

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
2 CHARLES III, 2023

# Bill 138

## **An Act to amend the Change of Name Act and to make consequential amendments to another Act**

### **Co-sponsors:**

Ms L. Scott

Ms L. Smith

### **Private Members' Bill**

1st Reading      October 18, 2023

2nd Reading

3rd Reading

Royal Assent



#### EXPLANATORY NOTE

The Bill amends the *Change of Name Act* to provide that certain offenders are ineligible to apply to change their name. The offenders who are ineligible are those who are required to comply with *Christopher's Law (Sex Offender Registry), 2000*.

Consequential amendments are made to *Christopher's Law (Sex Offender Registry), 2000*.

**An Act to amend the Change of Name Act  
and to make consequential amendments to another Act**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1 (1) The *Change of Name Act* is amended by adding the following section:**

SEX OFFENDERS, ETC.

**Ineligibility**

**4.1** (1) Subject to subsection (2) and such exceptions as may be set out in the regulations, the following persons are ineligible to apply for a change of name under subsection 4 (1):

1. A person required under section 7 of *Christopher's Law (Sex Offender Registry), 2000* to comply with section 3 of that Act.
2. A person who would be required under section 7 of *Christopher's Law (Sex Offender Registry), 2000* to comply with section 3 of that Act but for the application of subsection 7 (2) or (3) of that Act.

**Exception**

(2) Subsection (1) does not apply in respect of a change of name that has been certified as described in subsection 8 (2) by the Attorney General or a person authorized by the Attorney General.

**Notice**

(3) The Registrar General shall inform a person who seeks a change of name but is ineligible under this section of their ineligibility and the reason for their ineligibility.

**Transition**

(4) This Act, as it read immediately before the day subsection 1 (1) of the *Change of Name Amendment Act, 2023* came into force, continues to apply with respect to an election or application submitted to the Registrar General before subsection 1 (1) of the *Change of Name Amendment Act, 2023* came into force.

**(2) Subsection 4.1 (4) of the Act, as enacted by subsection (1), is repealed.**

**2 Subsection 7.1 (1) of the Act is amended by adding “and whether the person is a person described in subsection 5.1 (1)” after “subsection 6 (10)”.**

**3 Section 13 of the Act is amended by adding the following subsection:**

**Same**

(2) The Lieutenant Governor in Council may make regulations providing for exceptions from this Act or any provision of this Act, and making such exceptions subject to any conditions provided for in the regulations.

***Christopher's Law (Sex Offender Registry), 2000***

**4 (1) Section 10 of *Christopher's Law (Sex Offender Registry), 2000* is amended by adding the following subsections:**

**Same**

(3.1) An employee of or a person authorized by the ministry for the purposes of this section shall have access to the sex offender registry at any time and may collect, retain and use information obtained from the sex offender registry for the purposes of section 7.1 of the *Change of Name Act*.

**Same**

(3.2) An employee of or a person authorized by the ministry for the purposes of this section may disclose information contained in the sex offender registry to the Registrar General, as defined in section 1 of the *Change of Name Act*, for the purposes of section 7.1 of that Act, and the Registrar General may collect, retain and use the information for the purposes of that Act.

**(2) Subsection 10 (4) of the Act is amended by striking out “subsection (2) or (3)” and substituting “subsections (2) to (3.2)”.**

**Commencement**

**5 (1) Except as otherwise provided in this section, this Act comes into force on a day to be named by proclamation of the Lieutenant Governor.**

**(2) Subsection 1 (2) comes into force six months after the day subsection 1 (1) comes into force.**

**Short title**

**6 The short title of this Act is the *Change of Name Amendment Act, 2023*.**