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# Community Legal Information Association of Prince Edward Island, Inc.

## Birth Certificates

In PEI, the *Vital Statistics Act* contains the laws about birth registration and birth certificates. This pamphlet will explain some of the law in this area.

- Within 30 days of the birth of a child in PEI, the birth must be registered with the Department of Vital Statistics. This is usually done in the hospital after the baby is born.
- This birth registration form is called the Statement of Birth. It is what establishes the legal identity of the child.
- The Birth Certificate is issued only if it is requested from Vital Statistics. It is a small card containing some of the information from the Statement of Birth.
- After the birth is registered, a follow-up letter is sent out to the parent(s). This letter is called a Confirmation of Birth. If it is received and returned within 30 days of the birth, the parent can make changes to the information on this form. The letter also provides the opportunity to request a birth certificate.
- The father's name does not have to be included on the birth registration. In fact, his permission and his signature are required to include it. If the father's name is not included, the mother must sign a form called a "statutory declaration" saying that she is not acknowledging the father at this time. The father's name can be added later if both parties agree to this and request it in writing. There is a small fee if this is done more than days after the birth.
- If a man signs the birth statement stating he is the father of a child, this will cause a presumption of paternity. See the pamphlet in this kit called "Proof of Parentage" for more information about presumption of paternity. As a legal term, "presumption" is "a conclusion drawn because there is no evidence against the conclusion".
- If someone is named as the father of a child in any court application, the responsibility lies with that person to prove he is not the father, whether or not his name is on the birth registration. (See "Proof of Parentage" for more information)

**It is important to know that parents' rights to custody, access, and visitation are not affected by what is on the birth registration. Child support obligations are also not affected by what is written on the birth registration.**

This pamphlet contains general information about the law. It is not a complete statement of the law in this area and is not a substitute for legal advice. To receive legal advice, you need to speak to a lawyer.

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CLIA provides Islanders with understandable and useful information about the law and the justice system in PEI.

For more information, you can telephone CLIA at 902-892-0853 or 1-800-240-9798, visit our website at [www.cliapei.ca](http://www.cliapei.ca) or email us at [clia@cliapei.ca](mailto:clia@cliapei.ca). You can also find us at: [www.facebook.com/CLIAPEI](http://www.facebook.com/CLIAPEI), [www.twitter.com/CLIAPEI](http://www.twitter.com/CLIAPEI) and [www.youtube.com/CLIAPEI](http://www.youtube.com/CLIAPEI).

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