

# *The Vital Statistics Act, 2009*

*being*

Chapter V-7.21\* of the *Statutes of Saskatchewan, 2009* (portions effective August 31, 2009; and December 6, 2010) as amended by the *Statutes of Saskatchewan, 2013, c.21; 2014, c.11; 2015, c.26; 2016, c.7; 2017, c.23; and 2018, c.7 and c.49.*

**\*NOTE:** Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

## **NOTE:**

**This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.**



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## CHAPTER V-7.21

### An Act respecting the Keeping of Vital Statistics and making consequential amendments to other Acts

#### PART I Preliminary Matters

##### Short title

1 This Act may be cited as *The Vital Statistics Act, 2009*.

##### Interpretation

2(1) In this Act:

“**burial permit**” means a permit issued pursuant to section 42 or 56 that authorizes the burial, cremation or other disposition of the body of a deceased individual or stillborn child, as the case may be; (« *permis d’inhumer* »)

“**certificate**” means, unless otherwise provided:

- (a) a certificate of birth within the meaning of section 65;
- (b) a certificate of death within the meaning of section 66;
- (c) a certificate of marriage within the meaning of section 68; or
- (d) a certificate of stillbirth within the meaning of section 67; (« *certificat* »)

“**certified**” means certified by the registrar to be a true copy of an original record or, in relation to an extract, certified by the registrar to be a true extract from an original record; (« *certifiée* »)

“**corporation**” means e-Health Saskatchewan created by the Lieutenant Governor in Council as a Crown corporation pursuant to *The Crown Corporations Act, 1993*, through which the minister shall administer this Act (« *société* »)

“**deputy registrar**” means a deputy registrar appointed pursuant to subsection 7(2); (« *registraire adjoint* »)

“**electronic database**” means the electronic database established and maintained by the registrar pursuant to subsection 10(1); (« *base de données* »)

“**electronic signature**” means information in electronic form that a person has created or adopted in order to sign a document and that is in, attached to or associated with the document; (« *signature électronique* »)

“**electronic statement**” means a statement in electronic form on which some or all of the particulars of an event are to be entered and submitted to the registrar; (« *déclaration électronique* »)

“**electronic version**” means a copy of a record that has been made and stored electronically pursuant to subsection 11(2) for the purpose of keeping a permanent record of the original record; (« *version électronique* »)

“**event**” means a live birth, a death, a stillbirth or a marriage; (« *événement* »)

“**false document**” means a false document as defined in section 321 of the *Criminal Code*; (« *faux document* »)

“**father**” means the person who acknowledges himself to be the biological father of a child; (« *père* »)

“**former Act**” means any former Act respecting the registration of vital statistics, and includes:

- (a) *The Vital Statistics Administration Transfer Act*; and
- (b) any ordinance of the North-West Territories respecting the registration of vital statistics as that ordinance applied to the area now within the boundaries of Saskatchewan; (« *loi antérieure* »)

“**former deputy registrar**” means any official appointed or designated pursuant to a former Act to carry out duties and exercise powers similar to those of a deputy registrar pursuant to this Act; (« *ancien registraire adjoint* »)

“**former registrar**” means any official appointed or designated pursuant to a former Act to carry out duties and exercise powers similar to those of the registrar pursuant to this Act; (« *ancien registraire* »)

“**funeral director**” means a funeral director as defined in *The Funeral and Cremation Services Act*; (« *entrepreneur de pompes funèbres* »)

“**hospital**” means a facility designated as a hospital pursuant to *The Provincial Health Authority Act*, and includes a hospital operated by the Athabasca Health Authority Inc.; (« *hôpital* »)

“**live birth**” means the complete expulsion or extraction from the mother, irrespective of the duration of the pregnancy, of a product of conception in which, after the expulsion or extraction, there is breathing, beating of the heart, pulsation of the umbilical cord or unmistakable movement of voluntary muscle, whether or not the umbilical cord is cut or the placenta is attached; (« *naissance vivante* »)

“**medical certificate of death**” means a document completed in accordance with section 35, 37 or 38 respecting the cause of death of an individual and, unless the context requires otherwise, includes an interim medical certificate of death completed pursuant to section 36; (« *certificat médical de décès* »)

“**medical certificate of stillbirth**” means a document completed in accordance with section 49 respecting the cause of stillbirth of a stillborn child and, unless the context requires otherwise, includes an interim medical certificate of stillbirth completed pursuant to section 50; (« *certificat médical de mortinaissance* »)

“**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned; (« *ministre* »)

“**ministry**”, unless otherwise provided, means the Ministry of Health; (« *ministère* »)

“**mother**” means the woman from whom a child is delivered; (« *mère* »)

“**original**” means:

- (a) with respect to a form, the paper or electronic version of the form; and
- (b) with respect to a document that has been completed, the paper or electronic version of the document bearing the original signature or electronic signature of any person required to sign the document; (« *original* »)

“**other parent**”:

- (a) in relation to a live birth, means a person other than the mother or father who is cohabiting with the mother or father of the child in a spousal relationship at the time of the child’s birth and who intends to participate as a parent in the upbringing of the child; and
- (b) in relation to a stillbirth, means a person other than the mother or father who is cohabiting with the mother or father of the stillborn child in a spousal relationship at the time of the stillbirth and who had intended to participate as a parent in the upbringing of the child; (« *autre parent* »)

“**parent**” means a mother, father or other parent; (« *parent* »)

“**physician**”, unless otherwise provided, means a physician who is entitled to practise medicine pursuant to *The Medical Profession Act, 1981*; (« *médecin* »)

“**prescribed**” means prescribed in the regulations; (« *réglementaire* » ou « *par règlement* »)

“**provincial health authority**” means the provincial health authority established or continued pursuant to *The Provincial Health Authority Act*; (« *régie provinciale de la santé* »)

“**record**” means, unless the context requires otherwise, any record of information, regardless of how it is recorded or stored, whether on paper, on microfilm, by electronic means or otherwise; (« *acte* »)

“**records of the registrar**” means all records kept by the registrar in the administration of this Act, whether submitted to the registrar or created by the registrar or an employee of the corporation, and includes all records kept by any person in the administration of any former Act; (« *archives du directeur* »)

“**registrar**” means the Registrar of Vital Statistics appointed pursuant to subsection 7(1) and, unless otherwise provided, includes a deputy registrar; (« *registraire* »)

“**statement**”, unless otherwise provided, means one of the following, and includes an electronic statement:

- (a) a statement of live birth;
- (b) a statement of death;
- (c) a statement of stillbirth;
- (d) a statement of marriage; (« *déclaration* »)

“**statement form**” means a blank statement, either in a paper form or an electronic form, setting out the particulars to be furnished for the registration of an event and providing spaces in which the particulars are to be entered; (« *formulaire de déclaration* »)

“**statement of death**” means a statement required for the registration of a death pursuant to Part V, and includes any document by means of which a death was registered pursuant to any former Act; (« *déclaration de décès* »)

“**statement of live birth**” means a statement required for the registration of a live birth pursuant to Part IV, and includes any document by means of which a live birth was registered pursuant to any former Act; (« *déclaration de naissance vivante* »)

“**statement of marriage**” means a statement required for the registration of a marriage pursuant to Part VII, and includes any document by means of which a marriage was registered pursuant to any former Act; (« *déclaration de mariage* »)

“**statement of stillbirth**” means a statement required for the registration of a stillbirth pursuant to Part VI, and includes any document by means of which a stillbirth was registered pursuant to any former Act; (« *déclaration de mortinaissance* »)

“**stillbirth**” means the complete expulsion or extraction from the mother after at least 20 weeks’ pregnancy, or after attaining a weight of at least 500 grams, of a product of conception in which, after the expulsion or extraction, there is no breathing, beating of the heart, pulsation of the umbilical cord or unmistakable movement of voluntary muscle; (« *mortinaissance* »)

“**subject individual**” means:

- (a) with respect to an event, the individual to whom the event occurred; and
- (b) with respect to a statement, the individual with respect to whom the event occurred that is the subject of the statement; (« *individu en cause* »)

“**vital statistics information**” means information in the records of the registrar with respect to an identifiable individual, whether living or deceased:

- (a) that relates to:
  - (i) the registration of the live birth, death, stillbirth or marriage of the individual pursuant to this Act, any former Act or similar legislation of another jurisdiction;



- (ii) the cause of death or stillbirth of the individual;
  - (iii) the relationship of the individual to another individual whose live birth, death, stillbirth or marriage is registered pursuant to this Act, any former Act or similar legislation of another jurisdiction;
  - (iv) the role of the individual in obtaining or applying to obtain the registration of the live birth, death, stillbirth or marriage of another individual pursuant to this Act, any former Act or similar legislation of another jurisdiction; or
  - (v) the registration of the adoption of the individual pursuant to any former Act or the legislation of another jurisdiction; and
- (b) that was collected:
- (i) in the course of administering this Act or any former Act; or
  - (ii) pursuant to similar legislation of another jurisdiction and received by the registrar in the course of administering this Act or by a former registrar in the course of administering any former Act; (*« renseignements d'état civil »*)

**“vital statistics registry”** means the vital statistics registry continued pursuant to section 6. (*« registre de l'état civil »*)

(2) Any obligation placed on a hospital by this Act is to be carried out by the individual or individuals designated for the purpose by the person responsible for the operation of the hospital.

2009, c.V-7.21, s.2; 2013, c.21, s.4; 2015, c.26, s.3; 2017, c23, s.4.

#### **Purpose and application of Act**

**3(1)** The purpose of this Act is to record the occurrence in Saskatchewan of individual live births, deaths, stillbirths and marriages on the basis of information that is:

- (a) provided to the registrar by a person who has a duty to register the event and is presumed to have personal knowledge of the event; and
  - (b) accepted by the registrar in the absence of evidence to suggest that the statement is a false document or that the application for registration was made in bad faith or for an unlawful or improper purpose.
- (2) This Act applies to events that occurred before the coming into force of this Act as well as events that occur after the coming into force of this Act.
- (3) If a live birth, death or stillbirth occurs on a vessel in transit or on an aircraft in flight, and the first port of call of the vessel or the first place of landing of the aircraft after the live birth, death or stillbirth is in Saskatchewan, the live birth, death or stillbirth is deemed to have occurred in Saskatchewan for the purposes of registering the live birth, death or stillbirth.

(4) If the crew of a vessel recover a body in the water and the first port of call of the vessel after the recovery is in Saskatchewan, the death is deemed to have occurred in Saskatchewan for the purposes of registering the death.

2009, c.V-7.21, s.3.

**Effect of registration**

4 Subject to any other Act or law, there is a presumption that an event registered pursuant to this Act or a former Act occurred in accordance with the information set out in the statement in the vital statistics registry unless the contrary is proven on a balance of probabilities.

2009, c.V-7.21, s.4; 2015, c.26, s.4.

**PART II  
Administration**

**Responsibility of corporation**

5(1) The corporation is responsible to the minister in the performance of the duties imposed on the corporation and the exercise of the powers conferred on the corporation for the purpose of administering this Act.

(2) The corporation:

- (a) subject to the approval of the Lieutenant Governor in Council, may impose fees, taxes, rates and other charges for any services provided pursuant to this Act and may determine the amounts of those fees and other charges; and
- (b) may determine the time and manner of payment of any fees or other charges imposed pursuant to clause (a).

(3) If the registrar or the corporation considers it appropriate or necessary, the registrar or the corporation may:

- (a) waive, in whole or in part, the payment of any fee, tax, rate or other charge imposed pursuant to subsection (2); or
- (b) refund, in whole or in part, the amount of any fee, tax, rate or other charge imposed pursuant to subsection (2).

(4) All revenues derived from fees, taxes, rates and other charges imposed or collected pursuant to this Act are to be paid to and are the property of the corporation, unless Treasury Board directs that all or any of the revenues be paid to the general revenue fund.

2009, c.V-7.21, s.5; 2013, c.21, s.4.

**Vital statistics registry**

6(1) The Vital Statistics Registry established pursuant to *The Vital Statistics Administration Transfer Act* is continued:

- (a) in part, pursuant to subsection (2) as the vital statistics registry; and
  - (b) in part, pursuant to section 3.1 of *The Change of Name Act, 1995* as the change of name registry.
- (2) Subject to the regulations, the vital statistics registry consists of:
- (a) all records respecting the registration of vital statistics that, on the day before the coming into force of this section, are in the possession, or under the control, of the registrar pursuant to *The Vital Statistics Administration Transfer Act* or pursuant to a provision of any other Act that imposes a duty or confers a power on the registrar or a former registrar respecting the registration of vital statistics; and
  - (b) all records respecting the registration of vital statistics that, on or after the coming into force of this section, come into the possession, or under the control, of the registrar pursuant to this Act or any other Act.

2009, c.V-7.21, s.6.

**Appointment of registrar, deputy registrars**

7(1) The Lieutenant Governor in Council, on the recommendation of the minister, may appoint a Registrar of Vital Statistics.

- (2) The minister may appoint one or more deputy registrars to assist the registrar.
- (3) The registrar and the deputy registrars are employees of the corporation and agents of the Crown, and all actions of the registrar and the deputy registrars taken pursuant to this Act and the regulations are taken on behalf of the Crown.
- (4) The Lieutenant Governor in Council may approve a seal of office for the registrar.
- (5) The registrar holds office at pleasure and may be removed by the Lieutenant Governor in Council on the recommendation of and the minister.
- (6) No person shall seek to direct the registrar in the performance of any duty imposed on the registrar by this Act.
- (7) The registrar shall provide an annual report to the minister regarding the registrar's performance of his or her duties imposed by this Act.
- (8) The registrar shall immediately report to the minister any business or practice of the corporation or of any other person that impairs the registrar's ability to carry out his or her duties imposed by this Act.

2009, c.V-7.21, s.7; 2013, c.21, s.4.

**Duties and powers of registrar**

8(1) Under the direction of the minister and the corporation, the registrar is responsible for:

- (a) administering and enforcing this Act;
  - (b) supervising the operation of the vital statistics registry;
  - (c) directing and supervising all persons employed, or otherwise engaged, by the corporation in the exercise of their powers and in the performance of their duties in connection with the vital statistics registry;
  - (d) maintaining all records in the vital statistics registry; and
  - (e) performing any additional functions or duties assigned to the registrar by this Act, the regulations, the minister or the corporation.
- (2) A deputy registrar may carry out any duty imposed on the registrar or exercise any power conferred on the registrar.
- (3) The registrar may, in writing, delegate to any employee of the corporation the performance of any duty imposed on the registrar or the exercise of any power conferred on the registrar other than:
- (a) the duties and powers set out in subsections 7(7) and (8), clause 15(1)(a), sections 17 and 26, subsections 69(4) and 77(3), section 81, subsections 82(1), 82(2), and 90(1), section 92, subsection 101(1) and clauses 107(3)(b) and (5)(b);
  - (b) the registration of a death to which section 37 or 38 applies; and
  - (c) any prescribed duty or power.
- (4) The registrar may, in writing, set any limit or condition on a delegation pursuant to subsection (3) that the registrar considers reasonable.
- (5) The carrying out of any of the registrar's duties or the exercise of any of the registrar's powers by a deputy registrar pursuant to subsection (2) or a person to whom the duty or power is delegated pursuant to subsection (3) is deemed to be a carrying out of the duty or an exercise of the power by the registrar.

2009, c.V-7.21, s.8; 2015, c.26, s.4.

**Records of registrations**

9(1) The registrar shall arrange in a systematic manner and, subject to section 11, shall permanently preserve in the vital statistics registry:

- (a) all statements accepted for registration;
  - (b) all records submitted in support of any statement accepted for registration;
  - (c) all notations effecting an amendment or correction to a statement accepted for registration; and
  - (d) all records submitted in support of an amendment or correction to a statement accepted for registration.
- (2) The registrar shall prepare and maintain, in any format that the registrar considers appropriate, comprehensive and continuous indexes of live births, deaths, stillbirths and marriages registered pursuant to this Act or any former Act.

2009, c.V-7.21, s.9.

**Electronic database**

- 10(1)** The registrar may establish and maintain an electronic database in which:
- (a) the particulars of registrations are entered from the information set out in statements accepted for registration, including the particulars of registrations made pursuant to any former Act;
  - (b) the particulars of amendments and corrections to statements accepted for registration, including particulars of amendments and corrections made pursuant to any former Act, are entered from the information set out in notations made with respect to those statements;
  - (c) information respecting the cancellation of registrations improperly obtained is entered from the vital statistics registry, including any cancellations of registrations carried out pursuant to any former Act with respect to which records have been kept; and
  - (d) information respecting the issuance and cancellation of certificates, copies and extracts is entered from the records of the registrar, including the issuance and cancellation of certificates, copies and extracts pursuant to any former Act with respect to which records have been kept.
- (2) The electronic database does not include the electronic versions of records that are made and stored electronically pursuant to section 11 for the purpose of keeping a permanent record of the original record.
- (3) Subject to subsection (4), the registrar may rely on the information recorded in the electronic database for any purpose related to the administration of this Act.
- (4) If there is a conflict between any information recorded in the electronic database and information set out in an original record or an electronic version of an original record, the information set out in the original record or electronic version prevails.
- (5) The registrar may, at any time, correct an error or omission in the electronic database in accordance with subsection 96(3).

2009, c.V-7.21, s.10.

**Electronic version of original records**

- 11(1)** This section applies to:
- (a) all records that, on the coming into force of this section, are part of the records of the registrar; and
  - (b) all records submitted to the registrar or created by the registrar or an employee of the corporation pursuant to this Act on or after the coming into force of this section.
- (2) The registrar may have any paper record copied and stored electronically for the purpose of keeping a permanent record of the original record.
- (3) If the registrar maintains as a permanent record the electronic version of a record prepared pursuant to subsection (2), the registrar may dispose of the original record in the prescribed manner.

2009, c.V-7.21, s.11; 2015, c.26, s.5.

**Records property of the Crown**

**12** All records in the vital statistics registry are the property of the Crown in right of Saskatchewan.

2009, c.V-7.21, s.12.

**Power to administer oaths, affirmations**

**13** The registrar and every deputy registrar may administer an oath to, or take an affirmation from, any person who is called before the registrar or deputy registrar pursuant to this Act.

2009, c.V-7.21, s.13.

PART III  
**Registration – General**

**Requirements for registration**

**14(1)** Unless otherwise provided, the registrar may register an event if the registrar:

- (a) has received a signed statement with respect to the event being registered;
- (b) is satisfied as to the sufficiency of the statement;
- (c) has no reason to believe that:
  - (i) the statement or any supporting document is a false document or contains any false or misleading information; or
  - (ii) the statement or any supporting document, information or evidence was submitted in bad faith or for an unlawful or improper purpose; and
- (d) is satisfied that any other requirements of this Act or the regulations respecting the registration of that event have been met.

(1.1) A requirement in this Act or the regulations for the signature of a person is satisfied by an electronic signature.

- (2) Every statement is to be substantially in a form approved by the registrar.
- (3) No statement shall be accepted for the registration of an event unless:
  - (a) the name of the subject individual and all other particulars expressed in words are written entirely in the characters of the Roman alphabet; and
  - (b) all particulars expressed in numerals, other than numerals that form part of an individual's name, are written entirely in Arabic numerals.
- (4) An event is registered when all of the following have occurred:
  - (a) a registration number has been assigned to the event; and
  - (b) the original statement is placed in the vital statistics registry.

2009, c.V-7.21, s.14; 2015, c.26, s.6.

**Additional information**

**15(1)** If the registrar is not satisfied as to the truth or sufficiency of a statement submitted for registration or is not satisfied that a statement was submitted in good faith, the registrar may, for the purpose of obtaining additional evidence or information respecting the event, do any of the following:

(a) require the attendance at his or her office of the person who signed the statement, or of any other person, and examine that person respecting any matter pertaining to the registration of the event;

(b) require the person who signed the statement or any other person to produce any document or evidence that, in the opinion of the registrar, is necessary to enable the registrar to make a determination as to the truth and sufficiency of the statement or as to whether the statement was submitted in good faith.

(2) Without limiting the generality of subsection (1), the registrar may exercise the powers set out in subsection (1) with respect to an event that has been registered as well as with respect to an event for which registration is sought.

2009, c.V-7.21, s.15.

**Information subsequently received**

**16** If an event has been registered on the basis of a statement that is missing one or more of the particulars provided for in the statement form, the registrar may, at any time, amend the statement to include any information subsequently received by the registrar with respect to the missing particulars if the registrar is satisfied that the information would be acceptable for registration pursuant to section 14.

2009, c.V-7.21, s.16.

**Refusal to register**

**17** The registrar may refuse to register an event if the registrar is not satisfied that the person who submitted the statement has met all requirements of this Act and the regulations for the registration of the event.

2009, c.V-7.21, s.17.

## PART IV

### Registration of Live Births

**Interpretation of Part**

**18** In this Part, “**statement**” means a statement of live birth. (« *déclaration* »)

2009, c.V-7.21, s.18.

**Effect of live birth registration**

**19** Without limiting the generality of section 4, subject to Part VI of *The Children’s Law Act, 1997*, there is a presumption that a live birth registered pursuant to this Part occurred in accordance with the information set out in the statement in the vital statistics registry unless the contrary is proven on a balance of probabilities.

2009, c.V-7.21, s.19.

**Duty to register live birth**

**20(1)** In this section, “**incapable**” means unable to act because of death, illness, absence from Saskatchewan, or otherwise. (« *empêché* »)

(2) The following persons shall ensure that the live birth of a child in Saskatchewan is registered in accordance with this Part:

- (a) the parents of the child;
- (b) if the parents are incapable, a person standing in place of the parents of the child; or
- (c) if there is no person to whom clause (a) or (b) applies, any person who has knowledge of the birth of the child.

(3) A person who applies to the registrar for the registration of the live birth of a child must submit a completed statement of live birth, setting out the name, date of birth and place of birth of the child, and other prescribed particulars of:

- (a) the child;
- (b) the mother; and
- (c) any additional parent who signs the statement.

(4) If a pregnancy results in the live birth of more than one child:

- (a) a separate statement must be completed for each child; and
- (b) each statement must indicate the number of children born and their order of birth.

2009, c.V-7.21, s.20.

**Duties of hospital**

**21(1)** If a live birth occurs in a hospital, or if a live birth occurs in a place other than a hospital but the child is brought to a hospital shortly after birth, the hospital shall:

- (a) provide a statement form:
  - (i) to the parents of the child:
    - (A) before the child is discharged from the hospital; or
    - (B) within 24 hours after the birth of the child if the child has not been discharged from the hospital; or
  - (ii) to any person to whom clause 20(2)(b) or (c) applies as soon as possible after the birth occurs;



- (b) make a reasonable effort to obtain a completed statement with respect to the child from a person mentioned in clause (a):
    - (i) before the child is discharged from the hospital; or
    - (ii) within 48 hours after the birth of the child, if the child has not been discharged from the hospital within that time; and
  - (c) submit the completed statement to the registrar.
- (2) If a hospital is unable to obtain a completed statement with respect to a live birth that occurred in the hospital, the hospital shall:
- (a) in accordance with the regulations, give notice to the registrar that a live birth occurred for which a statement was not completed before the child was discharged from the hospital; and
  - (b) enter all of the particulars of the live birth that are known to the hospital on a statement form and submit the statement to the registrar.
- (3) The registrar may require a hospital to complete an electronic statement with respect to the live birth of a child that occurs in the hospital and submit that statement electronically to the registrar.
- (4) Submission of an electronic statement to the registrar pursuant to subsection (3) does not relieve any person mentioned in subsection 20(2) from the duty to comply with that subsection.

2009, c.V-7.21, s.21; 2015, c.26, s.7.

**Duties of attending health professionals – births not in hospital**

- 22(1)** Every physician who attends at a live birth that occurs in a place other than a hospital or, if there is no physician in attendance, any other health professional in attendance at a live birth that occurs in a place other than a hospital shall give notice of the live birth to the registrar in accordance with subsection (2).
- (2) A notice of live birth must:
- (a) be sent to the registrar within 24 hours after the live birth occurs;
  - (b) contain the information required by the registrar; and
  - (c) be in a form approved by the registrar.
- (3) A health professional who attends a live birth that occurs in a place other than a hospital shall provide to the parents of the child or to any person to whom clause 20(2)(b) or (c) applies:
- (a) a statement form; or
  - (b) information respecting the obligation to complete a statement with respect to the live birth.

2009, c.V-7.21, s.22.

**Registration of live birth**

**23** If the registrar is satisfied that the requirements of this Part have been met, the registrar may register a live birth in accordance with section 14.

2009, c.V-7.21, s.23.

**Statement incomplete**

**24** If the registrar is not satisfied that the information provided in a statement is complete, the registrar shall, within 90 days after the day on which the registrar received the statement, make reasonable efforts:

- (a) to obtain, from the parents of the child or a person to whom clause 20(2)(b) or (c) applies, any particulars of the live birth or any signatures that are missing;
- (b) to obtain, from the records of the ministry kept for the purposes of section 6.5 of *The Health Administration Act*, any particulars of the live birth that are missing and that are in the nature of registration information as defined in *The Health Information Protection Act*; and
- (c) with respect to a live birth alleged to have occurred in a location other than a hospital, to obtain, from the records of the ministry respecting billings for the provision of insured services as defined in *The Saskatchewan Medical Care Insurance Act*, information that would verify the occurrence of the live birth.

2009, c.V-7.21, s.24; 2014, c.11, s.8.

**Late registration of live birth**

**25(1)** If, after the expiry of 180 days from the date on which a live birth is alleged to have occurred, a person wishes to register a live birth with respect to which the registrar has not received a statement, whether complete or incomplete, the person shall:

- (a) apply to the registrar by submitting to the registrar:
  - (i) a completed statement with respect to the live birth;
  - (ii) the prescribed supporting evidence; and
  - (iii) the fee set by the corporation; and
- (b) provide the registrar with any additional information or evidence that the registrar may require pursuant to section 15.

**(2)** If, on the basis of an application made pursuant to subsection (1) and the information and evidence provided in support of the application, the registrar is satisfied that a live birth occurred in Saskatchewan and that the application was made in good faith, the registrar may register the live birth in accordance with section 14.

2009, c.V-7.21, s.25.

**Registration of abandoned newborn child**

**26(1)** If a newborn child is found abandoned, the person who finds the child abandoned and any person who has charge of the child shall provide to the registrar, as soon as possible after finding or taking charge of the child, any information that the person has with respect to the particulars required to register the live birth of the child.

(2) If the registrar is satisfied that every reasonable effort has been made without success to identify a child described in subsection (1) or locate a parent of the child, the registrar may require the person who found the child abandoned or has charge of the child:

(a) to complete a statutory declaration setting out the facts respecting the finding of the child abandoned; and

(b) to complete, so far as the person is able, a statement respecting the live birth.

(3) The registrar may prepare a statement and register the live birth of a child described in subsection (1) on the basis of the information obtained pursuant to subsection (2) if the registrar is satisfied as to the correctness of that information.

(4) The registrar may establish the following particulars for a child described in subsection (1), having regard to any names informally given to the child by the persons who have charge of the child, if the information obtained pursuant to subsection (2) does not establish those particulars:

(a) a date of birth;

(b) a place of birth;

(c) a surname;

(d) a given name.

(5) After registering the live birth of a child pursuant to this section, the registrar shall send a certified copy of the statement and a copy of all other documents submitted respecting the child pursuant to this section to the minister responsible for *The Child and Family Services Act*.

(6) If, at any time after registering the live birth of a child pursuant to this section, the identity of the child is established to the satisfaction of the registrar or the registrar receives further information respecting the live birth of the child, the registrar shall:

(a) amend the statement with a notation of any necessary changes to the particulars set out in the statement; and

(b) notify the minister responsible for *The Child and Family Services Act* with respect to that amendment.

(7) If a child whose live birth is registered pursuant to this section dies and, at any time after the child's death is registered, the identity of the child is established to the satisfaction of the registrar or the registrar receives further information respecting the live birth of the child, the registrar shall amend the statement of death with a notation of any necessary changes to the particulars of the live birth.

**Surname of child**

- 27(1)** The surname of a child is to be registered in accordance with this section.
- (2) No surname is to contain more than two surnames hyphenated or combined.
  - (3) If all parents who complete the statement agree on the surname of the child, the surname of the child is to be the surname chosen by the parents.
  - (4) If only one parent completes the statement, the surname of the child is to be the surname chosen by that parent.
  - (5) If all parents who complete the statement do not agree on the surname of the child, the following principles apply:
    - (a) if all parents who complete the statement have the same surname, the surname of the child is to be the surname of the parents;
    - (b) if the parents have different surnames, the surname of the child is to be a surname consisting of two parents' surnames hyphenated or combined in alphabetical order;
    - (c) if the parents have different surnames and one or more of the parents has a hyphenated or combined surname, the surname of the child is to be a surname consisting of two parents' surnames hyphenated or combined in alphabetical order, but only one of the names in a parent's hyphenated or combined surname is to be used in the surname of the child.
  - (6) If no parent completes the statement and the statement is completed by a third party, the following principles apply:
    - (a) if the surnames of the parents are the same, the surname of the child is to be the surname of the parents;
    - (b) if the surname of only one parent is known, the surname of the child is to be the surname of that parent;
    - (c) if the surnames of more than one parent are known, the surname of the child is to be determined in accordance with clause (5)(b) or (c).
  - (7) In determining the surname of a child pursuant to subsection (4), (5) or (6), the surnames of the mother and father of a child take priority over the surnames of any other parents of the child.

2009, c.V-7.21, s.27.

**Amendments to names**

- 28** Except as provided in section 26 or 30, no amendment shall be made to the names of an individual whose live birth is registered pursuant to this Act other than pursuant to *The Change of Name Act, 1995*, similar legislation of another jurisdiction or an order of a court of competent jurisdiction.

2009, c.V-7.21, s.28.

**Amendments re parentage**

**29(1)** If a court of competent jurisdiction makes a determination of parentage with respect to a child whose live birth is registered pursuant to this Act or a former Act, the registrar shall amend the statement in accordance with the order of the court.

(2) In the absence of an order described in subsection (1), if the particulars of only one parent are set out on a statement, the registrar may amend the statement by adding the particulars of another parent on an application made jointly by the parent whose particulars are set out on the statement and the parent whose particulars are proposed to be added to the statement.

(3) In the absence of an order described in subsection (1), if the particulars of more than one parent are set out on a statement, the registrar may amend the statement by adding the particulars of another parent:

(a) on an application made jointly by a parent whose particulars are set out on the statement and the parent whose particulars are proposed to be added to the statement:

(i) with the consent of every other person whose name appears on the statement as a parent; or

(ii) subject to clause (b), if it is not possible to obtain the consent of every other person whose name appears on the statement as a parent, with an order of a judge of the Court of Queen's Bench dispensing with the consent; or

(b) on an application made jointly by the mother and the father to add the particulars of the father, with or without the consent of any other parent whose particulars are set out on the statement.

(4) An application pursuant to subsection (2) or (3) must be made on a form approved by the registrar and must be accompanied by any evidence that the registrar may require.

(5) Except as permitted by section 26, the registrar shall not amend a statement by removing the particulars of a parent except in accordance with an order described in subsection (1).

2009, c.V-7.21, s.29.

**Amendments resulting from adoption**

**30(1)** On receipt of a certified copy of an order of adoption pursuant to *The Adoption Act, 1998* with respect to an individual whose live birth is registered in Saskatchewan, the registrar shall amend the statement with a notation of the particulars of the adoption and any change of name resulting from the adoption.

(2) If a person born in Saskatchewan is adopted pursuant to an order, judgment or decree of adoption made by a court or other body of competent jurisdiction in any other province or territory of Canada or any other state or country, the registrar may amend the statement with a notation of the particulars of the adoption and any change of name resulting from the adoption if the registrar receives:

- (a) a certified or notarized copy of the order, judgment or decree of adoption; and
- (b) evidence, satisfactory to the registrar, that the person named in the order, judgment or decree is the individual named in the statement.

2009, c.V-7.21, s.30.

**Change of sex designation**

**31(1)** In this section, “**health care professional**” means a physician, psychologist or member of a prescribed category of health care professionals who:

- (a) is licensed, certified or registered to practise; and
- (b) is in good standing with the authority responsible for the regulation of his or her health care profession in the jurisdiction in which he or she practises.

(2) An individual who is at least 18 years of age and whose birth is registered in Saskatchewan may apply to the registrar to have the designation of sex on the individual’s statement amended by providing the following to the registrar:

- (a) an application in a form approved by the registrar;
- (b) a statutory declaration made by the applicant, in a form approved by the registrar, stating that the applicant has assumed, identifies with and intends to maintain the gender identity that corresponds with the requested amendment to the designation of sex on the applicant’s statement;
- (c) subject to subsection (3), a letter from a health care professional practising in Saskatchewan or in another province or territory of Canada:
  - (i) stating that:
    - (A) the health care professional has treated or evaluated the applicant;
    - (B) in the health care professional’s opinion, the applicant has assumed, identifies with and is maintaining the gender identity that corresponds with the requested amendment to the designation of sex on the applicant’s statement; and
    - (C) in the health care professional’s opinion, the change of sex designation on the applicant’s statement is appropriate; and
  - (ii) containing any other information required by the registrar;
- (d) the fee set by the corporation.

(3) If an applicant resides outside of Canada, the registrar may accept a letter containing the information required by clause (2)(c) from a health care professional practising in a jurisdiction outside of Canada.

(4) If an application meets the requirements of subsection (2) and the registrar is satisfied that the application is made in good faith, the registrar shall amend the applicant's statement.

(5) Notwithstanding subsections (2) to (4), the registrar may, in prescribed circumstances and subject to any prescribed conditions, amend the designation of sex on an individual's statement.

2016, c.7, s.3.

## PART V Registration of Deaths

### Interpretation of Part

**32(1)** In this Part, “**statement**” means a statement of death. (« *déclaration* »)

(2) With respect to a death where only a part of the body has been found, can be recovered or remains after the rest of the body has been destroyed, a reference in this Part to “body” applies to the part of the body that has been found, can be recovered or remains after the rest of the body has been destroyed.

2009, c.V-7.21, s.32.

### Duty to register death

**33(1)** In this section, “**final disposition of the body**” includes:

(a) release for transportation out of Saskatchewan for the purpose of burial, cremation or other disposition outside of Saskatchewan; and

(b) use for the purposes of medical or scientific research. (« *disposition définitive du corps* »)

(2) If a death occurs in Saskatchewan, the person who takes responsibility for the final disposition of the body shall ensure that the death is registered in accordance with this Part.

2009, c.V-7.21, s.33.

### Statement

**34(1)** If a death occurs in a hospital, or if a death occurs in a place other than a hospital but the body of the deceased individual is brought to a hospital shortly after the death, the hospital shall:

(a) provide a statement form to a person who is required to complete a statement with respect to that death; and

(b) if a statement is completed within the hospital, send the original statement to the funeral director or other person to whom the body is released.

- (2) A funeral director to whom a body is released shall provide a statement form to any person who is required to complete a statement with respect to the death if the person has not otherwise obtained a statement form.
- (3) The following persons shall complete a statement with respect to a deceased individual and submit the completed statement to a funeral director or to the registrar:
- (a) an adult relative of the deceased individual;
  - (b) if no adult relative is available, any other adult who was present at the death or who has knowledge of the personal particulars of the deceased individual;
  - (c) if no person described in clause (a) or (b) is available, a coroner who has conducted an investigation or held an inquest with respect to the death pursuant to *The Coroners Act, 1999*.
- (4) For the purposes of subsection (3), a completed statement must set out the name, date of death, place of death and other prescribed particulars of the deceased individual.
- (5) On receiving a completed statement, a funeral director shall:
- (a) promptly complete an electronic statement setting out the particulars contained in the original statement and submit the electronic statement to the registrar; and
  - (b) submit the original statement to the registrar.

2009, c.V-7.21, s.34.

**Medical certificate of death**

- 35(1)** As soon as is practicable in the circumstances of a death that occurs in Saskatchewan, a medical certificate of death, in the form approved by the registrar, setting out the cause of death must be completed by the appropriate person pursuant to subsection (2) or (3).
- (2) Unless there is reason to believe that a death occurred in any of the circumstances set out in *The Coroners Act, 1999* as circumstances in which notification is required to be given to a coroner, a medical certificate of death is to be prepared:
- (a) by a physician who was in attendance at the time of death or attended the deceased during the last illness of the deceased if the physician is able to make a reasonable determination of the medical cause of death;
  - (b) if there is no attending physician who is able to make a reasonable determination of the medical cause of death, by any other physician who is able to make a reasonable determination of the medical cause of death;



- (c) by a prescribed practitioner who was in attendance at the time of death or attended the deceased during the last illness of the deceased if the prescribed practitioner is able to make a reasonable determination of the medical cause of death; or
  - (d) if there is no prescribed practitioner mentioned in clause (c) who is able to make a reasonable determination of the medical cause of death, by any other prescribed practitioner who is able to make a reasonable determination of the medical cause of death.
- (3) In any case to which subsection (2) does not apply, the medical certificate of death must be completed by a coroner.
- (4) Subject to sections 36, 37 and 38, as soon as is practicable after the death of an individual:
- (a) the person who completes the medical certificate of death must submit the completed medical certificate of death:
    - (i) to the funeral director to whom the body has been released; or
    - (ii) if the body has not been released to a funeral director, to the registrar; and
  - (b) a funeral director who receives a medical certificate of death must:
    - (i) send to the electronic database a confirmation of receipt of the completed medical certificate of death; and
    - (ii) submit the medical certificate of death to the registrar.

2009, c.V-7.21, s.35; 2015, c.26, s.8.

**Interim medical certificate of death**

**36(1)** A physician or prescribed practitioner who is awaiting the results of an autopsy, or a coroner to whom a death has been reported but who has not completed his or her responsibilities with respect to the death, may complete an interim medical certificate of death, in a form approved by the registrar, for the purpose of enabling a person to obtain a burial permit pursuant to section 42.

- (2) A physician, prescribed practitioner or coroner who completes an interim medical certificate of death:
- (a) must submit the interim medical certificate of death in accordance with clause 35(4)(a); and
  - (b) as soon as is practicable after the results of an autopsy have been received or the coroner's responsibilities have been completed, as the case may be, must complete a final medical certificate of death and submit it to the registrar.

2009, c.V-7.21, s.36; 2015, c.26, s.9.

**Completion of medical certificate of death – no body**

**37** If, after conducting an investigation or holding an inquest pursuant to *The Coroners Act, 1999* in circumstances in which a body has been destroyed, cannot be recovered or has not been found, a coroner is satisfied that a death occurred in Saskatchewan, the coroner must:

- (a) complete the medical certificate of death by indicating on it that the body was destroyed, could not be recovered or was not found and that an investigation was conducted, or an inquest was held, pursuant to *The Coroners Act, 1999*; and
- (b) as soon as is practicable after completing the investigation or the inquest, submit the medical certificate of death to the registrar.

2009, c.V-7.21, s.37.

**Completion of statement, medical certificate of death – human skeletal remains found**

**38(1)** If, after making an investigation or holding an inquest pursuant to *The Coroners Act, 1999* with respect to human skeletal remains found within Saskatchewan, a coroner is satisfied that a death of a human occurred:

- (a) the death is presumed to have occurred in Saskatchewan, unless proven otherwise;
  - (b) the coroner must, to the best of his or her ability, complete a statement and a medical certificate of death with respect to the subject individual; and
  - (c) as soon as is practicable after completing the investigation or the inquest, the coroner must submit the statement and medical certificate of death to the registrar.
- (2) For the purposes of clause (1)(b), the coroner:
- (a) shall indicate on both the statement and the medical certificate of death that:
    - (i) the statement is made with respect to human skeletal remains; and
    - (ii) an investigation was made or an inquest held pursuant to *The Coroners Act, 1999*;
  - (b) if the case requires it, may complete a statement by indicating on it that the identity of the subject individual could not be determined; and
  - (c) if the case requires it, may complete a medical certificate of death by indicating on it that the cause of death could not be determined.

2009, c.V-7.21, s.38.

**Retention of medical certificates of death**

**39** The registrar shall:

- (a) attach each medical certificate of death received by the registrar to the original statement with respect to the death to which it pertains; and
- (b) keep all medical certificates of death in the vital statistics registry.

2009, c.V-7.21, s.39.

**Registration of death**

**40** If the registrar is satisfied that a statement is complete, the registrar may register the death in accordance with section 14.

2009, c.V-7.21, s.40.

**Late registration of death**

**41(1)** If, after the expiry of 180 days from the date on which a death is alleged to have occurred, a person wishes to register a death with respect to which the registrar has not received a statement, the person shall:

- (a) apply to the registrar by submitting:
  - (i) an application in a form approved by the registrar;
  - (ii) any prescribed information or evidence; and
  - (iii) the fee set by the corporation; and
- (b) provide the registrar with any additional information or evidence that the registrar may require pursuant to section 15.

(2) If, on the basis of an application made pursuant to subsection (1) and the information and evidence provided in support of the application, the registrar is satisfied that a death occurred in Saskatchewan and that the application was made in good faith, the registrar may register the death in accordance with section 14.

2009, c.V-7.21, s.41.

**Issuance and handling of burial permits**

**42(1)** After receiving a statement and a medical certificate of death with respect to a death, the registrar may issue to the person who submitted the statement a burial permit that sets out the particulars of the death.

(2) After the particulars of a death and confirmation of receipt of the medical certificate of death made with respect to that death have been submitted to the electronic database, a funeral director may obtain a burial permit by printing out from the electronic database a burial permit that sets out the particulars of the death as they appear in the database.

- (3) Subject to subsection (5), if a body is to be transported by a common carrier to the place of burial, cremation or other disposition:
- (a) the funeral director or other person to whom the body was released shall provide the common carrier with the prescribed copies of the burial permit; and
  - (b) the common carrier shall not transport the body unless the common carrier is in possession of the prescribed copies of the burial permit.
- (4) Subject to subsection (5), at the place of burial, cremation or other disposition, the funeral director or other person to whom the body was released shall provide a copy of the burial permit:
- (a) to the person conducting the funeral or religious service; and
  - (b) to the cemetery owner or crematorium owner.
- (5) No burial permit is required with respect to the reinterment of a body that has been disinterred.

2009, c.V-7.21, s.42.

## PART VI Registration of Stillbirths

### Interpretation of Part

43 In this Part, “**statement**” means statement of stillbirth. (« *déclaration* »)

2009, c.V-7.21, s.43.

### Duty to register stillbirth

44(1) In this section, “**final disposition of the body**” includes:

- (a) release for transportation out of Saskatchewan for the purpose of burial, cremation or other disposition outside of Saskatchewan; and
  - (b) use for the purposes of medical or scientific research. (« *disposition définitive du corps* »)
- (2) Where a stillbirth occurs in Saskatchewan, the person who takes responsibility for the final disposition of the body shall ensure that the stillbirth is registered in accordance with this Part.
- (3) A person who applies to the registrar for the registration of a stillbirth must submit a completed statement, setting out the name of the stillborn child, the date and place of the stillbirth and other prescribed particulars of:
- (a) the stillborn child;
  - (b) the mother; and
  - (c) any additional parent who signs the statement.

2009, c.V-7.21, s.44.

**Duty to complete statement**

**45(1)** In this section, “**incapable**” means unable to act because of death, illness, absence from Saskatchewan, or otherwise. (« *empêché* »)

(2) The following persons shall complete a statement with respect to a stillborn child and submit the completed statement to a funeral director or to the registrar:

- (a) the parents of the stillborn child;
- (b) if the parents are incapable, a person standing in place of the parents of the stillborn child; or
- (c) if there is no person to whom clause (a) or (b) applies, any person who has knowledge of the stillbirth.

(3) For the purposes of completing a statement, section 27 applies, with any necessary modification, to the surname of a stillborn child.

2009, c.V-7.21, s.45.

**Duties of hospital**

**46(1)** If a stillbirth occurs in a hospital, or if a stillbirth occurs in a place other than a hospital but the body of the stillborn child is brought to a hospital shortly after the stillbirth, the hospital shall:

- (a) before the body of the stillborn child is released:
  - (i) provide a statement form to the parents of the stillborn child or to any person mentioned in clause 45(2)(b) or (c); and
  - (ii) make a reasonable effort to obtain a completed statement with respect to the stillborn child from a person mentioned in subclause (i); and
- (b) if a statement is completed in the hospital, send the original statement to the funeral director or other person to whom the body is released.

(2) If a hospital is unable to obtain a completed statement with respect to a stillbirth to which subsection (1) applies, the hospital shall enter all of the particulars of the stillbirth that are known to the hospital on a statement form and submit the statement to the registrar.

(3) The registrar may require a hospital to complete an electronic statement with respect to a stillbirth to which subsection (1) applies and submit that statement electronically to the registrar.

(4) Submission of an electronic statement to the registrar pursuant to subsection (3) does not relieve any person mentioned in subsection 45(2) from the duty to comply with that subsection.

2009, c.V-7.21, s.46; 2015, c.26, s.10.

**Duties of attending health professionals – stillbirths not in hospitals**

47(1) Every physician who attends at a stillbirth that occurs in a place other than a hospital or, if there is no physician in attendance, any other health professional in attendance at a stillbirth that occurs in a place other than a hospital shall give notice of the stillbirth to the registrar in accordance with subsection (2).

(2) A notice of stillbirth must:

- (a) be sent to the registrar within 24 hours after the stillbirth occurs;
- (b) contain the information required by the registrar; and
- (c) be in a form approved by the registrar.

(3) A health professional who attends a stillbirth that occurs in a place other than a hospital shall provide to the parents of the stillborn child or to any person to whom clause 45(2)(b) or (c) applies:

- (a) a statement form; or
- (b) information respecting the obligation to complete a statement with respect to the stillbirth.

2009, c.V-7.21, s.47.

**Duties of funeral director**

48(1) A funeral director to whom the body of a stillborn child is released shall provide a statement form to any person who is required to complete a statement with respect to the stillbirth if the person has not otherwise obtained a statement form.

(2) On receiving a completed statement, a funeral director shall:

- (a) promptly complete an electronic statement setting out the particulars contained in the original statement and send the electronic statement to the registrar; and
- (b) submit the original statement to the registrar.

2009, c.V-7.21, s.48.

**Medical certificate of stillbirth**

49(1) As soon as is practicable in the circumstances of a stillbirth, a medical certificate of stillbirth in the form approved by the registrar, setting out the cause of stillbirth, must be completed:

- (a) by a physician who was in attendance at the time of the stillbirth;
- (b) if there was no physician in attendance at the time of the stillbirth, by any other physician or a coroner;
- (c) by a prescribed practitioner who was in attendance at the time of the stillbirth; or
- (d) if there was no prescribed practitioner in attendance at the time of the stillbirth, by any other prescribed practitioner or a coroner.

- (2) As soon as is practicable in the circumstances of a stillbirth:
- (a) the person who completes the medical certificate of stillbirth must submit the completed medical certificate of stillbirth to the funeral director to whom the body has been released; and
  - (b) the funeral director must:
    - (i) send to the electronic database a confirmation of receipt of the completed medical certificate of stillbirth; and
    - (ii) submit the original medical certificate of stillbirth to the registrar.

2009, c.V-7.21, s.49; 2015, c.26, s.11.

**Interim medical certificate of stillbirth**

**50(1)** A physician or prescribed practitioner who is awaiting the results of an autopsy, or a coroner to whom a stillbirth has been reported but who has not completed his or her responsibilities with respect to the stillbirth, may complete an interim medical certificate of stillbirth, in a form approved by the registrar, for the purpose of enabling a person to obtain a burial permit pursuant to section 56.

(2) A physician, prescribed practitioner or coroner who completes an interim medical certificate of stillbirth:

- (a) must submit the interim medical certificate of stillbirth in accordance with subsection 49(2); and
- (b) as soon as is practicable after the results of an autopsy have been received or the coroner's responsibilities have been completed, as the case may be, must complete a final medical certificate of stillbirth and submit it to the registrar.

2009, c.V-7.21, s.50; 2015, c.26, s.12.

**Retention of medical certificates of stillbirth**

**51** The registrar shall:

- (a) attach each medical certificate of stillbirth received by the registrar to the original statement with respect to the stillbirth to which it pertains; and
- (b) keep all medical certificates of stillbirth in the vital statistics registry.

2009, c.V-7.21, s.51.

**Registration of stillbirth – statement complete**

**52** If the registrar is satisfied that the requirements of this Part have been met, the registrar may register the stillbirth in accordance with section 14.

2009, c.V-7.21, s.52.

**Statement incomplete**

**53** If the registrar is not satisfied that the information provided in a statement is complete, the registrar shall, within 90 days after the date of a stillbirth, make reasonable efforts:

- (a) to obtain, from the parents or a person to whom clause 45(2)(b) or (c) applies, any particulars of the stillbirth or any signatures that are missing;
- (b) to obtain, from the records of the ministry kept for the purposes of section 6.5 of *The Health Administration Act*, any particulars of the stillbirth that are missing and that are in the nature of registration information as defined in *The Health Information Protection Act*; and
- (c) with respect to a stillbirth alleged to have occurred in a location other than a hospital, to obtain, from the records of the ministry respecting billings for the provision of insured services as defined in *The Saskatchewan Medical Care Insurance Act*, information that would verify the occurrence of the stillbirth.

2009, c.V-7.21, s.53; 2014, c.11, s.8.

**Late registration of stillbirth**

**54(1)** If, after the expiry of 180 days from the date on which a stillbirth is alleged to have occurred, a person wishes to register a stillbirth with respect to which the registrar has not received a statement, the person shall:

- (a) apply to the registrar by submitting to the registrar:
  - (i) a completed statement with respect to the stillbirth;
  - (ii) the prescribed supporting evidence; and
  - (iii) the fee set by the corporation; and
- (b) provide the registrar with any additional information or evidence that the registrar may require pursuant to section 15.

(2) If, on the basis of an application made pursuant to subsection (1) and the information and evidence provided in support of the application, the registrar is satisfied that a stillbirth occurred in Saskatchewan and that the application was made in good faith, the registrar may register the stillbirth in accordance with section 14.

2009, c.V-7.21, s.54.

**Amendments to statements**

**55(1)** Section 28 applies, with any necessary modification, to amendments to the names of a stillborn child.

(2) Section 29 applies, with any necessary modification, to amendments to the particulars of parents of a stillborn child.

2009, c.V-7.21, s.55.

**Burial permits**

**56** Section 42 applies, with any necessary modification, to stillbirths.

2009, c.V-7.21, s.56.



PART VII  
Registration of Marriages

**Interpretation of Part**

**57** In this Part, “**statement**” means a statement of marriage. (« *déclaration* »)

2009, c.V-7.21, s.57.

**Duty to register marriage**

**58** The following persons shall ensure that a marriage solemnized in Saskatchewan is registered in accordance with this Part:

- (a) the person who solemnized the marriage;
- (b) in the case of a marriage to which section 27 of *The Marriage Act, 1995* applies, the parties to the marriage.

2009, c.V-7.21, s.58.

**Statement and marriage licence**

**59(1)** Subject to section 27 of *The Marriage Act, 1995*, a person who solemnizes a marriage in Saskatchewan must:

- (a) complete a statement immediately after solemnizing the marriage; and
- (b) submit the completed statement and the completed marriage licence and all documents appended to the licence to the registrar within seven days after the date of the marriage.

(1.1) The registrar may require a person who solemnizes a marriage in Saskatchewan to complete an electronic statement with respect to the marriage and submit that statement and the other materials mentioned in clause (1)(b) electronically to the registrar.

(2) For the purposes of subsections (1) and (1.1), a completed statement must set out:

- (a) the names of both parties to the marriage;
- (b) the date and place of the marriage;
- (c) subject to section 27 of *The Marriage Act, 1995*, the name of the person who solemnized the marriage; and
- (d) any prescribed particulars of the marriage.

(3) Subject to section 27 of *The Marriage Act, 1995*, a statement must be signed by:

- (a) each of the parties to the marriage;
- (b) at least two witnesses to the marriage, each of whom is at least 18 years of age; and
- (c) the person who solemnized the marriage.

2009, c.V-7.21, s.59; 2015, c.26, s.13.

**Registration of marriage**

**60(1)** If the registrar is satisfied that a statement is complete and that, on the basis of the completed marriage licence and any documents appended to the licence, the requirements of *The Marriage Act, 1995* have been met, the registrar may register the marriage in accordance with section 14.

(2) After registering a marriage, the registrar shall send the licence and all documents appended to the licence to the director as defined in *The Marriage Act, 1995*.

2009, c.V-7.21, s.60.

**Late registration of marriage**

**61(1)** If a completed statement and marriage licence have not been submitted to the registrar within 180 days after the date of a marriage, a person who wishes to register the marriage shall:

- (a) apply to the registrar by submitting to the registrar:
  - (i) a completed statement with respect to the marriage;
  - (ii) the prescribed supporting evidence; and
  - (iii) the fee set by the corporation; and
- (b) provide the registrar with any additional information or evidence that the registrar may require pursuant to section 15.

(2) If, on the basis of an application made pursuant to subsection (1) and the information and evidence provided in support of the application, the registrar is satisfied that a marriage occurred in Saskatchewan and that the application was made in good faith, the registrar may register the marriage in accordance with section 14.

2009, c.V-7.21, s.61.

**PART VIII  
Information Management**

**DIVISION 1  
Certificates, Copies, Extracts**

**Interpretation of Division**

**62** In this Division:

“**copy**” means:

- (a) a copy of:
  - (i) an original statement in the vital statistics registry, including notations respecting any amendments or corrections made to the statement; or
  - (ii) an original medical certificate of death or medical certificate of stillbirth in the vital statistics registry; or

(b) if an electronic version of an original statement, medical certificate of death or medical certificate of stillbirth in the vital statistics registry has been prepared and kept as a permanent record pursuant to section 11, a printout of the electronic version of the statement, including notations respecting any amendments or corrections made to the statement, the medical certificate of death or the medical certificate of stillbirth, as the case may be; (« *copie* »)

“**extract**” means a written statement of a portion of the information contained in an original statement, medical certificate of death or medical certificate of stillbirth in the vital statistics registry; (« *extrait* »)

“**printout**” means a printout of an electronic version of an original record that is printed in accordance with the regulations. (« *copie papier* »)

2009, c.V-7.21, s.62.

#### Eligible persons

**63(1)** On an application made pursuant to section 69 by an eligible person who meets the requirements of this Division:

- (a) the registrar may conduct a search with respect to an event; and
- (b) if the event has been registered, the registrar may issue to an eligible person in accordance with this Division a certificate, a copy or an extract with respect to the event.

(2) Subject to subsection (3), the following persons are eligible persons with respect to a live birth:

- (a) the subject individual;
- (b) a person whose name appears on the statement of live birth as a parent of the subject individual;
- (c) a person described in subsection (7).

(3) If an individual who is the subject of a statement of live birth has been adopted and the statement of live birth has been amended pursuant to section 30 with a notation of the particulars of the adoption and any change of name resulting from the adoption, the persons mentioned in clauses 65(4)(a), (b) and (c) and persons authorized in writing by any of those persons are eligible persons with respect to the live birth of the individual.

(4) The following persons are eligible persons with respect to a death:

- (a) a spouse of the subject individual;
- (b) a parent of the subject individual;
- (c) an adult child of the subject individual;
- (d) a person described in subsection (7).

- (5) The following persons are eligible persons with respect to a stillbirth:
- (a) a parent of the subject individual;
  - (b) an adult sibling of the subject individual;
  - (c) a person described in subsection (7).
- (6) The following persons are eligible persons with respect to a marriage:
- (a) a party to the marriage;
  - (b) a child of the marriage;
  - (c) a person described in subsection (7).
- (7) The following persons are eligible persons with respect to an event:
- (a) a person authorized in the prescribed manner by a person mentioned in subsection (2), (4), (5) or (6);
  - (b) a legal custodian, personal or property guardian or other legally appointed representative of a person mentioned in subsection (2), (4), (5) or (6);
  - (c) the personal representative of the estate of a person mentioned in subsection (2), (4), (5) or (6);
  - (d) a member of a prescribed class of persons;
  - (e) a person authorized in writing by the minister.

2009, c.V-7.21, s.63; 2015, c.26, s.14.

**Persons not related to subject individual**

**64(1)** In this section and section 69:

**“government official”** means an official of the Government of Saskatchewan, the Government of Canada, the government of any other province or territory of Canada or the government of any other state or country; (« *représentant gouvernemental* »)

**“police force”** means:

- (a) the Royal Canadian Mounted Police;
- (b) a police service as defined in *The Police Act, 1990* or a police service, force or department established pursuant to similar legislation of another province or territory of Canada; or
- (c) a provincial or territorial police force established by any province or territory of Canada. (« *service de police* »)

(2) Subject to the regulations, the registrar may conduct a search with respect to an event on the application of any of the following persons in the circumstances described or for the purposes specified, or issue a certificate, a copy or an extract with respect to an event to any of those persons in those circumstances or for those purposes:

- (a) a person who requires the search, certificate, copy or extract for the purpose of complying with:
  - (i) an order or demand made or subpoena or warrant issued by a court, person or body that has the authority to compel the production of information; or
  - (ii) rules of court that relate to the production of information;
- (b) a government official, if the registrar is satisfied that the search, certificate, copy or extract is necessary for the discharge of the official's duties for a prescribed purpose in relation to the subject individual;
- (c) a member of a police force, a prescribed law enforcement agency or a prescribed investigative body:
  - (i) on the request of the police force, law enforcement agency or investigative body;
  - (ii) for the purpose of enforcing, or carrying out a lawful investigation pursuant to, the *Criminal Code*, the *Controlled Drugs and Substances Act* (Canada), the *Cannabis Act* (Canada) or a provision respecting national security in any other Act of the Government of Canada; and
  - (iii) if any prescribed requirements are met;
- (d) a member of a prescribed class of persons for a prescribed purpose.

2009, c.V-7.21, s.64; 2018, c7, s.4.

**Certificates of birth**

**65(1)** Subject to subsections (2) and (3), a certificate of birth is a certified extract of the following particulars set out in a statement of live birth that has been registered:

- (a) the name of the subject individual;
- (b) the date of birth of the subject individual;
- (c) the place of birth of the subject individual;
- (d) the sex of the subject individual;
- (e) the date of registration;
- (f) the registration number.

- (1.1) Notwithstanding subsection (1), the registrar may issue a certificate of birth that does not include the sex of the subject individual.
- (2) The registrar may include in a certificate of birth the surnames, given names and places of birth of the parents of the subject individual.
- (3) After the particulars of an individual's live birth registered pursuant to this Act or any former Act have been amended pursuant to section 26, 29, 30, 31 or 87 of this Act or section 47 of *The Children's Law Act, 1997* or corrected pursuant to subsection 96(1) or (4) of this Act:
- (a) any certificate of birth subsequently issued must contain the amended or corrected particulars and not the particulars sent out in the original statement, including, without limiting the generality of the foregoing, the names of the individual and the parents of the individual; and
  - (b) the registrar may require any person to whom a certificate of birth was issued with respect to the individual before the particulars were amended or corrected to return the certificate to the registrar.
- (4) If an individual who is the subject of a statement of live birth has been adopted and the statement of live birth has been amended pursuant to section 30 with a notation of the particulars of the adoption and any change of name resulting from the adoption, the registrar may issue a copy of the original statement of live birth or an extract containing pre-adoption particulars from the original statement of live birth, only to the following persons:
- (a) an official of the Government of Saskatchewan who requires it in the discharge of official duties in providing post-adoption services within the meaning of *The Adoption Act, 1998* or an official of the government of any other province or territory of Canada or any other state or country who requires it in the discharge of official duties in providing analogous services pursuant to the legislation of that province, territory, state or country;
  - (b) an official of the government of a province or territory of Canada, the Government of Canada, the government of a state of the United States of America or the Government of the United States of America who requires it in the discharge of official duties in determining any entitlements of the individual based on Aboriginal status;
  - (c) an official of the government of any country who requires it in the discharge of official duties in determining any entitlements of the individual pursuant to the laws of that country based on the identity of the individual's birth parents.

2009, c.V-7.21, s.64; 2018, c.49, s.2.

**Certificates of death, medical certificates of death**

**66(1)** A certificate of death is a certified extract of the following particulars set out in a statement of death that has been registered:

- (a) the name of the subject individual;
- (b) the date of death of the subject individual;
- (c) the place of death of the subject individual;
- (d) the sex of the subject individual;

- (e) the date of registration;
  - (f) the registration number.
- (2) No copy of, or extract from, a medical certificate of death shall be issued except:
- (a) to a spouse, parent, adult child or legal custodian of the subject individual;
  - (b) to the personal representative of the estate of the subject individual;
  - (c) to the physician or coroner who signed the medical certificate of death;
  - (d) to the chief coroner or any other coroner with respect to the conduct of an investigation or inquest by the chief coroner or other coroner pursuant to *The Coroners Act, 1999*;
  - (e) to a medical health officer designated pursuant to section 11 of *The Public Health Act, 1994* or the co-ordinator of communicable disease control designated pursuant to section 13 of that Act for a purpose related to the investigation, prevention, monitoring, surveillance or control of a particular disease or the causes of disease, ill health, injury or death;
  - (f) if a disinterment permit is required by any other Act or regulation, for the purpose of applying for that permit;
  - (g) to a member of a prescribed class of persons for a prescribed purpose;
  - (h) in prescribed circumstances; or
  - (i) on the order of a judge of a court.

2009, c.V-7.21, s.66.

**Certificates of stillbirth, medical certificates of stillbirth**

**67(1)** A certificate of stillbirth is a certified extract of the following particulars set out in a statement of stillbirth that has been registered:

- (a) the name of the subject individual;
  - (b) the date of stillbirth of the subject individual;
  - (c) the place of stillbirth of the subject individual;
  - (d) the sex of the subject individual;
  - (e) the date of registration;
  - (f) the registration number.
- (2) The registrar may include in a certificate of stillbirth the surnames, given names and places of birth of the parents of the subject individual.
- (3) No copy of, or extract from, a medical certificate of stillbirth shall be issued except:
- (a) to a parent or adult sibling of the subject individual;
  - (b) to the physician or coroner who signed the medical certificate of stillbirth;

- (c) to the chief coroner or any other coroner with respect to the conduct of an investigation or inquest by the chief coroner or other coroner pursuant to *The Coroners Act, 1999*;
- (d) to a medical health officer designated pursuant to section 11 of *The Public Health Act, 1994* or the co-ordinator of communicable disease control designated pursuant to section 13 of that Act for a purpose related to the investigation, prevention, monitoring, surveillance or control of a particular disease or the causes of disease, ill health, injury or death;
- (e) if a disinterment permit is required by any other Act or regulation, for the purpose of applying for that permit;
- (f) to a member of a prescribed class of persons for a prescribed purpose;
- (g) in prescribed circumstances; or
- (h) on the order of a judge of a court.

2009, c.V-7.21, s.67.

#### **Certificates of marriage**

**68** A certificate of marriage is a certified extract of the following particulars set out in a statement of marriage that has been registered:

- (a) the names of the parties to the marriage;
- (b) the date of the marriage;
- (c) the place where the marriage was solemnized;
- (d) the date of registration;
- (e) the registration number.

2009, c.V-7.21, s.68.

#### **Application for search, certificate, etc.**

**69(1)** Subject to subsection (2), a person who wishes to have a search of the vital statistics registry carried out or to obtain a certificate, a copy or an extract must:

- (a) apply on a form approved by the registrar;
- (b) pay the fee set by the corporation; and
- (c) provide the registrar with any information necessary to establish the person's identity and eligibility to have the search carried out or obtain the document for which the application is made.

(2) The registrar may waive any of the requirements set out in clauses (1)(a) and (b):

- (a) if the applicant is a member of a police force, a prescribed law enforcement agency or a prescribed investigative body;
- (b) if the applicant is a government official and the registrar is satisfied that the search, certificate, copy or extract is necessary for the discharge of the official's duties;



- (c) if the applicant is a member of a prescribed class of persons or bodies; or
  - (d) in prescribed circumstances.
- (3) The registrar may conduct a search or issue a certificate, a copy or an extract to a person who applies pursuant to subsection (1) if the registrar is satisfied:
- (a) that the application is complete;
  - (b) that the applicant meets the requirements for eligibility to have the search carried out or obtain the document for which the application is made; and
  - (c) as to the identity of the applicant.
- (4) If the registrar is not satisfied with respect to any of the matters set out in subsection (3) or has reason to believe that the application was made for an unlawful or improper purpose, the registrar may do any or all of the following:
- (a) to obtain any necessary additional evidence or information:
    - (i) require the attendance at his or her office of the applicant and examine the applicant respecting any matter pertaining to the application;
    - (ii) require the applicant or any other person to produce any document or evidence that, in the opinion of the registrar is necessary to enable the registrar to make a determination as to:
      - (A) the identity or eligibility of the applicant;
      - (B) the truth and sufficiency of the information provided in the application; or
      - (C) whether the application was submitted in good faith;
  - (b) refuse to conduct the search or to issue a certificate, copy or extract.
- (5) Subject to subsection (6), if a search is conducted pursuant to this section and the applicant is not provided with a certificate, copy or extract, the registrar shall inform the applicant whether or not the event is registered.
- (6) The registrar may refuse to disclose whether or not an event is registered if the registrar is satisfied that the information is to be used for an unlawful or improper purpose.

2009, c.V-7.21, s.69.

**Date of issuance**

**70** The date of issuance must be clearly marked on each certificate, certified copy or certified extract that is issued pursuant to this Act.

2009, c.V-7.21, s.70.

**Verification of registration**

71(1) Notwithstanding any other provision of this Act, the registrar may, on the request of a prescribed public agency:

- (a) conduct a search of the vital statistics registry to determine whether or not a particular event is registered; and
  - (b) notify the public agency that made the request of the outcome of the determination mentioned in clause (a).
- (2) If a request mentioned in subsection (1) relates to a registration to which section 92 applies, the registrar may notify the public agency that made the request of the status of any steps being taken pursuant to that section.

2009, c.V-7.21, s.71.

**Genealogical indexes, copies, extracts**

72(1) Notwithstanding any other provision of this Act, the registrar may compile, publish and distribute genealogical indexes containing prescribed information from the statements in the vital statistics registry of live births, deaths and marriages that occurred within any prescribed period.

(2) Notwithstanding any other provision of this Act, the registrar may issue to any person a copy of, or extract from, an original statement that has been registered with respect to a live birth, death or marriage that occurred within a period prescribed for the purposes of subsection (1).

2009, c.V-7.21, s.72.

## DIVISION 2

### Protection of Vital Statistics Information

**Interpretation of Division**

73 In this Division:

**“de-identified vital statistics information”** means vital statistics information from which any information that may reasonably be expected to identify an individual has been removed; (« *renseignements d'état civil anonymisés* »)

**“health services number”** means a unique number assigned to an individual who is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*. (« *numéro de services de santé* »)

2009, c.V-7.21, s.73.

**Safeguards**

**74** Subject to the regulations, the registrar shall establish and implement policies and procedures to maintain administrative, technical and physical safeguards that will:

- (a) protect the integrity, accuracy and confidentiality of vital statistics information;
- (b) protect the records of the registrar against any reasonably anticipated:
  - (i) threat or hazard to the security or integrity of vital statistics information;
  - (ii) loss of vital statistics information; and
  - (iii) unauthorized access to or use, disclosure or modification of vital statistics information; and
- (c) otherwise ensure compliance with this Act by employees of the corporation who are engaged in the administration of this Act.

2009, c.V-7.21, s.74.

**Confidentiality**

**75** No person employed in the administration of this Act shall collect, use, disclose or provide access to vital statistics information or the vital statistics registry except in accordance with this Act and the regulations or as authorized by any other Act or regulation.

2009, c.V-7.21, s.75.

**Restrictions on disclosure**

**76** In disclosing vital statistics information pursuant to this Act, the registrar shall:

- (a) disclose only the vital statistics information that is reasonably necessary for the purpose for which it is being disclosed; and
- (b) where practicable, disclose only de-identified vital statistics information if it will serve the purpose.

2009, c.V-7.21, s.76.

**Restrictions on physical access**

**77(1)** The corporation and the registrar shall take all reasonable measures necessary to ensure that no person other than the registrar, a deputy registrar, any other person who is engaged in the administration of this Act or a person having the written authorization of the registrar has physical access to the records of the registrar except in accordance with this section.

(2) The registrar may grant physical access to the records of the registrar:

- (a) to an official of the ministry for the purposes of:
  - (i) conducting health-related research; or
  - (ii) de-identifying vital statistics information;

(b) to an official of the Government of Saskatchewan for purposes related to the administration of *The Adoption Act, 1998*; or

(c) to a member of a prescribed class of persons or agencies for a prescribed purpose.

(3) In granting physical access to the records of the registrar pursuant to subsection (2), the registrar may impose any conditions or restrictions that the registrar considers necessary or appropriate.

2009, c.V-7.21, s.77.

#### Collection, disclosure and use

**78(1)** In this section, “**registration information**” means registration information as defined in *The Health Information Protection Act*.

(2) The registrar may collect registration information from the corporation for use in connection with the registration of events or the issuance of certificates, copies or extracts.

(3) Subject to subsections (4) and (5), the registrar and the corporation may disclose vital statistics information for use in:

(a) maintaining and verifying the accuracy of registration information collected by the corporation for the purpose of determining the status of individuals as beneficiaries pursuant to *The Saskatchewan Medical Care Insurance Act*;

(b) planning, delivering, evaluating or monitoring a program of the ministry; or

(c) carrying out a prescribed purpose.

(4) The registrar and the corporation shall, where reasonably practicable, disclose de-identified vital statistics information pursuant to subsection (3).

(5) Vital statistics information must only be used or disclosed in accordance with a provision of this Act or the regulations that authorizes that use or disclosure.

(6) The registrar and the corporation may enter into an agreement with a person or an agency for the purposes of subsection (3).

2015, c.26, s.15.

#### Collection of health services numbers

**79(1)** On any form that the registrar may approve for use in connection with the registration of events or the issuance of certificates, copies or extracts, the registrar may require the provision of the health services numbers of any of the following persons:

(a) the parents with respect to giving notice of a live birth or stillbirth or to the registration of a live birth or a stillbirth;

(b) the deceased individual with respect to the registration of a death;

(c) a member of a prescribed class of persons with respect to a prescribed event, circumstance or purpose.

- (2) For the purposes of clause 11(3)(b) of *The Health Information Protection Act*:
- (a) a person who is required to complete a notice of live birth, a statement of live birth, a notice of stillbirth or a statement of stillbirth is authorized to require the production of the health services numbers of the parents; and
  - (b) a person who is required to complete a statement of death is authorized to require the production of the health services number of the deceased individual.

2009, c.V-7.21, s.79.

#### **Vital statistics information from other jurisdictions**

**80** The registrar may, for any purpose related to the administration of this Act, collect vital statistics information received from any other jurisdiction.

2009, c.V-7.21, s.80.

#### **Information exchange agreements**

**81** The registrar and the corporation may enter into agreements on behalf of the Government of Saskatchewan with the governments of other jurisdictions with respect to the exchange of vital statistics information between Saskatchewan and the other jurisdictions for the purpose of administering the vital statistics registration systems of the respective parties.

2009, c.V-7.21, s.81.

#### **Disclosure and use agreements**

**82(1)** The registrar and the corporation may enter into an agreement with a person or agency mentioned in subsection (2) authorizing the disclosure of vital statistics information in bulk or on a regular basis to that person or agency and the use of vital statistics information by that person or agency in accordance with this section and the terms of the agreement.

(1.1) Subject to the approval of the Lieutenant Governor in Council, the minister may enter into an agreement with a person or agency authorizing the disclosure of vital statistics information in bulk or on a regular basis to that person or agency and the use of vital statistics information by that person or agency in accordance with this section and the terms of the agreement.

(2) The registrar and the corporation may enter into an agreement pursuant to subsection (1) with any of the following:

- (a) Statistics Canada for use in carrying out its mandate pursuant to the *Statistics Act* (Canada);
- (b) the Department of Indian Affairs and Northern Development of the Government of Canada for use in maintaining and verifying the accuracy of information in the Indian Register pursuant to section 5 of the *Indian Act* (Canada) or in determining pursuant to section 6 or 7 of that Act whether an individual is or is not entitled to be entered in the Indian Register;

- (c) the Department of Human Resources and Skills Development of the Government of Canada for use in maintaining and verifying the accuracy of information kept for the purpose of determining whether an individual is or is not entitled to receive payments pursuant to the *Canada Pension Plan* or the *Old Age Security Act* (Canada);
  - (d) the Chief Electoral Officer of Canada for use in maintaining and verifying the accuracy of information in the Register of Electors pursuant to section 44 of the *Canada Elections Act*;
  - (e) the Saskatchewan Cancer Agency for use in maintaining and verifying the accuracy of information in the cancer registry continued pursuant to subsection 12(1) of *The Cancer Agency Act*;
  - (f) a prescribed public agency for a prescribed purpose.
- (3) An agreement pursuant to subsection (1) or (1.1):
- (a) must govern:
    - (i) the vital statistics information to which the agreement applies;
    - (ii) the permissible uses of the vital statistics information by the other party to the agreement; and
    - (iii) the permissible disclosure, if any, of the vital statistics information by the other party to the agreement;
  - (b) must require the other party to the agreement:
    - (i) to use the vital statistics information only for the purposes specified in the agreement; and
    - (ii) to take reasonable steps to ensure the security and confidentiality of the vital statistics information; and
  - (c) may specify when the other party must do any or all of the following:
    - (i) return to the registrar any original records or copies of records containing vital statistics information;
    - (ii) destroy any copies of records containing vital statistics information received from the registrar or any copies made by the other party of records containing vital statistics information received from the registrar.

2009, c.V-7.21, s.82; 2015, c.26, s.16.

#### Information management services agreements

**83(1)** In this section, “**information management service provider**” means a person who or body that processes, stores, archives or destroys records of the registrar containing vital statistics information or that provides information management or information technology services to the corporation with respect to the vital statistics registry. (« *fournisseur de services de gestion de l'information* »)

(2) The corporation may enter into agreements with information management service providers for the purpose of obtaining information management services and to govern the use and disclosure of vital statistics information for the purpose of facilitating the provision of those services.

(3) An information management service provider shall not use, disclose, obtain access to, process, store, archive, modify or destroy vital statistics information received from the registrar except:

(a) for the purpose of facilitating the provision of information management services; and

(b) in accordance with:

(i) an agreement entered into pursuant to subsection (2); or

(ii) an order of the Court of Queen's Bench.

2009, c.V-7.21, s.83.

#### **Publication of statistical information**

**84(1)** The registrar may compile, publish and distribute any statistical information respecting the live births, deaths, stillbirths and marriages registered during any period that the registrar considers necessary and in the public interest.

(2) The registrar shall annually publish statistical information respecting the live births, deaths, stillbirths and marriages registered in the preceding calendar year.

2009, c.V-7.21, s.84.

## **PART IX Applications to Court**

#### **Interpretation of Part**

**85** In this Part, “**court**” means the Court of Queen's Bench. (« *tribunal* »)

2009, c.V-7.21, s.85.

#### **Application for order to register event**

**86(1)** A person who is aggrieved by a refusal of the registrar to register an event may apply to the court in accordance with this section for an order requiring the registrar to register the event.

(2) An application pursuant to subsection (1) must be made not later than one year after the date of the refusal.

(3) An applicant shall give not less than 30 days' notice to the registrar of an application pursuant to subsection (1).

(4) On an application pursuant to subsection (1), the applicant must provide to the court the evidence prescribed for an application for late registration of the event with respect to the particulars of the registration that are in question, whether or not the registration of the event would be a late registration within the meaning of section 25, 41, 54 or 61.

(5) The court may make an order requiring the registrar to register the event if the court is satisfied that all requirements of section 14 have been met with respect to registration of the event.

2009, c.V-7.21, s.86.

**Application for order to amend registration**

**87(1)** Subject to subsection (6), a person who is aggrieved by a refusal of the registrar to amend a registration may apply to the court in accordance with this section for an order requiring the registrar to amend the registration.

(2) An application pursuant to subsection (1) must be made not later than one year after the date of the refusal.

(3) An applicant shall give not less than 30 days' notice to the registrar of an application pursuant to subsection (1).

(4) On an application pursuant to subsection (1), the applicant must provide to the court evidence to establish the applicant's eligibility to have an amendment made to the statement of an event that has been registered.

(5) The court may make an order requiring the registrar to amend the registration if the court is satisfied that:

- (a) the information and evidence submitted in support of the application would be acceptable for registration pursuant to clauses 14(1)(b) and (c); and
- (b) all requirements of this Act and the regulations for the amendment of the registration have been met.

(6) This section does not apply to any matter to which subsection 27(1) applies.

2009, c.V-7.21, s.87.

**Application for order to conduct search, issue certificate, correct error, etc.**

**88(1)** A person who is aggrieved by a refusal of the registrar to conduct a search, issue a certificate, copy or extract or correct an error or omission may apply to the court in accordance with this section for an order requiring the registrar to carry out the activity in question.

(2) An application pursuant to subsection (1) must be made not later than one year after the date of the refusal.

(3) An applicant shall give not less than 30 days' notice to the registrar of an application pursuant to subsection (1).



- (4) On an application pursuant to subsection (1) with respect to a refusal to conduct a search or issue a certificate, copy or extract:
- (a) the applicant must provide to the court evidence to establish the applicant's eligibility to have a search conducted or a certificate, copy or extract issued, as the case may be; and
  - (b) the court may make an order requiring the registrar to conduct a search or issue a certificate, copy or extract, as the case may be, if the court is satisfied:
    - (i) as to the identity and eligibility of the applicant to have a search conducted or a certificate, copy or extract issued, as the case may be;
    - (ii) that the application was not made for an unlawful or improper purpose; and
    - (iii) that all requirements of this Act and the regulations have been met with respect to the conduct of a search or the issuance of a certificate, copy or extract.
- (5) On an application pursuant to subsection (1) with respect to a refusal to correct an error or omission, the applicant must provide to the court evidence to establish:
- (a) the fact that an error or omission was made; and
  - (b) the information that is necessary to determine the nature of the correction that is required.

2009, c.V-7.21, s.88.

**Registrar as party to application**

- 89(1)** The registrar is entitled as of right to appear and be heard in person, by counsel or by written submission, in any application pursuant to section 86, 87 or 88.
- (2) If the registrar has been given notice of an application in accordance with section 86, 87 or 88 and does not appear, the court may proceed with the application in the absence of the registrar.

2009, c.V-7.21, s.89.

**Application for directions**

- 90(1)** The registrar may, at any time, apply to the court for directions respecting any matter relating to the duties or powers of the registrar.
- (2) On an application pursuant to subsection (1), the court may make any orders consistent with this Act, the regulations pursuant to this Act and any other Act or regulation that imposes a duty or confers a power on the registrar that the court considers appropriate.

2009, c.V-7.21, s.90.

PART X  
**Registrations Obtained Improperly, Improper Use of Documents**

**Interpretation of Part**

**91** In this Part, the definition of “statement” set out in subsection 2(1) does not apply.

2009, c.V-7.21, s.91.

**Cancellation of registrations, certificates, etc.**

**92(1)** In this section:

“**court**” means the Court of Queen’s Bench; (« *tribunal* »)

“**interested person**” means, with respect to an event:

- (a) a subject individual; or
- (b) a person who signed or submitted a statement of live birth, a statement of stillbirth, a statement of marriage or a statement of death, as the case may be, with respect to the event. (« *personne intéressée* »)

(2) Subject to subsections (3) and (5), if, after the registration of an event, the registrar is satisfied that the event did not occur, the registrar shall give at least 60 days’ notice to the interested persons of the registrar’s intention to cancel the registration and the reasons for cancelling the registration.

(3) If the registrar is unable to give notice to an interested person, the registrar may apply to the court for an order for substituted service or an order dispensing with service.

(4) An interested person may, within the time specified in a notice given pursuant to subsection (2) or (3), object to the cancellation of the registration by communicating with the registrar, and the registrar, after considering the objection, may:

- (a) decide not to cancel the registration; or
- (b) by notice of motion served on the interested person, apply to the court for an order authorizing the registrar to cancel the registration of the event.

(5) If, in the opinion of the registrar, it is necessary in the public interest to cancel the registration of an event without notice to interested persons, the registrar may apply to the court for an order dispensing with the giving of notice and authorizing the registrar to cancel the registration.

(6) The registrar may cancel the registration of an event:

- (a) if no interested person, within the time specified in a notice given pursuant to subsection (2) or (3), objects to the cancellation of the registration; or
- (b) in accordance with an order of the court made pursuant to subsection (4) or (5) authorizing the registrar to cancel the registration.

(7) If the registrar cancels the registration of an event pursuant to subsection (6), the registrar may order any person who has possession or control of a certificate, copy or extract issued with respect to the cancelled registration to return the certificate, copy or extract to the registrar within the time specified by the registrar.

(8) No person shall fail to comply with an order of the registrar pursuant to subsection (7).

2009, c.V-7.21, s.92.

**Providing false or misleading information**

**93** No person shall, for the purpose of procuring the registration of an event, the carrying out of a search or the issuance of a certificate, copy or extract for himself or herself or for any other person:

- (a) make a written or an oral statement that he or she knows is false or misleading; or
- (b) provide the registrar with a false document.

2009, c.V-7.21, s.93.

**False statements of live birth, stillbirth, marriage, death**

**94** No person shall:

- (a) create, or cause to be created, a false document that purports to be a statement of live birth, a statement of stillbirth, a statement of marriage or a statement of death;
- (b) without lawful excuse, have in his or her possession a false document that purports to be a statement of live birth, a statement of stillbirth, a statement of marriage or a statement of death; or
- (c) knowing that a document purporting to be a statement of live birth, a statement of stillbirth, a statement of marriage or a statement of death is a false document:
  - (i) use, deal with or act on it; or
  - (ii) cause or attempt to cause any person to use, deal with or act on it.

2009, c.V-7.21, s.94.

**False certificates, copies, extracts**

**95(1)** No person shall:

- (a) create, or cause to be created, a false document that purports to be a certificate, copy or extract issued pursuant to this Act or a former Act;
- (b) without lawful excuse, have in his or her possession a false document that purports to be a certificate, copy or extract issued pursuant to this Act or a former Act; or

- (c) knowing that a document purporting to be a certificate, copy or extract issued pursuant to this Act or a former Act is a false document:
- (i) use, deal with or act on it; or
  - (ii) cause or attempt to cause any person to use, deal with or act on it.
- (2) No person shall, on his or her own behalf, use, deal with or act on a certificate, copy or extract issued pursuant to this Act or a former Act with respect to another person.
- (3) No person, being the lawful holder of a certificate, copy or extract issued pursuant to this Act or a former Act, shall knowingly part with the possession of that certificate, copy or extract with intent that it should be used for an unlawful or improper purpose.

2009, c.V-7.21, s.95.

## PART XI General

### Correction of errors and omissions

- 96(1)** The registrar may, on the registrar's initiative, correct any error or omission made in a statement if the registrar is satisfied that the statement contains a clerical or typographical error or omission.
- (2) The registrar may, on the registrar's initiative, correct any error or omission in the particulars of the subject individual set out in a medical certificate of death or medical certificate of stillbirth if the registrar is satisfied that the medical certificate of death or medical certificate of stillbirth contains a clerical or typographical error or omission in those particulars.
- (3) The registrar may, on the registrar's initiative, correct any error or omission made in the electronic database if the registrar is satisfied that the electronic database:
- (a) does not accurately reflect the information set out in the document on which an entry in the electronic database is based; or
  - (b) contains a clerical or typographical error or omission.
- (4) If, after an event is registered, it is reported to the registrar that there is an error or omission of fact in the statement or, in the case of a death or stillbirth, in the medical certificate of death or the medical certificate of stillbirth:
- (a) the registrar shall inquire into the matter; and
  - (b) if the registrar is satisfied, on the basis of additional evidence or information, that there is an error or omission of fact in the statement, the medical certificate of death or the medical certificate of stillbirth, the registrar may correct the error or omission.

(5) Before correcting an error or omission pursuant to subsection (1), (2), (3) or (4), the registrar may provide notice to any person that the registrar considers may be interested in or affected by the correction.

2009, c.V-7.21, s.96.

#### Notations of changes of name

97(1) If the name of an individual whose live birth or marriage is registered in Saskatchewan has been changed pursuant to Part II of *The Change of Name Act, 1995*, any former *Change of Name Act* or similar legislation of another jurisdiction, or by a deed poll in Saskatchewan before May 1, 1933, the registrar may make a notation of the change on the statement of live birth or marriage if the registrar receives proof of the change and evidence satisfactory to the registrar as to the identity of the individual.

(2) Every certificate of birth or certificate of marriage issued after the making of a notation pursuant to this section is to be issued as if the registration had been made in the name as changed.

2009, c.V-7.21, s.97.

#### Notations

98(1) The registrar shall make any amendment authorized pursuant to this Act or any other Act or any correction of an error or omission pursuant to section 96 by means of a notation in accordance with this section.

(2) Subject to the regulations, a notation made to an original document must be made:

- (a) in a manner that does not obscure the information set out in the original as it existed before the amendment or correction; and
- (b) in a permanent form:
  - (i) within the original document; or
  - (ii) if space in the original document is not sufficient to accommodate the notation, on a separate page attached securely to the original.

(3) A notation made to the electronic database must be made in accordance with the regulations.

(4) After an amendment or correction has been made by notation pursuant to this section:

- (a) any certificate or extract issued with respect to the event to which the certificate pertains is to be issued with the particulars as amended or corrected by that notation; and
- (b) subject to subsection 65(4), any copy issued with respect to the event to which the copy pertains is to be issued so that the particulars as amended or corrected by that notation and the particulars as they appeared before the amendment or correction are displayed.

2009, c.V-7.21, s.98.

**Signature of registrar, deputy registrar**

**99** If the signature of the registrar or a deputy registrar is required for any purpose of this Act, the signature may be written, engraved, lithographed or reproduced by any other mode of reproducing words in visible form.

2009, c.V-7.21, s.99.

**Certificates, etc., as evidence**

**100(1)** A certificate purporting to be signed by the registrar is admissible in evidence as proof, in the absence of evidence to the contrary, of the facts set out in the certificate without proof of the registrar's appointment or signature.

(2) A certified copy or certified extract purporting to be signed by the registrar is admissible in evidence as proof, in the absence of evidence to the contrary, of the facts set out in the copy or extract without proof of the registrar's appointment or signature.

(3) If an electronic version of a record has been made pursuant to subsection 11(2), a certified copy of an image produced from the electronic version is admissible in evidence in all cases and for all purposes for which the original record would have been admissible and with the same effect as if the original record were produced.

2009, c.V-7.21, s.100.

**Forms**

**101(1)** Subject to subsection (2), all forms required for the administration of this Act, whether in paper form or electronic form, are to be approved by the registrar.

(2) Every certificate of birth, death, stillbirth or marriage issued pursuant to this Act must be in the prescribed form.

2009, c.V-7.21, s.101.

**Records of baptisms, marriages, burials kept by religious bodies**

**102(1)** The registrar shall preserve any registers or records of baptisms, marriages or burials kept by a religious body in Saskatchewan that have been deposited with a former registrar pursuant to any former Act.

(2) The registrar may accept any registers or records of baptisms, marriages or burials kept by a religious body in Saskatchewan, and shall preserve any registers or records so accepted.

2009, c.V-7.21, s.102.

**Immunity**

**103(1)** No action lies or shall be instituted against the minister, the corporation, the registrar, a deputy registrar, an officer, employee or agent of the corporation or any other person for any loss or damage suffered by a person by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by any one or more of them:

- (a) pursuant to or in the exercise or supposed exercise of any power conferred by this Act, the regulations, a former Act or any regulations made pursuant to a former Act; or

- (b) in the carrying out or supposed carrying out of any decision or order made pursuant to this Act, the regulations, a former Act or any regulations made pursuant to a former Act, or any duty imposed by this Act, the regulations, a former Act or any regulations made pursuant to a former Act.
- (2) No action lies or shall be instituted against the Minister of Health, the ministry, a former registrar, a former deputy registrar, an officer, employee or agent of the ministry or any other person for any loss or damage suffered by a person by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by any one or more of them:
- (a) pursuant to or in the exercise or supposed exercise of any power conferred by a former Act or any regulations made pursuant to a former Act; or
- (b) in the carrying out or supposed carrying out of any decision or order made pursuant to a former Act or any regulations made pursuant to a former Act, or any duty imposed by a former Act or any regulations made pursuant to a former Act.

2009, c.V-7.21, s.103.

#### Regulations

**104** The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) for the purposes of subsection 6(2):
- (i) designating any category of records as part of the vital statistics registry; or
- (ii) excluding any category of records from inclusion in the vital statistics registry;
- (c) for the purposes of clause 8(1)(e), assigning additional functions or duties to the registrar;
- (d) for the purposes of clause 8(3)(c), prescribing duties or powers of the registrar that cannot be delegated;
- (e) for the purposes of subsection 11(3), governing the disposition of original records for which an electronic version has been prepared for permanent retention;
- (f) governing the electronic submission of documents to the registrar;
- (g) respecting the registration of events;
- (h) prescribing additional particulars of an event that are required to be set out in a statement;
- (i) prescribing the types of evidence that must be provided in support of an application for late registration of an event;
- (j) governing the giving of notice of live births pursuant to clause 21(2)(a);
- (k) **Repealed.** 2015, c.26, s.17.

- (k.1) for the purposes of section 31:
  - (i) prescribing categories of health care professionals pursuant to subsection 31(1);
  - (ii) prescribing circumstances and conditions pursuant to subsection 31(5); and
  - (iii) respecting any other matter or thing that is necessary with regard to the amendment of the designation of sex on an individual's statement;
- (l) for the purposes of subsection 42(3), prescribing the number of copies of a burial permit that are to be provided to a common carrier and that a common carrier must have in order to transport a body lawfully;
- (m) **Repealed.** 2015, c.26, s.17.
- (n) for the purposes of clause 63(7)(a), respecting authorizations;
- (o) for the purposes of clause 63(7)(d), prescribing classes of persons as eligible persons;
- (p) establishing classes of certificates not otherwise provided for in this Act and governing eligibility to obtain those certificates;
- (q) governing the conduct of searches and the issuance of certificates, copies and extracts;
- (r) prescribing purposes for which a search, certificate, copy or extract may be provided to a government official pursuant to clause 64(2)(b);
- (s) for the purposes of clause 64(2)(c):
  - (i) prescribing law enforcement agencies and investigative bodies; and
  - (ii) for the purposes of subclause 64(2)(c)(iii), prescribing any requirements that must be met by members of police forces, prescribed law enforcement agencies and prescribed investigative bodies;
- (t) for the purposes of clause 64(2)(d), prescribing classes of persons to whom, and purposes for which, the registrar may issue a certificate, copy or extract with respect to an event;
- (u) for the purposes of clause 66(2)(g), prescribing classes of persons to whom, and purposes for which, the registrar may disclose information respecting the cause of death set out in a medical certificate of death;
- (v) for the purposes of clause 66(2)(h), prescribing circumstances in which the registrar may disclose information respecting the cause of death set out in a medical certificate of death;
- (w) for the purposes of clause 67(3)(f), prescribing classes of persons to whom, and purposes for which, the registrar may disclose information respecting the cause of stillbirth set out in a medical certificate of stillbirth;
- (x) for the purposes of clause 67(3)(g), prescribing circumstances in which the registrar may disclose information respecting the cause of stillbirth set out in a medical certificate of stillbirth;



- (y) for the purposes of subsection 69(2):
  - (i) prescribing law enforcement agencies and investigative bodies pursuant to clause 69(2)(a);
  - (ii) prescribing other classes of persons or bodies for whom the registrar may waive the requirements of clauses 69(1)(a) and (b); and
  - (iii) prescribing circumstances in which, the registrar may waive the requirements of clauses 69(1)(a) and (b);
- (z) for the purposes of subsection 71(1), prescribing public agencies;
- (aa) for the purposes of section 72, prescribing:
  - (i) the information that may be included in a genealogical index; and
  - (ii) any period mentioned in subsection 72(1);
- (bb) respecting administrative, technical and physical safeguards to protect vital statistics information and the records of the registrar;
- (cc) for the purposes of clause 77(2)(c), prescribing classes of persons and agencies to whom, and purposes for which, the registrar may grant physical access to the records of the registrar;
- (dd) for the purposes of clause 78(3)(d), prescribing purposes for which the ministry may use vital statistics information;
- (ee) for the purposes of clause 79(1)(c), prescribing classes of persons whose health services numbers may be required to be provided and the events, circumstances or purposes for which those health services numbers may be required to be provided;
- (ff) for the purposes of clause 82(2)(f), prescribing public agencies with which the registrar and the corporation may enter into disclosure and use agreements and prescribing purposes for which vital statistics information may be used pursuant to a disclosure and use agreement;
- (gg) for the purposes of section 98, governing the making of notations;
- (hh) respecting applications to the registrar;
- (ii) prescribing the forms of certificates;
- (jj) governing the printing of printouts;
- (kk) governing the preparation of copies in an electronic form and the certification of copies prepared in an electronic form;
- (ll) providing for the waiver of payment of any fees in favour of any person or class of persons;
- (mm) governing the service of documents;
- (nn) respecting any matter or thing that the Lieutenant Governor in Council considers necessary to facilitate the transfer of responsibilities from division registrars to the registrar pursuant to *The Vital Statistics Administration Transfer Act*;

(oo) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;

(pp) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

2009, c.V-7.21, s.104; 2015, c.26, s.17.

**Offences re burial, transportation of body without burial permit**

**105(1)** No person shall bury, cremate or otherwise dispose of the body of a deceased individual or a stillborn child unless the person is in possession of:

(a) a valid burial permit required and issued pursuant to section 42 or 56, in the case of a death or stillbirth that occurred in Saskatchewan; or

(b) a valid burial permit or similar document required and issued pursuant to the legislation of the jurisdiction in which the death or stillbirth occurred, in any other case.

(2) No cemetery owner shall permit the burial of the body of a deceased individual or a stillborn child in the owner's cemetery unless the cemetery owner has obtained from the funeral director or the person officiating at the burial:

(a) a valid burial permit required and issued pursuant to section 42 or 56, in the case of a death or stillbirth that occurred in Saskatchewan; or

(b) a valid burial permit or similar document required and issued pursuant to the legislation of the jurisdiction in which the death or stillbirth occurred, in any other case.

(3) No common carrier shall transport, or accept for transportation, the body of a deceased individual or a stillborn child unless the common carrier is in possession of:

(a) a valid burial permit required and issued pursuant to section 42 or 56, in the case of a death or stillbirth that occurred in Saskatchewan; or

(b) a valid burial permit or similar document required and issued pursuant to the legislation of the jurisdiction in which the death or stillbirth occurred, in any other case.

(4) Every person who contravenes subsection (1), (2) or (3) is guilty of an offence and liable on summary conviction:

(a) in the case of a first offence, to a fine of not more than \$5,000; and

(b) in the case of a second or subsequent offence, to a fine of not more than \$20,000.

2009, c.V-7.21, s.105.

**Offences re failure to comply with order of registrar**

**106** Every person who fails to comply with an order of the registrar contrary to subsection 92(8) is guilty of an offence and liable on summary conviction to a fine of not more than \$10,000.

2009, c.V-7.21, s.106.

**Offences re registrations obtained improperly, improper use of documents**

**107(1)** Every person who contravenes any provision of section 93, 94 or 95 is guilty of an offence and liable on summary conviction to a fine of not more than \$50,000, to imprisonment for a term of not more than two years or to both.

(2) If a person is convicted of an offence for a contravention of section 93 or 94, the convicting judge may, in addition to any penalty imposed, order the registrar to cancel the registration of the event and cancel any certificate, copy or extract of the registration issued to any person.

(3) If the convicting judge orders the cancellation of a registration pursuant to subsection (2):

(a) the convicting judge shall order the person who was convicted of the offence to return immediately to the registrar any certificate, copy or extract issued to that person with respect to the cancelled registration; and

(b) the registrar may order any other person to whom a certificate, copy or extract was issued with respect to that registration to return it immediately to the registrar.

(4) If a person is convicted of an offence for a contravention of section 95, the convicting judge may, in addition to any penalty imposed, order the registrar to amend a statement that has been received or registered or to cancel a certificate, copy or extract issued to the person, as the case may require.

(5) If the convicting judge orders the cancellation of the issuance of a certificate, copy or extract pursuant to subsection (4):

(a) the convicting judge shall order the person to whom the certificate, copy or extract was issued to return it immediately to the registrar; and

(b) the registrar may order any other person to whom a certificate, copy or extract was issued with respect to that registration to return it immediately to the registrar.

(6) No person shall fail to comply with an order of the convicting judge made pursuant to clause (3)(a) or (5)(a) or an order of the registrar made pursuant to clause (3)(b) or (5)(b).

(7) Every person who fails to comply with an order mentioned in subsection (6) is guilty of an offence and is liable on summary conviction to a fine of not more than:

(a) \$20,000 in the case of an order of the convicting judge made pursuant to clause (3)(a) or (5)(a); and

(b) \$10,000 in the case of an order of the registrar made pursuant to clause (3)(b) or (5)(b).

**Offences – unlawful use or disclosure**

**108(1)** No person engaged in the administration of this Act or formerly engaged in the administration of this Act shall knowingly use or disclose vital statistics information contrary to this Act.

(2) No person who was engaged in the administration of any former Act shall knowingly use or disclose vital statistics information contrary to this Act.

(3) No person who is aware, or should reasonably be aware, that he or she has received vital statistics information in contravention of this Act shall use or disclose the information.

(4) Every person who contravenes subsection (1), (2) or (3) is guilty of an offence and is liable on summary conviction to a fine of not more than \$10,000.

2009, c.V-7.21, s.108.

**Limitation on prosecutions**

**109** No prosecution for a contravention of this Act or the regulations is to be commenced more than two years after the day on which the facts on which the alleged contravention is based first came to the knowledge of the registrar.

2009, c.V-7.21, s.109.

## PART XII

**Repeal, Transitional, Consequential Amendments and Coming into Force****S.S. 1995, c.V-7.1 repealed**

**110** *The Vital Statistics Act, 1995* is repealed.

2009, c.V-7.21, s.110.

**S.S. 1998, c.44 repealed**

**111** *The Vital Statistics Amendment Act, 1998* is repealed.

2009, c.V-7.21, s.111.

**S.S. 2007, c.V-7.2 repealed**

**112** *The Vital Statistics Act, 2007* is repealed.

2009, c.V-7.21, s.112.

**S.S. 2007, c.42 repealed**

**113** *The Vital Statistics Consequential Amendments Act, 2007* is repealed.

2009, c.V-7.21, s.113.

**Transitional – division registrars**

**114(1)** In this section, “**division registrar**” means a person who, immediately before the coming into force of this section, was a division registrar, as defined in subsection 2(1) of *The Vital Statistics Act, 1995*, or a deputy division registrar. (« *registraire de division* »)

(2) On the coming into force of this section, every division registrar shall immediately send to the registrar:

- (a) all registrations, records and documents that a division registrar is required to keep in a place of safety pursuant to clause 29(b) of *The Vital Statistics Regulations*;
  - (b) all copies of reports that a division registrar is required to keep as an office record pursuant to clause 29(h) of *The Vital Statistics Regulations*;
  - (c) all records pertaining to any application for the registration of an event pursuant to *The Vital Statistics Act, 1995* that, on the coming into force of this section, has not been completed; and
  - (d) all other records pertaining to the administration of *The Vital Statistics Act, 1995* or any former Act and all copies of any records pertaining to the administration of *The Vital Statistics Act, 1995* or any former Act.
- (3) Every person who knowingly contravenes subsection (2) is guilty of an offence and is liable on summary conviction to a fine of not more than \$10,000.

2009, c.V-7.21, s.114.

**115 to 119 Dispensed.** This/these section(s) makes consequential amendments to another/other Act(s). Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the amendments have been incorporated into the corresponding Act(s). Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

**Coming into force**

**120** This Act comes into force on proclamation.

2009, c.V-7.21, s.120.

