Change Name by change of name certificate, deed poll or licence

A guide to preparing the documents
Preparation of an Application to Change Name by change of name certificate, deed poll or licence

This step-by-step guide is designed to show you how to prepare and lodge an application to change the name shown on a title following the change of a name being recorded with the Registry of Births, Deaths and Marriages in WA by a change of name certificate, deed poll or licence.

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

Certificates 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 – Application form A5 and Statutory Declaration form B3
- Certified copy of the change of name certificate, deed poll or licence 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 copy of a change of name certificate, deed poll or licence, certified by a solicitor, Justice of the Peace, an accountant or any other similarly 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.

An Application Form A5 and a Statutory Declaration Form B3

The Application form A5 and the Statutory Declaration from B3 are available from a Landgate office or online from the Landgate website.

Please note that only originally 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 change of name certificate, deed poll or licence issued by the Registry of Births, Deaths and Marriages in WA (or equivalent if outside of WA)

A certified copy of the change of name 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).

If the change of name occurred by a deed poll or a licence, a certified copy of the deed poll or licence certified by the Registry of Births, Deaths and Marriages in WA or the production of the clients copy of the deed poll or licence (for sighting by Landgate) will be required to be produced as evidence.

The certified copy of the change of name certificate, deed poll or licence 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 change of name, deed poll or licence have 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 copy of a change of name certificate, deed poll or license, certified by a solicitor, Justice of the Peace, an accountant or any other similarly 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 change of name 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.

3. If the change of name occurred by a deed poll or a licence, a certified copy of the deed poll or licence certified by the Registry of Births, Deaths and Marriages in WA, or a copy Certified by Australia Post, or production of the clients copy of the deed poll or licence (for sighting by Landgate) will be required to be produced as evidence. NOTE: a copy of a change of name certificate, deed poll or licence, 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.

4. Lodge the original signed forms, certified copy of the change of name certificate (issued by the Registry of Births, Deaths and Marriages in WA) deed poll or licence 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.
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 change of name and include reference to certified copy of change of name certificate, deed poll or license (include new address if changed)

» State full correct name now (as shown on change name certificate, deed poll or license)

» State the person shown on the title (former name) plus title reference as being one and the same person (new name) as shown on the change of name certificate, deed poll or license.

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**FORM B3**

WESTERN AUSTRALIA TRANSFER OF LAND ACT 1880 AS AMENDED OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005

STATUTORY DECLARATION

I, Frederick Champion of 344 Diet Street, West Cannington, Fitness Instructor

A

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

Sincerely declare as follows -

B

1. I am registered as the proprietor of the land being Lot 1580 on Deposited Plan 22396 being the whole of the land comprised in Certificate of Title Volume 3332 Folio 339, wherein I am described using my former name of Frederick Hoover.

2. I changed my name from Frederick Hoover to Frederick Champion as shown in the certified copy of change of name certificate number 1245/2020 produced with this declaration.

3. My true and correct name is now Frederick Champion.

4. The person described on Certificate of Title Volume 3332 Folio 339 as Frederick Hoover is one and the same person as Frederick Champion described in the change of name 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 Declarations Act 2005 at (place) on (day) of (month) 2020 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)

SAMPLE ONLY - ACTUAL TEXT WILL VARY

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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)

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.
**LOT 1580 ON DEPOSITED PLAN 22396**

**REGISTERED PROPRIETOR:**

FREDERICK HOOVER
OF 344 DIET STREET, SOUTH CANNINGTON

[1 M149404] REGISTERED 28 AUGUST 2020

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**


**STATEMENTS:**

The statements set out below are not information to be relied on as substitutes for searches (or inspections) and the statements or other documents should be probed, legal advice or other professional advice should be obtained. The statements are to be relied on as substitutes for searches (or inspections) and the statements or other documents should be probed, legal advice or other professional advice should be obtained.

**SKETCH OF LAND:**

3332-339

**PROPERTY STREET ADDRESS:** 344 DIET STREET, WEST CANNINGTON

**LOCAL GOVERNMENT AREA:** CITY OF CANNING

**NOTE 1:** DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALERS

**THE TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY**

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**APPLICATION**

**DESCRIPTIO OF LAND (Note 1):** Lot 1580 on Deposited Plan 22396

**EXTENT:** Whole

**VOLUME:** 3332

**FOLIO:** 339

**APPLICANT (Note 2):** Fredrick Champion of 344 Diet Street, South Canning

**DATE TO BE SHOWN:**

**SIGNATURE OF APPLICANT (Note 3):**

**SIGNATURE OF WITNESS (Note 4):**

This example is for paper forms only.

**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
200 St Georges Terrace
PERTH WA 6000

Other useful contacts

Department of Finance
State Revenue/Duties (OSR)
200 St 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
140 William Street
PERTH WA 6000
Tel: +61 (0)8 6551 9000
Website: www.planning.wa.gov.au

Family Court
150 Terrace 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
141 St Georges Terrace
PERTH WA 6000
Tel: 1300 305 021
Website: www.bdm.dolaq.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