

# Names: evidence to change a name

#### Version 22.0

His Majesty's Passport Office guidance about the evidence we need before we change an adult or child's name on a passport

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# About: Names: evidence to change a name

This guidance tells His Majesty's Passport Office operational staff about the evidence we need before we can issue a passport to an adult or child who has had a change of name.

You must use this guidance, in line with the:

- Names: change of name passport applications guidance (which provides guidance on dealing with adult and child name changes)
- Names: name related case notes, system checks and warnings guidance, when dealing with a change of name and what:
  - you must include in your case notes
  - o system checks you must carry out

# Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Guidance team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance team

# **Publication**

Below is information on when this version of the guidance was published:

- version 22.0
- published for Home Office staff on 3 December 2024

# Changes from last version of this guidance

This guidance has been updated to:

- clarify we can accept evidence of a name change which does not provide the full name, as long as it shows the changed name
- tell examiners, if the customer does not have the evidence which shows a link between their old and new names, including multiple changes, they must apply for a statutory declaration

#### Related content Contents

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# Change of name evidence

This section tells His Majesty's Passport Office operational staff what evidence we need before we issue a passport in an adult or child's new name. It also explains about exceptions when we do not need evidence.

Before we issue a passport in a new name, we need 2 pieces of separate evidence to show an adult or child has changed their name. Unless it meets our <u>exceptions</u>, we need 1 piece of evidence from each bullet below that shows the customer:

- has changed their name (see evidence that shows the customer has changed their name); and
- uses their new name for all official purposes (see evidence that shows the customer uses the new name for all official purposes)

Unless there is an exception in guidance due to mitigating factors, we will not issue a passport when there are doubts or inconsistencies between the name on the customer's passport application and their supporting documents. If the customer cannot give acceptable evidence, you (the examiner), must tell them:

- you cannot issue a passport, until they have given us the evidence we need to issue them a passport in their new name
- they must provide us with the evidence we need within the timescales, in line with the withdrawal of passport applications guidance

# Exceptions: when we do not need full change of name evidence

There are some occasions when we only need evidence a customer has changed their name or evidence they use the name for all official purposes.

# When we only need evidence of a change of name

Customers only need to send us <u>evidence of a change of name</u>, if their name has changed, because:

- they have changed their surname, as they have married or entered into a civil partnership and provided their marriage or civil partnership certificate (you must refer to Name: change of name passport applications when dealing with name changes, as you may need other evidence depending on the change)
- they are about to marry or enter into a civil partnership and want to apply for a post-dated passport in their future name
- they have changed gender and provided a full Gender Recognition Certificate (GRC)
- a child has changed their name and their parents have reregistered their birth and have a new birth certificate

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• a child has been adopted in the UK and their application is supported by a full adoption certificate

However, you must ask the customer for <u>evidence that they use their new name for</u> <u>all official purposes</u>, if:

- you have doubts that they are not using their new name
- they married or entered into a civil partnership, before they were issued with a naturalisation or registration certificate (so their naturalisation or registration certificate will be in their previous name)

# When we only need evidence of name in use

The customer only needs to give us 2 pieces of <u>evidence that shows they use their</u> <u>new name for all official purposes</u>, (see Names: change of name passport applications guidance) when:

- there is a minor change to an adult name
- the customer requests their passport is issued in the name shown in section 17 of their full English or Welsh birth certificate (if the application is for a child you must also have consent from everyone with parental responsibility before you add this name, as only one parent's consent is needed to add a name to this section of a birth certificate (see Parental responsibility: when changing a child's name))

# When we need additional evidence for overseas applications

Customers applying from overseas, who have also changed their name, must send extra evidence, depending on the country:

- they apply from
- the evidence was issued in

#### Child change of name: parental consent

In addition to the evidence that shows a child has changed their name and that they use the new name for all official purposes, we also need the consent of everyone with parental responsibility in order to change a child's name. You must refer to Names: change of name passport applications, for what you must consider when checking parental responsibility.

# Child change of name: court orders

We will not accept a court order as evidence of a change of name, if it only refers to a child's new name (it is not confirmation of a change of name). We still need evidence the child has changed their name and that they use the new name for all official purposes. We will accept a court order as evidence of a change of name if it gives authority to change it. We still need evidence of the change of name (unless the court order specifically shows the change of name) and evidence they use the new name for all official purposes.

Related content Contents

# Evidence that shows the customer has changed their name

This section tells His Majesty's Passport Office operational staff about the types of evidence we will accept that shows the customer has changed their name.

Evidence the customer sends us to show their name has changed, must be:

- an original document
- a replacement document

We will also accept:

- a certified copy issued by the Registry Office (GRO)
- a photocopy of a document sent by Local Services, as long the officer confirms it is a true likeness of the original document

# Change of name evidence: laminated documents

We do not accept laminated evidence (documents sealed in plastic) to change a name, unless it's a change of name passport application and the evidence is, a:

- change of name deed
- marriage certificate
- a civil partnership certificate

# Scanning change of name evidence

If you are dealing with an application on AMS, you must refer to scanning supporting documents to check what documents you must permanently record on the system.

If you are dealing with an application on DAP, the documents sent by the customer will already be scanned, validated and stored on the system by the Document Handling Unit (DHU).

# Evidence showing the link between the old and new names

The evidence the customer uses to show they have changed their name, must show the link between their old and new name (for example, a marriage certificate showing their maiden name and their married name).

We will not accept the evidence if it does not show a clear link between the old and new names.

If the customer has multiple changes to their name, they must provide evidence for each change of name that shows links back to:

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- their birth, adoption, naturalisation or registration certificate (if it's their first application for a passport)
- the name on their last passport (if it's a renewal or replacement application)

If the customer does not have the evidence which shows every link between their old and new names, including multiple changes, they must provide us with a completed statutory declaration.

# Evidence to show the customer has changed their name

The type of evidence we will accept that shows the customer has changed their name, include:

- marriage certificates
- <u>civil partnership certificates</u>
- Post-Date form 2 (PD2)
- gender recognition certificates (GRCs)
- enrolled deed poll
- <u>change of name deed</u>
- unenrolled deed poll
- adoption order or certificate
- act of Parliament
- statutory declarations
- <u>affidavits</u>
- birth certificate (when re-registering)
- <u>Scottish birth certificates</u>
- certificate from the Court of the Lord Lyon of Scotland

# Evidence: marriage and civil partnership certificates

A civil partnership certificate is similar to a marriage certificate. The marriage or civil partnership certificate is evidence of the event and who took part in it.

We accept marriage and civil partnership certificates as evidence of a change of name, as long as it shows the <u>link between the old name and new name</u>.

You must refer to Names: change of name passport applications guidance, when dealing with a name change because the customer has married or entered into a civil partnership, as we may need other evidence, depending on what's changed.

#### Marriage: Islamic marriage certificates

You must deal with Islamic marriage certificates in line with the marriage guidance and accept them as evidence of a change of name, when the marriage took place:

• in the UK

• outside the UK (as long as the certificate shows the marriage took place in an Islamic country)

The country profile section of Knowledge Base tells you if the country follows Islamic law. If you have any doubts, you must raise a guidance query.

#### Marriage: customers who get married onboard a ship

Under maritime law, customers may get married onboard a ship. You may identify a customer was married onboard a ship from their marriage certificate, which will show the:

- name of the ship and it's official number
- position of the ship (latitude and longitude)

If the customer sends you their official marriage or civil partnership certificate, you must accept it and deal with it in line with this guidance.

You must not accept the marriage celebration certificate that tour operators supply because these are not official marriage certificates. The customer must register their marriage with the relevant authorities to get an official, legal marriage certificate. It is the customer's responsibility to check:

- if the marriage is legally recognised
- where they must register their marriage to have it legally recognised (if it is not done for them by the tour operator)

# Change of name evidence: PD2 form

Customers marrying or entering into a civil partnership may apply for a post-dated passport, before their ceremony. A post-dated passport is a passport:

- we issue in the customer's new name before their ceremony
- is only valid from the date of the ceremony

Customers and the person performing the ceremony must complete a PD2 form.

### Change of name evidence: divorce documents

We do not accept divorce documents on their own, as evidence that the customer has changed their name. This is because divorce documents issued in England and Wales since 1971, no longer show the link between the current name and the old name.

Marriage certificates are handed to courts as part of the divorce proceedings and are only returned to the customer, if they ask for it. If the customer does not have their certificate, they will need to provide an official copy, which they can get from the General Register Office (or the registrar of the country they got married in).

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You must refer to Names: change of name passport applications guidance, when a customer changes their name because they have divorced (as it tells you what evidence they must provide, depending on what has changed).

# Change of name evidence: UK enrolled deed polls

Enrolled deed polls are deed polls that have been voluntarily enrolled in the central office of the Supreme Court of Judicature in the UK. You must accept them as evidence of a change of name.

Enrolled deed polls must still be supported with evidence the customer uses the name for all official purposes.

See, Changing a child's name, where an enrolled deed poll issued by the Supreme Court or High Court has been sent as evidence for a child's change of name.

# Change of name evidence: overseas enrolled deed polls

You must accept deed polls enrolled in overseas courts, as evidence of a change of name. If you have doubts about the enrolled deed poll, you must:

- check Knowledge Base for examples of change of name deeds for the country who issued it
- raise a guidance query, if you need advice on how to deal with the application

# Change of name evidence: deed polls and change of name deeds

Unenrolled deed polls are deed polls that have not been enrolled. Unenrolled deed polls and change of name deeds are the same thing. They:

- are legal documents that allow the customer (or a family) to change their name, (which is bound by a contract)
- have not been endorsed by the central office of the Supreme Court of Judicature
- must be signed by at least one witness (the witness does not need to be a solicitor or a commissioner for oaths)
- have no set format or wording and can be:
  - $\circ~$  done online
  - drawn up by the customer themselves (an example is available on <u>GOV.UK</u> if needed)

You must accept them as evidence of a change of name, as long as:

- it is signed in the old and new name
- it is signed by at least one witness
- all signatures are a wet signature
- it is dated

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• there are no doubts about how genuine they are, if the unenrolled or change of name deeds was done online

You must tell the customer to send a new deed poll or change of name deed if:

- it has not been signed in both the old and new name or by at least one witness
- it does not have a wet signature
- if it is not dated
- you have doubts about how genuine it is

#### **Overseas deed polls**

There is no legal requirement for an overseas deed poll to be enrolled. You must accept an overseas deed poll as evidence of a change of name. If you have doubts about the deed poll, you must:

- check Knowledge Base for examples of change of name deeds for the country who issued it
- raise a guidance query if you need advice on how to deal with the application

### Online deed polls and change of name deeds

As customers can get an unenrolled deed poll or change of name deed online, you must not make any inappropriate comments about the:

- unenrolled deed poll or change of name deed
- company who issued the unenrolled deed poll or change of name deed

#### Unenrolled deed poll or change of name deed: family

You must accept unenrolled deed polls or change of name deeds issued on behalf of a family. The customer does not need to be named on the unenrolled deed poll or change of name deed, as long as they provide evidence that shows the relationship between them and the person who is making the change.

# Change of name evidence: adoption certificates and orders

When dealing with an application for a customer who is adopted, you must refer to the adoptions guidance.

You must accept adoption certificates as evidence that a child has changed their name.

If an adoption certificate has not yet been issued, you must accept adoption orders that show the full new name, as evidence that the child has changed their name.

You must check that the adoption order is the true authorisation that grants the adoption under <u>section 12 of the Adoption Act 1976</u> and must not accept:

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- a freeing of adoption order, under section 18 of the Adoption Act 1976 (see children's guidance)
- an interim adoption order, under section 25 of the Adoption Act 1976 (see children's guidance)

Overseas adoption orders do not confirm nationality (see adoptions – overseas adoptions). However, you must accept adoption orders issued by the appropriate overseas issuing authority as evidence of change of name, as long as they show the full details of the new name.

You must not accept a change to a child's name without the courts consent or the consent of everyone with parental responsibility, when both:

- a placement order has been granted, under section 19 of the <u>Adoption and</u> <u>Children Act 2002</u>
- the child has been placed with the potential adopters

A passport can be issued in the child's new name when:

- a child is subject to an interim order made in:
  - England and Wales under section 25 of the Adoption Act 1976
  - o Northern Ireland under article 26 of the Adoption (NI) Order 1987
  - Scotland under section 25 of the <u>Adoption (Scotland) act 1978</u>
- one of the customers (who was granted with parental responsibility or parental responsibilities and parental rights by an interim order) gives us consent

You must be aware, when we issue a passport to a customer who has an interim adoption order, we restrict the validity of the passport to the period shown in the order (see adoptions guidance).

# Certificates from the court of the Lord Lyon of Scotland

Anyone who wants to change their name can ask the Lord Lyon to recognise the change of name. You must accept this as evidence of a change of name.

# Change of name evidence: Acts of Parliament

Although it is not likely, a customer may seek an Act of Parliament to change their name. The details will be recorded on the <u>UK Parliament Hansard site</u> and we can use this as evidence of the change of name.

When this happens, you must raise a guidance query QuESt will decide if you can use the Act of Parliament as evidence of a change of name.

# Change of name evidence: statutory declaration

A statutory declaration is a written statement witnessed by a:

• solicitor

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- a notary of the public
- a justice of the peace
- a commissioner for oaths
- a councillor (applies only to Scotland, if the document is dated on or after 10 December 2007)
- an officer of the armed services, as long as their rank is either a:
  - o major
  - o lieutenant commander
  - $\circ$  squadron leader or above
- another qualified person authorised by law to administer an oath, for example a British diplomat or overseas consular officer

The person witnessing the declaration may expect a fee for the service, including consular officials. If they do, the customer must pay for it.

HM Passport Office officers are not allowed to witness a statutory declaration and it is an offence to make a false one, punishable through the courts.

#### When you must accept a statutory declaration

You must accept statutory declarations as evidence to change a name, as long as it is signed in the new name and includes the legal statement:

'I [name] do solemnly and sincerely declare that / as follows..... and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835'

If it does not include the legal statement or it is signed in the old name only, you must not accept it. The customer must send us another one instead.

### **Statutory declarations from commonwealth countries**

You must accept statutory declarations from <u>commonwealth countries</u>, as long as it meets the regulations of that country, which can be found on the country's official government site.

#### **Specimen statutory declarations**

Each application processing centre (APC) has access to <u>specimen statutory</u> <u>declarations</u>. You can give these to the customer to help make sure their statutory declaration is correct.

# Change of name evidence: affidavits

An affidavit is a written statement from a person who has sworn it to be true and is signed by:

- the person making the oath
- a notary public or other judicial officer who administered the oath

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You must accept affidavits in the same way you accept <u>statutory declarations</u>, as long it's signed, dated and the wording of the oath, includes:

- details of the customer's change of name
- the old and new name

The false swearing of an affidavit is an offence, punishable under the Perjury Act.

If you suspect the customer's affidavit is not genuine, you must refer the application to the Counter Fraud team.

# Overseas equivalent of statutory declarations and affidavits

You must accept overseas equivalents of statutory declarations or affidavits as evidence to change a name, as long as:

- there are no concerns with the authenticity of the document
- Knowledge Base confirms the country allows a change of name

# Birth certificates after re-registration

In some cases, a child's name can be changed by re-registering the birth. When this happens, you do not need any other evidence of a change of name (see birth certificates – re-registration of births).

# Change of name evidence: Scottish birth certificates

Customers born (or adopted) in Scotland, can officially change their name by applying to the <u>National Records of Scotland</u>. They will be given a new Scottish birth certificate showing their:

- new name
- old name

You must accept the Scottish birth certificate as evidence of a change of name

# Full and interim Gender Recognition Certificates

Some passport applications may include a <u>Gender Recognition Certificate (GRC)</u> with their application.

A full GRC is given to customers who are 18 or over, by the Gender Recognition Panel and is confirmation that a change of gender is legally recognised in the UK.

An interim GRC is given to customers who are 18 or over who meet the requirements for their change of gender to be recognised but cannot be legally recognised, until they end their current marriage or civil partnership. We accept

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interim GRCs as evidence the customer intends to live in the new gender permanently.

Children do not get GRCs, as they are only given to customers aged 18 or over.

You must refer to Names: change of name passport applications guidance, when dealing with an adult or child who has changed their name as they have changed gender, to check what evidence and consent you need.

Related content Contents

# Evidence the new name is used for all official purposes

This section tells His Majesty's Passport Office operational staff about the types of evidence a customer can use to show they use their new name for all official purposes.

Using the name for all official purposes, means the customer uses it to go about their daily lives. For example, they can show they are using their name with their bank, employer or local authority.

For UK applications, we will be satisfied a customer uses the name for all official purposes, if they provide us with 1 piece of evidence that shows they do. They do not need to send evidence that they have changed their name with every agency they have contact with. There are some exceptions when we may need more than 1 piece of evidence or <u>none at all</u>.

For overseas applications from:

- group 1 and group 2 countries customers must provide 1 piece of evidence that shows they use the name for all purposes
- group 3 countries customers must provide 3 pieces of evidence that shows they use the name for all purposes

# Evidence we'll accept to show customer uses their name

Customers must send us evidence that includes their full forename and surname to show they use their name for all official purposes. If the customer tells you they cannot send this evidence, you must accept what has been provided if it shows the parts of the name that have changed (for example, if it is only the customers forename or surname that has changed yet they have a 2nd forename that remains the same, we will accept name in use evidence if it shows the changed names and omits the 2nd forename).

If the customer has changed their middle name, we can accept evidence which only shows the middle name's initial. Almost all of the evidence we accept contains their forename and surname only.

The following evidence must be issued within the last 12 months:

- tax records (for example, a letter from the tax authority)
- employment records (for example, an official letter from their employer)
- educational records (for example, a school report)
- a letter from a central, regional or local government department
- a visa or residence permit
- a medical or health card

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- a voters card
- a bank statement (UK applications only)
- a baptismal or confirmation certificate
- child benefit records
- a utility bill

The following evidence can be more than 12 months old but must be valid for use and issued after any change of name document and the British passport being renewed or replaced:

- a UK or overseas driving license
- a foreign passport
- a national identity card (or something similar)

The <u>group 1</u>, <u>group 2</u> and <u>group 3</u> document tables also show you what you can accept for overseas applications.

Related content Contents