

How can you legally change your name?

A resource for trans and gender diverse young people and their families in NSW

Fact Sheet

This fact sheet answers some common questions trans and gender diverse young people, and their families, have about changing their name.

Can you legally change your name?

Yes, but there are requirements you need to meet.

By reading this resource we hope you will get a better understanding of what's involved with legally changing your name in New South Wales.

What is involved?

The steps for applying to change your name on formal documents differs depending on whether the document you would like to change is issued by:

- a) a state or territory government organisation
- OR
- b) a federal government organisation

See how you can change key documents below.

Changing your name on your birth certificate

Birth certificates are issued and regulated at a state and territory level. This means that the approach to changing the recorded name on your birth certificate will depend on the process used by that state or territory's Registry of Births, Deaths and Marriages (which issues and regulates birth certificates).

In NSW, that is the NSW Registry of Births, Deaths & Marriages.

Does age matter?

Yes. Young people over the age of 18 can make an application directly whereas if you are under 18 years of age, your parents or guardians will need to make the application on your behalf.

If you are under 18, you will need to ask your parents to make the application

As a young person under 18 years old, you can change your name on your birth certificate through an application made by your parents or guardians (it's not possible for you to make an application to change your name by yourself until you are over 18).

The application must be submitted in the state/territory that you were born in, or the one where you have lived for the most part.

If your parents are separated, one parent cannot change a child's name unless they have received consent from the other parent, or sole parental responsibility has been granted to that parent by a court.

Most trans and gender diverse young people will not have to go to the Family Court to apply for access to Stage 2 (hormone) or Stage 3 (surgical) treatment, where their parents and doctors agree the treatment is appropriate.

If you find yourself in a situation where you need to go to court to apply for access to Stage 2 or Stage 3 treatment, then it is possible to change your name on these applications and seek an order at the same time requiring the Registrar from the NSW Registry of Births Deaths & Marriages to give effect to that name change order.

To be eligible in NSW, you need to:

- Have been born in NSW
OR
- If born overseas, have lived in the state for at least three years in a row before making the application

How can you, or your parent or guardian, apply?

You can apply by filling out the change of name application form, including by providing the listed forms of identity, and paying the required fee. You might be able to apply to have the fee waived or reduced. *For a link to the form and details of costs, see [Where to Get Help and Information](#).*

If you are under 18, **both parents** must fill out the form unless:

- There is only a sole parent named on your birth certificate
- The other parent has passed away
- The District Court has approved the proposed name change, on application by the single parent, because it is in the best interest of the child

If you have a guardian who has parental responsibility, they need to fill out the application.

Changing your name on federal government documents, such as your passport, and on records with Medicare or Centrelink

You will need to provide an updated birth certificate that has your new name, or change-of-name certificate, to the agency that looks after the document or record that you want to change.

This means you will need to have first successfully applied to the NSW Registry of Births, Deaths and Marriages (or a legalised foreign equivalent) to change your name.

Where to get help and more information

- You can access the Change of Name Application form at <https://www.bdm.nsw.gov.au/Documents/apply-for-name-change-child.pdf>
- Parents of Gender Diverse Children provides peer support nationally to parents and those parenting trans and gender diverse children. To access their resources or make an enquiry, visit their website at <https://www.pgdc.org.au>.
- The ICLC Trans and Gender Diverse Legal Service provides legal information, advice and assistance with documentation around changing names. To make an appointment, call (02) 9332 1966 or visit <http://www.iclc.org.au/iclc-services> for more information
- The Gender Centre offers a wide range of services to people with gender issues, their partners, family members and friends in New South Wales. To find out more, visit <https://gendercentre.org.au>
- Twenty 10 provides a range of support services and social spaces for people of diverse genders and sexualities aged under 26 in NSW and some parts of the ACT: <https://www.twenty10.org.au/>