

Name Change by Statutory Declaration of person aged under 18 who has not been married, in a civil union or de facto relationship

Who may register a name change in New Zealand To register a name change in New Zealand on or after 25 January 2009, the person whose name is being changed:

- Must have his or her birth registered in New Zealand; or
 - Must be a New Zealand citizen or entitled, under the Immigration Act 1987, to be in New Zealand indefinitely.
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When to use this form Use this form to register a name change in New Zealand for a person:

- whose birth is registered in New Zealand and who is at least 2 years of age but younger than 18 years of age, and who has never been married, in a civil union or de facto relationship; or
- who is a New Zealand citizen or entitled, under the Immigration Act 1987, to be in New Zealand indefinitely, who is younger than 18 years of age, and who has never been married, in a civil union or de facto relationship.

If you have any problems filling in this form contact Births, Deaths and Marriages or consult your legal adviser.

Other Name Change forms

- Use a 'Name Change by Statutory Declaration' (form BDM 120) if you are the person whose name is to be changed and you are aged 18 years of age or older; **OR** you are, or have been, married, in a civil union or de facto relationship.
- Use a 'Request for Name Change Within 2 Years of Birth' (form BDM 36) if the person is younger than 2 years old and their **birth is registered in New Zealand**.

Guidelines about the new name The new name (or combination of names) may not be accepted for registration if, in the opinion of the Registrar-General of Births, Deaths and Marriages (or the Family Court on appeal):

- it might cause offence to a reasonable person; or
- it is unreasonably long (that is, it should be less than 100 characters long, including spaces); or
- without adequate justification, it is, includes, or resembles, an official title or rank; or
- it is not a name (for example, it must not consist of or include symbols that cannot meaningfully be expressed in language).

The new name must consist of one name that is designated to be treated as the person's surname or family name, and one or more other names, unless the religious or philosophical beliefs, or cultural traditions of the person's parent(s) or legal guardian(s) require the person to bear only one name.

Who the legal guardian(s) are

All the person's legal guardians must sign this declaration.

The child's father and mother are usually joint guardians:

The father and the mother of a child are guardians jointly of the child unless the child's mother is the sole guardian of the child.

The mother is the sole guardian:

If a child is conceived before 1 July 2005, the child's mother is the sole guardian of the child if the mother was not:

- Married to, nor in a civil union with, the father of the child at any time during the period beginning with the conception of the child and ending with the birth of the child; and not
- Living with the father of the child as a de facto partner at the time the child was born.

If a child is conceived on or after 1 July 2005, the child's mother is the sole guardian of the child if the mother was not:

- Married to, nor in a civil union with, the father of the child at any time during the period beginning with the conception of the child and ending with the birth of the child; and not
- Living with the father of the child as a de facto partner at any time during that period, and
- Neither bullet point applies in the following paragraph "Father as guardian".

If the child is born as a result of an assisted reproduction procedure (such as donor insemination) to a mother acting alone, and the donor is not the mother's partner (i.e. not in a marriage, civil union or de facto relationship), and the donor does not become the mother's partner between conception and notification of the birth for registration, then the mother is the sole guardian.

Father as guardian

- The mother and father are both guardians if they jointly registered the birth of the child on or after 1 July 2005 by completing and signing the Notification of Birth for Registration form (BDM27).
- The father is usually a guardian of the child if the father's particulars were added to the child's birth information on or after 1 July 2005 but no later than 24 January 2009.

Appointment of 1 or more additional guardians:

- An additional testamentary guardian of the child appointed by the deceased parent under section 26(2) of the Care of Children Act 2004 or section 7(2) of the Guardianship Act 1968.
- All Court appointed/approved guardians. A certified copy of the Court appointment as a guardian should be attached to this declaration.

A guardian may act alone:

- In some circumstances a guardian may act alone if the other guardian(s) is/are dead, unknown, missing, of unsound mind or unable to act because of a medical condition; or
- If Family Court approval is obtained. Appropriate evidence must be attached to this declaration.

Other parent:

- If the child was born as a result of an assisted human reproduction procedure (such as artificial insemination), and the mother was living in a marriage, civil union or de facto relationship with a man or a woman (excluding marriage) who had consented to her undergoing the procedure, and the man's or woman's name is recorded on the child's birth registration, then that man or woman must also sign this declaration.

What the guardians have to do

The guardians of the person whose name is to be changed should give all the information requested on this form about themselves and about that person.

If the person whose name is to be changed is aged 16 or 17, that person must sign the panel giving his or her consent to the name change (that signature does not have to be witnessed).

The guardians must sign the statutory declaration in front of a person who is authorised to take a statutory declaration, for example:

In New Zealand	Commonwealth country other than New Zealand	A country other than a Commonwealth country
<ul style="list-style-type: none">• Registrar of Births, Deaths and Marriages• Justice of the Peace• notary public• person enrolled as a barrister and solicitor of the High Court• Registrar or a Deputy Registrar of the Supreme Court, Court of Appeal, High Court or a District Court• some other person authorised by law to administer an oath.	Before a Judge, a Commissioner of Oaths, a notary public, a Justice of the Peace, or any person authorised by the law of that country to administer an oath there for the purpose of a judicial proceeding, or before a Commonwealth representative, or before a solicitor of the High Court of New Zealand.	Before a Commonwealth representative, or before a notary public, or before a solicitor of the High Court of New Zealand.

Certificate showing the person's new names

If the person's **birth is registered in New Zealand**, the new names will be registered on his or her birth record. New birth certificates issued from that record will show the new name and all previous names. A new birth certificate can be ordered, on the payment of an additional fee, once the new names have been registered. Complete and attach a Request for Birth Certificate or Printout Order Form (BDM 93B).

If the person's **birth is registered outside of New Zealand**, the new names will be registered on the name change register. Name change certificates issued from that record will show the new name and all previous names registered on or after 25 January 2009. A name change certificate can be ordered, on the payment of an additional fee, once the new names have been registered. Complete and attach a Request for Name Change Certificate or Statutory Declaration or Deed Poll Order Form (BDM 93N).

To request a certificate, attach the appropriate order form and fee to this application. Order forms may be downloaded from our website www.bdm.govt.nz.

Acceptable evidence to attach to this declaration, if applicable

If the person's **birth is registered in New Zealand**, you do not need to attach any supporting documents to this application. However, if we cannot find the person's birth record from the information included in this form, we will contact you for further information.

If the person's **birth is registered outside of New Zealand**, you must provide a certified true copy or an original of one or more document(s) providing evidence of the date and place of the person's birth, and of the person's status as a New Zealand citizen or person who is entitled, under the Immigration Act 1987, to be in New Zealand indefinitely. Please also include an official English translation of any document that is not in the English language. The following documents are acceptable for this purpose:

- New Zealand Passport (a certified copy of the bio page is sufficient) and a Birth Certificate that includes parent(s) names; or
- New Zealand Citizenship Certificate and a Birth Certificate that includes parent(s) names; or
- Australian Passport or some other evidence of Australian citizenship and a Birth Certificate that includes parent(s) names; or
- Cook Islands, Niue or Tokelau Birth Certificate that includes parent(s) names; or
- Overseas Passport including a permanent residence permit or returning resident's visa issued by Immigration New Zealand that includes parent(s) names; or
- Letter from Immigration New Zealand confirming residence or refugee status (if the letter states the person's name, date of birth, place of birth and parent(s) names); or
- Birth Certificate that includes parent(s) names together with a letter/permit/visa from Immigration New Zealand confirming residence or refugee status; or
- Notarial Certificate (China) that includes parent(s) names together with a letter/permit/visa from Immigration New Zealand confirming residence or refugee status; or
- Household/Family Census Register that includes parent(s) names from an Asian country together with a letter/permit/visa from Immigration New Zealand confirming permanent residence or refugee status.

Fees and our contact details

Contact Births, Deaths and Marriages for the current list of fees or for any other related enquiries:

- Visit our website www.bdm.govt.nz
- If overseas phone: (+ 64 4) 474 8150
- Freephone: 0800 22 52 52 (New Zealand only)
- Email: bdm.nz@dia.govt.nz

Post this form to either of

New Zealand	Sydney	London
Births, Deaths and Marriages Department of Internal Affairs P O Box 10-526 Wellington 6143 New Zealand	Births, Deaths and Marriages Department of Internal Affairs GPO Box 365 Sydney New South Wales 2001 Australia	Births, Deaths and Marriages Department of Internal Affairs New Zealand House 80 Haymarket London SW1Y 4TQ United Kingdom

 Attach evidence if applicable.

Name Change by Statutory Declaration

of person aged under 18 who has not been married, in a civil union or de facto relationship

Please print clearly. Please initial all alterations. Please tick circles like this:

1. PERSON WHOSE NAME IS TO BE CHANGED

Names at birth

First or given name(s)

Surname or family name

Most recent name change recorded, registered or deposited in New Zealand or another country (if different from above)

First or given name(s)

Surname or family name

Date of birth

Day

Month

Year

Place of birth

Place, city or town

Country (if not New Zealand)

Residential address where you usually live

Street number and name

Suburb or rural locality

City or town

Postcode

Country (if not New Zealand)

2. WHICH STATEMENT IS TRUE AND CORRECT?

Please tick ONLY ONE of the four boxes below:

I/We **intend to** abandon the names most recently included in:

- The New Zealand birth registration of the person whose name is to be changed and will adopt the new names.
- OR**
- The record of birth registered or name change deposited in, or outside of New Zealand and will adopt the new names.

OR

I/We **have previously** abandoned the names most recently included in:

- The New Zealand birth registration of the person whose name is to be changed and adopted the new names.
- OR**
- The record of birth registered or name change deposited in, or outside of New Zealand and adopted the new names.

3. THE NEW NAMES

- I have read and understood the “Guidelines about the new name” in the Notes.

The new names

First or given name(s)

Surname or family name

Please print clearly.

Please initial all alterations.

Please tick circles like this:

4. PERSON'S GUARDIANS

- All guardians of the person whose name is being changed must sign.
- If the names of any guardian are different from that shown on the birth registration of the person whose name is being changed, or on any document provided as evidence of the date and place of the person's birth, write the current and former names (e.g. "Smith formerly Jones") and provide evidence of the name change.
- Where the person has more than two guardians, the additional guardians must complete a separate BDM122 and attach it to this document.
- If a guardian is not a parent, include evidence of the appointment as a legal guardian.

	Legal Guardian (1)	Legal Guardian (2)
Current full name	<i>Current full name</i>	<i>Current full name</i>
Residential address where you usually live	<i>Street number and name</i>	<i>Street number and name</i>
	<i>Suburb or rural locality</i>	<i>Suburb or rural locality</i>
	<i>City or town</i> <i>Post code</i>	<i>City or town</i> <i>Post code</i>
	<i>Country (if not New Zealand)</i>	<i>Country (if not New Zealand)</i>
Date of birth	<i>Day</i> <i>Month</i> <i>Year</i>	<i>Day</i> <i>Month</i> <i>Year</i>
Place of birth	<i>City or town</i> <i>Country (if not New Zealand)</i>	<i>City or town</i> <i>Country (if not New Zealand)</i>
Usual occupation, profession or job		
Relationship to person whose name is to be changed		

5. WHEN GUARDIAN IS ACTING ALONE

Please first read the information at the front of this form, which describes who is a legal guardian.

State reason(s) for acting alone:

- I am the person's sole legal guardian. Describe why in the space provided below.
- The guardian(s) is/are missing. State the actions you have actually taken to contact the other guardian(s) below.
- The guardian(s) is/are dead.
 - If died in New Zealand, write deceased's name, date of death and place of death in the space provided below.
 - If died overseas, include a certified copy or original of the deceased's death certificate.
- The other guardian is unable to act as they are of unsound mind. Provide evidence from a Registered Medical Doctor.
- The guardian is unable to act because of a medical condition. Provide evidence from a Registered Medical Doctor.
- The Family Court has given consent for me to act alone. Attach a copy of the Family Court order.

State reason(s) here:

6. EVIDENCE ENCLOSED WITH THIS DECLARATION (if applicable)

If applicable, what do you want us to do with the acceptable evidence you have attached?

- Return it to me by mail
- Destroy it

Please print clearly.

Please initial all alterations.

Please tick circles like this:

7. HUMAN ASSISTED REPRODUCTIVE TECHNOLOGY (HART) REGISTER

This section only applies if the person whose name is being changed was born as a result of an assisted reproductive procedure using donated sperm, eggs or embryos through a fertility clinic. If information has been provided to Births, Deaths and Marriages for inclusion on the Human Assisted Reproductive Technology (HART) Register, it will be updated to include the person's new name. This means that up-to-date information can be provided to people who are authorised to access information under the Human Assisted Reproductive Technology Act 2004.

Yes, the person whose name is to be changed was born as a result of a HART procedure and is recorded on the HART register. If the birth occurred as a result of a donation made after 21 August 2005, information will also be held by the fertility clinic. We can send information about the name change to the fertility clinic, so that the clinic's records can be updated.

I consent to the new name being sent to the fertility clinic that holds the information.

The name of the fertility clinic is:

8. CONSENT BY PERSON WHOSE NAME IS TO BE CHANGED

If the person is aged 16 or 17, he or she must sign this panel. If the person is aged under 16, leave this panel blank.

I am the person whose name is to be changed. I consent to the name changes as set out in this declaration by my guardian(s).

Signature

Date

Day

Month

Year

9. STATUTORY DECLARATION

Do not sign until you are in front of a person who is authorised to take a statutory declaration – refer to Notes.

I/We solemnly and sincerely declare that the information herein is accurate and complete and I/we make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Legal Guardian (1)

Legal Guardian (2)

Declared at

Place

Place

this day of

Day

Month

Year

Day

Month

Year

by

Signature of guardian making the declaration

Signature of guardian making the declaration

Print full name of guardian making the declaration

Print full name of guardian making the declaration

before me

Signature of the person authorised to take a statutory declaration

Signature of the person authorised to take a statutory declaration

Qualification of person authorised to take a statutory declaration
(e.g. Registrar of Births, Solicitor, Justice of the Peace)

Qualification of person authorised to take a statutory declaration
(e.g. Registrar of Births, Solicitor, Justice of the Peace)

