

## **Change of Name Requirements**

### **All the person's legal guardians must sign the change of name declaration**

The guardians of the person whose name is to be changed should give all the information requested on this form about themselves and about the person whose name is to be changed.

### **The child's father and mother are usually joint guardians**

The father and the mother of a child are guardians jointly of the child unless the child's mother is the sole guardian of the child.

### **Father as guardian**

- The mother and father are both guardians if they jointly registered the birth of the child on or after 1 July 2005 by completing and signing the Notification of Birth for Registration form (BDM27).
- The father is usually a guardian of the child if the father's particulars were added to the child's birth information on or after 1 July 2005 but no later than 24 January 2009.

### **The mother is the sole guardian**

If a child is conceived **before 1 July 2005**, the child's mother is the sole guardian of the child if the mother was not:

- Married to, nor in a civil union with, the father of the child at any time during the period beginning with the conception of the child and ending with the birth of the child; and not
- Living with the father of the child as a de facto partner at the time the child was born.

If a child is conceived **on or after 1 July 2005**, the child's mother is the sole guardian of the child if the mother was not:

- Married to, nor in a civil union with, the father of the child at any time during the period beginning with the conception of the child and ending with the birth of the child; and not
- Living with the father of the child as a de facto partner at any time during that period.

If the child is born as a result of an assisted reproduction procedure (such as donor insemination) to a mother acting alone, and the donor is not the mother's partner (i.e. not in a marriage, civil union or de facto relationship), and the donor does not become the mother's partner between conception and notification of the birth for registration, then the mother is the sole guardian.

### **Appointment of 1 or more additional guardians**

- A testamentary guardian of the child appointed by the deceased parent under section 26(2) of the Care of Children Act 2004 or section 7(2) of the Guardianship Act 1968.
- All Court appointed/approved guardians. A certified copy of the Court appointment as a guardian should be attached to this declaration.

### **A guardian may act alone**

- In some circumstances a guardian may act alone if the other guardian(s) is/are dead, unknown, missing, of unsound mind or unable to act because of a medical condition; or
- If Family Court approval is obtained. Appropriate evidence must be attached to this declaration.

### **Other parent**

If the child was born as a result of an assisted human reproduction procedure (such as artificial insemination), and the mother was living in a marriage, civil union or de facto relationship with a man or a woman (excluding marriage) who had consented to her undergoing the procedure, and the man's or woman's name is recorded on the child's birth registration, then that man or woman must also sign this declaration.