

## Who can change a child's name?

---

A child acquires their name when they are registered shortly after their birth by their mother or father, or someone else with parental responsibility. The birth certificate is the official record of the child's name, as well as their date of birth and who their parents are.

It is possible to change a child's forename or surname, or add more names. There are some restrictions on names that can be used, based on public policy.

For children under 16:

- if only one parent or person has parental responsibility for the child, that person can lawfully change the child's name.
- if two or more people have parental responsibility for a child, all of them must agree to change the child's name - an agreement does not have to be in writing, but it is very helpful if it is.
- if a 'live with' order is in force for a child, the child's name cannot be changed without the written agreement of everyone with parental responsibility or the permission of the court

A child under 16 cannot change their own name without their parents' consent. The child's consent is not needed to change their name but if they do object, they can ask the court to prevent the name change.

A child's name can be changed at any time so long as it is not done with the intention of deceiving someone else. When the child reaches the age of 16, they can change their name themselves.

## How does it work?

---

There is no set legal procedure that has to be followed in order to change a child's name provided all the people who need to give their consent have done so. Everyone simply starts using the new name.

However, many official organisations require evidence that a name has been changed so it is a good idea to draw up a change of name deed (also known as a 'deed poll') to provide evidence of the name change. Everyone with parental responsibility for the child needs to sign the deed and those signatures need to be witnessed. A deed poll should then be enrolled in the Central Office, Filing Department of the Supreme Court.

If you cannot obtain consent of other people with parental responsibility to a name change, you can make an application to the court asking for an order giving permission for the change. If a name has been changed without your consent, you can ask the court to change it back. The court will consider what is best for the child when deciding whether to allow or undo a name change.