



Change of Name by Deed Poll

What Name Can You Use?

You can use any name you wish, and it becomes your name by common usage. However, your legal name is governed by the rules listed below. Some organisations will only recognise and issue documents in your legal name and may require the original or a formal copy of your birth or marriage certificate. Through money laundering legislation organisations will often refuse to issue a document in the commonly used name, and where they do problems could occur, especially in the administration of one's estate when the executors have to determine ownership of the estate's assets. The most effective way to change your legal name is by Deed Poll.

What Is Your Legal Family Name?

Men and Children: The legal family name is always that given on the birth certificate,

Women: The legal family name is that given on the birth certificate, unless you are a married woman. Once married, women can take their husband's family name or retain their own. As those who use both names after marriage know, there are advantages in continuity for business purposes, but lots of confusion as a down side. If using both names after marriage, the legal name is that of the husband.

At the time of divorce (decree absolute), a woman can revert to using her maiden name. However if she continues to use her married name, that remains her legal name. So if she later wants to revert to her maiden name being her legal name, she needs to change it by Deed Poll. Even if reverting to a maiden name at the time of divorce, it is often simpler to change it by Deed Poll.

An exception to the above is if you are legally adopted; at the time of adoption your name changes to that of the adoptive parents and a new birth certificate is issued in the new name.

When Should You Consider Changing Your Name By Deed Poll

Some possible scenarios where changing your name might be beneficial are listed below:

- Problems arise because the family name you use is not the one on your birth certificate or that of your husband;
- You dislike your forenames and/or surnames would rather it did not appear on official documents;
- You are unmarried and would like to use your partner's family name;
- You wish to have the same family name as your children;
- You are married and would like to legally combine both family names.

Frequently Asked Questions

Q. What do you get when you change your name by Deed Poll?

A. A legal document that is accepted as proof by the passport office, all government departments and other institutions which they are obliged to accept as your chosen name.

Q. Can I get my Birth Certificate changed?

A. No.

Q. Can a child's name be changed without their consent?

A. Yes if they are under 16 years old. Between the ages of 16 and 18 they must agree.

Q. Can a child's father object to a name change?

A. If you were married when the child was born, fathers have a joint parental responsibility and must agree to the change.

A. If you were not married when the child was born, then the mother alone can change the family name, unless the father has parental responsibility or there is a court restriction in place.

Q. After the Deed Poll is activated, can I also continue to use my previous name?

A. No. The legal document states that you revoke all previously known names.