

Change of Name

What is a Deed Poll?

A Deed Poll is a legal document - not a certificate. It is a form of legal contract but it differs from legal contracts between two or more parties in that it only concerns one person (and it is only signed by that person). A Deed Poll therefore binds the person who signs it to a particular course of action as detailed on the Deed Poll document.

Although Deed Polls have in the past been used for various purposes relating to an individual committing themselves to doing something, today they have one generally accepted meaning, that is, a change of name. However, the correct legal name for a deed that has been drawn up to change someone's name is a *Deed of Change of Name*.

A Deed Poll for a change of name contains three declarations and by executing the Deed Poll (signing, dating and having witnessed) you are committing yourself to:

1. Abandoning the use of your former name;
2. Using your new name only at all times;
3. Requiring all persons to address you by your new name.

A Deed Poll therefore provides documentary evidence that you have changed your name and that you are legally binding yourself to using your new name. Although a Deed Poll is an English legal document, it is recognised by all UK government departments and UK companies and organisations - subject to the Deed Poll being prepared by a competent authority such as a Solicitor.

What is the purpose of a Deed Poll?

If you want to get all of your documents and records changed to show a new name e.g. your medical records, bank account, credit cards, passport, driving licence etc, you will be asked to produce documentary evidence of your change of name. A Deed Poll is a formal statement to prove that you have changed your name and it provides you with the necessary documentary evidence of the name by which you wish to be known.

When changing your name by Deed Poll, you simply write to everyone, enclosing your Deed Poll as documentary evidence, and request that your name is changed to the new name shown on the Deed Poll.

With a Deed Poll, you can change your forenames or surname, add names, remove names or rearrange your existing names. You can change your name at any time and for any reason provided it is not to deceive or defraud or to avoid an obligation.

A Deed Poll can be executed by any British citizen aged 18 years or over living anywhere in the world or by anyone, of any nationality, living in the United Kingdom (parents can apply on behalf of their children). It should be noted that a Deed Poll is only recognised by United Kingdom government departments, companies and organisations. If you are a foreign national living in the UK, you should check with your country's high commission or Embassy in London to see if a Deed Poll will be accepted to get your passport changed to show your new name. Countries that have a legal system based on the British legal system will usually accept a Deed Poll issued in the UK.

We have included, at the end of this document, a comprehensive list of government departments, companies and organisations that you will need to notify of your change of name. The list tells you what you need to do for each. We also supply an example covering letter that you can use when you send your Deed Poll to the parties concerned to get your documents and records changed.

Please note that a Deed Poll cannot be used to get your birth certificate reissued in your new name. Please read our section '[Can a birth certificate be changed?](#)' for further information about the few circumstances where a birth certificate can be changed.

What are the reasons for Changing your Name by Deed Poll?

Here are the most popular reasons for people changing their name by Deed Poll in the UK:

- Upon separation, a woman wishes to be known by her maiden name before her divorce is finalised ([see note 1 below](#))
- An unmarried mother whose child was registered with the father's surname wishes her child to have her surname.
- People who simply don't like their name.
- Upon marriage, the bride and groom choose to have a double barrelled or hyphenated name ([see note 2 below](#))
- Upon marriage, a bride who adopts her husband's surname chooses to have her maiden name as a middle name.
- Upon marriage, a bride who already has children from a former relationship chooses to have the surname of her children changed to her new married surname (see note 3 below).
- People who have been using a different name to their birth name who want to formalise their change of name so that all their records and documents show their new name (usually their passport).

- One or both partners in a gay or lesbian relationship wish to share the same surname.
- Transsexuals who wish to change their name after a gender change operation.
- Entertainers who want to formally use their stage name.

So long as you are not changing your name for fraudulent purposes, it doesn't matter what the reason is - it's your right to be known by whatever name you wish (subject to the restrictions that are explained in the section *Are there any restrictions on names?*)

Note 1 Upon receipt of a Decree Absolute certificate, a woman can usually revert to her maiden name. A Deed Poll is often not required as the Decree Absolute Certificate and her Marriage Certificate (which shows her maiden name) provides the documentary evidence that she has changed her name.

Note 2 Upon marriage, the bride has the option of keeping or maiden name or adopting her husband's surname. If she only adopts her husband's surname, a Deed Poll is not required. The Marriage Certificate provides the documentary evidence that she has changed her name. A groom has no legal right to change his name upon marriage.

Note 3 If the mother was married or the father of the children has Parental Responsibility, written permission of the father is required. If the father's permission is not given, a court order can be obtained.

Who can apply for a Deed Poll?

You can apply for a Deed Poll if you:

- are British, or
- live in the United Kingdom.

If you are British, you can be living anywhere in the world.

If you live in England, Scotland, Wales or Northern Ireland you can be of any nationality.

If you are a foreign national living in the UK, we advise you to check with your country's High Commission or Embassy in London to see if a Deed Poll issued in the UK will be accepted as documentary evidence to get your passport changed to show your new name. Countries that have a legal system based on the British legal system will usually accept a Deed Poll issued in the UK. Other countries may ask you to get your deed poll 'legalised'.

If you are a British national living outside the UK we advise you to speak to your local British mission (i.e. British consular services at your nearest British High Commission or Embassy) to ensure there are no special requirements that must be met before they will issue you with a new British passport. For example, the British Embassy in Tokyo requires a Deed Poll to be witnessed by a solicitor.

Are there any Age Requirements?

To change your own name by Deed Poll, you must be at least 18 years of age. If you are under 18 years of age, one of your parents can apply for a Deed Poll on your behalf so long as anyone else with Parental Responsibility consents to your name change. If you are 16 or 17 years of age and your name is being changed by your parent, you must consent to it in writing. If you are under 16 years of age, your parents can change your name without your consent.

Can I change my children's names?

Please note that the information in this section is provided for reference only. This firm has taken a Policy decision, not to deal with Change of Name Deeds (Deed Polls), under any circumstances, for any person aged 17 or under.

You can easily change your child's name by Deed Poll providing those with Parental Responsibility consent to the name change. If your child is 18 or over, they must execute their own Deed Poll.

Parental Responsibility is a legal term and its definition and acquisition vary according to where in the UK your child resides. We hope the information below will help you to understand the meaning of Parental Responsibility and determine who has Parental Responsibility for your child and who needs to consent to your child's name change.

If you have sole Parental Responsibility and the father has regular contact with your child, please also read the section titled 'Important legal issues' towards the bottom of this page.

Consent Requirement

If you have joint Parental Responsibility for a child, whose name you wish to change, you must provide us with an original letter of consent (not by fax or e-mail), which confirms that those with Parental Responsibility have consented to your child's name change.

Please note, if your child is 16 or 17 years of age, the child must also consent in writing to their name being changed by Deed Poll. This is because at the age of 16 a person can decide for themselves what name they wish to be known by (although they cannot change their name by Deed Poll until they are 18).

What is Parental Responsibility?

Parental Responsibility is a legal term that means having all the legal rights, duties, powers and responsibilities for a child (a child is a person under the age of 18).

Having Parental Responsibility for a child means that you are responsible for, and have the right to be consulted about, the child's health, education and welfare. To change a child's name, those with Parental Responsibility must consent to the name change.

Who has Parental Responsibility?

This section will enable you to determine whether you have sole Parental Responsibility or joint Parental Responsibility. If you have sole Parental Responsibility, only you need to consent to your child's name change. If you have joint Parental Responsibility, you and the other person with Parental Responsibility (usually the father) need to consent to your child's name change.

Acquisition of Parental Responsibility at birth, upon marriage of the parents and upon registration of the birth. Throughout the United Kingdom, a mother automatically acquires Parental Responsibility at birth. However, the acquisition of Parental Responsibility by fathers varies according to where the child resides:

For a child residing in England or Wales if the mother was married to the father when their child was born, or if the mother married the father at any time subsequent to the birth, the father also has Parental Responsibility. Please note, for births registered from 1st December 2003, an unmarried father automatically acquires Parental Responsibility if he is recorded as the child's father on the birth certificate.

For a child residing in Scotland if the mother was married to the father when their child was conceived, or if the mother married the father at any time subsequent to conception, the father also has Parental Responsibility.

For a child residing in Northern Ireland if the mother was married to the father when their child was born, the father also has Parental Responsibility. Please note, for births registered from 15th April 2002, an unmarried father automatically acquires Parental Responsibility if he is recorded as the child's father on the birth certificate.

For a child residing outside the United Kingdom the laws of the country of birth apply.

If a father has Parental Responsibility, his consent is required to change his child's name. This is the case even if he and the mother have separated, divorced or remarried and if the father has no contact whatsoever with the child.

If a father, who has Parental Responsibility and who no longer lives with the mother and child, refuses to give his consent to change his child's name, the only course of action for the mother to apply to the courts for leave (permission) to change the child's name. A court will give permission if it believes it will be in the child's best interests to allow the name change. The court will take into account the degree of commitment of the father to the child and the quality of contact between the father and child to determine whether the link with the father (by shared surname) can be broken. An older child's views will also be important in deciding whether the name change should be allowed.

If the whereabouts of a father with Parental Responsibility is not known, please read section 6 below.

Acquisition of Parental Responsibility by unmarried fathers

Unmarried fathers can acquire Parental Responsibility by:

- Subsequent marriage to the mother (in England, Wales and Scotland only).
- Being registered as the child's father (in England and Wales for births registered from 1st December 2003).
- Being registered as the child's father (in Northern Ireland for births registered from 15th April 2002).
- Being awarded Parental Responsibility by a court.
- Entering into a formal documented agreement with the mother.
- Being granted a Residence Order by a court.
- Being appointed Guardian by a court.

If an unmarried father acquires Parental Responsibility, his consent is required, in addition to the mother's consent, to change their child's name. Please note, if a mother changes her child's name knowing that the father has applied for a Parental Responsibility order, it will be quite easy for the father to get the name change reversed once he has obtained his Parental Responsibility order.

Acquisition of Parental Responsibility by Step-Fathers

Step-fathers can acquire Parental Responsibility by:

- Being awarded Parental Responsibility by a court (in England and Wales only).
- Entering into a formal documented agreement with others that have Parental Responsibility (in England and Wales only).
- Being granted a Residence Order by a court.
- Being appointed Guardian by a court.
- Adopting the child.

If a step-father acquires Parental Responsibility, his consent would be required, in addition to anyone else who has Parental Responsibility, to change the child's name e.g. the mother and maybe the natural father.

How Parental Responsibility is lost

Parental Responsibility is only lost when:

- The child reaches 18 years of age (16 in Scotland).
- If it is brought to an end on application to a court by the person having it.
- With the permission of the court on the application of the child.
- If another person adopts the child.
- If an order granting it is terminated by the court.
- If a person with Parental Responsibility dies.

Please note, Parental Responsibility can be limited by Care Orders, Contact Orders or Prohibited Steps Orders.

Important legal issues

If you have sole Parental Responsibility and the father has frequent contact with your child, there is legal precedence that you should be aware of before you apply to change your child's name.

There have been successful legal actions in England where an unmarried father without Parental Responsibility, has obtained a court order to have his child's change of surname reversed (but not any forename changes). In each case, the mother had changed her child's surname from the father's surname to her surname. The court ordered that the child's surname be changed back to the father's surname. The significant factor taken into account by the courts was that the courts recognised the importance of maintaining a link with the father. By sharing the same surname with the child, the father's biological link is recognised. The courts also took into account the degree of commitment of the father to the child and the quality of contact between the father and child. In these successful cases, there was frequent contact with the child by the father. This does mean, however, that if the father does not have frequent contact with his child, it is highly unlikely that he will be successful in obtaining an order to reverse a change of surname because there is no link to break.

You are therefore advised that if you change your child's surname and the father has frequent contact with your child, he may be able to have the change of name reversed (if he has the inclination, time and money to go through the court process). The only way to eliminate the risk of the change of surname being reversed is to apply to the courts for leave (permission) to change the child's name without the consent of the father.

If the father of your child has frequent contact an option to consider is to double barrel the surname with your surname i.e. add your surname to the child's surname. By doing this, it is much more unlikely that the father will seek a court order to reverse the name change because his name has not been removed and thus the biological link to the father has not been broken. Furthermore, if you do not link the two names with a hyphen, in common usage only the child's first name and last name will be used. For example, if your child is known as Rebecca Louise Smith and you change the surname to Smith Jones (i.e. add your surname of Jones) then in common usage, the child will be called Rebecca Jones. However, if you hyphenate the surname, the child will always be called Rebecca Smith-Jones.

One further point to consider relates to the age of your child. If your child is into their adolescence (around 12 upwards) and the child wants the name change, the chance of the father being successful in obtaining a court order to reverse a surname change is significantly reduced. This is because a judge must act in the best interests of the child and if the child is able to demonstrate that they fully understand the significance of the name change and desire the name change then the judge will take the child's views into account.

Changing a child's name without the consent of an absent father who has Parental Responsibility

It may be possible for a parent who has custody of a child to change the child's name by Deed Poll without the other parent's consent if the other parent's whereabouts are not known. Usually, this situation arises where a mother wishes to change the surname of her child because the child has the father's surname and the father is now absent through separation or divorce. The mother may have entered into a new relationship (and is using her new partner's surname) or has reverted to using her maiden name.

In this situation, the mother must write a letter confirming what reasonable measures she has taken to contact the absent father - for example, writing to the father's last known address and contacting relatives and friends of the father etc. Although we will issue a Deed Poll upon receipt of a satisfactory letter of consent, there is a risk, that the father may in the future contest the change of name through the courts. However, a court will only reverse the change of name if it believes it is in the best interests of the child to do so. The court will take into account the degree of commitment of the father to the child and the quality of contact between the father and child.

Therefore, if the father is voluntarily absent for a prolonged period of time, the court is very unlikely to support a father's application to have a name change reversed. Furthermore, the father's chances are further reduced if the child also wishes to change their name, particularly an adolescent child who has an understanding of the significance of changing their name.

Please note that the issue of a Deed Poll by a Solicitor - where one of the parents is absent and uncontactable - is no guarantee that all official record holders, e.g. school, doctor, passport office etc, will change your child's name records. This is because official holders of records should satisfy for themselves that all those with Parental Responsibility have consented to the child's name change. If the consent of an absent and uncontactable parent is not obtained, an official record holder can refuse to change a child's name records. Our experience is that this rarely happens. However, it is more likely that a child's name change will be refused if the letter of consent does not contain sufficient information to demonstrate that reasonable attempts have been made to contact the absent parent. It may be that you are asked to provide evidence of the attempts you have made to contact the absent parent or are asked for a solicitor's letter confirming that the absent parent cannot be traced.

The only way to guarantee that a Deed Poll will be effective is to obtain a court order permitting the parent with whom the child lives to change their child's name without the consent of the absent parent. If you and your child(ren) live in England or Wales, applying for a court order (known as a 'section 8' order) is not difficult so do not be put off from doing what you think will be a daunting experience.

Can I change a Birth Certificate?

For most name changes, you cannot get your child's birth certificate changed. The few circumstances where your child's birth certificate can be changed are given in the section entitled *Can a birth certificate be changed?* It is worth reading this page because if you can get the birth certificate changed you do not need a Deed Poll.

If you cannot get the birth certificate changed, you should apply for a Deed Poll. After you have used the Deed Poll document to get your child's name records changed and obtained a new passport, you simply keep the Deed Poll document safe with the birth certificate and produce the two documents together if you are required to prove your child's name. For example, when your child applies for a driving licence, their birth certificate and Deed Poll will be enclosed with the driving licence application.

Are there any restrictions on names?

Although there are no laws in the United Kingdom relating to unsuitable names, there are restrictions we impose on what you can change your name to.

We will not prepare a Deed Poll for a name that:

- is impossible to pronounce,
- includes numbers or symbols,
- includes punctuation marks - although you can have a hyphen to link forenames or surnames (for example, if you want a double barrelled surname) and an apostrophe in the case of surnames like O'Brien.
- we consider vulgar, offensive, blasphemous or unsuitable,
- may result in others believing you have a conferred or inherited honour, title or rank, for example, a change of first name to Sir, Lord, Lady, Prince, Princess, Baron, Baroness, Count, Countess, General, Colonel etc.,
- does not include at least one forename and one surname.

Other than the above restrictions, you can change your forenames, surname (or both), add names, remove names or rearrange your existing names. You can change your name at any time and for any reason provided it is not for deceptive or fraudulent purposes or for the avoidance of an obligation.

Copyright and trade marks protection of names

There is no copyright or trade mark protection for people's names. Therefore, if you want to call yourself Elton John for everyday use, you can. However, you cannot use your new name if it results in passing-off or deception. For example, if you changed your name to Elton John and you published music and/or lyrics in that name, you will probably find yourself subject to trade mark infringement legal action by the artist Elton John on the grounds that you are passing yourself off as him.

Fun names

Some people like the idea of having what we call a fun name such as Hong Kong Phooey, Father Christmas, Ed Kase, Ting A Ling, Huggy Bear, Donald Duck, Pussy Galore and James Bond. The most popular name changes of this type are where football team names or player names are included as middle names.

If you are considering a fun name and belong to a professional body, you should check to ensure there will be no problems registering your new name with them.

Is a Deed Poll registered anywhere?

Contrary to popular belief, there is no central register of name changes in the United Kingdom. Deed Polls are not registered anywhere unless you choose to have your Deed Poll lodged for safe keeping and entered in the Enrolment Books of the Central Office of the Supreme Court of Deeds, which is situated at the Royal Courts of Justice in London. Enrolling a Deed Poll provides a public record of your name change and your details are published in the London Gazette. However, it is not a requirement to enrol your Deed Poll and it significantly adds to the time taken and the cost of changing your name.

Most people who change their name only wish to inform those who have a reason to know. Consequently, very few Deed Polls are enrolled.

Who to advise after changing your name

After changing your name by Deed Poll, you must notify everyone that has your personal records to let them know you have changed your name. Government departments and agencies such as the Passport Office, DVLA and Inland Revenue will need to see your original Deed Poll document (or certified copy) as will your bank, building society and credit card companies. Most other companies and organisations will accept a photocopy.

If you have changed the name of your child, you will also be required to provide the letter of consent, which we return when we send you your Deed Poll.

Listed below are many of the companies and organisations you need to advise of your change of name.

- Employer.
- Inland Revenue for tax and NI records (obtain your reference and tax office address from your employer).
- School/college/university.
- Doctor.
- Dentist.
- Driver & Vehicle Licensing Authority (driving licence and vehicle registration document).
- Passport Office (to apply for a new passport).
- Bank.
- Building Society (mortgage and/or savings accounts).
- Utility companies (water, sewage, electricity, gas).
- Telephone company
- Mobile telephone company
- Local authority (council tax and register of electors).
- HM Land Registry (if you own land or property).
- TV Licensing office.

- Credit card and store charge-card companies.
- Finance/loan companies.
- Premium Bond office.
- Investment companies.
- Companies you have shares in.
- Pension company.
- Insurance companies (e.g. motor, medical, life, endowments, buildings, contents, extended warranties etc).
- Mail-order companies.
- Motoring organisations.
- Professional institutes and bodies.
- Clubs, societies and associations.
- Internet Service Provider.
- Police (if you have any criminal actions against you or are on the Sex Offenders' Register).

Please see a sample letter below, which you may wish to use when writing to the above.

Sample letter

Your name and address

Addressee

Dear Sirs,

Account No. / Policy No. / National Insurance No. / Ref No.

I wish to advise you that following my change of name by Deed Poll, my name has changed from *previous name* to *new name*. Please amend your records accordingly.

Please find enclosed a copy of my Deed Poll. If you require sight of the original, or require further information, please let me know.

Yours faithfully,

Sign using your new name

Print your new name

Please note, it is not possible to change your name on your marriage, adoption or Decree Absolute certificates. In certain cases, you may be able to get your birth certificate re-issued or amended. See *Can a Birth Certificate be changed?*

Can a birth certificate be changed?

There are some circumstances that enable you to get the name entry amended or changed on your birth certificate. If you are able to get a new or amended birth certificate issued, a Deed Poll is not required as the new birth certificate is sufficient to get all documents and records changed.

England and Wales

In England and Wales, you cannot get your birth certificate changed if you change your name unless.

You are changing a child's forename(s) within 12 months of registration:

If you only wish to change the forename(s) of a child for which you have Parental Responsibility, you can have the child's birth certificate amended to include the child's new forename(s) providing the change occurs within 12 months of the original registration. The new full birth certificate will show both the original and the new forename(s) but the short birth certificate will only show the new forename(s).

You are changing a child's surname from the mother's surname to the father's surname (parents not married): if the parents of the child were not married to each other at the time of the birth and the father did not attend with the mother to register the child, it is possible to re-register the birth at any time in the future to include the father's details and change the surname of the child to that of the father (only if both parents agree, otherwise a court order is required). Upon re-registration, a new birth certificate will be issued.

If changing a child's surname from the mother's surname to the father's surname (parents married since birth): if the parents have married each other since the birth was registered, the birth can be re-registered to show the father's details. The birth will then be re-registered and the child and mother's surname can be changed to that of the father as part of this process. Upon re-registration, a new birth certificate will be issued.

Please note, if the parents were not married to each other at the time of the birth and the child was registered with the father's surname, it is not possible to change the child's surname back to the mother's on the birth certificate.

For further information contact the General Registrar Office for England and Wales or telephone or visit your local register office.

Scotland

If you were born or adopted in Scotland: In Scotland, you can get your birth certificate changed in the following two circumstances:

Children aged one and under: If a child's forename(s) (but not surname) is changed within the first year of life, the change may be recorded in the birth register if notification is made within two years of the birth of the child. When an extract or abbreviated certificate of the child's birth entry is subsequently issued, the new name is substituted for the name originally registered.

Persons aged two and over: For persons aged two years and over, providing documentary evidence that the new name has been used for at least two years, the change of forename(s) and/or surname can be recorded in the birth register, but in the subsequent issue of an extract or abbreviated certificate the original forename(s) and surname are shown in addition to the new names. By changing your name by Deed Poll, you will be able to get your documents and records changed your new name for subsequent use as documentary evidence that you have used your new name for the two year period.

For further information contact the General Registrar Office for Scotland.

Northern Ireland

If you were born or adopted in Northern Ireland: A person's forename(s) and surname as recorded in the birth register cannot be changed. However, upon providing documentary evidence that a new name has been used for at least two years, the new forename(s) and/or surname can be recorded. Any certificate of birth will continue to show the forename(s) and surname as originally registered but the new forename(s) and/or surname as recorded will be shown in a separate space in any certificate subsequently issued, together with the date on which the change was recorded.

By changing your name by Deed Poll, you will be able to get your documents and records changed your new name for subsequent use as documentary evidence that you have used your new name for the two year period.

For further information contact the General Registrar Office for Northern Ireland.