



May 15, 2004

Honourable Colin Hansen  
Minister of Health Services  
PO Box 9050  
STN PROV GOVT  
Victoria BC  
V8W 9E2  
Fax: 250.356-9587

Dear Minister Hansen,

I am writing on behalf of the Association of Canadian Archivists ( ACA ) to express strong reservations regarding the proposed extension of the period for the release of birth registrations in your province. The ACA, with headquarters in Ottawa, is a national association representing English-speaking archivists in Canada whose mission is to provide leadership and awareness of archival activities and to facilitate the understanding and appreciation of the archival heritage across the country. An important element of the archival function is the timely release of information to the citizens who are entitled access to it

Bill 43, the *Vital Statistics Amendment Act 2004*, that passed first reading on May 10<sup>th</sup>, contains many useful changes to the *Vital Statistics Act* (RSBC, 1996 c. 479). However, there is one proposed amendment that is problematic. The amendment to section 36 of the *Vital Statistics Act* states that birth registrations will be released only if the person described in the registration has been deceased for 20 years or if the birth occurred over 120 years ago.

Currently, birth registrations in British Columbia are releasable after 100 years. To date microfilm copies of all birth registrations up to the end of 1903 have been released to the public through the combined efforts of the Vital Statistics Agency, BC Archives, and the Genealogical Society of Utah. If the *Vital Statistics Amendment Act 2004* is passed, there will be no further annual birth registrations released until 2024.

The new provision that allows for access to registrations for individuals who are deceased for 20 years does not necessarily guarantee earlier access to registrations. Many genealogists and researchers cannot prove when an individual has died for a wide variety of reasons. Therefore, all this amendment will do is delay their research by 20 years. Those researchers who can prove that an individual has died will be forced to access the records through the Vital Statistics Agency for a significant fee. These searches will require additional Vital Statistics Agency staff resources because staff must complete the search instead of being made available through self-



service searches via the BC Archives Web site. The effect will be a reduction in the information resources provided to citizens by the government of British Columbia.

There is a great public desire to access these records for legitimate genealogical and other research uses. In the seven years since the first general release of all birth registration records over 100 years old there have been no complaints or problems. In other words, there is no evidence of harm being done. In fact the reverse is true; the BC government and the BC Archives have received widespread international praise for the release of index data for birth, marriage and death registrations. This new and surprising restriction is a step backwards with no apparent benefit to anyone.

I urge you to reconsider this amendment and recommend that the new legislation restrict the release of birth registrations only if the person described in the registration has been deceased for 20 years or if the birth occurred over 100 years ago. This change will ensure that access is maintained at the current level as well as providing an avenue for access for those who can demonstrate that the individual in the registration has been dead for 20 years.

Sincerely,

J.W. O'Brien  
President  
Association of Canadian Archivists

cc. Premier Gordon Campbell  
Fax: 250.387-0087