

Change of Name Act

Purpose:

The purpose of this Act is to provide rules for legally changing an individual's name.

Where the Act Applies:

This Act applies to all changes of name in the Territory with the following exceptions:

- a change of name made under the *Adoption Act*; and
- a change of name lawfully made before April 1, 1955.

How the Act Works:

The Act provides for a change of name upon application to the Nunavut Court of Justice under the Act and for a change of name without application. A person may change his or her surname without making an application if the change is:

- a change of surname by a spouse who assumes the name of the other spouse. This includes hyphenated or combinations of the surnames of the spouses; or
- a change of surname, on dissolution of marriage, by a person who reverts to the surname he or she had before first being married.

Some important features of this Act are:

A parent may apply for a change of name of his or her child in their lawful custody:

- Children must give their consent for a change of name unless they are under 12 or they are unable to give consent because of mental or physical disability;
- Applications for a change of name must be filed with the clerk of the Court;
- Applications must include particulars of any civil or criminal action pending against the applicant or against any mortgage, lien or other encumbrance registered against the property of the applicant; and
- Where an application is filed, the Court can grant the application or call for a hearing. An application must be refused where the change of name might reasonably cause mistake or confusion or be a cause of embarrassment or inconvenience, has been sought for an improper purpose, or is objectionable for another reason.