

Accessing Records From The Vital Statistics Agency Under The Adoption Act: Filing An Application For Service

ACCESS TO VITAL STATISTICS AGENCY RECORDS UNDER THE ADOPTION ACT

This guide explains the release of records under the *Adoption Act* and how to file the enclosed *Application for Service Pertaining to an Adopted Person or Birth Parent Form*. Additional forms may be obtained from any Vital Statistics Agency or Government Agent's office in the province. The addresses of Vital Statistics Agency Offices are listed on the back of the guide. Staff in those offices are available to provide information and guidance regarding the requirements for filing this application for service form.

ACCESS TO ADOPTION INFORMATION

Over the last few decades societal attitudes toward adoption have changed. Increasingly, people involved in adoptions want greater openness and access to information.

Many adopted people want to know about their biological origins and cultural heritage. Birth parents also want information about the current health and well-being of children for whom they made an adoption plan. Adopted people and birth parents sometimes want to meet one another.

The *Adoption Act* provides for greater openness in adoption. When changes to the *Act* came into effect on November 4, 1996, adopted people and birth parents were able to apply to the Vital Statistics Agency to obtain provincial adoption records on file with the Vital Statistics Agency.

ELIGIBILITY UNDER THE ADOPTION ACT

The option of filing an application for service is available to adopted people 19 years of age or older and to birth parents when the adopted person has reached 19 years of age.

WHAT RECORDS ARE AVAILABLE TO ELIGIBLE APPLICANTS?

People who were born and adopted in British Columbia, will receive a copy of their original birth registration in their birth name (including the names of any birth parents on record) and a copy of their adoption order provided a disclosure veto has not been filed.

Birth parents of people born and adopted in British Columbia will receive a copy of the adopted person's original birth registration, a copy of the adopted person's birth registration following adoption including any change of name consequent to the adoption, and a copy of the adoption order.

Adopted people, who were not born in British Columbia but were adopted in the province, will receive a copy of the adoption order and any identification particulars of the adopted person. Similarly, birth parents of people adopted in British Columbia but not born in the province will receive a copy of the adoption order and any identification particulars of the adopted person following the adoption.

Before any adoption record is released to a birth parent, all identifying information pertaining to adoptive parents is deleted to protect their right to privacy.

WHAT ARE THE FEES AND ACCOMPANYING IDENTIFICATION REQUIRED FOR THIS SERVICE?

For each search of records and a copy of a birth registration and adoption order the genealogy search fee will apply. As proof of identity, applicants are required to attach a photocopy of their birth certificate to the *Application for Service Pertaining to an Adopted Person or Birth Parent Form*. All applicants are requested to fill out this form to the best of their ability. Applicants should expect a turn around time of approximately 3 weeks for the release of their documents.

LIMITATIONS

When a search for adoption records is successful but a disclosure veto has been filed under Section 65 of the *Adoption Act (as annotated on the birth event)*, the Vital Statistics Agency will release adoption records provided the information contained in the records does not allow for the identification of the person filing the disclosure veto. Where a written statement has been filed by an adopted person or a birth parent who has filed a disclosure veto, the Vital Statistics Agency will forward this statement to the other applicant.

When a search for adoption records is successful but a no-contact declaration filed under Section 66 of the *Adoption Act exists (as annotated on the birth event)*, the Vital Statistics Agency will contact the applicant and advise them of the situation. The applicant will be provided with a *Statutory Declaration and Undertaking Form (that will require notarization of the undertaking)*, that specifies the conditions under which information will be released. Only after processing the undertaking will the adoption information be released including a copy of any written statement filed with the no-contact declaration. Failure to submit the undertaking in the form required will result in the information not being released. In addition, failure to submit the undertaking within 90 days of notification by the Vital Statistics Agency will result in the forfeiture of the service fee. Subsequent requests will be assessed the normal service fee.

The filing of a disclosure veto or no-contact declaration applies only to records held by the Vital Statistics Agency. For more information on disclosure vetoes and no-contact declarations, please request a copy of our pamphlet on these subjects from any Vital Statistics Agency or Government Agent's office in the province.

WRITTEN STATEMENT

In recognition of the importance of information to an adopted person or birth parent, the person filing a disclosure veto or no-contact declaration has the option of filing a *written statement* with the Vital Statistics Agency. This written statement may include social, medical, and health information, and possibly, information on why contact or disclosure of identifying information is not desired at this time. Where a written statement has been filed by an adopted person or a birth parent who has filed a disclosure veto or no-contact declaration, the Vital Statistics Agency will forward this statement to the applicant upon completion of the processing of their application for birth registration and adoption order information.

MAILING ADDRESS

Vital Statistics Agency
Confidential Services
PO BOX 9657
STN PROV GOVT
Victoria BC V8W 9P3

Location: 818 Fort Street, Victoria, BC

Telephone: 250 952-2236

Business Hours are: Monday to Friday 8:30 a.m. to 4:30 p.m.

Web Site: <http://www.vs.gov.bc.ca>

OTHER VITAL STATISTICS AGENCY OFFICES

Vital Statistics Agency
250 - 605 Robson Street
Vancouver BC V6B 5J3
Telephone: 604 660-2937

Vital Statistics Agency
101 - 1475 Ellis Street
Kelowna BC V1Y 2A3
Telephone: 250 712-7562

Vital Statistics Agency
433 Queensway Street
Prince George BC V2L 5M2
Telephone: 250 565-7105



Vital Statistics Agency

IMPORTANT INFORMATION

TO AVOID DELAY

- Complete the appropriate section in full and attach a photocopy of your birth certificate (*All requests with incomplete information must be accompanied by a written explanation for the omission. If any portion of the relevant event information is left blank the application will be returned for completion.*)
- Be sure you are authorized to make the request (*see front section*)
- Enclose the correct fee by cheque or money order (*Canadian funds*)
- Be sure your address and telephone number are correct and clear
- A service charge of \$20.00 will be levied on all cheques not honoured by the payee's financial institution

FEES

- The genealogy search fee for each search of records and copy of birth registration and adoption order (*if available*) \$50.00*
- Payment to be made in **Canadian funds** by cheque or money order payable to the Minister of Finance

**Fees effective November 4, 1996 and all fees subject to change*

If this form is used after April 1, 2004, please contact one of our offices or the Government Agent's office in your community for current fees.

MAKING A FALSE STATEMENT

Under Section 86 of the *Adoption Act*, a person must not make a statement that the person knows to be false or misleading in an application, or in connection with an application for a copy of a birth registration, or other record from the Vital Statistics Agency, or for filing a disclosure veto, or no-contact declaration.

A person who contravenes this section of the *Act* commits an offence and is liable on conviction to a fine of up to \$5,000.

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