

BILL NO. 84

(as passed)



*2nd Session, 58th General Assembly
Nova Scotia
50 Elizabeth II, 2001*

Government Bill

Vital Statistics Act (amended)

CHAPTER 45 OF THE ACTS OF 2001

The Honourable Angus MacIsaac
Minister of Service Nova Scotia
and Municipal Relations

[First Reading](#): November 8, 2001 (LINK TO BILL AS INTRODUCED)

Second Reading: November 9, 2001

[Third Reading](#): November 20, 2001

Royal Assent: November 22, 2001



An Act Amend Chapter 494

of the Revised Statutes, 1989, the Vital Statistics Act

Be it enacted by the Governor and Assembly as follows:

1 (1) Subsections 37(1) and (2) of Chapter 494 of the Revised Statutes, 1989, the *Vital Statistics Act*, are repealed and the following subsections substituted:

- (1) No certificate of birth or certified copy, photostatic copy or photographic print of a registration of birth shall be issued by the Registrar except as provided in this Act.
- (2) Subject to the regulations, a certificate of birth may be issued by the Registrar, on application in the prescribed form and on payment of the prescribed fee, to
 - (a) a person named in the certificate;
 - (b) a parent whose name appears on the registration from which the certificate is to be issued;
 - (c) a person on the authorization in writing of the person named in the certificate or of a parent of the person named in the certificate;
 - (d) an agent of the person named in the certificate or of a parent of the person named in the certificate;
 - (e) a person by order of a court;
 - (f) a person who requires the certificate in connection with a petition for adoption;
 - (g) an executor, administrator or trustee of an estate who requires the certificate for the administration of an estate;
 - (h) a person on the authority in writing of the Minister.
- (2A) A birth certificate must contain
 - (a) the name of the person;
 - (b) the date of birth;
 - (c) the place of birth;
 - (d) the sex of the person;
 - (e) the date of registration; and
 - (f) the serial number of the registration.
- (2B) A birth certificate may contain the names and places of birth of the parents.
- (2C) A certificate of birth or certified copy, photostatic copy or photographic copy of a registration of birth may be issued by the Registrar for use in connection with the administration of justice upon the written request of the Minister of Justice.
- (2D) Subject to the regulations, a certified copy, photostatic copy or photographic print of the registration of a birth, may be issued, on application in the prescribed form and on payment of the prescribed fee, by the Registrar to

- (a) a person to whom the registration applies, or a parent shown on the birth registration of the person in respect of whom the registration applies;
- (b) a person by order of a court;
- (c) a person who requires it for a petition for adoption;
- (d) a person on the authority in writing of the Minister.

(2) Subsection 37(3) of Chapter 494 is amended by striking out "(b) of subsection (2)" in the second line and substituting "(e) of subsection (2) or clause (b) of subsection (2D)".

(3) Subsection 37(10) of Chapter 494 is amended by striking out "(2)" in the sixth line and substituting "(2D)".

2 Chapter 494 is further amended by adding immediately after Section 49 the following Section:

49A Every person who obtains or attempts to obtain a birth certificate or a certified copy, photostatic copy or photographic copy of the registration of a birth for a fraudulent or other improper purpose is guilty of an offence and liable on summary conviction to a penalty not exceeding fifty thousand dollars or to imprisonment for not more than two years or to both.

3 Subsection 51(1) of Chapter 494 is amended by adding immediately after clause (g) the following clause:

(h) prescribing the requirements for obtaining a birth certificate or a certified copy, photostatic copy or photographic print of the registration of a birth, including security measures the Governor in Council considers necessary or advisable to safeguard against the fraudulent obtaining or use of a birth certificate or a certified copy, photostatic copy or photographic copy of the registration of a birth;

4 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

