NAM-01 Name Amendment

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Contents

1 Overview

2 Form to Use

3 Evidence Required to Support a Change of Name

4 Exceptions to Lodging an Application to Amend Name

5 Applications Signed by Attorneys

6 Duplicate Certificates of Title

7 Simple or Minor Amendment of Name

8 Amendments of Name to Correct and Error (not a simple error)

9 Change of Name after Marriage

10 Return to Birth/Maiden Surname

11 Amendment of Name by Change of Name Certificate

12 Change of Name by Repute and Usage

13 Change of Name of a Company/Corporation or Incorporated Association

14 Change of name by Licence to Change Name or Deed Poll

1 Overview

Where a registered proprietor is shown in the Land Title Register “land title” by other than their full true and correct name then, as a general rule (for exceptions see paragraph below under that
heading) their land title should be amended to show the proprietor’s true and correct name.

Similarly, if a proprietor adopts a new surname after a marriage or they have changed their name by change of name certificate, the land title should be updated to show their new true and correct name/s.

Proprietors lodging applications to amend their name should also check the original land title maintained by Landgate to confirm the address shown in the registered proprietors section of the title is a current address (note this is the address for service of notices by Landgate). Where the address is out of date, the proprietor/s can update their address and their name in one application document.

The names of registered interests on land titles can also be amended where applicable and the same general principles discussed in this chapter apply to name changes for registered interest holders (such as a name of a mortgagee).

2 Form to Use

In most instances, a change of name application is made on an A5 application form, with a statutory declaration and evidence to support the change of name.

An electronic application form can also be completed in lieu of the A5 form. Click on the following link to access the electronic form: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-titling-forms.

3 Evidence Required to Support a Change of Name

Evidence to support a name change varies according to the reason for the change of name, however in nearly every instance the evidence required to support a change of name will need to be the original documentation from the authority who maintains the name records for that State or Country. In WA the certificate required would need to be obtained from and certified by the Registrar of Births, Deaths and Marriages.

Foreign certificates, such as birth and/or marriage certificates are accepted as evidence, however the certificate must be issued and certified by the official authority that would be the equivalent of the Registry of Births, Deaths and Marriages in WA.

- Where a certificate is printed in a foreign language, the original/certified certificate must be translated and a translated version, plus the original/certified certificate will need to be produced to Landgate.

- The original/certified certificate will be sighted by Landgate and returned at lodgement.

- The translated certificate with official translation noted will be retained by Landgate as evidence to the name change.

- A foreign certificate will need to be translated by a person who has a “NAATI” accreditation from the National Accreditation Authority for Translators and Interpreters.

- Generally original and/or certified copies of the following certificates can be used as evidence
for a change of name:

Note: A certified copy can only be provided by the authority that maintains the records; a copy certified by a Justice of the Peace or any other person who make take declarations is not acceptable as evidence.

- Birth Certificate
- Marriage Certificate
- Change of Certificate
- Australian Citizenship Certificate
- Deed Poll
- License to Change Name.

The following documentation is generally not acceptable as evidence to support a change of name on a land title (except for a change of name by repute and usage):

- A passport
- Driver’s License
- Credit Cards
- Bank Statements
- Any other card issued by a Government authority.

Evidential requirements are discussed in detail in the sections shown below.

4 Exceptions to Lodging an Application to Amend Name

There are exceptions to the requirement to lodge an A5 application to amend name. Where a proprietor or registered interest holder has changed names, an application to amend name is not required if they are dealing with the whole of their interest in the land title and are lodging any of the following documents:

- A transferor in a transfer of land
- A survivorship application
- An application by personal representative
- A vesting application
- A discharge of mortgage (for name of mortgagee only)
- An application for a replacement duplicate title
- An application to register a deposited plan, strata plan or survey-strata plan
If lodging any of the above documents, the change of name can be recorded by noting the name change in the appropriate panel and by providing the same evidence that would be produced where an application to amend name was being lodged.

The document should refer to the new name and include reference to the former name that is shown on the land title.

For example: A [new name] of [address] formerly known as B [former name].¹

¹ [Guide updated on 04/10/2018 to add 'A transferor in a transfer of land' and include an example]

5 Applications Signed by Attorneys

Applications are occasionally signed by attorneys on behalf registered proprietors or other interest holders. If an application to amend name is being signed by an attorney, the Power of Attorney “P/A” or Enduring Power of Attorney “EPA” document must be lodged (deposited) with Landgate to enable the attorney to sign documents. Registration fees are payable when lodging a P/A or EPA.

6 Duplicate Certificates of Title

The duplicate Certificate of Title for the property (where issued) must also be provided with the application to amend name.

- If issued and there is no mortgage on the property, the hard copy duplicate title must be produced with the application document.

- If issued and the property is under mortgage the financier holding the mortgage will need to produce the duplicate title to Landgate before the application can be lodged. Note: there will be additional registration fees payable, refer to duplicate title production fee in the fee schedule.

- If the duplicate title has a status of “non-issue” and the property is under mortgage, the consent of the financier (mortgagee) is required to be provided on an originally signed letter of consent from the lender (mortgagee).

- If the status of the duplicate title is non-issue and the property is not under mortgage, then the original signed application document, together with relevant evidence.

Registration fees are payable when lodging an application to amend a name/s.

7 Simple or Minor Amendment of Name

A simple or minor change of name is where an existing registered proprietor’s name is being amended on a title due to an error or omission.

A simple error is where only one change is being made to the name of a proprietor or registered
interest holder.

Examples of a simple error or omission in the name of a registered proprietor include:

- Where a proprietor’s name has been incorrectly spelt, for example:

  Steven being incorrectly shown as Steve;
  Ralph being incorrectly shown as Rolph;
  Maree being incorrectly shown as Marie;
  White being incorrectly shown as Whyte.

- Where the names are shown out of order, for example:

  Jeffery Robert Brown being changed to Robert Jeffery Brown;
  Nguyen Minh Thi being changed to Minh Thi Nguyen.

- Where a Christian name has been omitted, for example:

  Brendan Jones being changed to Brendan Phillip Jones;
  Anne Smith being changed to Anne Joy Smith.

Note: If a person was changing the spelling of a name and adding an additional Christian name, this is two changes to a name and does not qualify as a simple amendment. For example, if a land title shows a registered proprietor as Fred Jones and the true and correct name is Fredrick Neal Jones, this is not classified as a simple error as there are two changes to the name registered on the land title.

Refer to section 8 Amendments of Name to Correct and Error (not a simple error) of this guide for information on how to complete the change of name application.

7.1 Forms to Complete

A registered proprietor (or other interest holder) changing their name due to a simple error must complete and provide:

- An A5 application form or an electronic form. (All forms are available by clicking on this link: https://www.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-tilting-forms)

- A statutory declaration (Form B3) duplicate Certificate of Title and/or consent (as applicable)

- Registration fees which are payable when lodging the application form with Landgate (See: Search and Lodgement Fees).

7.2 Statutory Declaration

The statutory declaration must state the following:

- The true and correct name, address and occupation of the declarant (the person/s making the declaration)
- The status of the person making the declaration in relation to the Certificate of Title and the legal land description for the property (e.g. I am one of the registered proprietors of the land being lot 1 on plan 1234, the land in Volume 1234 Folio 567, where I am described as ......) (if applicable include reference to mortgage, lease charge)

- State your true and correct name

- State how the error, omission or addition occurred (to the best of the applicant's knowledge).

- State that the declarant is identical with and one and the same person as the person described and status as currently described on the land title (e.g. the person shown on the Certificate of Title described above as Steven Jones is one and the same person as Stephen Jones the declarant and the applicant)

Click on this link for an information brochure which provides examples of the completed application form and a statutory declaration (for registered proprietors): Change Name due to a Simple Error.

7.3 Attorney Signing the Application

- The applicant shown in the application panel is the person who is changing their name (not the name of the attorney)

- A suitable attorney signing clause must be inserted in the application.

- If signed by an attorney, the P/A or EPA must be registered (deposited) with Landgate


7.4 Duplicate Certificate of Title

The duplicate Certificate of Title for the property (where issued) must also be provided with the application to amend name.

- If issued and there is no mortgage on the property, the hard copy duplicate title must be produced with the application document.

- If issued and the property is under mortgage the financier holding the mortgage will need to produce the duplicate title to Landgate before the application can be lodged. Note: there will be additional registration fees payable, refer to duplicate title production fee in the fee schedule.

- If the duplicate title has a status of “non-issue” and the property is under mortgage, the consent of the financier (mortgagee) is required to be provided on an originally signed letter of consent from the lender (mortgagee).

- If the status of the duplicate title is non-issue and the property is not under mortgage, then the original signed application document, together with relevant evidence.

Registration fees are payable when lodging an application to amend one or more names.

Note: Evidence is not usually required to be provided for an amendment of name due to a simple error, the statutory declaration is usually the only evidence required.
8 Amendments of Name to Correct and Error (not a simple error)

Amendments to the name of a registered proprietor or registered interest holder that will result in more than one change to the name that is currently shown on a title is not considered to be a simple error.

To support the change of name on the land title, evidence of the true and correct name of the proprietor or interest holder will need to be provided with the application and statutory declaration.

There are strict evidential standards applied to applications to amend names, generally passports, driver’s licenses and other identity cards are not acceptable as evidence to establish the true and correct name of a proprietor or registered interest holder (except by change of name by repute and usage).

In some situations, where evidence of the true and correct name is difficult to obtain, it would be appropriate to contact the Registry of Births, Deaths and Marriages to discuss the options to officially change a name.

Further information on the change of name process is available by clicking on this link: http://www.bdm.dotag.wa.gov.au which will direct you to the Registry of Births, Deaths and Marriages in WA.

8.1 Forms to Complete and Evidence to be Provided

A registered proprietor (or other interest holder) changing their name due to errors must complete and provide:

- an A5 application form or an electronic form. (All forms are available by clicking on this link: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-titling-forms)

- a statutory declaration (Form B3)

- original or certified birth, marriage, change of name certificate or an Australian Citizenship Certificate (or other evidence) showing true and correct name

- duplicate Certificate of Title and/or consent (as applicable)

- registration fees which are payable when lodging the application form with Landgate. (See: Search and Lodgement Fees.)

8.2 Statutory Declaration

The statutory declaration must state the following:

- The true and correct name, address and occupation of the declarant (the person/s making the declaration)

- The status of the person making the declaration in relation to the Certificate of Title (e.g. as one of the registered proprietors) and how they are currently described on the title, including
reference to the incorrect name (and former address if applicable)

- The legal land description of the land title/s and the volume and folio reference (e.g. lot 124 on deposited plan 74587, volume 3000 folio 124) and if applicable, the number of the mortgage, charge or lease of land.

- State your true and correct name and provide evidence of the true and correct (e.g. provide an original birth certificate)

- State how the errors and/or omissions to the name being changed originally occurred, why the wrong name is registered on the land title.

- That the declarant and person shown in the evidence provided is identical with and one and the same person as the person described on the land title (e.g: the person shown on the Certificate of Title as Steven Jones is one and the same person as Steven Alan Jones shown on the birth certificate and as the declarant and the applicant)

8.3 Attorney Signing the Application

Refer to section 7.3 Attorney Signing the Application of this guide.

8.4 Duplicate Certificate of Title

Refer to section 7.4 Duplicate Certificate of Title of this guide.

8.5 Important Notes

- Passports, driver’s licenses, pension cards or other identity cards issued by government authorities are not suitable to establish the true and correct name (unless changing name by repute and usage)

- An originally issued Australian Citizenship certificate issued in the true and correct name can be used as evidence

- Where a certificate is printed in a foreign language, the original/certified certificate must be translated and a translated version, plus the original/certified certificate will need to be produced to Landgate

- A foreign certificate will need to be translated by a person who has a “NAATI” accreditation from the National Accreditation Authority for Translators and Interpreters

- The original/certified certificate will be sighted by Landgate and returned at lodgement

- The translated certificate with official translation noted will be retained by Landgate as evidence to the name change.

9 Change of Name after Marriage
Any person who marries in Australia may choose to assume their spouse's surname. This is done as a matter of custom and not of law.

There is no obligation on any married person to adopt their partner’s surname following their marriage. Both partners in a marriage may join their surnames in any order to form a hyphenated surname. The law is however concerned that whatever name is adopted, then the adopted name is the only name that is used from the time of changing their name.

If a person has changed their name following marriage and is registered as an owner of land or has an interest registered on a land title in a former name, it would be prudent to consider updating the name registered on the land title.

Where two proprietors of the same land have both changed their names following marriage, the names of both proprietors or interest holders can be changed in one application.

9.1 Forms to Complete and Evidence Required

A registered proprietor changing their name by marriage must complete and provide:

- an A5 application form or an electronic form. (All forms are available by clicking on this link: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-tilting-forms)

- a statutory declaration

- a certified copy of the marriage certificate. The certified copy of the certificate must be issued and certified by the Registry of Births, Deaths and Marriages in WA (or equivalent office if outside of WA).

- a marriage certificate certified by a solicitor, JP, an accountant or any other person qualified to take declarations in WA (or outside WA) is not acceptable as evidence.

- a marriage certificate issued by a celebrant/church is not acceptable as evidence

- Landgate officers will sight the certified copy of the marriage certificate and issue a copy noted as “Landgate sighted” returning the original certified marriage certificate at lodgement

- Sighting of the marriage certificate is also provided by an Australia Post outlet. An Australian Post outlet will stamp a copy as “certified or sighted” and this noted copy can be lodged with Landgate. There is a fee payable to Australia Post for this service.

- duplicate Certificate of Title and/or consent (as applicable)

- registration fee which is payable at lodgement. (See: Search and Lodgement Fees.)

9.2 Statutory Declaration

The applicant must provide a statutory declaration stating:

- The true and correct name, address and occupation of the declarant (the person/s making the declaration)

- The status of the person making the declaration in relation to the Certificate of Title (e.g. as one of the registered proprietors) and how they are currently described on the title, including reference to former name (and address if applicable)
- The legal land description of the land title/s and the volume and folio reference (e.g. lot 124 on deposited plan 74587, volume 3000 folio 124) and if applicable, the number of the mortgage, charge or lease of land.

- The full name of the person to whom the applicant was married and when, including a statement that a certified copy of the marriage certificate is being provided with this declaration.

- The new true and correct married name following the marriage.

- That the person (full name) described on the Certificate of Title (include status or capacity e.g. as registered proprietor) is identical with and one and the same person as the person (full name) described on the marriage certificate.

Note: Check the name shown on the marriage certificate carefully, the name shown is usually the former name of the person being married and not the new married name.

Click on this link for an information brochure which provides examples of the completed application form and a statutory declaration (for registered proprietors): Change Name following Marriage.

9.3 Attorney Signing the Application

Refer to section 7.3 Attorney Signing the Application of this guide.

9.4 Duplicate Certificate of Title

Refer to section 7.4 Duplicate Certificate of Title of this guide.

9.5 Important Notes

Refer to section 8.5 Important Notes of this guide.

10 Return to Birth/Maiden Surname

There is no legal requirement to formally change the name of any person wishing to change their name back to their maiden name (surname at birth or adoption).

However, to avoid difficulties with obtaining recognition of a birth name, the Registry of Births, Deaths and Marriages in WA recommends registering a change of name.

Further information on the change of name process is available by clicking on this link: http://www.bdm.dotag.wa.gov.au which will direct you to the Registry of Births, Deaths and Marriages in WA.

If a person who has changed back to their maiden name is registered as an owner of land or has an interest registered on a land title in a former name, it would be prudent to consider updating the name registered on the land title.
10.1 Forms to Complete and Evidence Required

A registered proprietor changing to their birth/maiden name must complete and provide:

- an application form or an electronic form. (All forms are available by clicking on this link: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-tilting-forms)

- a statutory declaration (Form B3)

- an original/certified copy of the birth certificate. The original/certified copy of the certificate must be issued and certified by the Registry of Births, Deaths and Marriages in WA (or equivalent office if outside of WA).

- a birth certificate certified by a solicitor, JP, an accountant or any other person qualified to take declarations in WA (or outside WA) is not acceptable as evidence.

- Landgate officers will sight the original/certified copy of the birth certificate and issue a copy noted as “Landgate sighted” returning the original/certified birth certificate at lodgement

- Sighting of the birth certificate is also provided by an Australia Post outlet. An Australian Post outlet will stamp a copy as “certified or sighted” and this noted copy can be lodged with Landgate. There is a fee payable to Australia Post for this service.

- duplicate Certificate of Title and/or consent (as applicable)

- registration fee which is payable at lodgement. (See: Search and Lodgement Fees)

10.2 Statutory Declaration

The applicant must provide a statutory declaration stating:

- The true and correct name and address and occupation of the declarant (the person/s making the declaration)

- The status of the person making the declaration in relation to the Certificate of Title (e.g. as one of the registered proprietors) including reference to former name (and address if applicable)

- The legal land description of the land title/s and the volume and folio reference (e.g. lot 124 on deposited plan 74587, volume 3000 folio 124) and if applicable, the number of the mortgage, charge or lease of land.

- The true and correct name given at birth including a statement that a certified copy of the birth certificate is being provided with this declaration

- The date (on or around) they changed back to their maiden name

- That the person (full name) described on the Certificate of Title (include status or capacity, e.g as registered proprietor) is identical with and one and the same person as the person (full name) described on the birth certificate.

Click on this link for an information brochure which provides examples of the completed A5 application form and a statutory declaration (for registered proprietors): Change Name to your Birth Name.
10.3 Attorney Signing the Application

Refer to section 7.3 Attorney Signing the Application of this guide.

10.4 Duplicate Certificate of Title

Refer to section 7.4 Duplicate Certificate of Title of this guide.

10.5 Important Notes

Refer to section 8.5 Important Notes of this guide.

11 Amendment of Name by Change of Name Certificate

In Western Australia, an adult person may change their name by completing a change of name (adult) application form with the Registry of Births, Deaths and Marriages.

Change of name certificates were introduced in 1998. Prior to this date, changes of name were registered with the Registry of Births, Deaths and Marriages by license to change name and by deed poll.

Further information on the change of name process is available by clicking on this link: http://www.bdm.dotag.wa.gov.au which will direct you to the Registry of Births, Deaths and Marriages in WA.

If a person who has changed their name (by official registration at the Registry of Births, Deaths and Marriages) is registered as an owner of land or has an interest registered on a land title, it would be prudent to consider updating the name registered on the land title.

11.1 Forms to Complete and Evidence Required

A registered proprietor returning to their maiden surname must complete and provide

- an A5 application form or an electronic form. (All forms are available by clicking on this link: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-titling-forms)

- a statutory declaration (Form B3)

- an original/certified copy of the change of name birth certificate. The original/certified copy of the certificate must be issued and certified by the Registry of Births, Deaths and Marriages in WA (or equivalent office if outside of WA).

- a certificate certified by a solicitor, JP, an accountant or any other person qualified to take declarations in WA (or outside WA) is not acceptable as evidence.

- Landgate officers will sight the original/certified copy of the certificate and issue a copy noted as “Landgate sighted” returning the original/certified birth certificate at lodgement
- Sighting of the change of name certificate is also provided by an Australia Post outlet. An Australian Post outlet will stamp a copy as “certified or sighted” and this noted copy can be lodged with Landgate. There is a fee payable to Australia Post for this service.

- duplicate Certificate of Title and/or consent (as applicable)

- registration fee which is payable at lodgement. (See: Search and Lodgement Fees.)

11.2 Statutory Declaration

The applicant must provide a statutory declaration stating:

- The true and correct name and address and occupation of the declarant (the person/s making the declaration)

- The status of the person making the declaration in relation to the Certificate of Title (e.g. as one of the registered proprietors) and how they are currently described on the title, including reference to former name and former address (address where applicable)

- The legal land description of the land title/s and the volume and folio reference (e.g. lot 124 on deposited plan 74587, volume 3000 folio 124) and if applicable, the number of the mortgage, charge or lease of land.

- The true and correct name given at birth including a statement that a certified copy of the birth certificate is being provided with this declaration

- The approximate date they changed back to their maiden name

- That the person (full name) described on the Certificate of Title (include status or capacity, eg as registered proprietor) is identical with and one and the same person as the person (full name) described on the birth certificate.

Click on this link for an information brochure which provides examples of the completed A5 application form and a statutory declaration (for registered proprietors): Change Name to your Birth Name.

11.3 Attorney Signing the Application

Refer to section 7.3 Attorney Signing the Application of this guide.

11.4 Duplicate Certificate of Title

Refer to section 7.4 Duplicate Certificate of Title of this guide.

11.5 Important Notes

Refer to section 8.5 Important Notes of this guide.
12 Change of Name by Repute and Usage

Under s.36 of the Birth, Deaths and Marriages Act 1998 (referred to as the Act in this section), a person is not prevented from establishing a change of name by repute or usage where the change is made after the commencement of the Act. This Act was proclaimed on 14 April 1999.

Where a person is seeking to change their name by repute and usage and they permanently reside in Western Australia, changing to the repute and usage name on the land title can be a difficult process as Landgate applies strict evidential standards to prove the change in name.

As Landgate’s evidential standards may make changing a name on a land title by repute and usage difficult, any person changing their name by repute and usage may wish to consider the change of name process provided by the Registry of Births, Deaths and Marriages as an alternative to changing a name by repute and usage.

Further information on the change of name process is available by clicking on this link: http://www.bdm.dotag.wa.gov.au which will direct you to the Registry of Births, Deaths and Marriages in WA.

Where a person changing their name by repute and usage lives permanently outside of Western Australia, any change of name by repute and usage must comply with the laws of the State (if within Australia) or the country (if outside of Australia).

Where the change of name is governed by another State within Australia or by another country when outside of Australia, a copy of the relevant legislation should be provided with any application to amend a person's name.

12.1 Forms to Complete and Evidence Required

A registered proprietor (or registered interest holder) changing their name by repute and usage must complete and provide

- an A5 application form or an electronic form. (All forms are available by clicking on this link: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-titling-forms)

- a statutory declaration made by the person changing their name must include at least the following information:

  - the land description of the property and the interest details if applicable (e.g: the mortgage or lease number)
  - the reason(s) for the change of name
  - evidence of the use of the previous name
  - evidence (as set out below) of the use of the repute and usage name
  - a statement confirming the person described on the title (mortgage/lease) is one and the same person being declarant and as shown in each of the evidences provided with the declaration
  - evidence showing the use of the new name must be produced and referred to in a statement in the declaration.

- at least 2 separate statutory declarations from persons qualified to witness statutory declarations
in WA (as set out in the Oaths, Affidavits and Statutory Declarations Act 2005), including the following statements:

- a statement verifying the person changing their name is known to the declarant, both before and after the change of name.

- statements that set out the details of how they have come to know the person changing their name and how they have used both a former and the new name.

- Evidence that can be used to support the change of name include all of the following:

  - Statements from rating authorities (e.g. Local Council rates notice)
  - Statement from financial bodies (e.g. bank statements, credit card statements)
  - Statements from public utilities (e.g. Power bills from Western Power)
  - Identification cards issued by Commonwealth, State or Territory authorities, showing the new name (e.g. driver’s license, passports, proof of age cards)
  - Licenses or permits issued under a common law

12.2 Duplicate Certificate of Title

Refer to section 7.4 Duplicate Certificate of Title of this guide.

12.3 Important Notes

Refer to section 8.5 Important Notes of this guide.

13 Change of Name of a Company/Corporation or Incorporated Association

When a company/corporation has changed their name and they are the owner or an interest holder registered on a land title, a change of name of the company is recommended.

13.1 Forms to Complete and Evidence Required

A company who is registered as a proprietor or interest holder in land, recording a name change on a land title must complete and provide:

- an A5 application form or an electronic form. (All forms are available by clicking on this link: https://www0.landgate.wa.gov.au/titles-and-surveys/forms-and-fees/land-tilting-forms)

- The original of the change of name certificate issued by the Australian Investment and Securities Commission “ASIC” or a copy of the ASIC online change of name certificate (not just a photocopy)

OR
Original of the change of name certificate issued by the Department of Mines, Industry Regulation and Safety Consumer Protection or a copy of the online change of name certificate (not just a photocopy)

- duplicate Certificate of Title and/or consent (as applicable)

- registration fee which is payable at lodgement. (See: Search and Lodgement Fees.)

A Statutory Declaration is not required for a company; only the ASIC change of name certificate is required as evidence.

The application can be signed by one of the company directors or the company secretary individually, without a witness. The person signing the application must print their full name address and designation in the company, under their signature.

A witness to the signing is not required.

13.2 Incorporated Association change in Corporation

Where an Incorporated Association registered under the Associations Incorporation Act 2015 (formerly Associations Incorporation Act 1987 (now repealed)) changes to a Corporation under the Corporations Act 2001, this is not a change of name for the purpose of this sections. Please see Vesting Applications.

A Vesting Application in lieu of a change of name application may also apply to Government Authorities as well as Indigenous/Aboriginal Associations where the change is based on legislation or Government Gazettes.

13.3 Duplicate Certificate of Title

Refer to section 7.4 Duplicate Certificate of Title of this guide.

14 Change of name by Licence to Change Name or Deed Poll

Based on the repeal of the Change of Names Regulation Act 1923 on 14 April 1999, a person no longer needs to formally change his or her name by deed poll or licence. They can now assume a new name if they can show that the new name was established by repute or usage (see paragraph 12 relating to Repute and Usage).

From the above-mentioned date, the Registrar of Births, Deaths and Marriages will not accept deed polls and licences for registration. However, it is possible to formally change a name by registration of that name at the office of the Registrar of Births, Deaths and Marriages and receive a certificate issued under s.57 of the Birth, Deaths and Marriages Act 1998. This may be advisable at times because other authorities (e.g. the Passport Office) may require documentary proof of the person's correct name. The appropriate change of name by certificate should be used (see paragraph 11 relating to change of name certificate).