



Change of Name

Are you planning a change of name, perhaps because you are starting or ending a relationship, or just because you do not like your present name?

The common law allows you to change your first name(s) or surname to whatever you wish, so long as it is not to deceive or defraud, and you are over the age of 16. In most circumstances the law does not even require you to declare such change in writing. If you are changing your name on marriage, your marriage certificate is good evidence of this, although you do not have to take your spouse's surname. If you are getting divorced, then you can choose whether or not to go back to your previous name, and the divorce decree absolute certificate is usually sufficient evidence of your choice. Similar rules apply if you are beginning or ending a Civil Partnership. In other words, the common law is flexible, and your surname is for you to choose.

However the world is becoming more bureaucratic and if you are changing your name it is often very useful to prove it by a legal document. This could be by a formal Deed Poll, or a Statutory Declaration, or a Change of Name Deed. You can then produce this legal document or a certified copy to government authorities, banks or other people who may want to see it. At Davis Gregory we are used to preparing such documents. Most of our clients find that a Change of Name Deed is best and most cost-effective. If you would like to discuss this, without obligation, please contact us and we can give you more information about how we can meet your particular needs.

Are there any problems with changing my name? In general, no, but please bear in mind:

- It does not enable you to change the name on your birth certificate, so if e.g. you are applying for a passport, you are likely to be required to send your birth certificate as well as a Change of Name Deed. Changing a name on a birth certificate can be complicated.
- If you are under 18, there must be a court order, or those people with 'parental responsibility' for you must agree in writing - usually but not always this means both parents and any guardians. They will be the people to make the Change of Name Deed on your behalf. If you are 16 or over, you must also agree.
- The position above is a brief summary of the law in England and Wales: for other parts of the UK and overseas it may be different.

What is the next step?

*Please call **01242 235202** to speak to us, fill in the **free assessment form** on our website or email family@davisg.co.uk*

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