

FAMILY COURT OF NOVA SCOTIA

Citation: T.L.T. and G.B., 2012 NSFC 8

Date: 20120423

Docket: FYMCA-061982

Registry: Yarmouth

Between:

T.L.T.

Plaintiff

v.

G.B.

Defendant

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Judge: The Honourable Judge John D. Comeau, JFC

Heard: March 14, 2012 at Yarmouth, Nova Scotia

Issue: Object of the *Vital Statistics Act* / jurisdiction

Summary: The Applicant requested the Court to make a declaratory order of paternity for a child born in Ontario. This was resorted to because the **Respondent mother had refused to provide DNA for testing under the MCA. The Applicant wanted to prove paternity of the child so he could have a relationship with her.**

Result: The object of the *Vital Statistics Act* is to provide a record of births (etc.) in Nova Scotia. Reference to the Province in the *Act* was the Province of Nova Scotia. There is no jurisdiction to register a child born in another province: ordering paternity testing would therefore be redundant and be contrary to the child's best interest. The application was dismissed.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
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