

## Do you need a legal name change?

A legal name change may not be needed in the following situations. For more information, Contact Vital Statistics directly. Contact information is at the end of this Information Guide.

- If you want to assume your spouse's name through marriage, or you want to revert back to a previous married name or your maiden name (after having assumed a married name), a legal name change may not be needed. See <https://www.alberta.ca/getting-married.aspx>
- If the person, whose name you want to change, is born in Alberta, you may be able to correct an error with an amendment, rather than a legal name change. See <https://www.alberta.ca/correct-birthmarriage-death-record.aspx>
- If the person, whose name you want to change, is born in Alberta and is younger than 18 years old, and you want to add a father/co-parent to the child's birth record, the child's name may be changed at the same time as a part of that process. A legal change of name may not be needed. See <https://www.alberta.ca/add-co-parent-birthrecord.aspx>
- If you, or family members, are reclaiming an Indigenous name, contact Vital Statistics directly; contact information is at the end of this Information Guide.

## Applicant

An applicant is the person completing the Legal Name Change Application, requesting the changes to the names.

## Whose Name can you change?

As an applicant, you may legally change the name of the following.

- Your own name
- Your minor child or ward's name (must be younger than 18 years old)
  - If the child is 18 years old or older, they must apply for their own name change.
  - If the child is 17 years old at the time of application but turns 18 years old before the application can be processed, a new application is required as they must apply for their own name change once they turn 18 years old. Always ensure there is enough time for Vital Statistics to process an application before the person is 18 years old.
- Your spouse's name **OR** your partner's name (as is applicable, not both)
- A represented adult's name, if you are their court appointed guardian

You cannot apply to legally change the name of a deceased person or stillborn child.

## Alberta Resident

You (the applicant) must be a resident of Alberta when you request a legal name change and **must remain a resident of Alberta** until the legal name change is complete and a Legal Change of Name Certificate is printed.

- An Alberta resident is a person who
  - is lawfully entitled to be in Canada,
  - makes their home in Alberta, and
  - is ordinarily present in Alberta.
- On the application, you must provide your current physical address in Alberta to support your residency. An Alberta post office box is not a physical address.
- If you are here on a Work Visa or School Visa, you may classify yourself as a resident of Alberta. When unsure, ask a registry agent for more information.
- If you are here on a Visitor's Visa, you are not an Alberta resident for the purpose of a legal name change.
- The Alberta residency requirement only applies to you (the applicant).

## Applicant's Age

You (the applicant) must be either

- 18 years old or older.

**OR**

- younger than 18 years old **and** be one of the following.
  - legally married,
  - widowed,
  - divorced,
  - living in an Adult Interdependent Relationship (like common-law but different),
  - be the parent of a child, or
  - be the guardian of a child.

## Proof of Identity Document

You (the applicant) must produce an acceptable Proof of Identity document that confirms your identity.

A Legal Name Document is **not** the same as a Proof of Identity document.

An acceptable Proof of Identity document must have all the following.

- It must have your picture on it **and** you must look like the picture.
- It must have your given and last name.
- It must have a unique identification number.
- It cannot be expired, **or** if it does not have an expiry date, it must have been issued within the last 5 years.
- It must have been issued by a government body; for example, provincial, territorial, Canadian, the government of another country, etc.

Note: Examples of acceptable proof of identity documents include, driver's licence, permanent resident document, passport, etc. citizenship documents and birth certificates are not proof of identity.

Take the original document with you to a registry agent office. Faxes, photocopies, scans, etc. will be rejected..

## Name Change Requirements

### Legal Name Document

You (the applicant) must provide a Legal Name Document for every person who is legally changing their name. Take the original documents with you to a registry agent office; they will take a photocopy of them. Faxes, photocopies, scans, etc. will be rejected.

In Alberta, a legal name change can only be made to your legal name. A Legal Name Document contains your legal name. A Proof of Identity document is **not** the same as a Legal Name Document.

For the purpose of a legal name change in Alberta, a legal name is as follows.

#### Legal Name when Born in Canada

- Your legal name is the full name (first, all middle and last names) on your current birth certificate.
- In most cases, this is the name with which you are born, unless a legal name change has been previously processed or you have been adopted. If you have had a legal name change previously processed, you must also provide your Change of Name Certificate (or similar document if applicable) to support your legal name.
- A name assumed through marriage is not a legal name. Although you can legally assume your spouse's name after marriage, it is not your legal name for the purpose of a legal name change.

#### Legal Name when Born Outside Canada

- Your legal name is the full name (first, all middle and last names) on the immigration document under which you are permitted to be in Canada.
- If you have had a name change processed since arriving in Canada, you must also provide your Change of Name Certificate (or similar document if applicable) to support your legal name.
- Vital Statistics may only legally change a name as it appears on your immigration document. If your name has been truncated (shortened) due its length, the shortened name is what will appear on your Change of Name Certificate. If you want a different name legally changed (e.g., non-shortened name), a letter from Immigration & Citizenship confirming that name must also be provided.

#### Mononym

A mononym is a single name used by a culture where there is no distinction between a given and last name; e.g., Grey Eagle Feather, Madonna, Prince, etc.; there is just the one name.

In the application, record the mononym in a last name box **and** print "individual has only one name" in the given name box. This way, it is understood you did not miss completing the given name field and what your intent is.

#### Types of Legal Name Documents

- When you are **born in Canada**, take your original birth certificate with you to the registry agent office; they will take a photocopy of it. Faxes, photocopies, scans, etc. will be rejected.
  - If you are born in Alberta and do not have an original birth certificate to provide, Vital Statistics will locate your birth record in their office and confirm your current legal name.
  - If you are not born in Alberta and do not have an original birth certificate to provide, you must get one from the province/territory in which you were born. Alberta Vital Statistics cannot verify legal names outside of Alberta.
  - All original birth certificates in circulation must be surrendered, as they will no longer reflect your legal name when the legal name change is processed.
    - ▶ If you are born in Alberta, all the original birth certificates you surrender will be replaced, at no cost to you, with new ones reflecting the new name.

- Original certificates provided with your application are destroyed when the legal name change has been processed.
  - ▶ They are **not** returned to you or the province/territory in which you were born.
  - ▶ If you are not born in Alberta and you need a new birth certificate, you must contact the Vital Statistics office in the province/territory in which you were born to get a new one.
- When you are **born outside Canada**, take your original Canadian immigration document under which you are permitted to be in Canada with you to a registry agent office; they will take a photocopy of it. Faxes, photocopies, scans, etc., will be rejected. This may be a Canadian Citizenship document, Permanent Residency document, Record of Landing, Student Visa or Work Visa.

## Previous Name Changes

You (the applicant) must provide a photocopy of all the previous legal name changes processed (if any) for every person who is now legally changing their name. Attach the photocopies to the application.

The Change of Name Certificate/document may also be referred to as a Deed Poll, court issued Name Change Order, etc. when issued from outside Alberta.

- If a previous legal name change was processed **in** Alberta and you do not have the Change of Name Certificate to provide, Vital Statistics will locate the record in their office.
- If a previous legal name change was processed **outside** Alberta and you do not have the Change of Name Certificate (or document) to provide, you must get one from the province/territory in which the legal name change was processed. Alberta Vital Statistics cannot verify legal name changes processed outside of Alberta.

If a previous legal name change certificate/document is not in English, a notarized translation is required. See "[\*Foreign Language Documents\*](#)" below for details.

## Electronic Fingerprint Report

You (the applicant) must provide an electronic fingerprint report for every person who is 12 years old or older and legally changing their name. Attach the fingerprint report to the application.

The purpose of an electronic fingerprint report is to cross reference a new name with a criminal record (if any) on file with the RCMP's Canadian Criminal Real Time Identification Service (CCRTIS) office in Ottawa.

Electronic fingerprints may be taken at RCMP detachments, larger police service detachments, and fingerprinting agencies that have been approved by CCRTIS. The fingerprints must be electronic. Manual fingerprints will be rejected.

Fingerprint reports provided as part of a legal name change application are **not** returned to you or kept on a file anywhere. They are destroyed by CCRTIS once they have completed their criminal record cross-reference check.

An electronic fingerprint report must identify the person and have their correct date of birth.

When you are 18, or older, you may not need to provide an electronic fingerprint report if you are providing a **Certified** Criminal Record Check as it is fingerprint based.

- If you are providing an Un-Certified Criminal Record Check or Police Information Check (PIC), an Electronic Fingerprint Report is still required.

**If you provide a Police Information Check, you still need fingerprints.**

### Other Details

- An electronic fingerprint report obtained for other purposes cannot be reused for future legal changes of name.
- Never write on an electronic fingerprint report.

## Criminal Record Check (CRC)

You (as the applicant) must provide a criminal record check (CRC) or Police Information Check (PIC) for every person who is 18 years old or older and legally changing their name. Attach the CRC/PIC to the application.

- A CRC/PIC must be provided, with your application, within 30 days of it being issued. If a CRC/PIC is more than 30 days old when you provide it, it will be rejected.
- A photocopy, fax, scan or email of a CRC/PIC document is acceptable.
- A CRC/PIC must identify the person changing their name and provide their correct date of birth.

The purpose of a CRC/PIC is to ensure a person is eligible to have their name legally changed. A person is **never** eligible to legally change their name in Alberta if any of the following apply to them.

- Been convicted of an offence under section 490.011(1)(a), (c), (c.1), (d), (d.1) and (e) of the *Criminal Code of Canada*.
- Been designated a dangerous offender under section 753 of the *Criminal Code of Canada*.
- Been designated a long-term offender under section 753.1 of the *Criminal Code Canada*.
- Been designated a high-risk offender.

A CRC/PIC provided as part of a legal name change application is **not** kept on a file anywhere. Vital Statistics reviews the CRC/PIC to ensure the person is eligible to have their name legally changed; the CRC/PIC is then destroyed.

There are 2 kinds of Criminal Record Checks (CRC).

A CRC/PIC provided as part of a legal name change application is **not** kept on a file anywhere. Vital Statistics reviews the CRC/PIC to ensure the person is eligible to have their name legally changed; the CRC/PIC is then destroyed.

There are 2 kinds of Criminal Record Checks (CRC).

- **“Certified”** CRC (fingerprint based check)
  - When providing a **Certified** CRC, an Electronic Fingerprint Report is not required for that person as a **Certified** CRC is fingerprint based.
  - A **Certified** CRC states either
    - ▶ there is **no** record (or words to that effect); or
    - ▶ there **is** a record **and lists** what has been found.
- **“Un-certified”** CRC (name & date of birth based check)
  - An Electronic Fingerprint Report is required, as an **un-certified** CRC is not fingerprint based.
  - An **un-certified** CRC states
    - ▶ there is **no** record (or words to that effect); or
    - ▶ there **is**, or **may be** a possible match to the name provided, but does not provide anything more; or
  - When an **un-certified** CRC says there may be a possible match or there is a record, you will have to then provide a **certified** CRC to show the details.

A CRC may be obtained from RCMP detachments, larger police service detachments, and fingerprinting agencies that have been approved by the RCMP's Canadian Criminal Real Time Identification Service (CCRTIS) office in Ottawa. A CRC will be rejected when it is from a third party or an online provider.

Note: If you provide the **certified** Criminal Record Check, you will not need to provide an electronic fingerprint report.

## Changing Child/Ward's Name

- All the parents recorded on the child's birth certificate must consent to the legal name change.
  - A birth certificate for the child showing parentage must be provided.
    - ▶ When born in Canada, take the original birth certificate with you to a registry agent office; they will take a photocopy of it. Faxes, photocopies, scans, etc. will be rejected.
    - ▶ If the child's birth is registered **in** Alberta and you do not have the birth certificate to provide, Vital Statistics will locate the birth record in their office.
    - ▶ If the child is born outside of Canada and a copy of the government birth certificate is not obtainable, parentage may also be proven with immigration documents.
  - If a document is not in English, that document must be accompanied by a notarized translation. See *“Foreign Language Documents”* below for details.
- All the guardians of the child (if any) must consent to the legal name change.
  - A copy of all the guardianship orders and any previous orders (if any) must be provided.
- The child, if 12 years old or older, must consent to their name being legally changed.

The consent of each of the above (as is applicable) must be witnessed in the name change application.

- A witness must be 18 years old or older.
- You (the applicant) cannot witness your child/ward's consent.
- A person who is changing their name in the application cannot witness your child/ward's consent.
- A step parent, whose name the child is taking, cannot witness your child/ward's consent.
- A witness cannot be seen as having a conflict of interest; for example, a stepparent cannot witness a child's consent when the child's name is being legally changed to the stepparent's name.

When you cannot get the person's consent on the application, you must provide one of the following to dispense with their consent (as applicable). Attach the dispensation document to the application.

- The consent of a parent recorded on a child's birth certificate is not needed with
  - A dispensation order from the Alberta Court of King's Bench, issued in accordance with section 69 of the *Vital Statistics Act*
  - A court order that says the applying parent is the sole guardian (dependent on the wording)
  - A court order that says the other parent's rights have been terminated (dependent on the wording)
  - A court order that appoints guardians in lieu of parent(s)
  - A Canadian divorce order that states the applying parent has "sole custody" or "sole decision making powers" of the child (dependent on the wording)
  - A death certificate
- The consent of a guardian of the child is not needed with
  - A dispensation order from the Alberta Court of King's Bench issued in accordance with section 69 of the *Vital Statistics Act*.
  - A death certificate

- The consent of a child (12 years old or older) is not needed with
  - A dispensation order from the Alberta Court of King's Bench issued in accordance with section 69 of the *Vital Statistics Act*.

## Changing Spouse/Partner's Name

You (the applicant) must obtain consent from your spouse **or** partner (as is applicable) when you are legally changing their name.

### Spouse

- A spouse is a person to whom you are legally married.
- A copy of a government issued marriage certificate is required to prove your relationship. A religious or civil marriage certificate will be rejected.

### Partner

- A partner is per section 3 of the *Adult Interdependent Relationship Act* which states a person is the adult interdependent partner of another person if
  - they are not legally married to each other, and
  - the person has lived with the other person in a relationship of interdependence for a continuous period of at least 3 years or of some permanence, or
  - there is a child of the relationship by birth or adoption.
- When changing your partner's name, both you and your partner must complete a statutory declaration in the legal name change application declaring your relationship.

The consent of your spouse/partner must be witnessed in the application.

- A witness must be 18 years old or older.
- You (the applicant) cannot witness your spouse/partner's consent.

When you cannot get the consent of your spouse/partner, you must provide a dispensation order from the Alberta Court of King's Bench issued in accordance with section 69 of the *Vital Statistics Act*. Attach the dispensation document to the application if applicable.

## Changing Represented Adult's Name

The name of a represented adult may be legally changed by

- the represented adult (if able)
- you (the applicant) if you are their court appointed guardian

You must obtain consent from all court appointed guardians responsible for the represented adult in the name change application.

- Guardians must provide a copy of their guardianship order and any previous orders (if any).
- The represented adult's consent is not required.

The consent of each guardian must be witnessed.

- A witness must be 18 years old or older.
- You (the applicant) cannot witness the consent of another guardian (if any).
- A step parent, whose name the represented adult may be taking, cannot be a witness.
- A witness cannot be seen as having a conflict of interest; for example, any person referenced in the application cannot be a witness.

When you cannot get consent of all the guardians (if any), you must provide one of the following to dispense with their consent. Attach the dispensation document to the application if applicable.

- The consent of a guardian is not needed with
  - A dispensation order from the Alberta Court of King's Bench issued in accordance with section 69 of the *Vital Statistics Act*.
  - A death certificate

## Fees

- Legal name change application fee
  - The fee is paid to a registry agent at the same time you provide your application.
  - The government fee is \$120.00 for each change of name application, regardless of the number of people on the one application form.
  - A registry agent service fee varies among registry agents.
- Electronic Fingerprint Report fee
  - The fee is paid directly to the place where the fingerprint service is provided.
  - It is not included in a name change application fee.
  - Fingerprinting fees vary.
  - See Electronic Fingerprint Report in this information guide for more details.

- Criminal Record Check fee
  - The fee for a criminal record check is paid directly to the place where the criminal record check service is provided.
  - It is not included in the name change application fee.
  - See "*Criminal Record Check*" in this information guide for more details.

## Other Details

### Foreign Language Documents

All required documents must be in English or translated to English.

The translation may be either

- a notarized translation, which is
  - a copy of the non-English document
  - a copy of the document translated to English
  - an original affidavit from the person who translated the document swearing/affirming the translation is accurate

or

- provided by a certified translating service
  - This type of translation does not need an affidavit.

The expense of providing an English translation is the responsibility of the applicant.

### Name Restrictions

- New names are subject to restrictions. See <https://www.alberta.ca/restrictions-respecting-personalnames.aspx>

### Submitting the Application

- Ensure all information is entered correctly before printing your application. Typing errors may result in you not getting what you need and an additional legal name change may be required at your cost.
- After printing the application, if all the changes/corrections are not initialed by the applicable parties, the application may be delayed or rejected.
- All the signatures in your application must be original; if not, the application will be rejected and a new application will be required.
- All the application pages that are printed must be submitted. Missing pages may result in delays or additional costs to you.
- The Legal Name Change Application must be submitted in person at an authorized Alberta registry agent, except if the change of name is to reclaim an Indigenous name (contact VS directly for more information).
  - Applications sent directly to Vital Statistics will be rejected.
  - To find a registry agent, see <http://www.servicealberta.gov.ab.ca/find-a-registry-agent.cfm>

## Contact Information

Vital Statistics email address:

[vsregistries@gov.ab.ca](mailto:vsregistries@gov.ab.ca)

Service Alberta Contact Centre:

Phone: 780-427-7013 (Edmonton and area)

Toll free: 310-0000 before the phone number (in Alberta)

For the deaf or hard-of-hearing:

TTY: 780-427-9999 (Edmonton and area)

Toll free TTY: 1-800-232-7215 (in Alberta)

Mail:

Vital Statistics

Box 2023

Edmonton, Alberta T5J 4W7