



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

CHANGE OF NAME ACT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to November 18, 2023. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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CHANGE OF NAME ACT

Chapter C-3.1

REGULATIONS

Pursuant to section 16 of the *Change of Name Act* R.S.P.E.I. 1988, Cap. C-3.1, Council made the following regulations:

1. Definitions

In these regulations,

- (a) “**Act**” means the *Change of Name Act* R.S.P.E.I. 1988, Cap. C-3.1;
- (b) “**confidential change of name**” means a change of name carried out in a manner that avoids disclosing information concerning the change of name;
- (c) “**extra-provincial authority**” means the person that has authority under the laws of a province or territory outside of Prince Edward Island for registering changes of name in that jurisdiction. (EC942/23)

2. Notice of change of name

For the purpose of clause 10(1)(e) of the Act, the Director shall provide notice of a change of name to the following authorities:

- (a) an extra-provincial authority in the jurisdiction where the person whose name is changed was born;
- (b) the Prothonotary;
- (c) the Chief Sheriff or the sheriff for the county in which the person whose name is changed resides;
- (d) the Registrar of Motor Vehicles. (EC942/23)

3. Confidential change of name

(1) This section applies where the Director receives

- (a) a request from an extra-provincial authority to file a confidential change of name for a person who was born, but no longer lives, in the province; or
- (b) an order of the Minister under subsection 12(3) of the Act respecting sealed records.

Sealed file

(2) The Director shall, on receipt of the request or order, as the case may be,

- (a) withdraw the original registration of birth and place it in a separate sealed file; and

- (b) issue a new registration showing the new name and amendments to the birth registration.

Record maintained by Director

- (3) No record maintained by the Director shall identify the new name of a person subject to a confidential change of name except those records maintained in separate files.

Disclosure of information

- (4) The Director shall not disclose any information from the sealed file referred to in subsection (2), except
 - (a) with the consent of the person to whom the file relates; or
 - (b) in accordance with a court order.

Non-publication of confidential change of name

- (5) For greater certainty, where the Director receives a request under clause (1)(a), the Director shall not publish notice of a confidential change of name in the Gazette, in accordance with subsection 10(3) of the Act. (EC942/23)

4. Fees

- (1) The following fees are prescribed:
 - (a) application for a change of name (includes processing, registration, issuance of certificate, notifications, Gazette publication, registration at registry of deeds)\$100;
 - (b) searching records for each period of up to three years\$10;
 - (c) providing a copy of a certificate, notice or information\$35.

Discretion to adjust fee

- (2) The Director may waive all or part of a fee or may modify a fee payable by a person where, in the opinion of the Director, the person is unable to afford payment of the fee or for any other reason the Director considers appropriate.

Additional charges

- (3) The Director may charge an additional fee to comply with a person's request for rush service or to provide a special service involving extra costs. (EC942/23)

5. Revocation

The *Change of Name Act* Regulations (EC247/02) are revoked. (EC942/23)