

January 28, 2022

CONSULTATION DRAFT

AN ACT TO AMEND THE CHANGE OF NAME ACT

BILL NO.

2022

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. **Subsection 4(1) of the *Change of Name Act* R.S.P.E.I. 1988, Cap. C-3.1, is amended**
 - (a) **in clause (a), by the deletion of the word “18” and the substitution of the word “16”; and**
 - (b) **in clause (b), by the addition of the words “, except by reason of age” after the word “person”.**

2. **Subsection 5(1) of the Act is amended**
 - (a) **in clause (a), by the deletion of the word “18” and the substitution of the word “16”; and**
 - (b) **in clause (b), by the addition of the words “, except by reason of age” after the word “custody”.**

EXPLANATORY NOTES

SECTION 1 amends clause 4(1)(a) of the Act to lower the age at which a person may make an application for a change of name from 18 to 16 years. It also amends clause 4(1)(b), which requires that the applicant not be in the lawful custody of another person, to make an exception for a 16 or 17-year-old who is in the lawful custody of another person due to age.

SECTION 2 amends clause 5(1)(a) of the Act to lower the age of a person for whom a custodian may make an application for a change of the person's name from under 18 years to under 16 years. It also amends clause 5(1)(b), which permits a custodian to make an application to change the name of a person in their lawful custody, to make an exception in respect of a 16 or 17-year-old who is in the lawful custody of another person due to age.