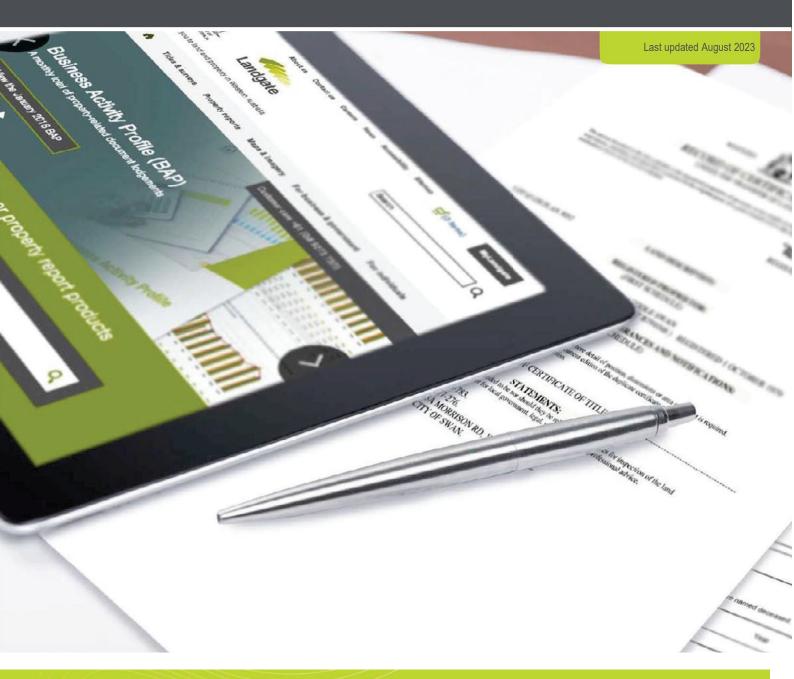


# Change Name following Marriage

A guide to preparing the documents





## Preparing an Application to Change Name following Marriage

This step-by-step guide is designed to show you how to prepare and lodge an application to **change a name** on a title **following a marriage.** 

If you are completing the forms yourself, we advise you to exercise care as the documents involved are legally binding. Consultation of 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 a Certificate of Title

Certificates of Title are created by Landgate, usually as a result of registration or approval of a subdivisional plan. Original titles are always kept at Landgate.

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 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: Change of Name e-form (or paper Application for A5) and Statutory Declaration Form B3
- Certified copy of the marriage certificate issued by the Registry of Births, Deaths and Marriage in
  WA (or equivalent if outside of WA). A copy certified by Australia Post is also acceptable. A copy
  certified by a licensed settlement agent or a legal practitioner will also be accepted. NOTE: a
  celebrant's marriage certificate or a copy of a marriage certificate 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.
- Registration fees payable to Landgate

## Title Search – a copy of the current 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.

## Change of Name e-form (or paper Form A5) and Statutory Declaration Form B3

The Change of Name e-form and the Statutory Declaration Form B3 are available via Landgate's Land Titling Forms page. Alternatively, paper versions (Application Form A5 and Form B3) are available from a Landgate office.

Please note that only original 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 marriage certificate issued by the Registry of Births, Deaths and Marriages in WA (or equivalent if outside of WA)

A certified copy of the marriage 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).

The certified copy of the marriage certificate 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. A copy certified by a licensed settlement agent or a legal practitioner will also be accepted (refer to Land Transactions Policy and Procedure Guide DOC-04 Statutory Declarations and Supporting Evidence.

Where the marriage certificate has been certified by Australia Post, a licensed settlement agent or a legal practitioner the certified copy can be provided to Landgate in lieu of the certified copy issued by the Registry of Births, Deaths and Marriages. Note: the original Certified copy must be provided to Landgate.

Where a certificate is printed in a foreign language, the original/certified certificate must be translated and a translated version, plus the original/certified certificate will need to be produced to Landgate.

The translated certificate with official translation noted will be retained by Landgate as evidence to the name change.

A foreign certificate will need to be translated by a person who has a "NAATI" accreditation from the National Accreditation Authority for Translators and Interpreters.

NOTE: a celebrant's marriage certificate or a copy of a marriage certificate certified by a Justice of the Peace, and accountant, or any other qualified person is not acceptable as evidence for the change of name application.

## 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.

## Further reading

For further information on this transaction type and further document requirements, please see the following links:

- Land Titles Policy and Procedure Guides
- A Guide to basic requirements for the preparation of paper documents "Getting it Right –Reference Guide"
- Land Transaction Hub

## 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 marriage 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. **NOTE:** a celebrant's marriage certificate or a copy of a marriage certificate 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.
- 3. Registration fees will need to be paid when the document is presented for lodgement, documents cannot be accepted without fee payment. Payments over the counter are available by cheque/money order, credit card or cash. If posting document/s to Landgate it is important to include any registration fee payable. Please feel free to use our <u>Postal Lodgement Coversheet</u> which enables you to review and select one of the payment options available."
- 4. Lodge the original signed forms, certified copy of marriage certificate (issued by the Registry of Births, deaths, and Marriages in WA) 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 name in the application document.
  - By post to: Landgate Document Lodgement Section PO Box 2222
     MIDLAND WA 6936

NOTE: Original evidence being returned by post will be posted in the normal mail. If you wish to have the 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.

#### **Terms of Use**

#### **Disclaimer of Liability**

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#### **Important**

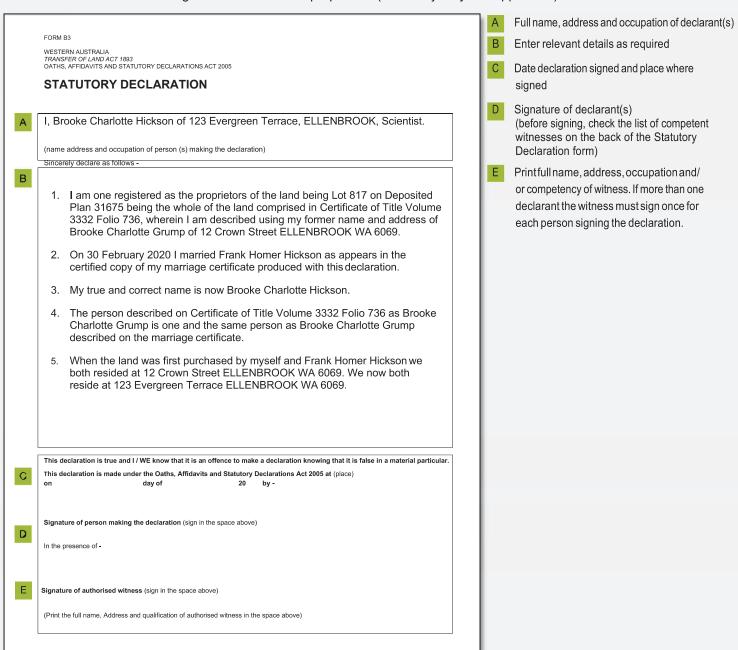
The information contained in this document should not be regarded as legal advice. In all matters, users should seek legal advice from an independent legal practitioner.

## Example of changing name by marriage and the address of both owners

## **Completing the Statutory Declaration**

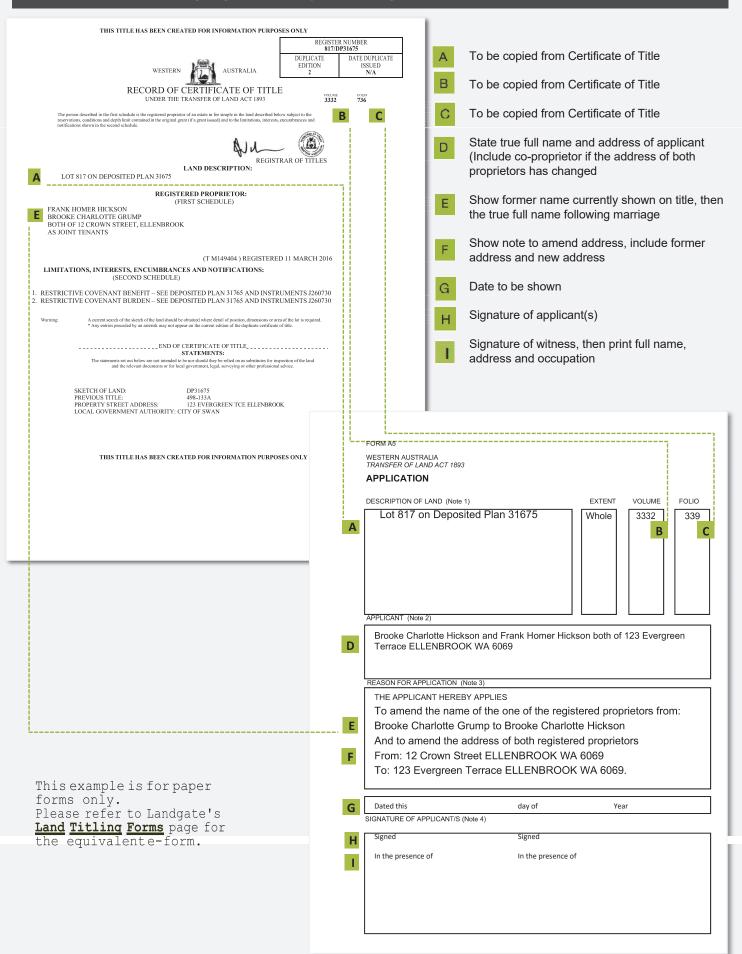
A statutory declaration is required by the person who is changing their name. The following statements should be included:

- » 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 date of marriage and name of person married and include reference to certified copy of marriage certificate
- » State full correct name following marriage.
- State the person shown on the title (former name) plus title reference as being one and the same person (important note: former name) as shown on the marriage certificate.
- » Include reference to change of address for both proprietors (if owned jointly and applicable)



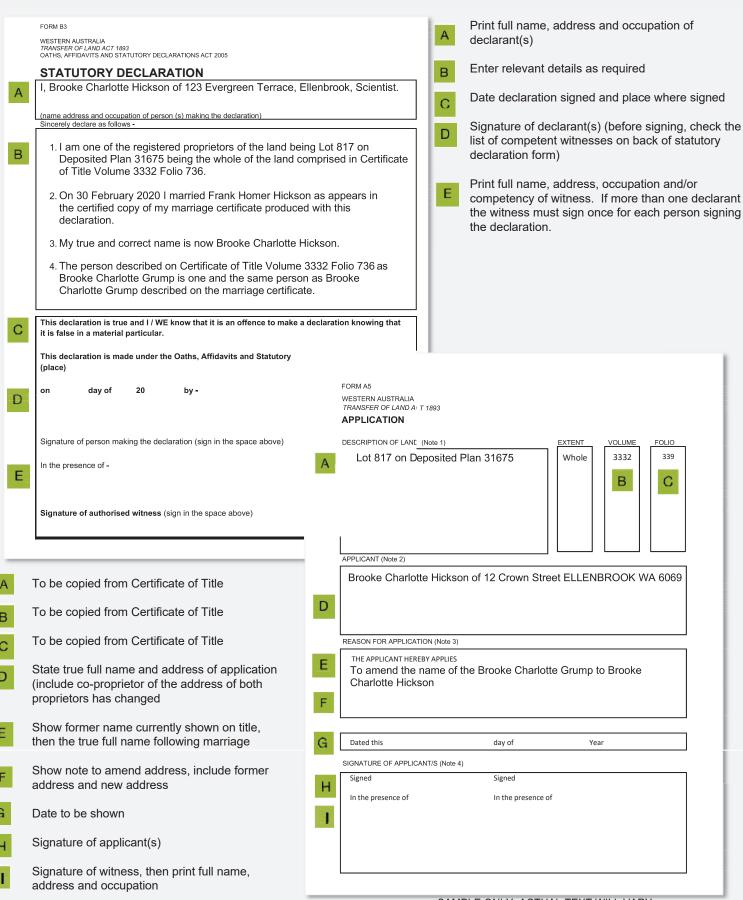
SAMPLE ONLY. ACTUAL TEXT WILL VARY.

## Example of changing name by marriage and the address of both owners



SAMPLE ONLY. ACTUAL TEXT WILL VARY.

## Example of changing name by marriage for one owner



SAMPLE ONLY. ACTUAL TEXT WILL VARY.

#### **Contact List**

#### **Landgate Contacts**

Landgate Office Hours 8.30am to 4.30pm (Lodgement Hours 8.30am to 4.30pm

Landgate – Midland Head Office 1 Midland Square MIDLAND WA 6056

TEL +61 (0)8 9273 7373

Email: <a href="mailto:customerservice@landgate.wa.gov.au">customerservice@landgate.wa.gov.au</a>

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 Revenue WA

3<sup>rd</sup> Floor, 200 St George Terrace

PERTH WA 6000

Tel: +61 (0)8 9262 1100

Website: www.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.familvcourt.wa.gov.au

**Probate Office** 

11th Floor, 28 Barrack Street

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: +61 1300 305 021

Website: www.bdm.dotag.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

