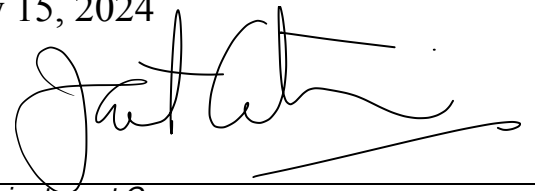


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 506

, Approved and Ordered July 15, 2024



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective September 1, 2024,

- (a) the *Name Amendment Act (No. 2), 2024*, S.B.C. 2024, c. 25, is brought into force,
- (b) the Name Act Regulation, B.C. Reg. 91/80, is repealed, and
- (c) the attached Name Regulation is made.



Minister of Health



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Name Amendment Act (No.2), 2024*, S.B.C. 2024, c. 25, s. 9;
Name Act, R.S.B.C. 1996, c. 328, s. 17 (2) and (4)

Other: OIC 617/80

R10803203

NAME REGULATION

Contents

- 1 Offences for which name changes prohibited
- 2 Disapplication of section 4.1 of the *Name Act*
- 3 Application fee
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SCHEDULE

Offences for which name changes prohibited

- 1 For the purposes of section 4.1 (1) (a) of the *Name Act*, the following offences are prescribed:
 - (a) the offences described in the Schedule to this regulation;
 - (b) the offence described in section 239 [*attempt to commit murder*] of the *Criminal Code*;
 - (c) the offences described in sections 463 [*attempts, accessories*] and 465 [*conspiracy*] of the *Criminal Code*, but only in relation to an offence described in the Schedule to this regulation;
 - (d) an offence in a previous version of the *Criminal Code* that was substantially similar to that described in section 239 of the *Criminal Code*;
 - (e) an offence in a previous version of the *Criminal Code* that was substantially similar to one described in section 463 or 465 of the *Criminal Code*, but only in relation to an offence described in the Schedule to this regulation.

Disapplication of section 4.1 of the *Name Act*

- 2 Section 4.1 of the *Name Act* does not apply in the following circumstances:
 - (a) the person applying to change the person's name under the *Name Act* is a participant or former participant within the meaning of the *Witness Security Act*, S.B.C. 2019, c. 21;
 - (b) the person applying to change the person's name under the *Name Act* is a protected person within the meaning of the *Witness Protection Program Act*, S.C. 1996, c. 15.

Application fee

- 3 (1) The fee to file an application for a change of name is as follows:
 - (a) \$137 for the applicant;
 - (b) \$27 for each person who is listed in the application as a person whose name will be changed further to the applicant's change of name.
- (2) The fee for obtaining, from the registrar general, copies of records filed under section 7 of the *Name Act* in support of an application for a change of name is \$50.
- (3) If the application is approved, the filing fee includes all of the following:
 - (a) the fees for issuing one certificate of a change of name for the applicant and each listed person;

(b) the cost, if any, of publishing the certificates.

Search and certificate fees

- 4** (1) In this section, “**search period**” means
- (a) a period of 3 years, or
 - (b) if only part of a period of 3 years is searched, the period that is the subject of the search.
- (2) The fee for a search of one registration of a change of name is \$27 for each search period.
- (3) The fee for each certificate of a change of name is \$27.
- (4) The certificate fee under subsection (3) includes the fee for one search period.

SCHEDULE

(section 1)

Prescribed offences (current *Criminal Code*)

- 1** For the purposes of section 1 of this regulation, the offences described under the following provisions of the *Criminal Code* are prescribed:
- (a) section 151 [*sexual interference*];
 - (b) section 152 [*invitation to sexual touching*];
 - (c) section 153 [*sexual exploitation*];
 - (d) section 153.1 [*sexual exploitation of person with disability*];
 - (e) section 155 [*incest*];
 - (f) section 160 [*bestiality*];
 - (g) section 162 [*voyeurism*];
 - (h) section 162.1 [*publication, etc., of an intimate image without consent*];
 - (i) section 163.1 [*child pornography*];
 - (j) section 170 [*parent or guardian procuring sexual activity*];
 - (k) section 171 [*householder permitting prohibited sexual activity*];
 - (l) section 171.1 [*making sexually explicit material available to child*];
 - (m) section 172.1 [*luring a child*];
 - (n) section 172.2 [*agreement or arrangement – sexual offence against child*];
 - (o) section 173 [*indecent acts, exposure*];
 - (p) section 177 [*trespassing at night*];
 - (q) section 235 [*murder*];
 - (r) section 236 [*manslaughter*];
 - (s) section 245 [*administering noxious thing*];
 - (t) section 246 [*overcoming resistance to commission of offence*];
 - (u) section 264 [*criminal harassment*];
 - (v) section 271 [*sexual assault*];

- (w) section 272 [*sexual assault with a weapon, threats to a third party or causing bodily harm*];
- (x) section 273 [*aggravated sexual assault*];
- (y) section 273.3 [*removal of child from Canada*];
- (z) section 279 [*kidnapping*];
- (aa) section 279.01 [*trafficking in persons*];
- (bb) section 279.011 [*trafficking of a person under the age of eighteen years*];
- (cc) section 279.02 [*material benefit – trafficking*];
- (dd) section 279.03 [*withholding or destroying documents – trafficking*];
- (ee) section 280 [*abduction of person under age of 16*];
- (ff) section 281 [*abduction of a person under age of 14*];
- (gg) section 286.1 [*obtaining sexual services for consideration*];
- (hh) section 286.2 [*material benefit from sexual services*];
- (ii) section 286.3 [*procuring*];
- (jj) section 346 [*extortion*];
- (kk) section 348 [*breaking and entering*].

Prescribed offences (*Criminal Code* before 1983)

- 2 For the purposes of section 1 of this regulation, the offences described under any of the following provisions of the *Criminal Code*, R.S.C. 1970, c. C-34, as they read from time to time before January 4, 1983, are prescribed:
- (a) section 144 [*rape*];
 - (b) section 145 [*attempt to commit rape*];
 - (c) section 149 [*indecent assault on female*];
 - (d) section 156 [*indecent assault on male*];
 - (e) section 246 (1) [*assault with intent*], if the intent is to commit an offence referred to in any of the provisions referred to in paragraphs (a) to (d) of this section.

Prescribed offences (*Criminal Code* as amended in 1983)

- 3 For the purposes of section 1 of this regulation, the offences described under the following provisions of the *Criminal Code*, R.S.C. 1970, c. C-34, as enacted by *an Act to amend the Criminal Code in relation to sexual offences and other offences against the person and to amend certain other Acts in relation thereto or in consequence thereof*, S.C. 1980-81-82-83, c. 125, s. 19, are prescribed:
- (a) section 246.1 [*sexual assault*];
 - (b) section 246.2 [*sexual assault with a weapon, threats to a third party or causing bodily harm*];
 - (c) section 246.3 [*aggravated sexual assault*].

Prescribed offences (*Criminal Code* before 1988)

- 4** For the purposes of section 1 of this regulation, the offences described under the following provisions of the *Criminal Code*, R.S.C. 1970, c. C-34, as they read from time to time before January 1, 1988, are prescribed:
- (a) section 146 (1) [*sexual intercourse with a female under the age of fourteen*];
 - (b) section 146 (2) [*sexual intercourse with a female between ages of fourteen and sixteen*];
 - (c) section 153 [*sexual intercourse with a step-daughter*];
 - (d) section 157 [*gross indecency*];
 - (e) section 166 [*parent or guardian procuring defilement*];
 - (f) section 167 [*householder permitting defilement*].

Prescribed offences (*Criminal Code* before 2014)

- 5** For the purposes of section 4.1 (a) of the Act, the offences described under the following provisions of the *Criminal Code*, as they read from time to time before December 6, 2014, are prescribed:
- (a) section 212 (1) (i) [*stupefying or overpowering for the purpose of sexual intercourse*];
 - (b) section 212 (2) [*living on the avails of prostitution of person under 18 years*];
 - (c) section 212 (2.1) [*aggravated offence in relation to living on the avails of prostitution of person under 18 years*];
 - (d) section 212 (4) [*prostitution of person under 18 years*].