

## CHANGE OF NAME



Changing your name, either your given name or surname, is somewhat like adopting a new identity. It is a significant act and you must have serious reasons for requesting and obtaining a name change.

Whether you go through the court (legal course of action) or the Directeur de l'état civil (administrative course of action), applying for a name change involves adhering to a procedure.

### Change of name through legal course of action

Only the court may authorize a name change for a child in the event of abandonment by the father or mother, loss of parental authority or a change of filiation upon adoption, for example.

In all these cases, legal counsel is advisable.

### Change of name through administrative course of action

As stipulated by the Civil Code, the Directeur de l'état civil (registrar of civil status) handles all name change applications that do not fall under the jurisdiction of the court. However, the application must be based on a serious reason. Here are some examples of **serious reasons**:

- ✦ You are now using, and have been continuously using for a **minimum of five years**, a surname or given name that is not the same as that appearing on your act of birth. It must be a surname or given name that you use in all your personal, professional and social activities.
- ✦ Your name is of foreign origin or is too difficult to pronounce or write in its original form.
- ✦ Your name lends itself to ridicule or has become infamous.
- ✦ The registrar may also examine a name change application for any other serious reason that you present.

The registrar also has jurisdiction in cases where you apply to add a part of your surname to the surname of your minor child.

Name change applications are evaluated on a case-by-case basis. However, the reasons given and documents presented are very important since they allow the Directeur de l'état civil to pass judgment on the application.

### Who can apply for a name change?

Any **Canadian citizen of full age who has lived in Québec for at least one year** may apply for a change of one of his or her given names or surname.

A **parent may also apply for a change of his or her minor child's** given names or surname.

The **guardian of a minor child**, who is not the father or the mother, may apply to change one of the given names or surname of the child if the latter is a Canadian citizen residing in Québec for at least one year.

### Clarification for a woman married before April 1, 1981

The Civil Code of Québec states that both spouses conserve their name in marriage and exercise their civil rights under this name. Persons married before April 1, 1981 conserve, if they so desire, the use of their spouse's name. However, if a woman who married before this date wishes to take back the surname appearing on her act of birth, she does not need to apply for a name change. However, she must notify government and public institutions and private organizations likely to be concerned.

### How to apply for a name change

We suggest that you contact the Directeur de l'état civil to obtain a preliminary analysis questionnaire. This questionnaire collects information about your application, making it possible to determine if the name change procedure is appropriate to your situation. This analysis can save you time and money.

The form entitled *Request for preliminary analysis for a change of family name or given name* may be obtained on our website or by contacting our offices.

If you subsequently have to fill out a name change application, the Directeur de l'état civil will send you the appropriate form and the guide.

## You must publish notices of your application

Various other persons may wish to respond and state their views on your name change application to the Directeur de l'état civil. To do so, they must know about it. For this reason, the law requires you to publish notices of your application. The procedure for publishing your application is explained in the Guide to applying for a name change that the Directeur de l'état civil will send you after the preliminary analysis.

## If the application concerns a child of minor age

If your application concerns a minor child, you must, in addition to publishing the notice, notify the other parent, guardian and the child itself if it is 14 years of age or older, where applicable, since these parties may wish to object to your application.

## When a person intervenes or objects to your application

If your application is opposed, the Directeur de l'état civil must generally take this objection into account, unless you present a compelling reason to overlook the objection.

**If you are applying only to add a part of your surname to the surname of a minor child, only the minor child aged 14 and older has a right to object.**

In all cases, the Directeur de l'état civil gives you an opportunity to react and respond to comments or objections raised to your application.

## How the decision is reached

### The decision

After hearing the comments and objections, if there are any, and giving all parties an opportunity to speak, the Directeur de l'état civil examines your application and makes his decision. Whether he accepts or rejects the name change, he must give reasons for his decision in writing and communicate them to you and any other party who stated their views or raised objections.

### Reviewing the decision

You and other interested parties have 30 days from the date you receive the decision to ask the court to review it.

## Certificate of change of name

After the 30-day period has expired, if no one has asked the court to review the decision authorizing the name change, the Directeur de l'état civil:

- ✦ modifies the register of civil status in line with his decision
- ✦ publishes a notice of his positive decision in the *Gazette officielle du Québec*
- ✦ sends you a certificate of change of name

The certificate of change of name allows you to approach government and public institutions and private organizations likely to be concerned by your name change.

## Costs for a name change

You can expect administrative and publication costs of from \$300 to \$400\* for a name change application. If an application concerns the given name and surname, it counts as a single application. Also, when someone wishes to change their surname and that of their minor children at the same time, different fees apply since the applications are grouped together. The guide accompanying the *Application for a Change of Name* form gives you information on this matter.

\* Subject to change

## What are the legal consequences of changing one's name?

The name change in no way alters your rights and obligations. All documents made under your former name are deemed to be made under your new name.

Furthermore, for practical reasons, it is in your interest to modify certain commonly used documents such as your driver's licence, health insurance card, social insurance card, passport, etc. Simply present the copy of your name change certificate to the relevant agency and pay the fee to obtain the appropriate corrections.

**Note:** As a security measure, you must send the Directeur de l'état civil any civil status documents, such as a certificate and copy of act of birth, marriage or civil union issued under your old name, since they can no longer be used.

## How to contact the offices of the Directeur de l'état civil

### Business hours

Monday to Friday  
From 8:30 a.m. to 4:30 p.m.

### City of Québec

Directeur de l'état civil  
2535, boulevard Laurier, ground floor  
Québec (Québec) G1V 5C5

Telephone: 418 643-3900  
Fax: 418 646-3255

### Montréal

Directeur de l'état civil  
2050, rue De Bleury, ground floor  
Montréal (Québec) H3A 2J5  
(Place-des-Arts metro)

Telephone: 514 864-3900  
Fax: 514 864-4563

### Elsewhere in Québec

Telephone: 1 800 567-3900 (toll free)  
E-mail: [etatcivil@dec.gouv.qc.ca](mailto:etatcivil@dec.gouv.qc.ca)  
Fax: 418 643-3255

### Internet address

[www.etatcivil.gouv.qc.ca](http://www.etatcivil.gouv.qc.ca)

Aussi disponible en français



Directeur  
de l'état civil

Québec