

Change Name following Marriage

A guide to preparing the documents

Last updated September 2019



Preparing an Application to Change Name Following Marriage

This step-by-step guide is designed to show you how to prepare and lodge an application to **change a name** on a title **following a marriage**.

If you are completing the forms yourself, we advise you to exercise care as the documents involved are legally binding. A competent professional, such as a solicitor or settlement agent, should always be considered when preparing any land transaction document.

It is important to read through the whole of this information guide. Being familiar with the information provided will assist if you need to contact Landgate to clarify any part of the process. Useful contacts are listed on the back page.

What you should know about Certificate of Title

Certificate of Title, otherwise known as Title Deeds, are issued by Landgate with one original and the option to have a duplicate title issued. Original titles are always kept at Landgate. The duplicate title (if issued) would usually be kept by the proprietor/owner or by a lending institution as security for a loan.

Many lending institutions request the non-issue of a duplicate title when they register a mortgage. This means that when a property is under mortgage, there is a possibility that a duplicate title has not been issued.

Where a duplicate title has not been issued, the original title would include a note in the statements section indicating the non-issue of the duplicate title. The note in the statements section would be shown as 'DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M149404'.

There are important differences between the original title and the duplicate title. The duplicate title does not show all limitations and encumbrances. For example, caveats, notifications, memorials and property seizure and sale orders are only shown on the original title held by Landgate and not on the duplicate title.

It is recommended that a copy of the original Certificate of Title be obtained from Landgate, to assist in completing the application form and statutory declaration. We commonly refer to this as a 'title search'. A title search will show if a title has been issued or is non-issue and will show the spelling of the names of the registered proprietors/owners.

For a fee, you can conduct a title search and **obtain a copy of a Certificate of Title**.

What do I need for my application?

- Title Search (recommended) – used to complete the application form
- Forms: General Application e-Form (or paper Application Form A5) and Statutory Declaration Form B3
- Certified copy of the marriage certificate issued by the Registry of Births, Deaths and Marriages in WA (or equivalent if outside of WA). A copy certified by Australia Post is also acceptable. **NOTE: a celebrant's marriage certificate or a copy of a marriage certificate certified by a solicitor, Justice of the Peace, an accountant or any other qualified person is not acceptable as evidence for the change of name application.**
- Duplicate Certificate of Title (if issued)
- Registration fees payable to Landgate

Title Search – a copy of the current Original Certificate of Title

A title search is optional, however highly recommended, as the search provides you with a complete up-to-date copy of the title at the date and time the title search is conducted.

For a fee, you can conduct a title search online using an address and [order a copy of a Certificate of Title](#).

General Application e-Form (or Form A5) and Statutory Declaration Form B3

The General Application e-form and the Statutory Declaration Form B3 are available via Landgate's [Land Titling Forms](#) page. Alternatively, paper versions (Application Form A5 and Form B3) are available from a Landgate office.

Please note that only original signed forms can be lodged for registration and all forms must be printed on white A4 size paper in duplex style, so both sides of the paper are printed upon.

Certified copy of the marriage certificate issued by the Registry of Births, Deaths and Marriages in WA (or equivalent if outside of WA)

A certified copy of the marriage certificate is required to be produced as evidence of the change of name application. 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).

The certified copy of the marriage certificate issued by the Registry of Births, Deaths and Marriages may be certified as a true copy by Australia Post, however there is a fee payable for this service. Where the marriage certificate has been certified by Australia Post, the Australia Post certified copy can be provided to Landgate in lieu of the certified copy issued by the Registry of Births, Deaths and Marriages. Note: the originally signed Australia Post certified copy must be provided to Landgate.

NOTE: a celebrant's marriage certificate or a copy of a marriage certificate certified by a solicitor, Justice of the Peace, an accountant or any other qualified person is not acceptable as evidence for the change of name application.

The Duplicate Certificate of Title

- **If issued** and there is no mortgage on the property, the hard copy duplicate title must be produced with the application document. NOTE: A photocopy or a copy certified by a Justice of the Peace or a similarly qualified person is **not** acceptable for registration purposes.
- **If issued** and the property is under mortgage the financier holding the mortgage will need to produce the duplicate title to Landgate prior to the lodgement of the application document. There is an additional registration fee known as a **production fee**, payable to Landgate when the duplicate title is produced separately from the application.
- If the status of the duplicate title is **non-issue** and the property is under mortgage then an original signed letter of consent from the financier authorising the registration of the application to change name is required. The original signed letter must be lodged with the application document.
- 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 is all that is required to be lodged with Landgate.

Registration Fees

[View the current Registration and Search Fees](#) that can be paid by cash, credit card, EFTPOS, or by cheque/money order made payable to Landgate. Fees must be paid when lodging the document in person or included if posting the documents to Landgate.

Steps to lodging the application

1. Complete the application and statutory declaration forms by using the title search. Type or print legibly in dark ink (preferably black) to complete the application and statutory declaration forms, using the examples in this guide to assist you.
2. Ensure a certified copy of the marriage certificate issued and certified by the Registry of Births, Deaths and Marriages in WA is provided as evidence with the application and statutory declaration. A copy certified by Australia Post is also acceptable.
NOTE: a celebrant's marriage certificate or a copy of a marriage certificate certified by a solicitor, Justice of the Peace, an accountant or any other qualified person is not acceptable as evidence for the change of name application.
3. If the property is subject to a mortgage, ensure the Duplicate Certificate of Title (if issued) has been produced to Landgate by the financier; or you have obtained an original signed letter of consent from the lender (if the Duplicate Certificate of Title has not been issued).
4. Lodge the original signed forms, certified copy of the marriage certificate (issued by the Registry of Births, Deaths and Marriages in WA) and the duplicate title (where applicable) with Landgate ensuring the registration fee payment is enclosed if lodging by post.
 - In person at one of Landgate's lodgement offices. NOTE: any person can lodge the application document with Landgate; the lodging party does not need to be one of the persons named in the application document.
 - By post to:
Landgate Document Lodgement Section
PO Box 2222
MIDLAND WA 6936

NOTE: Duplicate Certificate of Title and original evidence being returned by post will be posted in the normal mail. If you wish to have the duplicate title and/or original evidence returned by registered post, you will need to provide a self-addressed, pre-paid registered post envelope to Landgate with the application document.

Terms of Use

Disclaimer of Liability

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Important

The information in this document should not be regarded as legal advice. In all matters, users should seek legal advice from an independent legal practitioner.

Example of changing name by marriage and the address of both owners

Completing the Statutory Declaration

A statutory declaration is required by the person who is changing their name. The following statements should be included:

- » State the capacity of the declarant, include reference to former name shown on title, land description and former address (Only show former address if address has changed)
- » State the date of marriage and name of person married and include reference to certified copy of marriage certificate
- » State full correct name following marriage.
- » State the person shown on the title (former name) plus title reference as being one and the same person (**important note: former name**) as shown on the marriage certificate.
- » Include reference to change of address for both proprietors (if owned jointly and applicable)

FORM B3
WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893
OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005

STATUTORY DECLARATION

A I, Brooke Charlotte Hickson of 123 Evergreen Terrace, ELLENBROOK, Scientist.

(name address and occupation of person (s) making the declaration)
Sincerely declare as follows -

B

1. I am one registered as the proprietors of the land being Lot 817 on Deposited Plan 31675 being the whole of the land comprised in Certificate of Title Volume 3332 Folio 736, wherein I am described using my former name and address of Brooke Charlotte Grump of 12 Crown Street ELLENBROOK WA 6069.
2. On 30 February 2020 I married Frank Homer Hickson as appears in the certified copy of my marriage certificate produced with this declaration.
3. My true and correct name is now Brooke Charlotte Hickson.
4. The person described on Certificate of Title Volume 3332 Folio 736 as Brooke Charlotte Grump is one and the same person as Brooke Charlotte Grump described on the marriage certificate.
5. When the land was first purchased by myself and Frank Homer Hickson we both resided at 12 Crown Street ELLENBROOK WA 6069. We now both reside at 123 Evergreen Terrace ELLENBROOK WA 6069.

C This declaration is true and I / WE know that it is an offence to make a declaration knowing that it is false in a material particular.
This declaration is made under the Oaths, Affidavits and Statutory Declarations Act 2005 at (place)
on _____ day of _____ 20____ by -

D Signature of person making the declaration (sign in the space above)
In the presence of -

E Signature of authorised witness (sign in the space above)
(Print the full name, Address and qualification of authorised witness in the space above)

- A** Full name, address and occupation of declarant(s)
- B** Enter relevant details as required
- C** Date declaration signed and place where signed
- D** Signature of declarant(s)
(before signing, check the list of competent witnesses on the back of the Statutory Declaration form)
- E** Print full name, address, occupation and/or competency of witness. If more than one declarant the witness must sign once for each person signing the declaration.

SAMPLE ONLY. ACTUAL TEXT WILL VARY.

Example of changing name by marriage and the address of both owners

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY



RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER 817/DP31675	
DUPLICATE EDITION 2	DATE DUPLICATE ISSUED N/A

VOLUME 3332 FOLIO 736

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

[Signature]
REGISTRAR OF TITLES

A LOT 817 ON DEPOSITED PLAN 31675

LAND DESCRIPTION:

E REGISTERED PROPRIETOR:
(FIRST SCHEDULE)
FRANK HOMER HICKSON
BROOKE CHARLOTTE GRUMP
BOTH OF 12 CROWN STREET, ELLENBROOK
AS JOINT TENANTS

(T M149404) REGISTERED 11 MARCH 2016

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. RESTRICTIVE COVENANT BENEFIT - SEE DEPOSITED PLAN 31765 AND INSTRUMENTS J260730
2. RESTRICTIVE COVENANT BURDEN - SEE DEPOSITED PLAN 31765 AND INSTRUMENTS J260730

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP31675
PREVIOUS TITLE: 498-133A
PROPERTY STREET ADDRESS: 123 EVERGREEN TCE ELLENBROOK
LOCAL GOVERNMENT AUTHORITY: CITY OF SWAN

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

- A** To be copied from Certificate of Title
- B** To be copied from Certificate of Title
- C** To be copied from Certificate of Title
- D** State true full name and address of applicant.
(Include co-proprietor if the address of both proprietors has changed)
- E** Show former name currently shown on title, then the true full name following marriage
- F** Show note to amend address, include former address and new address
- G** Date to be shown
- H** Signature of applicant(s)
- I** Signature of witness, then print full name, address and occupation

FORM A5

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893

APPLICATION

DESCRIPTION OF LAND (Note 1)

A Lot 817 on Deposited Plan 31675	EXTENT Whole	VOLUME 3332 B	FOLIO 339 C
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APPLICANT (Note 2)

D Brooke Charlotte Hickson and Frank Homer Hickson both of 123 Evergreen Terrace ELLENBROOK WA 6069

REASON FOR APPLICATION (Note 3)

E THE APPLICANT HEREBY APPLIES
To amend the name of the one of the registered proprietors from:
Brooke Charlotte Grump to Brooke Charlotte Hickson
F And to amend the address of both registered proprietors
From: 12 Crown Street ELLENBROOK WA 6069
To: 123 Evergreen Terrace ELLENBROOK WA 6069.

G Dated this _____ day of _____ Year

SIGNATURE OF APPLICANT/S (Note 4)

H Signed _____ Signed _____
I In the presence of _____ In the presence of _____

This example is for paper forms only.
Please refer to Landgate's [Land Titling Forms](#) page for the equivalent e-form.

SAMPLE ONLY. ACTUAL TEXT WILL VARY.

Example of changing name by marriage for one owner

FORM B3

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893
OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005

STATUTORY DECLARATION

I, Brooke Charlotte Hickson of 123 Evergreen Terrace, Ellenbrook, Scientist.

(name address and occupation of person (s) making the declaration)

Sincerely declare as follows -

1. I am one of the registered proprietors of the land being Lot 817 on Deposited Plan 31675 being the whole of the land comprised in Certificate of Title Volume 3332 Folio 736.
2. On 30 February 2020 I married Frank Homer Hickson as appears in the certified copy of my marriage certificate produced with this declaration.
3. My true and correct name is now Brooke Charlotte Hickson.
4. The person described on Certificate of Title Volume 3332 Folio 736 as Brooke Charlotte Grump is one and the same person as Brooke Charlotte Grump described on the marriage certificate.

This declaration is true and I / WE know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the Oaths, Affidavits and Statutory De (place)

on day of 20 by -

Signature of person making the declaration (sign in the space above)

In the presence of -

Signature of authorised witness (sign in the space above)

A Full name, address and occupation of Declarant(s)

B Enter relevant details as required

C Date declaration signed and place where signed

D Signature of declarant(s) (before signing, check the list of competent witnesses on back of Statutory Declaration form)

E Print full name, address, occupation and/or competency of witness. If more than one declarant the witness must sign once for each person signing the declaration

FORM A5

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893

APPLICATION

DESCRIPTION OF LAND (Note 1)

Lot 817 on Deposited Plan 31675

EXTENT

Whole

VOLUME

3332

FOLIO

339

APPLICANT (Note 2)

Brooke Charlotte Hickson of 12 Crown Street ELLENBROOK WA 6069

REASON FOR APPLICATION (Note 3)

THE APPLICANT HEREBY APPLIES

To amend the name of the Brooke Charlotte Grump to Brooke Charlotte Hickson

Dated this

day of

Year

SIGNATURE OF APPLICANT/S (Note 4)

Signed

Signed

In the presence of

In the presence of

A To be copied from Certificate of Title

B To be copied from Certificate of Title

C To be copied from Certificate of Title

D State true full name and address of applicant. (Include co-proprietor if the address of both proprietors has changed)

E Show former name currently shown on title, then the true full name following marriage

F Show note to amend address, include former address and new address

G Date to be shown

H Signature of applicant(s)

I Signature of witness, then print full name, address and occupation

SAMPLE ONLY. ACTUAL TEXT WILL VARY.

Contact List

Landgate contacts

Landgate Office Hours 8.30am to 5.00pm
(Lodgement Hours 8.30am to 4.30pm)

Landgate - Midland Head Office

1 Midland Square

MIDLAND WA 6056

Tel: +61 (0)8 9273 7373

Email: customerservice@landgate.wa.gov.au

Website: www.landgate.wa.gov.au

Postal Address: PO Box 2222, MIDLAND WA 6936

Document lodgement sites

Document Lodgement Hours strictly 8.30am to 4.30pm

Landgate - Midland Head Office

1 Midland Square

MIDLAND WA 6056

Landgate - Perth Business Office

200St Georges Terrace

PERTH WA 6000

Other useful contacts

Department of Finance

State Revenue/Duties (OSR)

200St Georges Terrace

PERTH WA 6000

Tel: +61 (0)8 9262 1400

Email: duties@finance.wa.gov.au

Website: www.finance.wa.gov.au

Department of Planning

140William Street

PERTH WA 6000

Tel: +61 (0)8 6551 9000

Website: www.planning.wa.gov.au

Family Court

150Terrace Road

PERTH WA 6000

Tel: +61 (0)8 9224 8222

Website: www.familycourt.wa.gov.au

Probate Office

11th Floor, 28 Barrack St

PERTH WA 6000

Tel: +61 (0)8 9421 5152

Website: www.supremecourt.wa.gov.au

Registry of Births, Deaths and Marriages

141St Georges Terrace

PERTH WA 6000

Tel: 1300 305 021

Website: www.bdm.dotaq.wa.gov.au

State Administrative Tribunal

6th Floor, 565 Hay Street

PERTH WA 6000

Tel: +61 (0)8 9219 3111

Website: www.sat.justice.wa.gov.au



Landgate