 2017
		that occurs after one year of the event having taken place. An applicant submitting a delayed registration should be required to provide the Registrar with satisfactory evidence that the registration should be completed.
		<i>Issue: Responsibility for certifying deaths</i>
35	2016	RECOMMENDATION 35 (2016) (AMENDMENT TO SECTION 20 - 1987) The responsibility for certifying deaths should be delegated to the medical practitioner last in attendance of the person before their death, or any other prescribed person as provided by regulation.
		<i>Issue: Drafting a renewed Uniform Vital Statistics Act</i>
36	2016	RECOMMENDATION 36 (2016) The recommendations in this report should be incorporated into the 1987 Act and the language of the 1987 Act should be modernized to reflect modern drafting styles.
	2017	Recommendation #1(c) 2017: (clarifying R#36 in 2016 Report) The ULCC Vital Statistics Renewal project 2016 report, should be amended as set out below. RECOMMENDATION 36: The 1987 Act should be repealed and replaced to reflect modern drafting rules, the recommendations in this report should be incorporated into the modernized Act and a French version of the legislation should be prepared.

The following is a list of 2017 recommendations to amend the discussion text in the 2016 ULCC WG report

R#	Recommended amendment to 2016 report text
1	<p>Recommendation #1(a) 2017: (replacing text in 2016 Report) The ULCC Vital Statistics Renewal project 2016 report, should be amended as set out below.</p> <p>Paragraph 17 should read: [17] The project committees considered the possibility of allowing a third sex on birth registrations and certificates.^{viii} The committees-concluded that flexible reform options on the issue of displaying additional (or no) sexes on birth certificates could be provided, but registrations should continue to display a binary designation.</p>
	<p>Recommendation #1(c) 2017: (replacing text in 2016 Report) The ULCC Vital Statistics Renewal project 2016 report, should be amended as set out below.</p> <p>Paragraphs [64], [65] should be amended to read as follows: [64] The ULCC WG discussed options for a renewed Uniform Vital Statistics Act. Committee members reviewed the 1987 Act and agreed that the remainder of the Act continues to be appropriate. The committee considered whether the recommendations in this report should be incorporated into the 1987 Act, or passed as a new separate “amendments statute”. [65] The committee members noted that the likelihood of a jurisdiction adopting the recommendations would be significantly increased if a complete statute, following modern drafting rules was prepared. The committee agreed that the recommendations in this report should be incorporated into a modernized Act, and that as part of the VSA renewal, the drafting of the 1987 Act should be modernized and a French draft should be prepared.</p>
10	<p>Recommendation #10 (2017): (replacing text in 2016 report) Paragraph [18] of the 2016 Report be amended so that it reads as follows:</p> <p>This option would allow the birth registration to be completed. Until information about the sex of the child is provided to the registry, a birth certificate issued by the registrar will not indicate the sex of the person who is the subject of the birth certificate. See also Recommendation #3 (2016).</p>

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- ⁱ The list of persons who may act as guarantor or supporters has not been finalized. The ULCC Working Group believed development of this list is best left to regulation.
- ⁱⁱ The ULCC Working Group believed the final figure is best left to regulation.
- ⁱⁱⁱ In contrast to the preceding section which discussed bulk or ongoing disclosure with agencies, this section is concerned with one-time or infrequent disclosure or applications by individuals – typically those searching for their own records.
- ^{iv} Including the subject of the certificate themselves.
- ^v Including the subject of the certificate themselves.
- ^{vi} A “contact veto” is a unilateral prohibition against contact registered by a party to an adoption. A party to an adoption can register a contact veto with the appropriate agency, and this would bar any attempt by another party to the adoption to obtain information about the registrant. “Contact preferences” are a registered description of the means by which a party to an adoption is willing to receive contact from another party to the adoption (such as choosing between: telephone, letter, email, or in person).
- ^{vii} This option will remain available until such time that adoption legislation in the jurisdiction moves towards an open disclosure model.
- ^{viii} The birth registration contains information about the birth parent, the other parent(s) of the child, the child’s name, the child’s sex, the place of birth, the attending physician, and a range of other information used internally by vital statistics agencies for statistical research. A “birth certificate” is “foundational identification” (a piece of identification that is the foundation for other forms of identification – such as passports and drivers’ licenses) that includes certain information from the birth registration – such as the child’s name, date of birth, place of birth, and sex. A birth certificate is used as a piece of identification, whereas a birth registration is primarily informational. See also Appendix D for further information.

APPENDIX G:***Uniform Vital Statistics Act (2017)*
with Commentary****Introduction**

[1] Vital statistics agencies collect data about vital events in the lives of individuals who are born, die or are married in their jurisdiction. Birth information forms the basis for identity documents. The data collected provides valuable information to Statistics Canada, statisticians and other researchers in a wide range of areas. Information such as birth rates, marriages and causes of death assist with development of programs and government policy. As health and social issues become more complex, it is increasingly necessary that the content of vital statistics information collected better reflects modern requirements, the means of collection can be adapted to new technologies, and the purpose for the collection remains relevant and constitutionally sound.

[2] The last *Uniform Vital Statistics Act* was introduced in 1987. While many of the core functions remain relevant, the legislation is out of date and/or fails to address modern day realities and practices. Reform of the Act is required to ensure that vital statistics agencies can continue to fulfill their mandate to collect and register vital information, and that the law addresses issues related to ensuring the protection of individual rights to privacy and confidentiality. The legislation must be compatible with a variety of other laws including those governing parentage and child status, change of name, and privacy. It must also be responsive to evolving and rapidly changing developments under human rights law and the Charter, in Canada and internationally.

[3] Canadian jurisdictions have started to address one or more of the foregoing issues. They have modernized the rules related to recognition of change of sex and some have incorporated provisions dealing with Aboriginal custom adoptions. A number have modernized their family and child status laws to address issues arising from assisted human reproduction; but others have not. Challenges remain where jurisdictions have not addressed these matters. In addition, although there is a general move towards open adoption, it is not universally accepted in Canada. The inconsistencies on these various issues create challenges for vital statistics agencies. While it is outside of the scope of this Act to address these challenges, efforts have been made to first recognize these new realities, and second to note issues that jurisdictions may need to consider before implementing provisions of this Act.

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[4] This Act implements recommendations for reform in a number of areas. In order to assist jurisdictions to incorporate these changes, the 1987 Act has been repealed and replaced. While many provisions have not been changed in substance, the drafting has been modernized and the content reorganized. Reform recommendations are then incorporated into the new Act.

[5] For purposes of the commentary to the Draft *Uniform Vital Statistics Act (2017)* the following terms will be used:

- The “1987 Act” refers to the *Uniform Vital Statistics Act (1987)* dated April 1987 and in English only.
- The “Draft Act 2017” refers to the proposed *Uniform Vital Statistics Act (2017)* presented at the August 2017 Uniform Law Conference of Canada in Regina, Saskatchewan in August 2017.

[6] Highlights of the Draft Act 2017 follow:

Implementing Recommendations

[7] The Draft Act 2017 incorporates recommendations that address:

- a) Identification of a child’s parents on a birth registration (see sections 3,4 and 15)
- b) Information on a birth certificate that identifies a person’s sex (see section 11)
- c) Change of sex designation and respecting the rights of transgender persons (see sections 11, 18 and 19)
- d) Modernization of privacy and information disclosure principles (see Part 2 Division 4, Part 3, Part 4 Division 3, Part 5 Division 3, Part 6 and Part 7)
- e) Uniform standards for the registration of and disclosure of information relating to adoption (see Part 3)
- f) Updating naming convention rules to align with the Truth and Reconciliation Commission Report and permit registration of single names, and characters and syllabics for children of Aboriginal heritage (see section 10)
- g) Clarification of who is entitled to certificates and who may request information from registrations (see Part 2 Division 4, Part 4 Division 3, Part 5 Division 3, and Part 6)
- h) Recognizing that other health care practitioners may be authorized, under their scope of practice, to issue medical certificates of death (see section 38)
- i) Addressing discrete administration issues, including the requirements when making a birth report and changing the particulars of a parent on the birth

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registration, uniform rules for delayed registrations, and expanding standards for certifying deaths on death registrations (see sections 4, 8, 15, 31 and Part 5)

Modernization and Clarification of the 1987 Act

[8] The Draft Act 2017 modernizes provisions of the 1987 Act, clarifies provisions that are unclear and removes provisions that are no longer relevant. Substantive reform is not intended. The relevant sections are:

- Registration by registrar without a birth report (see section 7)
- Confidentiality of adoption records (replacing “special registers”) to reflect that not all records today are documents that can be stored (see section 26)
- Responsibility for making a death report (see section 37 (1))
- Issuance of a burial permit (see Part 5 Division 2)
- Adapting the provisions for appeal of decisions by the registrar to distinguish applications to appeal decisions related to a registration, and decisions related to certificates and searches, in order to respect the confidentiality issues arising from the recognition of change of sex (see sections 61 and 62)
- Consequential amendments to section 67

Structure and Organization

[9] The Draft Act 2017 organizes the content into Parts and Divisions. It begins with a definition section in Part 1. Part 2 addresses all matters related to registering births, adding to or changing registrations and the release of information. Part 3 governs the registration of adoptions and the confidentiality of adoption records. Part 4 governs the registration of marriages and all related matters, including the release of information and issuing certificates. Part 5 sets out the rules for registering deaths, issuing burial permits and issuing death certificates. Part 6 consolidates provisions that govern the release of information and issuance of certificates generally. Part 7 sets out the rules governing the registrar’s duty to maintain the privacy and confidentiality of information. Part 8 deals with appeals of registrar decisions and other miscellaneous matters.

Reforms and matters not addressed in the Draft Act 2017

[10] Readers are cautioned that the reforms in the Draft Act 2017, while important and a first step towards achieving harmonization and improved guidance to assist registrars today, do not address all policy and legal issues that may need to be considered when

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an enacting jurisdiction begins to consider implementation of the provisions of this Act. The commentary to the Act seeks to alert jurisdictions to matters which may need to be addressed, including:

- *The law related to change of sex and gender identification:*

[11] The law related to change of sex and gender identification is evolving quickly in Canada and internationally. The policy recommendations underlying the Draft Act 2017 were developed in 2015. They will require review before implementation. Jurisdictions will need to consider the outcomes of legal cases before the Canadian Human Rights Commission in 2017 as well as policy recommendations from the Canadian Human Rights Commission expected to be released in late 2017 or early 2018, guidance anticipated to be released from Statistics Canada on what statistical information to request and how to make the request, and the United Nations document [Living Free and Equal](#), and any subsequent guidance. Specific legislative initiatives introduced by Canadian provincial and territorial jurisdictions, and relevant tribunal and court cases should also be considered.

- *Further consultation at the local level is required:*

[12] Specifically, Aboriginal custom adoptions should be recognized in vital statistics legislation. Some jurisdictions have taken steps to do this. However, for purposes of a uniform act, significantly more research and consultation is required in each jurisdiction. Importantly, while adoption statutes in many Canadian jurisdictions lead to a complete transfer of legal rights, Aboriginal custom adoptions by their nature and/or the specific adoption arrangement, may not sever ties with the child's parents or family. As at August 2017, jurisdictions that have sought to address these issues include the Northwest Territories, Nunavut and most recently Quebec (Bill No. 113).

- *The policy issues have not been thoroughly debated – reforms cannot yet be recommended:*

[13] When reviewing the 1987 Act, some provisions raised questions about current practice and potential policy decisions. It was determined that the time and effort required to review and make further recommendations for reform on the issues identified did not justify the delay in releasing the recommended Draft Act 2017. Many of these matters would likely be addressed by the

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jurisdictions during implementation in any event and are identified in the commentary to the Draft Act 2017.

- *Broader issues which were out of scope that jurisdictions may wish to consider:*

[14] It has been noted that the Draft Act 2017 would be enhanced by considering the rights of the child as found in Articles 7 and 8 of the UN Convention of the Rights of the Child, which deal with the child's right to a name and to know his or her parents, and to preserve his or her identity, including name and family relations¹. Such considerations fall outside of the scope of vital statistics legislation. They involve policy issues as to the role and authority of the registrar and are intertwined with the enacting jurisdiction's laws related to assisted human reproduction and surrogacy arrangements.

¹ The text of the convention may be accessed on line here: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
These Articles provide:

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

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PART 1 – DEFINITIONS

Commentary: The Draft Act 2017 replaces the 1987 Act. Many definitions were retained or modernized. New, amended and deleted definitions are listed below. Definitions that did not change are not listed.

<i>The following definitions have been added to section 1:</i>			
<ul style="list-style-type: none"> • Birth notice • Birth report • Burial permit • Coroner 	<ul style="list-style-type: none"> • Court • Death report • Delayed registration • Dispose 	<ul style="list-style-type: none"> • Inquiry • Marriage report • Medical certificate • Parent 	<ul style="list-style-type: none"> • Registrar • Registration • Religious record • Stillbirth statement
<i>The following definitions have been modernized or amended to reflect new language and drafting:</i>			
<ul style="list-style-type: none"> • Cemetery • Certificate • Cremate 	<ul style="list-style-type: none"> • Death report • Dispose • Error 	<ul style="list-style-type: none"> • Funeral director • Incapable 	<ul style="list-style-type: none"> • Medical practitioner • Minister
<i>The following definitions have been deleted:</i>			
<ul style="list-style-type: none"> • Division registrar (see “registrar”) • Director (see “registrar”) 	<ul style="list-style-type: none"> • Occupier (see relevant section) • International Classifications (see relevant section) 		

Definitions**1** In this Act:

“**birth**” means the expulsion or extraction from a person of a fetus that, after complete separation, shows any sign of life;

“**birth notice**” means a notice given under section 2;

“**birth parent**” means the person who gave birth to a child;

Commentary: The definition “birth parent” is new. It replaces “mother” to avoid the use of gender-specific language. It also contemplates situations when a person with no genetic links to the child gives birth as a result of assisted human reproduction (AHR).

In most jurisdictions, the person who gives birth to a child is considered a “parent” until a further step is taken to change the birth parent’s status. The term is used in sections 3 and 4 to identify the person who gives birth, whether or not there is a genetic link between the person and the child, and to identify the person who is responsible for making the birth report. If the enacting jurisdiction does not recognize the “birth parent” as a parent in certain situations (for example, in the case of a surrogacy agreement) the definition will need to be modified.

The remainder of the Act refers to the parent or parents of the child.

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“Parent” is also defined. See below. The Act does not seek to change or determine the legal status of any person who may be a “parent” under a jurisdiction’s applicable family law or child status legislation. Rather, it intends that the enacting jurisdiction’s law governs. While the commentary seeks to identify where amendments to the drafting may be required, enacting jurisdictions will need to review and amend the relevant provisions. For purposes of this Act, users are referred to the *Uniform Child Status Act*, with amended commentary in 2016.

“birth report” means a report made under section 3 or 13, as applicable;

“burial permit” means the following:

- (a) a burial permit issued under section 23 or 43;
- (b) if a death occurs outside (*enacting jurisdiction*) but the body is to be disposed of in (*enacting jurisdiction*), a burial permit or other document authorized under the law of the jurisdiction in which the death occurred, signed by the person responsible for registering deaths in that jurisdiction;

“cemetery” means

- (a) land set apart or used as a place for the disposal of dead bodies, and
- (b) a vault, mausoleum and crematorium;

“cemetery owner” includes the manager, superintendent, caretaker or other person in charge of a cemetery;

“certificate” means

- (a) a certified extract of the particulars of a birth, marriage or death registration, or
- (b) a certificate indicating that the sex of the subject of the certificate has changed, and noting the particulars of the change;

“coroner” means a person responsible for conducting an inquiry or inquest into a death under (*the enactment governing inquiries into deaths in the enacting jurisdiction*);

“court” means a court of competent jurisdiction;

“cremate” means to lawfully dispose of a dead body by incineration in a crematorium;

“death report” means a report made under section 37;

“delayed registration” means a birth, marriage or death registration made in response to an application received more than one year after the event occurred;

“dispose”, in respect of a dead body, includes to bury and to cremate;

“error” includes incorrect and omitted information;

“funeral director” means a person who takes charge of a dead body for the purpose of disposal of the body;

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“incapable” means unable because of illness, absence from (*enacting jurisdiction*) or otherwise;

Commentary: The definition no longer includes deceased persons. Wherever the term is used, the Act also refers to a person who is deceased.

“inquiry” means an inquiry or inquest into a death made under (*the enactment governing inquiries into deaths in the enacting jurisdiction*);

“marriage report” means a report made under section 29;

“medical practitioner” means (*to be defined by each enacting jurisdiction in accordance with its own requirements*);

“medical certificate” means a medical certificate completed under section 23, 38 or 39, as applicable;

“Minister” means the Minister responsible for the administration of this Act;

“parent” means a parent as determined under (*the enactment governing family relationships in the enacting jurisdiction*);

Commentary: The definition of “parent” is new. It has been included to recognize that the term is defined in the enacting jurisdiction’s relevant family and child status laws. The Act does not seek to change or determine the legal status of any person who may be a “parent” under a jurisdiction’s applicable family law or child status legislation. The Act is drafted in a way that is intended to accommodate more than 2 people as parents wherever possible or notes that the language may need to be adapted if the enacting jurisdiction recognizes more than 2 people as parents.

“prescribed” means prescribed by regulation under section 67;

“registrar” means the Registrar of Vital Statistics appointed for the purposes of this Act;

Commentary: The 1987 Act referred to Registrars, Division Registrars and Directors. This Act contemplates only one registrar for the jurisdiction. If a jurisdiction has districts or other roles that report to the registrar, definitions will be required and provisions of the Act will need to be amended to reflect the responsibilities and authority of each role.

“registration” means a record, made by the registrar, of the particulars of a birth, stillbirth, adoption, marriage or death;

“religious record” means a record of a baptism, marriage or burial held by the registrar under section 60;

Commentary: If a jurisdiction receives non-Christian records similar to a record of baptism, these records should be included within the scope of the legislation.

“stillbirth” means the complete expulsion or extraction from a person of a product of conception

- (a) 20 weeks or more after conception, or after it attains a weight of at least 500 g, and

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- (b) that, after expulsion or extraction, is not breathing and has no heartbeat, umbilical cord pulse or unmistakable movement of voluntary muscle;

“**stillbirth statement**” means a statement made under section 23 with respect to a stillbirth.

PART 2 – REGISTERING BIRTHS

Division 1 – Registering Births Generally

Notice of birth

- 2 (1) The medical practitioner or other person who attends a birth shall give notice of the birth to the registrar.
- (2) A birth notice shall be given within (...) days after the birth, in the form and manner approved by the registrar.

Commentary: Each jurisdiction should set a notice period based on its own processes, including whether the birth notice is treated separately from the birth report.

Birth report

- 3 (1) If a child is born in (*the enacting jurisdiction*), the following persons, as applicable, shall report the particulars of the birth to the registrar:
 - (a) the birth parent;
 - (b) the birth parent and a person who is a parent of the child, making the report together;
 - (c) if the birth parent is either incapable or deceased, a person who is a parent of the child.
- (2) If no one listed in subsection (1) is capable or available, the registrar may require a person having knowledge of the child’s birth to make the report, and that person shall make the report as required.
- (3) A birth report shall be made within 30 days after the birth, in the form and manner approved by the registrar.
- (4) If a birth report is made by a person referred to in subsection (1) (c) or (2), the report shall include a declaration of the facts that require the person to make the report.
- (5) If a pregnancy results in the birth of more than one child,
 - (a) a separate birth report shall be made for each child, and
 - (b) each birth report shall include a statement of the number of children born and the order of birth.

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Commentary: Section 3 sets out who has responsibility for making the birth report. Typically, it will be made by the birth parent or 2 parents. However, a number of scenarios may arise and these are identified in section 3(1). The number of person(s) who can be recognized as a parent varies by jurisdiction and the law is evolving in this area. Enacting jurisdictions that recognize more than 2 parents can rely on the rule of interpretation that “the singular includes the plural,” or may include a subsection that provides for the application of subsection (1)(b) and (c) to multiple parents.

Section 3(2) gives the registrar authority to require a person with knowledge to make the report.

Parents’ particulars on birth report

- 4** (1) A person who makes a birth report shall include the particulars of the birth parent.
- (2) A person who makes a birth report may also include the particulars of a person who is the child’s parent if one of the following circumstances applies:
 - (a) the report is made by the birth parent under section 3 (1) (a) and the birth parent includes with the report a declaration and evidence, satisfactory to the registrar, that the parent whose particulars are to be included is incapable or deceased;
 - (b) the report is made by the birth parent and a parent under section 3 (1) (b) and the parent whose particulars are to be included is the parent who made the report;
 - (c) the report is made by a parent under section 3 (1) (c) and the parent whose particulars are to be included is the parent who made the report;
 - (d) the report is accompanied by a court order declaring that the parent whose particulars are to be included is the child’s parent.

Commentary: Section 4 sets out the circumstances under which a parent may be included on the birth report. The general rule is that apart from the birth parent, the particulars of a parent cannot be included unless that parent signs the birth report. Section 4 (2)(a) and (c) deals with situations where a parent or the birth parent is incapable or deceased. Section 4(2)(d) provides for recognition of a court order as evidence that a person is a parent.

Section 4(1) requires the birth parent to be recorded on the registration. Where the enacting jurisdiction does not record a birth parent who is a surrogate, the section will need to be amended. See also the definition of “birth parent” above.

Additional evidence required by registrar

- 5** If the registrar is not satisfied of the truth and sufficiency of a birth report, the registrar may, for the purpose of obtaining any necessary additional evidence, require a person to answer questions respecting any relevant matter.

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Registration of birth

- 6** If a birth report respecting a birth is made within one year after the birth, the registrar shall register that birth if satisfied of the truth and sufficiency of the birth report.

Registration of birth without birth report

- 7** (1) If the registrar receives a birth notice or other evidence satisfactory to the registrar respecting a birth but does not receive a birth report respecting the birth, the registrar may register that birth.
- (2) If the registrar does not receive a birth notice or birth report respecting a child's birth but receives a medical certificate completed under section 38 or 39 respecting the child's death, the registrar may register that child's birth.

Commentary: Section 7 is new. It reflects practice and legislation in a number of jurisdictions and is inspired by a similar provision in the Alberta legislation. Where a birth report is not received, the registrar has discretion to use information that the registrar has received to register a birth so that a child may have a birth certificate. It also provides for the situation where a child dies shortly after the birth and a birth report is not received.

Delayed registration of birth

- 8** If a birth report respecting a birth is not made within one year after the birth, the registrar shall register that birth if both of the following conditions are met:
- (a) an application for delayed registration is
 - (i) made in the form and manner approved by the registrar,
 - (ii) accompanied by a declaration respecting the birth, in the form approved by the registrar, and
 - (iii) accompanied by any other evidence required by the regulations [s. 67 (a)] or by the registrar;
 - (b) the registrar is satisfied of the truth and sufficiency of the matters stated in the application and that the application is made in good faith.

Commentary: Section 8 clarifies the requirements when a registration of birth is made more than one year after the birth. Section 8(a) gives the registrar authority to determine the form and manner for applying for registration and provides for additional evidence required by regulation, or by the registrar.

Registration of child's name

- 9** (1) Unless section 10 (1) applies, the registrar shall register a child with a surname according to the following requirements:

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- (a) if the birth report is made by the birth parent under section 3 (1) (a) or one parent under section 3 (1) (c), the surname is the one chosen by that person;
 - (b) if the birth report is made by more than one parent under section 3 (1) (b) or (c), the surname is the one chosen by those persons or, if they cannot agree, the surname is
 - (i) the surname of both of them, if they have the same surname, or
 - (ii) a surname consisting of both of their surnames hyphenated or combined in alphabetical order, if they have different surnames;
 - (c) if the birth report is made under section 3 (2), the surname is as follows:
 - (i) if only one parent is known, that parent's surname;
 - (ii) if more than one parent is known, the surnames of the parents as described in clause (b) (i) or (ii), as applicable.
- (2) For the purposes of subsection (1),
- (a) no more than 2 surnames may be hyphenated or combined, and
 - (b) if a parent has a hyphenated surname, only the name that alphabetically precedes the other in that surname may be used unless the parents agree otherwise.

Commentary: Section 9 carries forward provisions of the 1987 Act. Enacting jurisdictions that recognize more than 2 parents may include a subsection that provides for the application of this section to multiple parents, including providing for the resolution of conflicts between the parents.

Registration of Aboriginal name

- 10**
- (1) If requested by a person who makes a birth report, the registrar may register a child of Aboriginal heritage with a single name only.
 - (2) The name or surname of a child of Aboriginal heritage may include Aboriginal characters and syllabics.

Commentary: Section 10(1) provides for registration of a child of Aboriginal heritage with a single name. The provision is included in response to the Truth and Reconciliation Commission Report. Section 10 (2) also permits characters and syllabics to be included in the name or surname of a child of Aboriginal heritage. Jurisdictions that provide for single names and/or other characters more generally may wish to amend this section to provide for this. Note: Aboriginal heritage is not defined. Recognition of who is and is not an indigenous person in Canada is an issue that is currently in flux. Jurisdictions may choose to describe the concept in different ways.

Jurisdictions will also need to refer to their applicable change of name legislation. If surnames are required and/or symbols are not permitted, amendments to that legislation will be required to support section 10 in this Act. For example, see section

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2(2) of the 1988 *Uniform Change of Name Act*, which says: “The name a person adopts under this Act shall include a surname and at least one given name, written in the Roman alphabet, and shall not include numbers or symbols.” Change of name legislation in each enacting jurisdiction should be harmonized to reflect the option for an Aboriginal name to consist of a single name, and to include the use of characters and syllabics.

Registration of child’s sex

- 11** (1) The registrar shall register the sex of a child as male or female in accordance with the sex stated in the child’s birth notice.
- (2) If a birth notice does not state a child’s sex because the sex cannot be determined, the registrar shall
- (a) initially register the sex as undetermined, and
 - (b) complete the registration by including the child’s sex after receiving from a parent or guardian of the child prescribed evidence [s. 67 (b)], satisfactory to the registrar, of that child’s sex.

Commentary: Section 11 (1) carries forward from the 1987 Act. Section 11(2) is new. It clarifies that if the sex is not determined at the time of the registration, the sex shall be recorded as “undetermined”. The registration may be completed and the sex changed from “undetermined” to “male” or “female” when the registrar receives satisfactory evidence of the sex from a parent or guardian. Where the registrar determines that the information provided is insufficient to amend the birth registration, section 5 of the Act authorizes the registrar to request additional information. See also section 21(3) and (4).

Further to the comments in the introduction to this Act, jurisdictions should monitor for change in federal and international policy, as well as legal developments.

Division 2 – Registering Foundlings**Information respecting foundling**

- 12** (1) If a newborn child is found deserted, both the person who finds the child and the person having charge of the child shall give to the registrar any information they possess respecting the particulars of the child’s birth.
- (2) Information shall be given under subsection (1), in the form and manner approved by the registrar, within 7 days after finding or taking charge of the child, as applicable.

Registration of foundling

- 13** (1) The registrar, on receiving information under section 12 and on being satisfied that every reasonable effort has been made to identify the child, shall do all of the following:
- (a) require the person who found or has charge of the child to make
 - (i) a declaration in respect of the facts of the child’s finding, and

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- (ii) a birth report, to the extent that the person is able;
- (b) cause a local medical officer of health or medical practitioner to examine the child and determine, as nearly as possible, the child's birth date;
- (c) require the medical officer or medical practitioner to
 - (i) make a declaration and report setting out those facts of the child's birth as determined by the examination, and
 - (ii) provide the report and any evidence regarding the child's birth to the registrar.
- (2) A medical practitioner shall be paid out of the consolidated revenue fund the prescribed fee [s. 67 (c)] for an examination made under subsection (1) (b).
- (3) The registrar shall review the information received under subsection (1) and, if satisfied of the truth and sufficiency of the information, shall do both of the following:
 - (a) determine for the child a date and place of birth, a surname and a given name;
 - (b) register the child's birth with the information determined under clause (a).
- (4) On registering a child's birth under this section, the registrar shall immediately give to the (*Superintendent of Child Welfare*) a copy of all records received under this section respecting the child.

If foundling identified

- 14** (1) If, after a child is registered under section 13, the child's identity is established or further relevant information respecting the child's identity is received, a person may request the registrar to do one of the following:
 - (a) amend the child's birth registration;
 - (b) cancel the child's birth registration and substitute a new registration.
- (2) A request shall be made in the form and manner approved by the registrar.
- (3) If satisfied of the child's identity or the truth of the further information, the registrar shall do both of the following:
 - (a) make the requested amendment or cancellation and substitution;
 - (b) immediately notify the (*Superintendent of Child Welfare*) of the action taken under clause (a).
- (4) If a birth registration is cancelled and a new registration substituted, the date of registration shall be that of the original registration.

Division 3 – Changes Occurring After Registration

Change of parent's particulars

- 15** (1) The registrar may amend a child's birth registration with respect to a parent's particulars as follows:

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- (a) on receiving an application to add the particulars of a person who is the child's parent from the person and all parents whose particulars are recorded on the child's birth registration, the registrar may add the person's particulars;
 - (b) on receiving a court order declaring a person to be, or not to be, the child's parent, the registrar may add or remove the person's particulars, as applicable.
- (2) An application shall
- (a) be made in the form and manner approved by the registrar, and
 - (b) be accompanied by the prescribed fee [s. 67 (c)].

Commentary: Section 15 is new. There will be circumstances where the second parent, or additional parents if recognized under the enacting jurisdiction's law, will not be available to sign the birth report. There may also be situations where a person is declared not to be the child's parent and their particulars need to be removed from the birth registration. Section 15(1)(b) provides for a parent's particulars to be added or removed by court order. Section 15(1)(a) recognizes that there may be circumstances where both or all parents agree on the facts and the parent's particulars should be added to the registration. Where there are no disputes, section 15(1)(a) provides that an application may be made by the person to be added, and the parent(s) on the registration, to add the particulars of the parent(s) not originally recorded. Where there is a dispute or question about adding a person as a parent, a court order will be required to confirm that a person is a parent and that the person's particulars should be added to the registration.

Jurisdictions adopting this provision should consider the right of a child to know his or her parents protected by Article 7 the *Convention of the Rights of the Child*. Combined with section 4 of this Act, section 15 allows for, but does not require, all legal parents to appear on the birth registration of a child. Jurisdictions may wish to consider what measures might be taken, either in vital statistics legislation or in other legislation, to ensure that all legal parents appear on a child's birth registration as soon as possible after birth. Jurisdictions may also wish to consider alternatives to judicial proceedings respecting parentage wherever possible.

Change of given name

- 16** (1) This section applies if
- (a) a person's given name is changed under this Act rather than by or under another enactment of (*the enacting jurisdiction*) or the laws of another jurisdiction, or
 - (b) no given name was recorded on a person's birth registration.
- (2) The following persons may apply to the registrar to amend a birth registration to record a change to a person's given name, or, if no given name was recorded, to record a given name:

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- (a) in respect of a child's birth registration,
 - (i) both of the child's parents together,
 - (ii) if a parent of the child is deceased, the surviving parent,
 - (iii) a guardian of the child, and
 - (iv) a person other than a person referred to in subclauses (i) to (iii) who proposes to change the child's given name or give the child a name;
 - (b) in respect of an adult's birth registration, the adult.
- (3) An application shall
- (a) be made in the form and manner approved by the registrar,
 - (b) include a declaration, made by the applicant, concerning the particulars of the name given or of the change, as applicable, and
 - (c) include documentary evidence satisfactory to the registrar.
- (4) The registrar shall make the requested amendment if all of the following conditions are met:
- (a) the name is changed or given, as applicable, within (...) years after the birth;
 - (b) the registrar is satisfied that the application is made in good faith;
 - (c) the applicant pays the prescribed fee [s. 67 (c)].

Commentary: Section 16 carries forward section 9 from the 1987 Act. It permits the addition of a given name where one was not originally provided, or a change to the given name without requiring a change of name under the enacting jurisdiction's applicable change of name legislation. For example, a second name may be added, or a variation of the name may be preferred. Enacting jurisdictions may choose not to include section 16 (4)(a).

Enacting jurisdictions that recognize more than 2 parents may include in subsection (2)(a)(i) a reference to "both or all of them," and in section 16 (2)(a)(ii) to "the surviving parents."

Change of name by law

- 17** (1) This section applies if a person's name is changed by or under
- (a) an enactment of (*the enacting jurisdiction*) other than this Act, or
 - (b) the laws of another jurisdiction, if the registrar is satisfied that those laws are substantially similar to the laws of (*the enacting jurisdiction*).
- (2) On receiving evidence satisfactory to the registrar of a change of name in the circumstances set out in subsection (1), the registrar shall do one the following, as applicable:
- (a) if the person's birth is registered in (*the enacting jurisdiction*), amend the person's birth registration to record the change to the person's name;

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- (b) if the person's birth is not registered in (*the enacting jurisdiction*), give to the person responsible for registering births in the jurisdiction in which the applicant was born a copy of the evidence received
 - (i) if the applicant was born in Canada but outside (*enacting jurisdiction*), or
 - (ii) on request of the applicant, if the applicant was born outside Canada.

Commentary: Section 17 carries forward section 10 from the 1987 Act and reflects current practice. Many jurisdictions already have modernized legislation clarifying what the registrar should do when a change of name is received. When the registrar receives proof of a change of name for someone who has a birth registration in the jurisdiction, the birth registration of the person who is the subject of the change of name is amended to reflect the change of name. This ensures that the person does not have conflicting identify documents from two jurisdictions. If the jurisdiction where the change of name occurred does not have similar laws to jurisdiction where the birth is registered, (e.g. from a country outside of Canada), the person may need to first obtain a change of name under the change of name laws in the jurisdiction where the birth is registered. See also section 32 which deals with amending a marriage registration when there has been a change of name.

Change of sex designation

- 18** (1) In this section, “**application**” means an application to
- (a) amend a birth registration to record a change to the sex designation of the person who is the subject of the registration, or
 - (b) receive a certificate indicating that the sex designation of the person who is the subject of the certificate has changed.
- (2) The following persons may make an application to the registrar:
- (a) in respect of a child,
 - (i) the child, if that child has the capacity to make decisions respecting that child's own vital records, or
 - (ii) the child's parent or guardian, if subclause (i) does not apply;
 - (b) in respect of an adult, the adult.
- (3) Applications shall
- (a) be made in the form and manner approved by the registrar,
 - (b) be accompanied by the prescribed fee [*s. 67 (c)*], and
 - (c) include the evidence required under section 19.
- (4) For the purposes of this section, every adult is presumed to be capable of making decisions respecting the adult's vital records, unless the contrary is demonstrated.

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- (5) The registrar shall make the requested amendment to a person's birth registration if
 - (a) the person's birth is registered in (*the enacting jurisdiction*), and
 - (b) the registrar is satisfied of the truth and sufficiency of the evidence provided under section 19.
- (6) The registrar shall issue the requested certificate if the registrar is satisfied of the truth and sufficiency of the evidence provided under section 19 and the person who is the subject of the certificate
 - (a) has had that person's birth registration amended under subsection (5), if the person was born in (*the enacting jurisdiction*), or
 - (b) has been a resident of (*the enacting jurisdiction*) for at least one year before the application is made, if the person was not born in (*the enacting jurisdiction*).
- (7) If the registrar issues a certificate under subsection (6) (b), the registrar shall give to the person responsible for registering births in the jurisdiction in which the subject of the certificate was born a copy of the certificate
 - (a) if the subject of the certificate was born in Canada but outside (*enacting jurisdiction*), or
 - (b) on request of the person who made the application, if the subject of the certificate was born outside Canada.
- (8) On receiving evidence satisfactory to the registrar of a change of sex designation under the laws of another jurisdiction, the registrar may, if satisfied that those laws are substantially similar to this section and section 19 and if the person's birth is registered in (*enacting jurisdiction*), amend the birth registration of the person to record the change to that person's sex designation.

Commentary: Sections 18 and 19 are new. They are inspired by provisions in the Manitoba *Vital Statistics Act* which provide for issuing certificates confirming a change of sex designation in addition to change of sex designation on a birth registration. Enacting jurisdictions should be aware that the law in this area is evolving and changing quickly. Prior to adopting these provisions, jurisdictions will need to review recent legal developments and policy approaches.

Section 18 provides for an application to be made to change the sex designation on a birth registration, or to request the issuance of a change of sex certificate indicating that the sex designation of a person has been changed. While the former will affect the person's identity records, the latter may be required where the person does not live in the jurisdiction of birth and requires proof of the change of sex designation.

Section 18 (2) sets out who may make the application and addresses situations where the subject of the application is under the age of majority. Section 19 sets out the requirements for making an application.

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A person authorized under section 18(2) may apply to have the change of sex designation for a person recorded on the birth registration in the jurisdiction where the birth was registered. Once the registration is amended, a change of sex certificate may also be requested. There is no residency or citizenship requirement.

A person living in the jurisdiction, but born outside the jurisdiction may apply for a change of sex certificate if the person satisfies the requirements of section 19 and, pursuant to section 18(6)(b) has been a resident of the jurisdiction for at least one year.

Section 18(7) provides that where a certificate confirming a change of sex designation is issued, the registrar will send the information to the registrar in the jurisdiction where the birth registration is recorded. If the birth registration is in a jurisdiction outside of Canada, the registrar will forward the information upon request by the person who made the application.

Section 18(8) gives the registrar who receives information from another registrar under s. 18(7) authority to change a birth registration if satisfied that the law of the jurisdiction from which the certificate was sent are substantially similar to the laws of (*the enacting jurisdiction*).

Section 18(7) and (8) are similar to the provisions in section 17. They ensure that the person who is the subject of the change of sex designation does not have conflicting identity documents from different jurisdictions. If the registrar is not satisfied that the laws where the change of sex designation certificate was issued are similar to the laws of the enacting jurisdiction, an application for a change of sex designation can be made pursuant to s. 19(2)(a).

If the person lives in the jurisdiction of the birth registration, a change of sex designation on the birth registration is required before a change of sex designation certificate can be requested.

Jurisdictions may wish to consider whether there should be additional safeguards, with respect to the ability of parents or guardians to change the sex designation of a child, to avoid violations of the rights of the child.

Application requirements for change of sex designation

19 (1) In this section:

“**applicant**” means the person who is the subject of an application made under section 18;

“**application**” means an application made under section 18.

(2) An application shall be accompanied by at least one of the following:

(a) 2 statements,

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- (i) one, signed by the person making the application, indicating that the applicant currently identifies with the sex designation to be recorded on the registration or stated on the certificate, lives full time in a manner that is consistent with that sex designation, and intends to continue living in that manner, and
- (ii) a second, signed by a prescribed [s. 67 (d) (i)] person, indicating that the prescribed person has known the applicant for the prescribed period [s. 67 (d) (i)] and has an honest belief that the application is made in good faith, and that the facts described in the first statement are true;
- (b) a record indicating that the applicant's sex designation should be changed as a result of transsexual, gender reassignment or similar surgery undergone by the applicant, given by a medical practitioner who
 - (i) treated or evaluated the applicant, and
 - (ii) is licensed, certified or registered to practise medicine in a Canadian jurisdiction and is in good standing with the regulatory authority responsible for medical practitioners in that jurisdiction;
- (c) any other prescribed evidence [s. 67 (d) (ii)].

Commentary: Section 19 sets out the requirements for making an application for a change of sex designation on the birth registration or a certificate confirming a change of sex designation. Section 19(2)(a) recognizes the situation where a person identifies as a particular sex but has not undergone surgery or other medical procedures. Section 19(2)(b) carries forward from the 1987 Act recognition of a record that confirms that a medical procedure has occurred.

Section 19(2)(b)(ii) refers to receiving a record given by a medical practitioner licensed, certified or registered to practice medicine in Canada. Jurisdictions may wish to prescribe additional jurisdictions for the purposes of section 19 (2) (b) (ii).

Division 4 – Issuing Birth Certificates and Other Documents

Issue of copy of birth report or registration extract

- 20** The registrar may issue a certified copy of all or part of a birth report, or a certified electronic extract or portion of an extract of a birth registration, to the following persons only:
- (a) a person who satisfies the registrar that the copy is intended to be used for a lawful and proper purpose;
 - (b) a public officer of (*the enacting jurisdiction*) or Canada who requires the copy for use in the discharge of official duties;
 - (c) a person authorized by a court order to receive the copy;
 - (d) a prescribed person [s. 67 (e)].

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Commentary: Sections 20 and 21 are new. Section 20 sets out who may request a certified copy of all or part of a birth report, or an extract of information from the birth registration. Generally, section 20(a) provides that a person requesting birth registration information must satisfy the registrar that the information is intended to be used for a lawful and proper purpose. In practice, most, if not all registries have questions on the relevant form(s) to address this issue. Section 20(b) and (c) identifies specific persons entitled to request the information. Section 20(d) provides for jurisdictions to prescribe persons who may request the information.

Issue of birth certificate

- 21** (1) The registrar may issue a birth certificate to the following persons only:
- (a) the person who is the subject of the certificate;
 - (b) a parent or guardian of a child who is the subject of the certificate;
 - (c) an adult who gives to the registrar
 - (i) written consent from the person who is the subject of the certificate, and
 - (ii) proof satisfactory to the registrar that the adult has known the person who is the subject of the certificate for at least one year;
 - (d) a person authorized, by the registrar in writing or by a court order, to receive the certificate;
 - (e) a prescribed person [s. 67 (e)].
- (2) A birth certificate shall be in the form approved by the registrar and include the following information:
- (a) the name and the date and place of birth of the person who is the subject of the certificate;
 - (b) the date of registration and the registration number;
 - (c) prescribed information [s. 67 (f)].
- (3) A birth certificate may include the following additional information in respect of the person who is the subject of the certificate:
- (a) the names of the person's parents;
 - (b) the person's sex.
- (4) The registrar shall not issue a birth certificate showing a person's sex if the person's sex was registered under section 11 (2) as undetermined and the registration has not been completed under that section to include the person's sex.

Commentary: Section 21 sets out who may request a birth certificate and the information that must be included on the certificate.

Section 21(3)(a) provides that information about the names of the person's parent may be included on the certificate.

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Section 21(3) also permits, but does not require, that a person's sex be included on a birth certificate.

Section 21(4) provides that if the birth registration indicates the sex is undetermined, then a birth certificate will not include a sex designation or disclose that the sex is recorded as undetermined.

Section 21(3) and (4) ensures that a birth certificate can be issued without disclosing the sex designation of the person who is the subject of the registration. However, enacting jurisdictions should consider including a caution on birth certificate application forms alerting applicants that a birth certificate that does not indicate the person's sex may not be accepted as proof of identity by agencies that require identity documents.

Issue of certificate or other document after change to registration

- 22** (1) A birth certificate issued after a birth registration is amended shall be prepared in accordance with the amended registration.
- (2) If a change of name is recorded under section 16 or 17, the registrar shall not issue
- (a) a certified copy of any part of a birth report, or a certified electronic extract of any part of a birth registration, that shows the name as recorded before the change, or
 - (b) a certificate made in respect of the change itself.
- (3) If a change of sex designation is recorded under section 18, the registrar shall not issue a certified copy of any part of a birth report, or a certified electronic extract of any part of a birth registration, that shows the sex designation as recorded before the change was registered.

Commentary: Section 22(1) carries forward provisions of the 1987 Act. Section 22(2) and (3) is included to ensure that where a change to a name or a change of sex designation has been recorded on the registration, any future copies of records or registration extracts will not disclose that a change has been made. Jurisdictions may wish to include additional protections with respect to original registration records in circumstances where a change of sex designation has occurred, similar to the process for adoption records under section 26.

Division 5 – Registering Stillbirths

Registration of stillbirth

- 23** (1) If a stillbirth occurs, the person who would have been required to make a birth report, if it had been a birth, shall give to a funeral director a statement in the form and manner approved by the registrar.
- (2) The medical practitioner who attends a stillbirth, or if there was no medical practitioner in attendance, any other medical practitioner or a coroner, shall

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- (a) complete and sign a medical certificate in the form and manner approved by the registrar, stating the cause of the stillbirth, and
 - (b) give the certificate to the funeral director.
- (3) On receiving a statement in respect of a stillbirth, the funeral director shall
 - (a) complete the statement with the proposed date and place of disposal of the body, and
 - (b) give the statement to the registrar.
- (4) On receiving a statement in respect of a stillbirth, the registrar shall register the stillbirth.
- (5) Immediately after registering a stillbirth, the registrar shall prepare and issue to the person requiring them for the purpose of disposal of the body
 - (a) an acknowledgment that the stillbirth is registered, and
 - (b) a burial permit.

Issue of copy of stillbirth statement or registration extract

- 24** The registrar may issue a certified copy of all or part of a stillbirth statement, or a certified electronic extract or portion of an extract of a stillbirth registration, to the following persons only:
- (a) a person who satisfies the registrar that the copy is intended to be used for a lawful and proper purpose;
 - (b) a person authorized by a court order to receive the copy;
 - (c) a prescribed person [s. 67 (e)].

PART 3 – REGISTERING ADOPTIONS**Adoption registration**

- 25** (1) If the registrar receives a certified copy of an adoption order made under (*the enactment governing adoptions in the enacting jurisdiction*), the registrar shall register the adoption and do one of the following, as applicable:
- (a) if the adopted person's birth is registered in (*the enacting jurisdiction*) and the registrar has satisfactory evidence of the person's identity,
 - (i) remove the original registration and birth report from the registration files,
 - (ii) substitute a new registration and birth report that reflects the names of the adoptive parent or parents, and
 - (iii) register the change, if any, to the adopted person's name;
 - (b) if the adopted person's birth is not registered in (*the enacting jurisdiction*), give a certified copy of the adoption order to the person responsible for registering births in the jurisdiction in which the person was born.

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- (2) If the registrar receives a certified copy of an order, judgment or decree of adoption made by a court outside (*the enacting jurisdiction*) and the conditions described in subsection (1) (a) are met, the registrar shall register the adoption and take the applicable action described in that subsection.

Commentary: If a jurisdiction does not have a statutory provision requiring that a certified copy of every adoption order made in the jurisdiction must be forwarded to the registrar, an additional subsection should be added as subsection (1) to require this and the reference to the enactment governing adoptions in the enacting jurisdiction should be struck out.

This Part is intended for adoptions where the parentage of a person (usually a child) is completely transferred from one set of parents to another set of parents. However, Aboriginal custom adoptions may not involve such a complete transfer of parentage. Therefore, this Part is generally ill-suited to deal with many Aboriginal custom adoptions, and jurisdictions should take care to ensure that orders, judgments or decrees relating to an Aboriginal custom adoption are not registered in accordance with this Part, unless it is clear that there is a complete transfer of parentage. Otherwise, the right of the child to the preserve his or her identity, including family relations, protected by the Convention on the Rights of the Child, may be violated.

In view of the rights of the child as well as Aboriginal rights protected under section 35 of the Constitution Act, 1982, jurisdictions may wish to consider additional provisions for the registration of Aboriginal custom adoptions that respect the various customary legal systems in Canada.

Adoption records to be kept confidential

- 26** Without limiting section 57, the registrar shall keep confidential all
- (a) pre-adoption birth registrations and records associated with those registrations, and
 - (b) records, including court orders, judgments and decrees, received by the registrar in respect of an adoption.

Commentary: Section 26 modernizes the 1987 Act provisions that required a registrar to keep a special register of adoptions. It recognizes that registry offices now maintain information in paper form and electronically. It is similar to a provision in the Manitoba legislation.

Disclosure of adoption registration information

- 27** (1) In this section:
- “**adoption record**” means the following records in respect of an adopted person:
- (a) the birth notice, birth report and any declarations or other evidence in respect of the birth received by the registrar under this Act;
 - (b) the records required to be kept confidential under section 26;

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“post-adoption agency” means a person or body authorized to provide post-adoption services.

- (2) Without limiting section 57, the registrar shall maintain confidentiality over all adoption records and shall not disclose an adoption record except as follows:
 - (a) as permitted under this section or (*the enactment governing adoptions in the enacting jurisdiction*);
 - (b) to a person named in a court order from a court of (*the enacting jurisdiction*), in accordance with the order.
- (3) The registrar may disclose an adoption record if a post-adoption agency in (*the enacting jurisdiction*)
 - (a) receives a request for an adoption record, and
 - (b) requests the registrar to disclose the adoption record to the post-adoption agency.
- (4) A request under subsection (3) (b) shall be made in the form and manner approved by the registrar.
- (5) On receiving a request under subsection (3) (b), the registrar may request a post-adoption agency of any jurisdiction to advise the registrar whether a person named in the adoption record has given instructions to the post-adoption agency respecting
 - (a) disclosure of the record, or
 - (b) communication between the person and another person named in the adoption record.
- (6) The registrar shall include with the disclosure of an adoption record under this section a copy of any instructions received under subsection (5).

Commentary: Section 27 is new. It seeks to address the issues that arise when parents and children are seeking information. The section introduces the definition “post-adoption agency” to identify the applicable government agency responsible for post-adoption services and authorizes the exchange of information between the registrar and the post-adoption agency.

In jurisdictions where the registrar also acts as a post-adoption agency, the definition of post-adoption agency will need to be amended.

Section 27(2) may be unnecessary if the *enactment governing adoptions in the enacting jurisdiction* covers the same ground.

Issuing birth certificate after adoption

- 28** (1) A birth certificate issued in respect of a person who was born in (*the enacting jurisdiction*) and whose adoption has been registered under section 25
- (a) shall be prepared in accordance with the adoption registration,

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- (b) shall, if the particulars of the person's parents are shown, indicate the legal parents in accordance with *(the enactment governing adoptions in the enacting jurisdiction)*, and
 - (c) shall not disclose that the person has been adopted.
- (2) If an adoption is registered under section 25, the registrar shall not issue, subject to section 27,
- (a) a certified copy of any part of a birth report, or a certified electronic extract of any part of a birth registration, that shows the particulars of the person's parents as they read before the adoption was registered, or
 - (b) a certificate made in respect of the adoption itself.

PART 4 – REGISTERING MARRIAGES

Division 1 – Registering Marriages

Marriage report

- 29** (1) In this section, “**marriage official**” means a person who lawfully solemnizes a marriage.
- (2) A marriage official who solemnizes a marriage in *(the enacting jurisdiction)* shall report the particulars of the marriage to the registrar.
- (3) A marriage report shall be
- (a) prepared immediately after solemnizing the marriage,
 - (b) made within 7 days after the marriage, in the form and manner approved by the registrar, and
 - (c) signed by
 - (i) each of the parties to the marriage,
 - (ii) at least 2 adult witnesses to the marriage, and
 - (iii) the marriage official.

Registration of marriage

- 30** If a marriage report respecting a marriage is made within one year after the marriage, the registrar shall register that marriage if satisfied of the truth and sufficiency of the marriage report.

Delayed registration of marriage

- 31** If a marriage report respecting a marriage is not made within one year after the marriage, the registrar shall register that marriage if both of the following conditions are met:
- (a) an application for delayed registration is
 - (i) made by a person in the form and manner approved by the registrar,

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- (ii) accompanied by a declaration respecting the marriage, in the form approved by the registrar, and
- (iii) accompanied by any other evidence required by the regulations [s. 67 (a)] or by the registrar;
- (b) the registrar is satisfied of the truth and sufficiency of the matters stated in the application and that the application is made in good faith.

Commentary: Section 31 parallels the provisions in section 8. It clarifies the requirements for making a marriage report more than one year after the marriage and gives the registrar authority to determine the form and manner for applying for registration. It also provides for additional evidence to be required by regulation or the registrar.

Division 2 – Changes Occurring After Registration

Commentary: Division 2 does not provide for amending a marriage registration when there has been a change of sex designation on a birth registration or a certificate has been issued confirming a change of sex designation.

Jurisdictions may wish to consider whether provision should be made for a change of sex designation on a marriage registration. Alternatively, all gendered language and indications of sex designation could be removed from all marriage reports and registrations.

Change of name by law

- 32** (1) This section applies if a person's name is changed by or under
- (a) an enactment of (*the enacting jurisdiction*), or
 - (b) the laws of another jurisdiction, if the registrar is satisfied that those laws are substantially similar to the laws of (*the enacting jurisdiction*).
- (2) On receiving evidence satisfactory to the registrar of a change of name in the circumstances set out in subsection (1), the registrar shall do one the following, as applicable:
- (a) if the person's marriage is registered in (*the enacting jurisdiction*), amend the person's marriage registration to record the change to the person's name;
 - (b) if the person's marriage is not registered in (*the enacting jurisdiction*), give to the person responsible for registering marriages in the jurisdiction in which the applicant was born a copy of the evidence received
 - (i) if the applicant was married in Canada but outside (*enacting jurisdiction*), or
 - (ii) on request of the applicant, if the applicant was married outside Canada.

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Commentary: Section 32 carries forward section 10 of 1987 Act. It reflects current practice and modernized legislation in some Canadian jurisdictions. When the registrar receives proof of a change of name for someone who has a marriage registration in the jurisdiction, the marriage registration is amended to reflect the change of name. If the jurisdiction where the change of name occurred does not have similar laws to jurisdiction where the marriage is registered, (e.g. from a country outside of Canada), the person may need to first obtain a change of name under the jurisdiction's change of name legislation. See also section 17 which deals with amending a birth registration when there has been a change of name.

Registration of annulment

- 33** On receiving a declaration in the form and manner approved by the registrar respecting the annulment of a marriage, the registrar shall do one of the following, as applicable:
- (a) if the marriage was solemnized in (*the enacting jurisdiction*), record the annulment and delete the marriage registration;
 - (b) if the marriage was annulled in (*the enacting jurisdiction*) but solemnized in another jurisdiction, give to the person responsible for registering marriages in the jurisdiction in which the marriage was registered a certified copy of the order, judgment or decree of annulment.

Commentary: Enacting jurisdictions should review section 33 (a) to ensure it reflects current practice. If the records are moved to a special place or flagged, the provision should be amended accordingly.

In enacting jurisdictions that do not have provisions in its *Judicature Act* or similar legislation requiring that a certified copy of every order, judgment or decree of an annulment of marriage be forwarded to the registrar by the court, an additional subsection requiring this should be inserted as subsection (1). Enacting jurisdictions that do not receive these documents should insert appropriate words to describe the nature of the document used for the registration under this section.

Division 3 – Issuing Marriage Certificates and Other Documents

Issue of copy of marriage report or registration extract

- 34** The registrar may issue a certified copy of all or part of a marriage report, or a certified electronic extract or portion of an extract of a marriage registration, to the following persons only:
- (a) a person who satisfies the registrar that the copy is intended to be used for a lawful and proper purpose;
 - (b) a public officer of (*the enacting jurisdiction*) or Canada who requires the copy for use in the discharge of official duties;
 - (c) a person authorized by a court order to receive the copy;
 - (d) a prescribed person [*s. 67 (e)*].

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Issue of marriage certificate

- 35** (1) The registrar may issue a marriage certificate to the following persons only:
- (a) a person whose marriage is the subject of the certificate;
 - (b) an adult who gives to the registrar
 - (i) written consent from a person whose marriage is the subject of the certificate, and
 - (ii) proof satisfactory to the registrar that the adult has known the person whose marriage is the subject of the certificate for at least one year;
 - (c) a person authorized, by the registrar in writing or by a court order, to receive the certificate;
 - (d) a prescribed person [s. 67 (e)].
- (2) A marriage certificate shall be in the form approved by the registrar and shall contain prescribed information [s. 67 (f)].

Issue of certificate or other document after change to registration

- 36** (1) A marriage certificate issued after a marriage registration is amended shall be prepared in accordance with the amended registration.
- (2) If a change of name is recorded under section 32, the registrar shall not issue
- (a) a certified copy of any part of a marriage report, or a certified electronic extract of any part of a marriage registration, that shows the name as recorded before the change, or
 - (b) a certificate made in respect of the change itself.
- (3) If an annulment of marriage is recorded under section 33, the registrar shall not issue
- (a) a certified copy of any part of the marriage report, or a certified electronic extract of any part of the marriage registration, or
 - (b) a certificate made in respect of the annulment itself.

PART 5 – REGISTERING DEATHS AND ISSUING BURIAL PERMITS**Division 1 – Registering Deaths****Death report**

- 37** (1) The following persons, as applicable, shall report the particulars of a deceased person to a funeral director:
- (a) the nearest relative of the deceased who was present at the death or in attendance at the last illness of the deceased;
 - (b) if a relative described in clause (a) is not available, by any relative of the deceased residing or being in (*the enacting jurisdiction*);

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- (c) if no relative is available, by any adult present at the death;
- (d) if none of clauses (a) to (c) apply, by
 - (i) any adult having knowledge of the facts of the death,
 - (ii) the occupier of the premises in which the death occurred, or
 - (iii) a coroner who has been notified of the death and has made an inquiry into the death.
- (2) A death report shall be made on the request of the funeral director and given to the funeral director in the form and manner approved by the registrar.
- (3) For the purposes of subsection (1) (d) (ii), “**occupier**” includes
 - (a) a person occupying a dwelling,
 - (b) the manager or other person in charge of a public or private institution where persons are cared for or confined, and
 - (c) the owner, manager or other person in charge of a hotel, inn, apartment, lodging house or other dwelling or accommodation.

Commentary: Section 37(1) establishes the priority in which certain persons are required to make a report of the particulars of a deceased person to a funeral director. Section 37(1)(d) clarifies who should report the particulars of a deceased person to a funeral director if clauses (a) to (c) in section 37(1) do not apply.

Medical certificate generally

- 38** (1) In this section, “**health professional**” means a medical practitioner or a prescribed health professional [s. 67 (g)].

Commentary: Enacting jurisdictions may wish to consider adding nurse practitioners or other health practitioners if it is within the scope of the practitioner’s practice to complete and sign a medical certificate (e.g., certify deaths).

- (2) A funeral director shall immediately notify a coroner if no health professional attended a deceased person during the deceased’s last illness.
- (3) A health professional or coroner, as applicable, shall comply with subsection (4) if any of the following conditions are met:
 - (a) the health professional
 - (i) attended a deceased person during the deceased’s last illness,
 - (ii) is able to certify the medical cause of death with reasonable accuracy, and
 - (iii) has no reason to believe that the deceased died under circumstances that require an inquiry;
 - (b) the death was natural and the health professional
 - (i) is able to certify the medical cause of death with reasonable accuracy, and

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- (ii) has received the consent of a coroner to complete and sign a medical certificate;
 - (c) the coroner conducts an inquiry.
- (4) If subsection (3) applies, the health professional or coroner, as applicable, shall do both of the following within 48 hours after the death:
 - (a) complete and sign a medical certificate
 - (i) in the form and manner approved by the registrar, and
 - (ii) stating the cause of the person's death as determined according to the most recent edition of the International Statistical Classification of Diseases and Related Health Problems published by the World Health Organization;
 - (b) give the certificate to a funeral director.
- (5) A health professional shall immediately notify a coroner if the health professional is not able to complete the medical certificate within 48 hours after the death.

Medical certificate if cause not known within 48 hours

- 39** (1) This section applies if the medical cause of a person's death cannot be certified with reasonable accuracy within 48 hours after the death and
- (a) an autopsy is performed by a medical practitioner, or
 - (b) an inquiry is begun by a coroner.
- (2) In the circumstances set out in subsection (1), the medical practitioner or coroner, as applicable, shall do the following:
- (a) if the body of the deceased person is no longer required for the purposes of the autopsy or inquiry, give to a funeral director an interim medical certificate in the form approved by the registrar;
 - (b) after completing the autopsy or inquiry, complete and sign a medical certificate as described in section 38 (4) (a) and deliver the certificate to the registrar.

Funeral director to deliver death report to registrar

- 40** A funeral director who receives a death report and either a medical certificate or an interim medical certificate shall immediately deliver the report and certificate to the registrar.

Registration of death

- 41** If a death report respecting a death, accompanied by a medical certificate or interim medical certificate, is made within one year after the death, the registrar shall register that death if satisfied of the truth and sufficiency of the death report.

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Delayed registration of death

- 42** If a death report respecting a death is not made within one year after the death, the registrar shall register that death if both of the following conditions are met:
- (a) an application for delayed registration is
 - (i) made by a person in the form and manner approved by the registrar,
 - (ii) accompanied by a declaration respecting the death, in the form approved by the registrar,
 - (iii) accompanied by a death report and a medical certificate or an interim medical certificate, and
 - (iv) accompanied by any other evidence required by the regulations [s. 67 (a)] or by the registrar;
 - (b) the registrar is satisfied of the truth and sufficiency of the matters stated in the application and that the application is made in good faith.

Commentary: This section parallels the provisions in sections 8 and 31 for delayed birth and marriage reports respectively. It clarifies the requirements for making a death report more than one year after the death and gives the registrar authority to determine the form and manner for applying for registration. It also provides for additional evidence to be required by regulation or the registrar

Division 2 – Issuing Burial Permits

Issue of burial permit

- 43** On receiving a death report and a medical certificate or interim medical certificate, the registrar shall issue to the funeral director a burial permit.

Commentary: If someone other than the registrar in the jurisdiction issues burial permits, section 43 should be modified as appropriate.

Burial permit required for removal and disposal

- 44**
- (1) A person shall not do either of the following unless a burial permit has been issued in respect of the death:
 - (a) dispose of the body of a person who dies in (*the enacting jurisdiction*);
 - (b) remove the body of a deceased person from (*the enacting jurisdiction*).
 - (2) A common carrier shall not remove the body of a deceased person to a cemetery unless the prescribed copies of a burial permit [s. 67 (h)] issued in respect of the deceased person have been affixed to the outside of the casket.
 - (3) A funeral director shall do all of the following:
 - (a) at the cemetery, remove any copies of the burial permit affixed to the outside of the casket;

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- (b) deliver the prescribed copy of the burial permit [s. 67 (h)] to the person conducting the funeral or religious service;
- (c) either
 - (i) deliver the prescribed copy of the burial permit [s. 67 (h)] to the cemetery owner, or
 - (ii) if the owner is not in attendance at the cemetery at the time the body is disposed of, write across the face of the burial permit the words “No person in charge”, sign the burial permit, and deliver it to the registrar.

Duty of cemetery owner

- 45** A cemetery owner shall not permit a body to be disposed of in the cemetery unless the cemetery owner receives the prescribed copy of the burial permit [s. 67 (h)].

Division 3 – Issuing Death Certificates and Other Documents**Issue of copy of death report or registration extract**

- 46** The registrar may issue a certified copy of all or part of a death report, or a certified electronic extract or portion of an extract of a death registration, to the following persons only:
- (a) a person who satisfies the registrar that the copy is intended to be used for a lawful and proper purpose;
 - (b) a person authorized by a court order to receive the copy;
 - (c) a prescribed person [s. 67 (e)].

Commentary: Section 46 carries forward section 31(7) of the 1987 Act. Jurisdictions may wish to consider whether there are any parties with official duties who should be identified in the legislation.

Issue of death certificate

- 47**
- (1) The registrar may issue a death certificate to any person who gives to the registrar information satisfactory to the registrar.
 - (2) A death certificate shall be in the form approved by the registrar and shall contain the prescribed information [s. 67 (f)].
 - (3) A death certificate shall not disclose the cause of death as certified on the medical certificate unless the person to whom the certificate is issued is
 - (a) the parent, sibling, spouse or common-law spouse of the deceased, or an adult child of the deceased, or
 - (b) a person authorized, by the Minister in writing or by a court order, to receive the certificate.

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- (4) For the purposes of subsection (3) (b), the Minister may specify, in writing, circumstances in which classes of persons are authorized to receive a certificate that discloses the cause of death.

Commentary: Section 47(1) carries forward section 31(5) of the 1987 Act. Section 47(3) carries forward from section 31(6) of the 1987 Act the list of people entitled to receive a death certificate that discloses the cause of death. Enacting jurisdictions may wish to review how broad the list of persons should be and consider the appropriate language and/or definition for “spouse or common-law spouse”.

PART 6 – COPIES OF REPORTS, REGISTRATION EXTRACTS AND CERTIFICATES GENERALLY

Registering births and deaths at sea or on aircraft

- 48** A birth or death shall, for the purposes of this Act, be deemed to have occurred in *(the enacting jurisdiction)* if
- (a) the birth or death occurs on a vessel underway or on an aircraft in flight and the first port of call or place of landing after the birth or death is in *(the enacting jurisdiction)*, or
 - (b) a vessel recovers a body at sea and the first port of call after the recovery is in *(the enacting jurisdiction)*.

Correcting registrations

- 49** (1) On receiving a report of an error in a registration, the registrar shall inquire into the matter and, on receiving evidence satisfactory to the registrar, may correct the error.
- (2) If an error was caused by incorrect information provided to the registrar under this Act, the registrar may require the person who provided the information to pay the prescribed fee [*s. 67 (c)*] to correct the error.
- (3) A certificate issued after correction of an error shall be prepared in accordance with the corrected registration.

Application for copy of report, registration extract or certificate

- 50** (1) An application for a certified copy of a birth report, stillbirth statement, marriage report or death report, a certified electronic extract or portion of an extract of a birth registration, stillbirth registration, marriage registration or death registration, a birth certificate, marriage certificate or death certificate, or a religious record shall be
- (a) made in the form and manner approved by the registrar, and

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- (b) accompanied by payment of the prescribed fee [*s. 67 (c)*].
- (2) The registrar shall not issue the copy, extract, certificate or record unless satisfied
 - (a) of the truth and sufficiency of the matters stated in the application, and
 - (b) that the copy, extract, certificate or record is intended to be used for a lawful and proper purpose.

Issuing copies of reports, registration extracts and certificates generally

- 51** (1) Only the registrar may issue a certified copy of a birth report, stillbirth statement, marriage report or death report, a certified electronic extract or portion of an extract of a birth registration, stillbirth registration, marriage registration or death registration, or a birth certificate, marriage certificate or death certificate.
- (2) If the signature of the registrar or another official is required for the purposes of this Act, the signature may be written, provided electronically, or reproduced by any method of reproducing words in visible form.
- (3) Every record issued under this Act under the signature of the registrar or another official is valid even if the registrar or official ceased to hold office before the record was issued.

Issue of certificate respecting religious records

- 52** (1) If the registrar holds religious records, the registrar may issue a certificate in respect of a record of
 - (a) baptism to a person entitled to receive a copy of a birth report under section 20 or a birth certificate under section 21,
 - (b) marriage to a person entitled to receive a copy of a marriage report under section 34 or a marriage certificate under section 35, and
 - (c) burial to a person entitled to receive a copy of a death report under section 46 or a death certificate under section 47.
- (2) A certificate issued under this section shall be in the form approved by the registrar and shall contain the prescribed information [*s. 67 (f)*].

Issue of copies of records 100 years after event

- 53** Despite any provision of this Act to the contrary but subject to sections 50 and 51, any person may obtain a certified copy of any of the following if 100 years have passed since the event:
 - (a) a birth report, stillbirth statement, marriage report or death report;
 - (b) a religious record.

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Commentary: Jurisdictions may wish to consider a period other than 100 years given current life expectancies. Jurisdictions will also need to ensure the provision reflects current practice with respect to how much information from the registration is disclosed.

Fraudulent or improper registrations and certificates

- 54** (1) If satisfied that an event registered under this Act did not occur, the registrar may order that
- (a) the registration is cancelled, and
 - (b) every certificate issued in respect of the registration be returned to the registrar for cancellation.
- (2) If satisfied that a certificate was obtained or is being used for an unlawful or improper purpose, the registrar may order the certificate to be returned to the registrar for cancellation.
- (3) The registrar may make an order under this section if the registrar
- (a) receives a written application by any person,
 - (b) gives notice to all persons interested in the registration or certificate, and
 - (c) either holds a hearing of any interested persons or, if a hearing is not possible, receives a declaration or other evidence satisfactory to the registrar from any interested persons.
- (4) A person having possession or control of a certificate in respect of which an order has been made under this section shall immediately, on receiving the order, return the certificate to the registrar.
- (5) The registrar shall keep all registrations and certificates cancelled under this section, together with the registrar's order and all related records.

Return and cancellation of certificates

- 55** (1) The registrar may require a person having possession or control of a certificate issued under this Act to return the certificate to the registrar for cancellation if
- (a) the birth, marriage or death registration on which the certificate was based has been amended since the certificate was issued, or
 - (b) a certificate is issued under section 18 indicating that the sex of the subject of the certificate has changed.
- (2) The registrar may require a person having possession or control of a cancelled certificate issued under this Act to return the certificate to the registrar.
- (3) A person shall comply with a requirement of the registrar made under this section.

Commentary: Section 55 carries forward provisions of the 1987 Act and clarifies that the registrar has authority to request the return of any certificate when a registration has been amended. Depending on practice, enacting jurisdictions may wish to consider

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whether to expand this authority to include the return of other records under the Act, including copies of reports and registration extracts.

PART 7 – INFORMATION PROTECTION AND DISCLOSURE

Search of records [30]

- 56** (1) A person may apply to the registrar to have the registrar search
- (a) for the registration of any birth, stillbirth, marriage, death or change of name,
 - (b) for the record of any annulment of marriage, or
 - (c) for a religious record.
- (2) An application for a search shall be
- (a) made in the form and manner approved by the registrar, and
 - (b) accompanied by payment of the prescribed fee [*s. 67 (c)*].
- (3) The registrar shall not make a search unless satisfied
- (a) of the truth and sufficiency of the matters stated in the application, and
 - (b) that information from the search is intended to be used for a lawful and proper purpose.
- (4) If the registrar makes a search under this section, the registrar shall disclose to the applicant the following information only:
- (a) whether or not the birth, stillbirth, marriage, death, change of name, annulment of marriage, baptism or burial is registered or recorded;
 - (b) if registered, its registration number.

Commentary: Section 56 sets out the information that may be searched, the requirements and the information that may be disclosed in respect of the search. The list in section 56(1) does not include searches for information about a change of sex or adoption orders.

Confidentiality

- 57** (1) Except as permitted under this Act, a person who obtains information in the course of administering this Act shall keep the information confidential and shall not
- (a) disclose the information, or allow the information to be disclosed, to a person who is not entitled to that information, or
 - (b) allow a person who is not entitled to the information to inspect or have access to any records containing that information.
- (2) The registrar
- (a) shall, before disclosing information under this Act, inquire into the purpose for which the information is intended to be used, and

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- (b) shall refuse to disclose the information if the registrar has reason to believe that that information may be used for an unlawful or improper purpose.
- (3) If a provision of this Act conflicts or is inconsistent with another enactment of (*the enacting jurisdiction*) with respect to the collection, use or disclosure of information, this Act prevails.

Commentary: Section 57(2) is intended to reflect a general principle that the registrar must be satisfied that the proposed use of information that has been requested justifies the disclosure of the information. Section 57(3) makes it clear that this Act prevails if there is a conflict or inconsistency with another enactment in the enacting jurisdiction.

Information-sharing agreements

- 58**
- (1) The registrar may disclose, on a bulk or regular basis, information obtained under this Act to a prescribed person or body [*s. 67 (i)*] only if the registrar has first entered into an information-sharing agreement.
 - (2) The registrar may disclose, on a bulk or regular basis, information obtained under this Act to persons who are not prescribed only if the registrar has first
 - (a) approved the purpose for which disclosed information may be used, and
 - (b) entered into an information-sharing agreement.
 - (3) Without limiting any other authority to determine the terms of an information-sharing agreement, the registrar may, in an information-sharing agreement,
 - (a) impose limits and conditions on disclosing information, and
 - (b) impose requirements in respect of maintaining the confidentiality of the information.
 - (4) Section 57 (2) (a) does not apply to the disclosure of information by the registrar under an information-sharing agreement.

Publication and report of statistical information

- 59**
- (1) In this section, “**statistical information**” means information respecting registered or recorded births, stillbirths, changes of name, changes of sex, adoptions, marriages, annulments of marriage, and deaths that does not disclose specific information with respect to any particular person.
 - (2) The registrar may, at any time, compile, publish and distribute statistical information.
 - (3) As soon as it is practical to do so after January 1, the registrar shall report statistical information with respect to the year just ended for the use of the Legislative Assembly and the public.

Religious records are records of registrar

- 60** If the registrar has or accepts custody of records of baptisms, marriages or burials

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from a religious body in (*the enacting jurisdiction*), the records shall be deemed to be records of the registrar's office.

Commentary: If a jurisdiction receives non-Christian records similar to a record of baptism, these records should be included within the scope of the legislation.

PART 8 – APPEALS AND OTHER MATTERS

Division 1 – Appeals to Court

Appeal of registration decision

- 61**
- (1) A person may apply to the court to review a refusal by the registrar to
 - (a) register a birth, stillbirth, marriage or death, or
 - (b) amend a birth registration to record a change of sex designation.
 - (2) An application to the court shall be made within one year after the registrar's refusal.
 - (3) The court may make an order requiring the registrar to register the event as requested, or to make the requested amendment, if the court is satisfied
 - (a) of the truth and sufficiency of the evidence supporting the application for registration or amendment, and
 - (b) that the application for registration or amendment is made in good faith.
 - (4) In making an order under this section, the court shall have regard to the requirements under this Act respecting delayed registration.

Commentary: Sections 61 and 62 distinguish between appeals of a registrar's decision to register a birth, stillbirth, marriage or death, or to amend a birth registration to record a change of sex designation; and appeals of decisions refusing to issue certificates or make permitted searches. Searches for change of sex designation information and information about adoptions are not permitted (see section 56) and therefore not covered under the appeal provisions.

Appeal of certificate or search decision

- 62**
- (1) A person may apply to the court to review a refusal by the registrar to
 - (a) issue a certificate or make a search in respect of a birth, baptism, stillbirth, marriage, death or burial,
 - (b) issue a certificate in respect of a change of sex designation, or
 - (c) make a search in respect of a change of name or an annulment of a marriage.
 - (2) An application to the court shall be made within one year after the registrar's refusal.

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- (3) The court may make an order requiring the registrar to issue the requested certificate or make the requested search if the court is satisfied
 - (a) that the applicant has good reason for requiring the certificate or search, and
 - (b) that the application for the certificate or search is made in good faith.

Appeal of decision respecting fraud or impropriety

- 63** (1) Any interested person may apply to the court to review an order of the registrar to cancel a registration or certificate, or to return a certificate, made under section 54.
- (2) An application to the court shall be made within (...) years after the order is made.
- (3) The court may make an order confirming or setting aside the order of the registrar.

Compliance with court order

- 64** (1) The clerk of the court shall immediately send to the registrar a copy of an order of the court made under this Division.
- (2) The registrar shall comply with the court's order.

Division 2 – Other Matters

Power to witness declarations

- 65** For the purposes of this Act, the registrar and all officials acting under this Act may witness the declaration of any person.

Offences

- 66** (1) A person who contravenes this Act or the regulations made under it commits an offence.

Commentary: Each jurisdiction should set its own penalties if needed.

- (2) If more than one person is required to give a notice, make a report, or provide a statement, declaration, particulars, evidence or information under this Act and the duty is carried out by any of those persons, the other person or persons are not liable for failing to take the required action.

Regulations

- 67** The Lieutenant Governor in Council may make regulations as follows:
 - (a) respecting the evidence required under sections 8 (a) (iii), 31 (a) (iii) and 42 (a) (iv) to support an application for delayed registration;
 - (b) respecting the evidence required under section 11 (2) to complete a registration by including a child's sex;

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- (c) prescribing fees for the purposes of sections 13 (2), 15 (2) (b), 16 (4) (c), 18 (3) (b), 49 (2), 50 (1) (b) and 56 (2) (b) and permitting fees to be waived in respect of a person or class of persons;
- (d) for the purposes of applications to amend birth registrations or to receive certificates with respect to changes of sex,
 - (i) prescribing classes of persons who may sign statements for the purpose of section 19 (2) (a) (ii) and the periods for which those persons shall have known the person who is the subject of an application within the meaning of section 18, and
 - (ii) respecting other evidence that may be given under section 19 (2) (d) to support an application;
- (e) prescribing persons and classes of persons who may receive copies of registrations or certificates for the purposes of sections 20 (d), 21 (1) (e), 24 (c), 34 (d), 35 (1) (d) and 46 (c);
- (f) prescribing the content of certificates for the purposes of sections 21 (2) (c), 35 (2), 47 (2) and 52 (2);
- (g) prescribing health professionals and classes of health professionals who may sign medical certificates for the purpose of section 38;
- (h) respecting copies of burial permits for the purposes of sections 44 and 45;
- (i) prescribing persons, bodies and classes of persons and bodies with whom an information-sharing agreement is required for the purpose of section 58, and conferring discretion on the Minister to
 - (i) require, by order, an information-sharing agreement to disclose information to other specified persons, bodies or classes of persons or bodies, or
 - (ii) waive, by order and with or without conditions, an information-sharing agreement that would otherwise be required;
- (j) to the extent that it is not otherwise provided for in this Act,
 - (i) setting out the information that shall be given to the registrar in a notice, report or application,
 - (ii) establishing the periods in which notices, reports and information shall be given to the registrar,
 - (iii) prescribing the manner in which notices, reports and information shall be given to the registrar, and
 - (iv) prescribing forms for the purposes of this Act;
- (k) to the extent that it is not otherwise provided for in this Act, respecting
 - (i) the registration of births, stillbirths, adoptions, marriages, annulments of marriage, and deaths, and
 - (ii) the recording of changes of name or sex;
- (l) respecting the performance of duties by the registrar and prescribing additional duties.

1987 VSA		ULCC Recommendation		2107 VSA V2	
S#	ss#	R#	Rss#	S#	ss#
31	(1)	36		50	
31	(1)	14		21	
31	(1)	16		35	
31	(2)	3		21	(4)
31	(2)(d)	1		21	(4)
31	(2)(d)	2		21	(4)
31	(3)	17		20	
31	(3)	18		20	(a)
31	(4)	17		34	
31	(4)	18		34	(a)
31	(5)	15		47	
31	(6)	15		46	
31	(6)	18		46	(a)
31	(7)			24	
31	(8)	7		50	(2)
31	(8)	18		50	(2)(a)
31	(9)			52	
31	(10)				
31	(11)			28	(2)
31	(11)			36	(3)
31	(11)			22	(2)
31	(12)			53	
32				51	
33	(1)			61	
32	(2)			64	
33	(3)			62	
33	(4)			63	(1)
34				65	

[illegible]

b) Sort on Recommendation

1987 VSA						ULCC Recommendation				2107 VSA V2					
S#	ss#	R#	Rss#	S#	ss#	S#	ss#	R#	Rss#	S#	ss#	S#	ss#	R#	Rss#
2		1		11		14	(2)	24		27	(2)	27		36	
31	(2)(d)	1		21	(4)	14	(2)	25		27	(1,3-5)	6		37	
31	(2)(d)	2		21	(4)	14	(2)	26		27		1			
31	(2)	3		21	(4)	14	(2)	27		27		31	(7)		
12	(1)	4		18		14	(2)	27		27	(3-5)	37	(1)		
12	(1)	5		18	(4)	14	(2)	28		27	(6)	1			
12	(1)	6		19		-		29		-		1			
31	(8)	7		50	(2)	-		30		-		1			
12	(1)	7		18	(6)	4		31		10	(1)	1			
12	(1)	8		18	(7)	4		32		10	(2)	1			
12	(1)	9		32		3	(1-3)	33	1-2	3		1			
37	(2)	10 - 13		58		3	(4-6)	33	3,4,6	4		1			
31	(1)	14		21		3	(5)	33	5-6	15		1			
31	(6)	15		46		16	(3)	34		30		1			
31	(5)	15		47		17		34		31		1			
31	(1)	16		35		22		34		41		1			
31	(3)	17		20		23		34		42		1			
31	(4)	17		34		6		34		6		1			
31	(6)	18		46	(a)	7		34		8		1			
31	(8)	18		50	(2)(a)	29	(3)	36		22	(1)	1			
37		18		57	(2)(a)	16		36		29		1			
37	(2)	18		58	(2)	16	(1)	36		29	(1)	1			
31	(4)	18		34	(a)	18		36		33		1			
31	(3)	18		20	(a)	19		36		37	(1)	1			
		18		56	(3)(b)	20	(1)	36		38		1			
37		19		57	(3)	20	(3)	36		39		1			
1		20		1		21		36		40		1			
1		20		1		24	(1-2)	36		43		1			
-		21		-		24	(3)	36		44	(1)	1			
-		22		-		25		36		45		1			
13	(1)	23		25	(1)	29		36		49		1			
13	(2)	23		25	(1)(a)	31	(1)	36		50		1			
13	(4)	23		25	(1)(b)	28		36		54		1			
13	(3)	23		25	(2)	30		36		56		2			(1)

1987 VSA		ULCC Recommendation		2107 VSA V2	
S#	ss#	R#	Rss#	S#	ss#
2				2	(2)
31	(11)			22	(2)
31	(11)			28	(2)
31	(11)			36	(3)
32				51	
31	(9)			52	
31	(12)			53	
36				59	(3)
35				59	
37	(3)			59	
33	(1)			61	
33	(3)			62	
33	(4)			63	(1)
32	(2)			64	
34				65	
38				66	
39				67	
31	(10)				
1				1	
8	1			12	1-2
8	(2-5)			13	
8	(6-8)			14	
9	(1-2)			16	(1)
10	(1)			17	
31	(11)			22	(3)
10	(2)			22	
12	(2)			22	
9	(3)			22	(1)
9	(3)			22	(2)

[illegible]

1987 VSA		ULCC Recommendation		2107 VSA V2	
S#	ss#	R#	Rs#	S#	ss#
1		20		1	
1		20		1	
1				1	
1				1	
1				1	
1				1	
1				1	
1				1	
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1				1	
1				1	
1				1	
1				1	
1				1	
1				1	
1				1	(1)
2				2	(2)
3	(1-3)	33	1-2	3	
3	(4-6)	33	3,4,6	4	

1987 VSA		ULCC Recommendation		2107 VSA V2	
S#	ss#	R#	Rs#	S#	ss#
5				5	
6		34		6	
6		37		7	
7		34		8	
4				9	
4		31		10	(1)
4		32		10	(2)
2		1		11	
8	1			12	
8	(2-5)			13	
8	(6-8)			14	
3	(5)	33	5-6	15	
9	(1-2)			16	
10	(1)			17	
12	(1)	4		18	
12	(1)	5		18	(4)
12	(1)	7		18	(6)
12	(1)	8		18	(7)
12	(1)	6		19	
31	(3)	18		20	(a)
31	(3)	17		20	
31	(1)	14		21	
31	(2) (d)	1		21	(4)
31	(2) (d)	2		21	(4)
31	(2)	3		21	(4)
10	(2)			22	
12	(2)			22	
29	(3)	36		22	(1)
9	(3)			22	(1)
31	(11)			22	(2)
9	(3)			22	(2)
9	(3)			22	(3)

1987 VSA		ULCC Recommendation		2107 VSA V2	
S#	ss#	R#	Rs#	S#	ss#
11				23	
31	(7)			24	
13	(1)	23		25	(1)
13	(2)	23		25	(1)(a)
13	(4)	23		25	(1)(b)
13	(3)	23		25	(2)
14	(1)			26	
14	(2)	26		27	
14	(2)	25		27	(1,3-5)
14	(2)	24		27	(2)
14	(2)	27		27	(3-5)
14	(2)	28		27	(6)
15				28	(1)
15				28	(2)
31	(11)			28	(2)
16		36		29	
16	(1)	36		29	(1)
16	(3)	34		30	
17		34		31	
12	(1)	9		32	
10	(1)			32	
18		36		33	
31	(4)	18		34	(a)
31	(4)	17		34	
31	(1)	16		35	
10	(2)			36	
31	(11)			36	(3)
1				37	
19		36		37	(1)
20	(1)(a)			38	(1)
1				38	(4)(ii)
20	(1)	36		38	
20	(3)	36		39	

[illegible]

Appendix I: ULCC Comparison Table for the *Vital Statistics Act* in Canadian Provinces and Territories

The information on this chart is current as of June 10, 2016. The Quebec CCQ content was updated following ULCC August 2016 meeting. This table replaces the table submitted to the 2016 ULCC Conference. The utmost care has been taken to ensure that the information below is correct, but incidental changes to vital statistics legislation may affect its accuracy.

Colour Code	Identical	Similar	Different	Absent
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ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
s.1 Interpretation “birth”	s.1(1)(a)	s.1	s.1	s.1	s.2(1)(a)	s.2(a)	s.1	s.1	s.1(a)		s.1 “live birth”	s.1
“cemetery”	s.1(1)(c)	s.1	s.1			s.2(c)	s.1	s.1	s.1(b)			s.1
“cemetery owner”	s.1(1)(d)		s.1			s.2(d)	s.1	s.1	s.1(c)			s.1
“certificate”	s.1(1)(e)	s.1	s.1	s.1	s.2(1)(c)	s.2(e)	s.1	s.1	s.1(d)		s.1	s.1
“cremation”		s.1	s.1		s.2(1)(g)	s.2(g)		s.1	s.1(e)			s.1
“director”	s.1(1)(q) “Registrar”	s.1 “registrar general”	s.1	s.1 “registrar general”	s.2(1)(r) “registrar general”	s.2(s) “Registrar”	s.1 “Registrar General”		s.1(f)		s.1 “registrar”	s.1 “registrar”
“division registrar”		s.1 “vital statistics registrar”	s.1 “event registrar”	s.1 “deputy registrar general”		s.2(h)		s.1	s.1(g)		s.1 “deputy registrar”	
“error”	s.1(1)(h)		s.1	s.1	s.2(1)(i)	s.2(i)		s.1	s.1(h)			s.1
“funeral director”	s.1(1)(j)	s.1	s.1	s.1	s.2(1)(j)	s.2(j)	s.1 “funeral planner”	s.1	s.1(i)		s.1	s.1
“incapable”		s.1		s.1 “unable”		s.2(k)	s.1		s.1(j)		ss.20(1), 45(1)	s.1
“international classification”	s.33(1)	s.1							s.1(k)			s.1

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“medical practitioner”	s.1(1)(m) “medical examiner”		s.1 “duly qualified medical practitioner”		s.2(1)(l)	s.2(n)	s.1 “health care professional”		s.1(l)			
“Minister”	s.1(1)(n)		s.1	s.1	s.2(1)(n)	s.2(o)		s.1 “Registrar General”	s.1(m)		s.1	
“occupier”		s.1	s.1	s.1	s.2(1)(p)	s.2(p)		s.1	s.1(n)			
“prescribed”			s.1	s.1		s.2(q)		s.1	s.1(o)		s.1	
“registration division”									s.1(p)			
“stillbirth”	s.1(1)(u)	s.1	s.1	s.1	s.2(1)(u)	s.2(u)	s.1	s.1	s.1(q)		s.1	s.1
s.2 Notice of birth	s.4(1)-(5)	s.2(1)-(5)		s.12	s.4(1)	s.3	ss.25(5), 26(5)	s.8	s.2	ss.110-112	ss.21-22	s.3
s.3 Reporting of birth s.3(1)	s.3(1)	s.3(1), (2)	s.3(2)-(3)	s.7(1)-(5)	s.5(2)	s.4(2)	s.24(1)	s.9(1)	s.3(1)	ss.110, 113-114, 116	s.20(2)	s.4(2)
s.3(2)		s.3(3)			s.5(3)					s.115, 116 Loi sur la santé publique, RLRQ c s-2.2 : s.45 Règ. d’application sur les laboratoires médicaux (...), RLRQ c L-0.2, r.1 : s. 9		
s.3(3)	s.3(2)	s.3(4)	s.3(4)	s.7(6)	s.5(4)	s.4(3)	s.24(3)		s.3(2)	Règ. d’application sur les laboratoires médicaux (...), RLRQ c L-0.2, r.1 : s. 12	s.20(4)	s.4(4)
s.3(4)	s.3(3)		s.3(5), (7)	ss.8(1), (3), (3.1); 9(1.1), (5)		s.4(4)-(7)	s.24(2)			ss. 110, 115	s.20(3)	s.5
s.3(5)	s.11	s.3(6)	s.3(8)-(9)	ss.8(4); 9(2), (4)		s.4(5)	ss.36, 37(1)-(2)	s.9(6)-(8)	s.3(3)		s.29	ss.10.1-10.2
s.3(6)		s.3(7)							s.3(4)			

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s.4 Name of child												
s.4(1)	s.8(5)	s.4(1)(a)-(d)	s.3(9.1)-(9.2)	ss.7.1(2), (5), (6); 7.2; 8(1.1)-(1.2), (3)-(3.1); 9(1), 9(1.1)	s.7(1), (3)	s.4(6), (8)-(9)	s.33(1)	s.10(3)	s.4(1)	ss.50, 52-53	s.27(3)-(7)	s.6(3)-(7)
s.4(2)		s.4(2)	s.3(9.1)(c)	s.7.1(1), (3)			s.33(2)		s.4(2)	s.51	s.27(2)	s.6(2)
s.4(3)		s.4(3)		s.8(1.3)					s.4(3)		27(5)(c)	
s.5 Additional evidence required by director		s.42.1	s.3(10)	ss.10; 10.1	s.9		s.12(2)	s.9(4)	s.5	ss.109, 130	s.15	s.7(2)
s.6 Birth registration	s.5	s.6	s.3(12)	s.13		s.4(11)-(12)	ss.11(1), 27	s.9(3)	s.6	s.130	ss.14, 23	s.7(1)
s.7 Birth registration by director	s.6	s.7	s.5	s.14	s.11-12	s.5	ss.11(1), 28		s.7	s.130	s.25(1)	s.7(4)-(5)
s.8 Foundlings												
s.8(1)	s.13(1)	s.8(1)	s.7(1)	s.16(1)		s.7(1)	s.30(1)	s.9(2)	s.8(1)	s.116 Règ. d'application sur les laboratoires médicaux (...), RLRQ c L-0.2, r.1 : s. 14	s.26(1)	s.9(1)
s.8(2)(a)	s.13(2)-(3)	s.8(2)	s.7(2)	s.16(2)(a)-(b)		s.7(2)(a)	s.30(2)(a)		s.8(2)(a)	s. 116	s.26(2)	s.9(2)(a)
s.8(2)(b)-(d)			s.7(2)	s.16(2)(c)		s.7(2)(b)-(c)	s.30(2)(b), (3)		s.8(2)(b)-(d)	s.117		s.9(2)(b)-(c)
s.8(3)						s.7(3)						
s.8(4)	s.13(4)	s.8(4)-(5)	s.7(4)	s.16(3)	s.13(1)-(2)	s.7(4)	s.30(4)-(5)		s.8(3)	s.53	s.26(3)-(4)	s.9(3)-(4)
s.8(5)	s.13(6)	s.8(6)	s.7(5)	s.16(4)	s.13(3)	s.7(5)	s.31(1)		s.8(4)		s.26(5)	s.9(5)
s.8(6)	s.13(7)	s.8(7)	s.7(6)	s.16(5)	s.13(4)	s.7(6)	s.31(2)(a)	s.16(4)	s.8(5)	s.130	s.26(6)(a)	s.9(6)
s.8(7)	s.13(9)	s.8(8)	s.7(7)	s.16(6)	s.13(5)			s.16(5)	s.8(6)			s.9(8)
s.8(8)		s.8(9)	s.7(8)	s.16(7)	s.13(6)	s.7(7)	s.31(2)(b)		s.8(7)		s.26(6)(b)	s.9(9)
s.8(9)		s.40.1	s.7(9)	s.16(8)	s.13(7)	s.7(8)-(9)		s.16(6)	s.8(8)			s.9(10)
s.9 Alternation or addition of given name by director												
s.9(1)	s.15(1)-(8)	s.10(1)-(3)	s.8(1)			s.10(1)	s.34(1)-(2)	ss.14(7), 15(1)-(2)	s.9(1)	ss.57, 59-64	s.28	s.10(1)-(3)
s.9(2)	s.15(11)-(13)	s.10(4)-(5)	s.8(2)			s.10(2)	s.34(1)	s.14(1)	s.9(2)			s.10(4)

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s.9(3)	s.15(10)	s.10(6)	s.8(3)						s.9(3)	s.132		s.10(6)
s.9(4)		ss.40.1(1)(d), 40.1(3)							s.9(4)			
s.10 Change of Name s.10(1)(a)	s.27(1), (3)	s.26(1)	s.21(1)(a)	s.33(1)(a)	s.25(1)(a)	s.24(1)(a)	s.74(1)	s.31(1)-(2)	s.10(1)(a)	ss.129, 132	s.97(1)	s.26(1)(a)
s.10(1)(b)	s.27(2)	s.26(1)	s.21(1)(b)	s.33(1)(b)	s.25(1)(b)	s.24(1)(b)			s.10(1)(b)			s.26(1)(b)
s.10(1)(c)	s.27(2)		s.21(1)(c)		s.25(1)(c)				s.10(1)(c)			s.26(1)(c)
s.10(2)	s.27(4)	s.26(2)	s.21(3)	s.33(2)	s.25(2)-(3)	s.24(2)		s.31(3)	s.10(2)	ss. 69, 149	s.97(2)	s.26(2)
s.11 Stillbirth Registration s.11(1)	s.19(2)	s.11(1)-(2)	s.9(2)	s.18	s.14(2)	s.12(2)	s.44(1)		s.11(1)	Rég. d'application sur les laboratoires médicaux (...), RLRQ c L-0.2, r.1 : s. 9	ss.45(2), 46, 47	s.11(2)
s.11(2)	s.19(2)	s.11(3)	s.9(3)		s.14(3)	s.12(3)	s.45-47		s.11(2)		ss.49-50	s.11(3)
s.11(3)					s.14(4)-(5)	s.12(4)			s.11(3)		s.48	
s.11(4)	s.19(3)	s.11(5)	s.9(5)		s.14(6)	s.12(5), (7)-(8)			s.11(4)		ss.14, 52	s.11(5)
s.11(5)	s.19(3)	s.11(6)	s.9(6)		s.14(4)	s.12(6)			s.11(5)		s.56	s.11(6)
s.12 Change of sex s.12(1)(a)-(b)	s.30(1)	s.27(2)	s.25(2), (5), (7)-(11)	s.34(3)-(3.1)	s.26(1)-(2)	s.25(1)-(2)	s.41(2)-(4)	s.36(1)-(3)	s.12(1)(a)-(b)	ss.71-73, 129 Règ relative au changement de nom et d'autres qualités de l'état civil ss. 23.1-24	s.31(1)-(3)	s.12(1)
s.12(1)(c)	s.30(1)	s.27(4)	s.25.1(1)	s.34(1)	s. 26(3)	s.25(3)-(4)	s.42(1)	s.36(4)	s.12(1)(c)		s.31(4)	s.12(1)(a)
s.12(1)(d)						s.25(5)			s.12(1)(d)			s.12(1)(b)
s.12(2)	s.30(2)	s.27(5)	s.25.1(2)	s.34(4)	s.26(4)	s.25(6)		s.36(6)	s.12(2)	ss. 132, 149		s.12(2)
s.13 Adoption registration s.13(1)	s.16(1)-(2)	s.12(1)	s.10(2)	s.20	s.6(1)	s.13(1)	s.38(1)	s.28(1)	s.13(1)	s.132.1	s.30(1)	s.13(1)
s.13(2)	s.16(1)-(2)	s.12(2)	s.10(5)-(6)	s.22(1)	s.6(1)	s.13(1)-(2)	s.38(2)	s.28(2)	s.13(2)(a)-(b)		s.30(1)	s.13(2)

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s.13(3)	s.16(3)	s.12(3)	s.10(5)-(6)	s.22(3)	s.6(1)	s.13(1)-(2)	s.38(5)	s.28(1)-(2)	s.13(4)(a)	s.132.1	s.30(2)	s.13(3)
s.13(4)	s.16(4)	s.12(4)	s.10(7)-(8)	s.21		s.14	s.38(6)	s.30(1)-(2)	s.13(5)			s.13(4)
s.14 Special register of adoptions s.14(1)	s.17(1)	s.13	s.10(3)	s.24(1)			s.39		s.14(1)			s.14(1)
s.14(2)	s.17(1)		s.10(4)	s.24(2)-(3)		s.13(6)	s.40		s.14(2)			s.14(3)
s.15 Birth certificate after adoption	s.18	s.14	s.10(11)	s.25		s.13(4)-(5)		s.28(4)	s.15	s.149		s.15
s.16 Marriage registration s.16(1)	s.20	s.15(1)-(2)	s.12(1)	s.27(1)	s.21(2)	s.15(2)	s.50(1)-(2)	s.19(1)	s.16(1)	ss.119-121	s.59(1)(a), (3)	s.16(2)
s.16(2)	s.20	s.15(3)	s.12(2)	s.27(2)	s.21(3)	s.15(3)		s.19(1)	s.16(2)	s.118	s.59(1)(b)	s.16(3)
s.16(3)	s.20	s.15(4)		s.27(3)	s.21(4)	s.15(5)-(6)	s.51	s.19(2)	s.16(3)	s.130	ss.14, 60	s.16(4)
s.17 Marriage registration by director	s.21	s.16	s.13	s.28	s.22	s.16	ss.11(1), 52	s.20	s.17	s.130	s.61	s.17
s.18 Annulment registration							s.54		s.18(1)-(2)	ss.129, 135-136, 149		s.18
s.19 Reporting of death	s.32(1), (3)	s.17(2)	s.14(2)	s.29(1)	s.15(2)	s.17(2)	ss.56(2)-(3), 59	s.21(2)	s.19	ss.122-126, 128	s.34(3)	s.19(2)
s.20 Medical certificate s.20(1)	s.33(2)	s.18(1)-(2)	s.14(3)-(4)	s.29(2)	ss.15(3)-(4), 16(1)	s.17(3)-(4)	s.57(1)	s.21(1), (2)	s.20(1)	s.122 Règ d'application de la loi sur les lab médicaux (...), RLRQ c L-0.2, r.1: s.18-20	s.35(2)-(4)(a)	s.19(3)
s.20(2)	s.33(5)	s.18(3)	s.14(5)	s.29(3)-(4)		s.17(5)			s.20(2)	s.123	s.35(3)	
s.20(3)	s.33(3)	s.18(4)		ss.29(3)-(4); 31		s.17(6)		s.21(6)	s.20(4)		s.36(1)	
s.20(4)	s.33(4)	s.18(5)		ss.29(3)-(4); 31	ss.15(3), 16(1)	s.17(7)		s.21(6)	s.20(3), (5)		s.36(2)	s.22(2)-(3)
s.21 Form and certificate to division registrar	ss.32(2), 33(6)	s.19	s.15	s.29(3)	ss.16(2), 18(1)	s.17(8)	s.60		s.21		ss.34(5), 35(4)(b)	s.19(5)

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s.22 Death registration	s.34	s.20(1)	s.15		s.18(2)	s.18(1)	ss.11(1), 63	s.21(1), (3)	s.22	ss. 108-110, 125-127	ss.14, 40	s.20(1)
s.23 Death registration by director	s.35	s.20(2)	s.16		s.20	s.19	ss.11(1), 64-67		s.23	s.130	s.41	s.21
s.24 Burial permit s.24(1)	s.39(1)	s.22(1)	s.17(1)-(2)		s.17(1)	s.18(1)	s.61(1)		s.24(1)		s.42(1)	s.20(2)
s.24(2)			s.17(1)-(2)						s.24(2)			
s.24(3)(a)	s.39(2)	s.22(3)	s.17(3)	ss.30-31	s.19(1)(a), (2)	s.20(1)-(3)	s.70(1)(a)		s.24(3)(a)	s.48		s.22(4)
s.24(3)(b)			s.17(3)		s.19(1)(b)		s.70(1)(c)	s.22(1)	s.24(3)(b)			s.22(4)
s.24(4)	s.40	s.22(4)	s.17(5)			s.20(4)	s.70(3)	s.26(1)	s.24(4)		s.42(3)	s.22(7)
s.24(5)	s.39(4)	s.22(5)	s.17(6)			s.20(5)	s.70(4)		s.24(5)		s.42(4)	s.22(8)
s.24(6)	s.39(6)	s.22(6)	s.17(7)			s.20(6)	s.70(5)	s.26(2)	s.24(6)			s.22(9)
s.25 Cemetery owner's duties	s.39(3)	s.23				s.21(1)-(4)	s.70(2)		s.25	s.48		s.23(1)
s.26 Births and deaths at sea or on aircraft s.26(1)	s.12	s.24	s.19	s.19	s.23(1)	s.22	s.2(2)	s.33	s.27(1)		s.3(3)	s.24
s.26(2)	s.41				s.23(3)		s.2(3)		s.27(2)		s.3(4)	
s.27 Church records	s.45		s.20		s.24	s.23					s.102	s.25
s.28 Fraudulent or improper registrations and certificates s.28(1)	s.56(1)-(3)	s.28	s.22(1)	s.35(1)	s.27(1)-(2)	s.26(1), (2), (5)	s.21	s.52(1), (4)	s.29(1)	ss.130, 141	s.92	s.27(1)
s.28(2)	s.56(1)-(3)	s.40.1(2)	s.22(3)	s.35(3)		s.26(3)			s.29(2)			s.27(2)
s.28(3)	s.56(4)	s.40.1(3)-(4)	s.22(4)	s.36		s.26(4)		s.52(3)	s.29(3)		s.28(8)	s.27(3)
s.28(4)			s.22(4)	s.36		s.26(4)			s.29(4)			s.27(4)
s.29 Corrections s.29(1)	s.59	s.29(3)	s.23(1)-(2)	s.37(1)		s.27(1)-(2)	ss.14-15	s.34(1)	s.30(1)	s.130	s.96	s.28(1)-(2)
s.29(2)	s.60	s.29(4)	s.23(3)	s.37(1)	s.28(1)	s.27(3)	ss.14, 16	s.34(1)	s.30(2)	ss.141-142	s.96	s.28(3)
s.29(3)		s.29(5)	s.23(4)	s.37(2)	s.28(2)	s.27(4)		s.34(2)	s.30(3)			s.28(4)

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s.30 Search of records s.30(1)	ss.46(1)-(2), 47(1)	s.35(1)	s.31(1)	s.38(1)		s.36(1)	ss.76, 78(1)	s.48(1)	s.31(1)	s.150	s.69(1)-(3)	s.30(1)
s.30(2)	ss.46(2), 47(1)	s.35(2)	s.31(2)	s.38(2)		s.36(2)	s.78(2)	s.48(3)	s.31(2)	s.147		s.30(2)
s.31 Issue of certificates and copies s.31(1)	s.48(1)	ss.36(1), 37(1)	s.32(2), (7)	s.39(2), (2.1), (3.1), (3.2)	ss.30(1), (2), (2.1); 31(1), (2)	s.37(1), (2), (2C), (3), (5), (6)	ss.76; 77(1), (3), (5); 80(1); 83(1)	s.44(1), (3)	s.32(1)	s.148	s.63, (1)-(3), (6), (7)	s.31(1), (3)
s.31(2)	s.48(2)	s.36(2)-(3)	s.32(3)	s.39(1), (2.2)	s.30(3)	s.37(2A)-(2B)	s.80(2)	s.43(1)	s.32(2)	s.146	s.65(1)-(2)	s.31(1)
s.31(3)	s.49(2)	s.36(4)	s.32(2)		s.30(1), (2), (2.1)	s.37(1), (2C), (2D), (3)	ss.76; 77(1), (5); 81	s.45(1)	s.32(3)	s.148	s.63(1)-(3), (7)	s.31(2)
s.31(4)	s.49(2)	s.37(2)	s.32(7)	s.39(4)	s.31(1), (2)	s.37(6)	ss.76; 77(3), (5); 84	s.45(2)	s.32(4)	s.148	s.63(1), (6), (7)	s.31(4)
s.31(5)	s.48(1)	s.38(1)	s.32(10)	s.39(5)	s.32(1), (2)	s.37(7)	ss.76; 77(4), (5); 85(1)	s.44(2)	s.32(5)	s.148	s.63(1), (4), (7)	s.31(5)
s.31(6)		s.38(2)	s.32(12)	ss.39(6), 39.1	s.32(4)	s.37(8)			s.32(6)	s.146		s.31(6)
s.31(7)	s.49(2)	s.38(3)	s.32(13), (15)		ss.32(1), (5); 33(2)	s.37(9)	ss.76; 77(2), (4), (5); 86-87	s.45(1)	s.32(7)	s.148	ss.63(4)-(5), 66(2), 67(3)	s.31(7)
s.31(8)	ss.48(3), 49(3)	s.39(2)-(3)	s.31.1						s.32(8)			
s.31(9)	s.48(1)		s.32(7)		s.34	s.37(5), (10)				s.148		s.31(8)
s.31(10)		s.39(4)-(6)							s.32(10)			
s.31(11)				s.39(7)		s.37(4), (11)			s.32(11)			s.31(9)
s.31(12)	s.50(1)	ss.36(4)(f)-(g), 37(2)(c)-(d), 38(3)(e)-(f)	s.32(1), (6), (9)	s.43.1	ss.30(1), 31(1), 32(1)	s.45A			s.32(12), (12.1), (13)		s.72	s.31(10)
s.32 Certificates issued by director s.32(1)	s.52(1)	ss.38(4)-(5), 40(1)-(2)	s.33(1)	s.41(1)	s.35(1)	s.38(1)		s.51	s.33(1)	s.103		s.32(1)
s.32(2)	s.52(2)	s.40(3)	s.33(2)	s.41(2)	s.2(3)	s.38(2)			s.33(2)		s.99	s.32(2)
s.32(3)	s.52(3)	s.40(4)	s.33(3)	s.41(3)	s.35(2)	s.38(3)	s.100(2)		s.33(3)			s.32(3)
s.33 Appeals	s.62(1)-(2)	s.30(1)-(2)	s.36(1)	s.7.3	s.37(1)	s.40(1)	s.88		s.34(1)	ss.74, 141	s.86	

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
s.33(1)												s.33(1)-(2), (7)
s.33(2)		s.30(4)			s.37(3)	s.40(2)			s.34(2)			s.33(3)
s.33(3)	s.62(1)-(2)	s.30(5)-(8)	s.36(2)		s.37(2)	s.40(3)			s.34(3)		s.88	s.33(4)-(5), (7)
s.33(4)	s.62(1)-(2)	s.30(9)-(11)	s.36(3)			s.40(4)			s.34(4)			s.33(6)
s.34 Power to take affidavits	s.67(2)	s.42	s.37			s.33	s.98	s.6(3)	s.35		s.13	s.34
s.35 Publication of statistical information		s.43	s.38	s.45	s.38	s.41	s.95	s.3(4)	s.36		s.84(1)	s.35
s.36 Annual report	s.64	s.44	s.39			s.43		s.3(5)			s.84(2)	s.36
s.37 Confidentiality	s.63(1)	s.46(1)	s.41(1)	s.43(1)	s.40(1)	s.45(1)		s.53(1)	s.37(1)	Loi sur l'accès des documents des organismes publics (...), RLRQ c A-2.1, ss. 2, 144-150	s.75	s.37(1)
s.37(1)												
s.37(2)		s.41.1		s.43(3)								
s.37(3)	s.63(2)	s.46(2)	s.41(2)	s.43(2)	s.40(2)	s.45(2)		s.53(2)	s.37(2)		s.84(1)	s.37(2)
s.38 Offences	ss.73-74	ss.49(1), 50-51	ss.3(11), 41(3), 44(1), 45, 45.1, 45.2, 46	ss.48, 50	ss.40(3), 44, 45, 46, 47	ss.4(10), 44(2), 47(1), 48-50	ss.105, 106, 107, 108, 109	ss.55, 56, 56.1, 57, 58	s.39(1)		s.105, 106, 107, 108	ss.8, 39(1)
s.38(1)												
s.38(2)	s.4(6)	s.49(2)	s.44(2)	s.47		s.47(2)	s.104(2)		s.39(2)			s.39(2)
s.39 Regulations	ss.76-77	s.54	s.48	s.52		s.51	s.110	s.60	s.40	ss. 64, 71-72, 130, 151-152	s.104	s.41
Absent from ULCC	s.1(1) (b) "burial permit" (f) "child"	s.1 "assisted reproduction" "crematorium"	s.1 "approved form" "burial permit"	s.1 "family name" "notation"	s.1 s.2(1) "burial permit"	s.2 "burial permit" "domestic partnership"	s.1 "birth registration statement" "burial permit"	s.1 "adopted person" "birth parent"	s.1(n.1) "parent" s.3(5) s.13(2)(c), (3), (4)(b)	Art. 50 Art. 54-58 Art. 61	s.1 s.2(1) "burial permit"	s.1 "burial permit" "father"

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
	(g) "deliver"	"disposition permit"	"chief medical examiner"	s.1.1	"chief medical examiner"	"Indian"	"certified copy"	"Deputy Registrar General"	s.18(3)-(4)	Arts. 64-70	"certified"	"mother"
	(i) "former Act"	"given name"	"common-law relationship"	s.2	"cohabiting partner"	"married woman"	"death registration statement"	"divorce"	s.24(7)	Art. 73	"corporation"	"other parent"
	(k) "guardian"	"inspector"	"lay funeral director"	s.3	"copy"	"nurse practitioner"	"event"	"Indian"	s.26	Art. 75-108	"electronic database"	"parent"
	(l) "hospital administrator"	"midwife"	"married woman"	s.3.1	"death"	s.4(13)	"father"	"inspector"	s.32(1.1)	Art. 110	"electronic signature"	"spouse"
	(o)"parent"	"parent"	"medical certificate"	s.3.2	"medical examiner"	s.6	"former Act"	"municipality"	s.37.1	Art. 117	"electronic statement"	s.2
	(p) "record"	"registration",	"medical examiner"	s.5	"mentally disabled person"	s.8	"hospital"	"notation"	s.38	Arts. 119-120	"electronic version"	s.4(1)
	(r) "registration"	"state"	"state"	s.6	"nurse practitioner"	s.9	"marriage registration document"	"original registration"		Arts. 121.1-121.3	"event"	s.6(1), (8)
	(s) "registration document"	"surname"	s.2	s.11	"relative"	s.11	"mother"	"registered adoption order"		Arts. 129-133	"false document"	s.7(3)
	(t) "resident of Alberta"	s.3(1.1), (6.1)	s.3(1), (6), (6.1)-(6.2),	s.22(2)	"required form"	s.11A	"other parent"	"regulations"		Art. 133.1	"father"	s.9(7)
	s.1(2)-(3)	s.4(1)(e)	(9.3), (13)-(14)	s.23	"spouse"	s.11B	"parent"	"religious body"		Art. 134	"former Act"	s.10(5)
	s.2	s.4.1	s.9(1), (4), (7)	s.26	s.2(2)	s.11C	"person in charge of a hospital"	"state"		Arts. 136-140	"former deputy registrar"	s.11(1), (4)
	s.7	s.9	s.10(1), (9), (10), (12)	s.27(2.1)	s.3	s.28	"record"	s.2		Art. 143-145	"former registrar"	s.14(2)
	s.8(1)-(4)	s.10(7)-(8)	s.11	s.33.1	s.4(2)	s.29	"registered"	s.3(1)-(3), (6)		Art. 147	"hospital"	s.16(1)
	s.9	s.11(7)	s.13.1-13.2	s.35(2)	s.5(1), (5), (6)	s.31	"reportable death"	s.4		Art. 149-152	"medical certificate of death"	s.18(3)-(4)

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
	s.10	s.12.1	s.14(1), (6)-(8)	s.37.1	s.6(4), (6), (7)	s.32	"satisfactory evidence"	s.5			"medical certificate of stillbirth"	s.19(1), (4)
	s.13(5), (8)	s.14.1	s.17(2), (4), (8), (9)	s.38.1	s.7(2), (4)-(6)	s.35	"special register"	s.6(1), (1.1), (2)			"ministry"	s.22(1)-(2), (5), (6), (10)
	s.14	s.20(3)-(5)	s.18	s.39(3)	s.8	s.37(12)-(13)	"statement"	s.6.1			"mother"	s.23(2)
	s.15(9)	s.27	s.21(2)	s.40	s.10	s.39	"stillbirth registration statement"	s.7			"original"	s.29
	s.16(5)	s.30(12)	s.22(2)	s.40.01	s.11(2)	s.40(5)	"subregistrar"	s.7.1			"other parent"	s.31(11)
	s.17(2)	s.31	s.24	s.40.1	s.12(2)	s.42	"vital statistics register"	s.9(5)			"parent"	s.34.1
	s.19(1), (4), (5)	s.33	s.25(1), (3), (4), (6)	s.42	s.14(1), (7)	s.44(1)	s.2(1)	s.9.1			"physician"	s.38
	s.22-26	s.34	s.25.1(3)-(6)	s.44	s.15(1)	s.46	ss.3-10	s.10(1), (2), (4), (5)			"record"	s.40
	s.27(5)	s.41	s.25.2	s.44.1	s.16(3)	Part II (ss.52-59)	s.11(2)-(3)	s.11			"records of the registrar"	
	s.28	s.45	s.26	s.46	s.17(2)-(4)		s.12(1)	s.13			"regional health authority"	
	s.29	s.48	s.27	s.51	s.19(1)(c)		s.13	s.14(1)-(6)			"statement"	
	s.30(1.1)	s.52	s.29	s.51.1	s.21(1)		ss.17-20	s.17			"statement form"	
	s.31	s.53	s.30		s.23(2)		s.22	s.21(4), (5)			"statement of death"	
	s.36-38		s.31(3)		s.26(5)		s.23	s.22(2)			"statement of live birth"	
	s.39(5)		s.31.1		s.27(3)		s.25(1)-(4)	s.28(3), (5), (6)			"statement of marriage"	
	s.42-44		s.32(4), (5), (8), (8.1)-		s.29		s.26(1)-(4)	s.31(2.1)-(2.3), (4), (5)			"statement of stillbirth"	
	s.46(3)		(8.4), (11), (14), (16)		s.31(3)		s.28(2)	s.32			"subject individual"	

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
	s.47(2)-(3)		s.34		s.32(3)		s.29	s.34(3), (4)			"vital statistics information"	
	s.49(1)		s.35		s.33(1)		s.32	s.35			"vital statistics registry"	
	s.50(2)-(4)		s.36(4)		s.36		s.35	s.36(5)			s.3(1)-(2)	
	s.51		s.40		s.39		s.37(3)	s.37-40			s.4	
	s.53-55		s.41(3)		s.41		s.38(3)-(4)	s.42			ss.5-12	
	s.56(5)		s.41.1-43.1		s.42		s.41(1)	s.43(2)-(6)			ss.16-19	
	s.57-58		s.47		s.43		s.42(2)	s.44(4)			s.24	
	s.61		s.49-50		s.48		s.43	s.45(2)			s.26(7)	
	s.62(3)				Part VII (ss.49-54)		s.45(2)-(3)	s.45.1			s.27(1)	
	s.65-66						s.48	s.45.2			ss.32-33	
	s.67(1), (3), (4)						s.49	s.46			s.34(1), (2)	
	s.68-72						s.50(3)	s.48(2), (4)			s.35(1)	
	s.75						s.53	s.48.1-48.7			ss.37-39	
	s.78-89						s.55	s.48.13			ss.43-44	
							s.56(1)	s.49			s.45(3)	
							s.57(2)	s.50			s.48(2)	
							s.58	s.51.1			s.51	
							s.59(2)-(3)	s.51.2			ss.53-55	
							ss.68-69	s.52(2)			ss.57-58	
							s.70(1)(b), (d)	s.53(2)			s.59(1.1), (2)	
							s.74(2)	s.53.1			s.64	
							s.75	s.54			s.65(3), (4)	
							s.78(3)-(4)	s.59			s.66(1)	
							s.79	s.59.1			s.67(1), (2)	
							s.82				s.68	
							s.83(2)				s.69(4)-(6)	

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
							s.85(2) s.88(2)-(3) ss.89-94 ss.96-97 s.99 s.100(1) ss.101-103 s.104(1) s.109(2) ss.111-116				s.70 s.71 ss.73-74 ss.76-83 s.85 s.87 ss.89-91 s.92(6)-(8) ss.93-95 s.98 ss.100-101 s.103 ss.109-120	
Legislative Changes	Feb 27, 2015	May 29, 2014	Mar 01, 2016	Oct 01, 2015	Jun 01, 2015	May 11, 2015	Oct 01, 2015	Dec 03, 2015	Jan 01, 2016		Feb 27, 2015	Aug 25, 2014
	May 14, 2012	Mar 18, 2013	Nov 05, 2015	Jun 21, 2013	Jun 30, 2014	Dec 15, 2011	Jan 01, 2013	Jul 01, 2012	Dec 02, 2015	Jan 01, 2016	May 14, 2012	Dec 21, 2012
		Aug 01, 2012	Jun 15, 2015	Mar 31, 2013	Jun 05, 2014	May 11, 2010		Sep 01, 2011	May 30, 2012	Oct 01, 2015		Apr 30, 2010
	Earlier versions not available on CanLII	Mar 31, 2009	Feb 01, 2015	Dec 19, 2008	Dec 10, 2013	Apr 01, 2010		Mar 30, 2011	Dec 09, 2010	May 01, 2014		Jan 01, 2003
		Sep 26, 2007	Dec 05, 2013	May 30, 2007	Dec 22, 2009	Jul 03, 2007		Mar 01, 2010	Jun 01, 2010	Mar 01, 2014		
			Jun 14, 2012	Jun 22, 2006	Oct 01, 2009	Jan 02, 2007		Dec 15, 2009	May 19, 2010	Apr 01, 2008		
			Jun 16, 2011	May 01, 2000		Jul 21, 2005		Jun 01, 2009	Dec 19, 2009	Jun 15, 2006		
			Oct 09, 2008			Jan 01, 2005		Apr 15, 2009	Jan 01, 2009	Apr 01, 2006		
			Jun 16, 2005			May 20, 2004		Sep 01, 2008	May 22, 2008	Feb 01, 2006		
			Jun 30, 2004			Jan 04, 2004		May 14, 2008	Aug 25, 2007	Nov 10, 2004		
			Jun 10, 2004			Apr 04, 2003		Sep 17, 2007	Nov 08, 2005			
			Jan 01, 2003			Feb 15, 2002		Sep 01, 2007	Jul 29, 2000	Earlier versions not available on CanLII		
								Jul 25, 2007				

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
		Earlier versions not available on CanLII	Earlier versions not available on CanLII	Earlier versions not available on CanLII		Earlier versions not available on CanLII		May 25, 2007 Apr 01, 2007 Jan 31, 2007 Jan 02, 2007 Nov 30, 2006 Oct 02, 2006 Jun 22, 2006 Nov 03, 2005 Jan 01, 2003 Earlier versions not available on CanLII		Changes to other sections omitted		
Changes in Latest Amendment	Feb 27, 2015	May 29, 2014	Mar 01, 2016	Oct 01, 2015	Jun 01, 2015	May 11, 2015	Oct 01, 2015	Dec 03, 2015	Jan 01, 2016	Jan 01, 2016	Feb 27, 2015	Aug 25, 2014
	Added sections: s.30(1.1) s.76(1)(d) Amended sections: s.30(2)	Added sections: s.1 "parent" "surname" s.42.1 Amended sections: s.1 "certificate" "given name"	Added sections: s.25(3), (4), (6) s.25.1(4)-(6) s.25.2 Amended sections: s.25(5)	Amended sections: s.1 "Minister"	Amended sections: s.41(4)(a)	Amended sections: s.25	Amended sections: s.96	No Changes	Amended sections: s.1(i) "funeral director" s.1(m) "Minister" s.38(2), (6)	No Change to Book One - Title 3	Added sections: s.30(1.1) s.76(1)(d)	Added sections: s.1 "father" "mother" "other parent" "parent" "spouse" ss.10.1-10.2

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
		“chief executive officer” “burial permit” s.3(6), (6.1)(b), (7) s.4.1(4) s.8(1), (2), (5) s.9(3) s.10(1)-(6) s.11(3) s.12(2), (3) s.13(a) s.14(1) s.18(1)-(3) s.20(3) s.26(1) s.27 s.38(3)(b) s.40(3) s.40.1(1) s.41.1(4) Repealed sections: s.5 s.8(3) s.33(2) s.47									s.34.1 Amended sections: s.4(2) ss.5-6 s.22(7), (8) s.23(1) s.31(2), (4), (7), (8), (10) s.33(1)	

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
				s.50(1.1)		from CanLII		<u>Dec 15, 2009</u>		s.99		
		<u>Aug 01, 2012</u>	<i>Amended sections:</i>	s.52(a.1)-(a.4), (f.1),	<i>Amended sections:</i>			<i>Added sections:</i>	<i>Amended sections:</i>	s.101		
		<i>Added sections:</i>	s.25	(j.2)-(j.4)	s.14(3)	<u>Jul 03, 2007</u>		s.6(1.1)	s.3	s.109		
		s.8(2)(d)			s.15(3)	<i>Added sections:</i>		s.60(1)(m.0.1)-(m.0.2),	s.4(2)	s.117		
		<i>Amended sections:</i>	<u>Dec 05, 2013</u>	<i>Amended sections:</i>	s.16(1)-(2)	s.54(ha)		(3)	s.32(3)(b), (6)(a), (7)(a)	s.121.2		
		s.2(1), (2)	<i>Amended sections:</i>	s.1 "Registrar General"	s.21(3)				s.40(b)	ss.127-128		
		s.8(2)(b)	s.8(1), (3)	s.2(1), (2)		<u>Jan 02, 2007</u>		<i>Amended sections:</i>		s.135		
			s.26(3)	s.3		<i>Added sections:</i>		s.52(1)	<u>Jan 01, 2009</u>	ss.137-138		
		<u>Mar 31, 2009</u>		s.7(1)		s.35(1)(e)			<i>Amended sections:</i>	s.144		
		<i>Added sections:</i>	<i>Repealed sections:</i>	s.7(5)		s.45A		<u>Jun 01, 2009</u>	s.18(1)	s.148		
		s.12.1	s.8(1)(a)	s.7.1(3)				<i>Added sections:</i>				
				s.8(1.2), (1.3)		<i>Amended sections:</i>		s.48.1	<u>May 22, 2008</u>	<u>Mar 01, 2014</u>		
		<i>Amended sections:</i>	<u>Jun 14, 2012</u>	s.11		s.31		s.48.2	<i>Added sections:</i>	<i>Amended sections:</i>		
		s.12(1), (2), (4)	<i>Amended sections:</i>	s.12(3)					s.32(12.1)	s.63		
		s.14(1)	s.7(5)	s.16(1)		<i>Repealed sections:</i>		<u>Apr 15, 2009</u>	s.37.1	s.67		
		s.16	s.13	s.18(1), (2)		s.51(1)(e)		<i>Amended sections:</i>	<i>Amended sections:</i>	s.73		
		s.36(4)(e)		s.19	-			s.19(1), (2)	s.32(12)			
		<u>Jun 16, 2011</u>		s.20		<u>Jul 21, 2005</u>		s.21		<u>Mar 01, 2014</u>		

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		-	Added sections: s.1 “approved form” s.29(3) Amended sections: s.3(2) s.3(6)(a) s.3(12) s.5 s.9(2), (3), (5) s.12 s.13 s.13.1(2), (4) s.13.2(2) s.14(2)-(4) s.15 s.16 s.17(2) s.17(4)(c)-(d) s.17(5)	s.24(1) s.27(2) s.29(3) s.30(2) s.31(2) s.39(1)-(3) s.41(2), (3) s.47 s.50(1) Repealed sections: s.7.1(4) s.8(5), (6) s.15 s.33(3) s.52(j) Dec 19, 2008 Amended sections:	-	Added sections: s.54(2)(ac) Jan 01, 2005 Added sections: s.11A s.11B s.11C Amended sections: s.4(2) May 20, 2004 N/A as Jan 4, 2004 Amendment Missing Jan 04, 2004 N/A as Jan 4, 2004 and Apr 4, 2003 Amendments Missing		s.22 s.26(1) s.34 Repealed sections: s.23 s.24 s.25 s.27 s.47 s.60(1)(k.1) Sep 01, 2008 Added sections: s.48.5 s.48.6 s.48.7 Amended sections:	Repealed sections: s.28 s.32(9) Aug 25, 2007 Amended sections: s.20(2)(c), (3)-(5) s.24(6) Nov 08, 2005 Amended sections: s.38(2) Apr 01, 2008 Amended sections:	Added sections: s.133.1 Amended sections: s.105 ss.108-109 ss.112-113 ss.115-116 ss.125-126 s.129 ss.134-135 s.137 s.142 Repealed sections: s.106 Apr 01, 2008 Amended sections:		

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
			s.17(6)(b)-(c) s.18 s.32(3), (5), (8), (8.2), (11) s.35 s.45(1) <i>Repealed sections:</i> s.48(a)	s.25(b) s.34(1) s.39.1(c.1)-(c.2) <u>May 30, 2007</u> <i>Added sections:</i> s.1.1 s.30(1.1) s.39.1(e) s.43(1)	-	from CanLII <u>Apr 04, 2004</u> N/A as Jan 4, 2004 and Apr 4, 2003 Amendments Missing from CanLII		s.6.1(1) s.60(1)(r.1), (r.2) s.60(2) <i>Repealed sections:</i> s.60(3)	s.63 s.67 <u>Jun 15, 2006</u> <i>Amended sections:</i> s.132.1			
			<u>Oct 09, 2008</u> <i>Amended sections:</i> s.3(6)(a) s.39	<i>Amended sections:</i> s.1 “Minister” “Registrar General” s.2(1), (3), (4)	-	-		<u>May 14, 2008</u> <i>Added sections:</i> s.1 “original registration” s.48.3(1.1), (2.1) s.48.4 (3.1) <i>Amended sections:</i> s.48.3(1), (2), (3), (4), (5)	<u>Jun 15, 2006</u> <i>Amended sections:</i> s.92			
			<u>Jun 16, 2005</u> N/A as Jun 30, 2004 and Jun 10, 2004	<u>Jun 22, 2006</u> <i>Amended sections:</i>		-		s.48.4(1)-(3), (5)-(7)	<u>Feb 01, 2006</u> <i>Added sections:</i> s.132.1 <i>Amended sections:</i> s.109			

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
			Amendments Missing	s.1 “Minister”				<i>Repealed sections:</i>		<u>Nov 10, 2004</u>		
			from CanLII	s.43(1)				s.48.1		<i>Amended sections:</i>		
								s.48.2		s.71		
								s.48.5		s.73		
								s.48.6		s.120		
								s.48.7		s.135		
								s.48.8				
								s.48.9				
								s.48.10				
								s.48.11				
		s.48.12										
							<u>Sep 17, 2007</u>					
							<i>Added sections:</i>					
							s.45.1(2.1), (2.2)					
							s.48.1					
							s.48.2					
							s.48.12					
							s.56.1					
							<i>Repealed sections:</i>					

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
								s.29 s.60(1)(u)				
								<u>Sep 01, 2007</u> <i>Amended sections:</i> s.5				
								<u>Jul 25, 2007</u> <i>Amended sections:</i> s.16 (heading) s.37(4)				
								<u>May 25, 2007</u> <i>Added sections:</i> s.13 <i>Amended sections:</i> s.1 “division registrar” s.3(1), (2), (6) s.10(3), (5) s.11 s.16(4), (6) s.28(2) s.38 s.55				

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
								<p><i>Repealed sections:</i></p> <p>s.1 “nurse”</p> <p>s.12</p> <p>s.16(1)-(3)</p>				
								<p><u>Apr 01, 2007</u></p> <p><i>Amended sections:</i></p> <p>s.48.13(8)</p>				
								<p><u>Jan 31, 2007</u></p> <p><i>Added sections:</i></p> <p>s.1 “adopted person”, “birth parent”, “Child and Family Services Review Board”, “registered adoption order”</p> <p>s.6.1</p> <p>s.28(6)</p> <p>s.48.3</p> <p>s.48.4</p> <p>s.48.5</p> <p>s.48.6</p> <p>s.48.7</p>				

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								s.48.8 s.48.9 s.48.10 s.48.11 s.60(1)(m.1.1), (r), (r.1), (r.2) s.60(2)-(3)				
								<u>Jan 02, 2007</u> <i>Added sections:</i> s.9.1 s.60(1)(i.1)-(i.6) <i>Amended sections:</i> s.8 s.9 s.56(1) s.58 <i>Repealed sections:</i> s.18				
								<u>Nov 30, 2006</u> <i>Amended sections:</i> s.28(2)				

ULCC Sections	Alberta	British Columbia	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Northwest Territories	Ontario	Prince Edward Island	Quebec CCQ Book One - Title 3 (ss.50-152)	Saskatchewan	Yukon
								<div><div><div>Oct 02, 2006</div><div><i>Added sections:</i></div><div>s.48.13</div><div><i>Amended sections:</i></div><div>s.60(1)(m.4), (x), (y), (z), (z.1)</div><div>s.60(4), (5)</div></div><div><div>Jun 22, 2006</div><div><i>Amended sections:</i></div><div>s.7.1</div></div><div><div>Nov 03, 2005</div><div><i>Added sections:</i></div><div>s.45.1(1.1)</div><div><i>Amended sections:</i></div><div>s.45.1(1)</div></div></div>				