

# Change Name to Birth Name

A guide to preparing the documents

Last updated June 2020



## Preparing an Application Changing to your Birth Name

This step-by-step guide is designed to show you how to prepare and lodge an application to **change the name** shown on a title to your birth name.

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

Certificates of Title, otherwise known as Title Deeds, are issued by Landgate with one original and the **option** to have a **duplicate** title issued. Original titles are always kept at Landgate. The duplicate title (if issued) would usually be kept by the proprietor/owner or by a lending institution as security for a loan.

Many lending institutions request the **non-issue** of a duplicate title when they register a mortgage. This means that when a property is under mortgage, there is a possibility that a duplicate title has not been issued.

Where a duplicate title has **not** been issued, the original title would include a note in the statements section indicating the **non-issue** of the duplicate title. The note in the statements section would be shown as 'DUPLICATE CERTIFICATE OF TITLE NOT ISSUES AS REQUESTED BY DEALING M149404'.

There are important differences between the original title and the duplicate title. The duplicate title does not show all limitations and encumbrances. For example, caveats, notifications, memorials and property seizure and sale orders are only shown on the original title held by Landgate and not on the duplicate title.

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 if a title has been issued or is non-issue and 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 Form A5) and Statutory Declaration Form B3
- Original birth certificate issued by the Registry of Births, Deaths and Marriages in WA (or equivalent if outside of WA)
- Duplicate Certificate of Title (if issued)
- Consent to subsequent lodgement where a title shows a registered mortgagee (if non-issue)
- Registration fees payable to Landgate

### Title Search – a copy of the current Original 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 using an address and order a copy of a [Certificate of Title](#).

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

The Change of Name e-Form and Statutory Declaration Form B3 are available via Landgate's [Land Titling Forms](#) web 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.

## Original birth certificate issued by the Registry of Births, Deaths and Marriages in WA (or equivalent if outside of WA)

The original birth certificate is required to be produced as evidence for the change of name application. The original birth certificate must be issued and certified by the Registry of Births, Deaths and Marriages in WA (or equivalent office if outside of WA).

Landgate is required to sight the original birth certificate. If the application is lodged in person, the original evidence will be returned at the time of lodgement. If the application is posted to Landgate, the original evidence will be returned to the lodging part following the lodgement of the application together with the document receipt.

The original birth certificate can be certificate as a true copy by Australia Post, however there is a fee payable to Australia Post 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 original birth certificate has been certified by Australia Post, the Australia Post certified copy can be provided to Landgate in lieu of the original certificate. Note the originally signed 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.

**A copy of a birth certificate certified by a Justice of the Peace or a similarly qualified person is not acceptable.**

## The Duplicate Certificate of Title

- **If issued** and there is no mortgage on the property, the hard copy of duplicate title must be produced with the application document. **NOTE:** a photocopy or a copy certified by a Justice of the Peace or a similarly qualified person is **not** acceptable for registration purposes.
- **If issued** and the property is under mortgage the financier holding the mortgage will need to supply the duplicate title to Landgate prior to the lodgement of the application document. There is an additional registration fee known as a **production fee** payable to Landgate when the duplicate title is produced separately from the application.
- If the status of the duplicate title is **non-issue** and the property is under mortgage, then an original signed letter of consent from the financier authorising the registration of the application to change name is required. The original signed letter must be lodged with the application document.
- If the status of the duplicate title is **non-issue** and the property is not under mortgage, then the original signed application document, together with relevant evidence is all that is required to be lodge with Landgate.

## Registration Fees

View the current [Registration and Search Fees](#) that can be paid by cash, credit card, EFTPOT, 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 Registration Policy and Procedure Guides](#)

- A Guide to basic requirements for the preparation of paper documents “[Getting it Right – Reference Guide](#)”
- [Land Transaction Toolkit](#)

## Steps to lodging an 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 the original birth certificate issued by the Registry of Births, Deaths and Marriages in WA is provided as evidence with the application and statutory declaration. An originally signed copy of the birth certificate certified by Australia Post is also acceptable.
3. If the property is subject to a mortgage, ensure the Duplicate Certificate of Title (if issued) has been supplied to Landgate by the financier; or you have obtained an original signed letter of consent from the lender (if the Duplicate Certificate of Title has not been issued).
4. Lodged the original signed forms, certified copy of the birth certificate (issued by the Registry of Births, Deaths and Marriages in WA) and the duplicate title (where applicable) 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 named in the application document.
  - By post to:

Landgate Document Lodgement Section  
PO Box 2222  
MIDLAND WA 6936

NOTE: Duplicate Certificate of Title and original evidence being returned by post will be posted in the normal mail. If you wish to have the duplicate title and/or 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.

### **Disclaimer of Liability**

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### **Important**

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

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# 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 date the name changed back to birth name and include reference to certified copy of birth certificate (include new address if changed)
- » State the full correct name now (birth name)
- » State the person shown on the title (former name) plus title reference as being one and the same person (birth name) as shown on the birth certificate.

FORM B3  
WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED  
OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005

### STATUTORY DECLARATION

**A** I, Catherine Kylie Grump of 344 Diet Street, West Cannington, Fitness Instructor

(name address and occupation of person (s) making the declaration)  
Sincerely declare as follows -

**B**

1. I am registered as the proprietor of the land being Lot 1580 on Deposited Plan 22396 being the whole of the land comprised in Certificate of Title Volume 3332 Folio 339, wherein I am described using my former name of Catherine Kylie Hoover.
2. On or about 30 February 2020 I changed the name that I used by reverting back to my birth name of Catherine Kylie Grump, as appears in the certified copy of my birth certificate produced with this declaration.
3. My true and correct name is now Catherine Kylie Grump.

••The person described on Certificate of Title Volume 3332 Folio 339 as Catherine Kylie Hoover is one and the same person as Catherine Kylie Grump described in the birth certificate.

**C** This declaration is true and I / WE know that it is an offence to make a declaration knowing that it is false in a material particular.  
This declaration is made under the Oaths, Affidavits and Statutory Declarations Act 2005 at (place)  
on                      day of                      20                      by -

**D** Signature of person making the declaration (sign in the space above)

In the presence of -

**E** Signature of authorised witness (sign in the space above)

(Print the full name, Address and qualification of authorised witness in the space above)

- A** Full name, address and occupation of declarant(s)
- B** Enter relevant details as required
- C** Date declaration signed and place where signed
- D** Signature of declarant(s).  
(before signing, check the list of competent witnesses on back of Statutory Declaration form)
- E** Print full name, address, occupation and/or competency of witness. If more than one declarant the witness must sign once for each person signing the declaration.

SAMPLE ONLY. ACTUAL TEXT WILL VARY

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

REGISTER NUMBER <b>1580/P2239</b>	
DUPLICATE EDITION <b>4</b>	DATE DUPLICATE ISSUED <b>NA</b>

WESTERN AUSTRALIA



RECORD OF CERTIFICATE OF TITLE  
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below, subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

*[Signature]*  
REGISTRAR OF TITLES

<b>B</b>	<b>C</b>
VOLUME 3332	FOLIO 339

**A** LOT 1580 ON DEPOSITED PLAN 22396

LAND DESCRIPTION:

REGISTERED PROPRIETOR:  
(FIRST SCHEDULE)

CATHERINE KYLIE HOOVER  
OF 344 DIET STREET, SOUTH CANNINGTON

(T M149404) REGISTERED 28 AUGUST 2020

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:  
(SECOND SCHEDULE)

- M149404 RESTRICTIVE COVENANT BURDEN, REGISTERED 28.8.2015
- \*M149565 MORTGAGE TO ROCKET BANK LTD REGISTERED 28.8.2015

Warning: A current search of the sketch of the land should be obtained where detail of position, dimension or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

END OF CERTIFICATE OF TITLE

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for maps and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 3332-339.  
PREVIOUS TITLE: 3332-000.  
PROPERTY STREET ADDRESS: 344 DIET STREET, WEST CANNINGTON  
LOCAL GOVERNMENT AREA: CITY OF CANNING

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEPARTMENT

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

- A** To be copied from Certificate of Title
- B** To be copied from Certificate of Title
- C** To be copied from Certificate of Title
- D** State full correct name and address of applicant
- E** Show former name currently shown on title, then the true full birth name (Include reference to change of address if applicable)
- F** Date to be shown
- G** Signature of applicant
- H** Signature of witness, then print full name, address and occupation

This example is for paper forms only. Please refer to Landgate's **Land Titling Forms** web page for the equivalent e-form.

FORM AS

WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED

APPLICATION

DESCRIPTION OF LAND (Note 1)

**A** Lot 1580 on Deposited Plan 22396

EXTENT	VOLUME	FOLIO
Whole	3332	339
	<b>B</b>	<b>C</b>

APPLICANT (Note 2)

**D** Catherine Kylie Grump of 344 Diet Street, South Cannington

REASON FOR APPLICATION (Note 3)

THE APPLICANT HEREBY APPLIES

To amend the name of the registered proprietor from:

**E** Catherine Kylie Hoover to Catherine Kylie Grump

**F** Dated this \_\_\_\_\_ day of \_\_\_\_\_ Year

SIGNATURE OF APPLICANT/S (Note 4)

**G** Signed \_\_\_\_\_ Signed \_\_\_\_\_  
**H** In the presence of \_\_\_\_\_ in the presence of \_\_\_\_\_

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:** [customerservice@landgate.wa.gov.au](mailto:customerservice@landgate.wa.gov.au)

**Website:** [www.landgate.wa.gov.au](http://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](http://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](http://www.planning.wa.gov.au)

**Family Court**  
150 Terrace Road  
PERTH WA 6000  
Tel: +61 (0)8 9224 8222  
Website: [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au)

**Probate Office**  
11<sup>th</sup> Floor, 28 Barrack Street  
PERTH WA 6000  
Tel: +61 (0)8 9421 5152  
Website: [www.supremecourt.wa.gov.au](http://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](http://www.bdm.dotag.wa.gov.au)

**State Administrative Tribunal**  
6<sup>th</sup> Floor 565 Hay Street  
PERTH WA 6000  
Tel: +61(0)8 9219 3111  
Website: [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)



**Landgate**