

**Births Deaths
and Marriages**

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Changing a Child's Name

To change your child's name you will need to apply to the Births, Deaths and Marriages Registration Office. You will have to complete an *Application to Register a Change of Name* form and lodge it at the Registration Office, along with the fee payable and supporting documents.

The documents you need to present to the Registration Office include:

- If the child was born in Australia, an original copy of their birth certificate.
- If the child was born overseas, an original copy of their birth certificate (translated into English if it was not originally in English), or a current passport, or citizenship papers.
- Two forms of current identification of the parent or parents who lodge the application.
- If the child was not born in South Australia, the child must have lived here for three (3) or more months, and you will need to provide documentary proof of residence.

You will also need the following:

- Consent of both parents is required where both parents are stated on the birth certificate. Where details of the father are not stated on the birth certificate, only the consent of the mother is required; **OR**
- If one of the parents of the child has died, proof of death will have to be provided (death certificate) and the consent of the surviving parent will be required; **OR**
- If one of the parents cannot be found, or that parent refuses to consent to the change of name, you will need to supply a court order approving the change of name. Please see section on court orders; **OR**
- A legal guardian appointed by a court may apply to change a child's name, but the consent of both parents is still required. A legal guardian will also have to supply a copy of the court order that made them the legal guardian.

Court Orders

If either of the parents named on the birth certificate do not consent to the change of name, you will have to seek an order from the Magistrates Court before the change of name can be registered with the Registration Office. You can apply to the Magistrates Court yourself, but you may wish to seek legal advice before doing so.

Where the Magistrates Court grants an order to change a child's name, the order must be lodged with the *Application to Register a Change of Name* form at the Births, Deaths and Marriages Registration Office to have the new name registered. There is no certainty that the Magistrates Court will grant an order allowing a name to be changed. In certain circumstances the Registrar may oppose the change of name in court.

A family court order may not be sufficient to change your child's name without the agreement of the other parent. Please contact this office if this applies to you.



You can contact the Magistrates Court on (08) 8204 2444, or visit the Court at 260-280 Victoria Square, Adelaide SA. The Court also has country offices and suburban offices. You will find their addresses in the White Pages under Courts (State). You can also visit their web site www.courts.sa.gov.au.

Please note: The Magistrates Court will charge a fee to lodge the application. You can find out how much this will be by contacting the Court.

Consent of a Child

A child's name cannot be changed unless the child has consented to the change of name. A qualified person must interview any child whose name is being changed to determine if they understand the implications of changing their name and if they do, whether they agree to the change. However, if the child is unable to understand the meaning and implications of a change of name, the new name can be registered.

Therefore, if you are going to the Magistrates Court to seek a court order the child may be required to appear in Court on the date of the hearing to give their consent. **You will need to make arrangements for the child to attend.**

What happens after the Change of Name is registered

If your application is approved and your child was born in South Australia, you may choose to have their new name recorded on their birth certificate. You may have this done at the time of registration and if you do, no extra fee will be charged. You will then receive a new birth certificate in the child's new name with the original name recorded on the back of the certificate. If you decide to do this at a later date a fee will apply.

If your child was not born in South Australia you will be issued with a Change of Name certificate. You may be able to have their new name shown on their birth certificate. There is further information about this on the *Application to Register a Change of Name* form.

For further information, please contact the **Births, Deaths and Marriages Registration Office** on **(08) 8204 9599**.

Regional Offices

Port Augusta

9 Mackay Street

Telephone 131 882

Whyalla

15 Darling Terrace

Telephone 131 882

Berri

30 Kay Avenue

Telephone 131 882

Mount Gambier

11 Helen Street

Telephone 131 882