

Births, Deaths and Marriages

Applying to change the name of a child

In what circumstances must I apply to SACAT to change my child's name?

If you would like to change the name of your child but you do not have the consent of the other parent, or you have not been in contact with the other parent about the issue, you must apply to SACAT for approval of the proposed name change.

If both parents agree to a proposed change of name for a child, you do not need approval from SACAT. You may contact Births, Deaths and Marriages at Consumer and Business Services on 131 882 for further information.

Who can apply?

An application to SACAT can be made by a parent or guardian of the child.

How do I apply to SACAT to change my child's name?

You will need to lodge an online application through the [SACAT website](#). For step-by-step instructions on how to locate the correct online application form, please see the [Births, Deaths and Marriages page](#) on the SACAT website.

Alternatively, you can contact the SACAT Registry on 1800 723 767, and a member of staff can assist you to lodge your application. Please note that if you are applying for more than one child, you will need to make a separate application for each child.

What documents do I need to provide?

When completing your online application, the following documents should be provided to support your application:

- **certified** proof of your identity (e.g., photo identification);
- a **certified copy** of the child's birth certificate;

To obtain **certified copies** of documents, you will need to take the original documents, together with photocopies, to a Justice of the Peace (JP), who acts as an independent and objective witness and can certify a true copy of an original document. Most local councils provide complimentary JP services.

- if your child was not born in Australia, proof that they have resided in South Australia for the past 12 months;
- any Orders of the Federal Circuit and Family Court of Australia (if applicable);
- any **Intervention Orders** (if applicable).

Intervention Orders are provided to alert SACAT to any potential security concerns.

Does the other parent of the child need to be involved at SACAT?

SACAT will usually seek the views of the other parent and may require the other parent to indicate whether they wish to participate in the full hearing or file a written submission in response to the application.

In some circumstances, SACAT will determine that the application should proceed in the absence of the other parent, but this is in only rare or exceptional cases where there is objective evidence that either the other parent has not been involved with the child or where it can be demonstrated that there is a real threat to the safety of the applicant and/or the child. At the first **directions hearing**, you will be the only participant and you will be able to voice your opinion about this.

A **directions hearing** is a short hearing that takes place before the full hearing and helps SACAT to identify any issues and make sure that all of the relevant information and documentation has been provided to the Tribunal.

If there have been domestic violence issues between yourself and the other parent, or if you have an Intervention Order in place, please advise SACAT at the time of making your application. SACAT will take steps to ensure the safety of all parties involved in the proceedings.

What if I cannot contact the other parent?

As the applicant, it is your responsibility to provide SACAT with an address for service of the application on the other parent. If you do not know the whereabouts of the other parent, please list their last known address in your application form. If you have contact with their family or know of the address of a member of their family, this may also be useful.

Federal Circuit and Family Court proceedings

If there are current proceedings taking place in the Federal Circuit and Family Court of Australia, SACAT may not be able to make any orders regarding the proposed change of name of the child, or children, until these proceedings have been finalised. These issues will be addressed at the initial directions hearing. Please ensure that you provide a copy of any court orders in existence, including any interim orders.

Will my child need to participate in SACAT hearings?

At the directions hearing, the Tribunal Member will discuss with you if your child would be capable of expressing their views. The situation for each child is unique and children will have different levels of understanding so it will be considered on a case-by-case basis. If a child is not capable of understanding the implications of their proposed name change, approval for the change can still be granted.

If your child is attending at SACAT for an interview with a Tribunal Member, you may wish to bring along a support person (such as a family friend or a grandparent) to stay with the child for the period of time that you are in the hearing and to sit with them during the interview.

Please note that neither parent can be present during the interview of the child.

The Tribunal Member will determine whether the support person should be present when the child is interviewed as it is important that the child feels comfortable answering questions and is not influenced in any way.

The Tribunal Members who hear these types of matters are very experienced in interviewing children in a way that puts them at ease and is not intimidating. A Tribunal staff member will usually sit in on the interview.

Can the Tribunal determine an application concerning children who were born outside of Australia?

SACAT can determine an application where only one parent applies. Where both parents apply, the Registrar of Births, Deaths and Marriages can decide the application.

To determine an application concerning a child born overseas, you will need to provide proof of birth and proof of parentage documentation. You will also need to satisfy SACAT that the child's birth is not registered in another State or Territory and that the child has been resident in SA for at least 12 consecutive months prior to making the application.

The Registrar of Births, Deaths and Marriages will provide some guidance as to proof of birth and parentage documentation that may be acceptable to the Tribunal.

How do I prove my child has been living in South Australia?

You can provide documents to SACAT that demonstrate your child's place of residence, which include:

- School reports or invoices
- Childcare / preschool fee receipts
- Centrelink family payment advices
- Healthcare statements
- Residential lease agreement

This is not an exhaustive list. Any document that indicates your child has been residing in South Australia will be considered.

How long does it take for SACAT to resolve an application to change a child's name?

These applications are usually resolved within a few months from the date of lodgement.

Applications can be processed more urgently in some circumstances. If there is a pressing reason why your application must be processed quickly, please set out these reasons in your application form.

Contact the Tribunal

If you would like to speak to a staff member about making an application to change the name of a child, please telephone SACAT on 1800 723 767 (select option 4 and then option 5).

This Information sheet does not constitute legal advice and does not relate to the circumstances of any individual matter. If you wish to have legal advice you should seek that independently.