

# Legal Change of Name

**Are you planning on legally changing your name? The process will be changing in January 2004. Read on to find out what's in store.**

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Vital Statistics, part of Registries and Consumer Services, Government Services is responsible for the administration of Alberta's *Change of Name Act*.

## What's changing?

In 2002 the Alberta Legislature passed legislation that affects the *Change of Name Act* and the process used to legally change a person's name. The two new laws are the *Security Management Statutes Amendment Act* (SMSA) and the *Adult Interdependent Relationships Act* (AIR).

The SMSA requires every adult Albertan to submit their fingerprints when they apply for a legal change of name. It also requires the applicant to present satisfactory identification to begin the process.

The AIR permits people to legally change their name and their child's name to the last name of their adult interdependent partner. A person is an adult interdependent partner if they are:

- An adult who has lived with another adult in a relationship of interdependence (e.g. a 'common-law' type relationship) for a continuous period of at least three years OR
- An adult who has lived with another adult in a relationship of interdependence of some permanence if there is a child of the relationship (either by birth or adoption) OR
- An adult who has entered into an adult interdependent partner agreement with another adult.

The new change of name application (effective January 1, 2004) spells out the AIR changes in more detail.

## When do the changes take effect?

The parts of these new laws that affect the *Change of Name Act* take effect on January 1, 2004.

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### Why are these changes taking place?

Both of the changes are taking place in a world that is quite different from the one we knew a few years ago. Identity and security have become very big concerns for both governments and individuals. Law enforcement agencies will use name change information for investigative purposes to help combat identity theft, fraud, and other criminal activity.

Personal relationships and the family structure are changing as well. The AIR recognizes and formalizes these new partnerships and the resulting blended families.

### What do these changes mean for me?

The new security measures mean that, starting January 1, 2004, you or your spouse/partner will have to obtain your fingerprints 'for identification purposes only' from your local law enforcement agency before you present your name change application to a registry agent. People commonly request their fingerprints when they are applying for visas, adoptions, etc. You do not need to have your children fingerprinted when you apply to have their names changed. Fees are charged when your fingerprints are collected and when presented to the registry agent.

The registry agent submits your application, fees, and fingerprint form to Vital Statistics for review and approval. After your new name is registered you will receive an official certificate of name change. Vital Statistics will send your fingerprint form, name change details, and fee to the RCMP Civil Fingerprint Screening Services in Ottawa. The RCMP **will not** add your fingerprints to their records but they will be searched against existing fingerprints. The RCMP will send the fingerprint form back to you, usually within 8 – 12 weeks of receiving it.

The other change that is effective January 1, 2004 will create additional opportunities for people to proclaim their status as a family by changing to a common last name. For example, a person cannot currently legally change their last name to the last name of their common-law spouse. In the new process, a divorced mother may change her last name and her children's last names to the last name of her current adult interdependent partner (male or female), provided that the children's father and the mother's partner consent to the name changes.

### How much will it cost me for a legal change of name?

The table below shows the fees in the new change of name process.

Purpose of fee	Collected by	Cost
<b>New!</b> Providing fingerprints 'for identification purposes only'	local law enforcement agency	(per adult) between \$20.00 - \$55.00 (plus GST)
<b>No Change</b> Provincial government name change fee (for the applicant, and/or their spouse/partner, and/or their unmarried minor children)	registry agent	\$120.00

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Purpose of fee	Collected by	Cost
<b>New!</b> Fingerprint fee* for <i>each</i> adult whose name is being changed on the application.	registry agent	(per adult) \$25.00
<b>No Change</b> Registry agent service fee	registry agent	agent is permitted to set the fee (plus GST)

\* This fee is collected on behalf of the RCMP Civil Fingerprint Screening Services in Ottawa for cross-referencing to criminal records to help combat identity theft, fraud, and other criminal activity.

### How long will it take to process my legal change of name?

When the change of name application has been filled out correctly and all required supporting documents (such as fingerprints, copies of birth certificates, child custody, etc.) have been submitted, the registry agent will send the documents to the Vital Statistics office in Edmonton. Once the application is received by Vital Statistics, it is usually processed within five days if there are no errors.

When you pay for the name change with a personal cheque, your application will be held for 14 days before it is processed. This practice is similar to the holding process used by many financial institutions when you deposit cheques into your bank account.

### How will the new change of name process work?

- Step 1 As adult Albertans, when you or your spouse/partner want to change your names, you will contact the Security Clearance/Identification Section of your local law enforcement agency to make arrangements for fingerprinting 'for identification purposes only'.
- In larger cities, this service is provided at one central location.
  - Services are usually provided on an appointment-only basis.
  - There is usually a fee for this service (between \$20.00 and \$55.00, plus GST).
- Step 2 The law enforcement agency will:
- Ask you to supply all your former and current names and your current address.
  - Follow their standard procedures to provide you with fingerprints 'for identification purposes only'.
  - Collect their standard fingerprinting fees.
- Step 3 Next, as the applicant for legal name change, you will:
- Assemble original supporting documents, including fingerprint forms, and any birth/marriage/death certificates, immigration documents, divorce certificates, child custody documents, or court orders that apply to the family members who want to change their names (you and/or your spouse/partner and/or your unmarried minor children).
  - Visit a registry agent to obtain the Vital Statistics change of name application.

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- Complete the change of name application fully and accurately.
- Present the completed application, fingerprint form, supporting documents, and fees to the registry agent.
- Review and sign the sample change of name certificate printed by the registry agent, once you are satisfied the information is correct.

Step 4 The registry agent will:

- Review the change of name application, fingerprint form, and other supporting documents for completeness and accuracy.
- Collect the change of name fee, the fingerprint fee, and the registry agent service fee.
- Record and transmit the change of name information on the Vital Statistics computer system, once the sample certificate has been approved and signed by you.
- Send the change of name application, fingerprint form, and copies of any supporting documents to Vital Statistics.

Step 5 Vital Statistics will:

- Review and approve the change of name application, fingerprint form, and supporting documents OR
- Contact the registry agent or you when there are errors or omissions on the application or supporting documents.
- Send the official certificate of name change to you.
- Send your fingerprint form, name change details, and fingerprint fee to the RCMP Civil Fingerprint Screening Services in Ottawa.

Step 6 The RCMP Civil Fingerprint Screening Services in Ottawa will:

- Cross-reference any offender's former name with their new name.
- Return the fingerprint form to you, at the address shown on the form, usually within 8 – 12 weeks of receipt.

**Note: The RCMP does not use the fingerprint form 'for identification purposes only' to add your fingerprints to their records.**

Step 7 After you receive your official change of name certificate, you will need to arrange and pay for your change of name to be recorded on other personal records, such as driver licences and bank accounts.

### **Who can I contact if I need more information?**

If you need more information, please contact:

Your local registry agent

OR

Government Services Call Centre

Telephone: 780-427-7013

E-mail: [government.services@gov.ab.ca](mailto:government.services@gov.ab.ca)

Website: [www.gov.ab.ca/gs](http://www.gov.ab.ca/gs)