



Change of Name Applications - Restricted Persons

Are you required to get approval to apply?

Persons who are under the supervision of the Commissioner of Corrective Services, the Mental Health Review Tribunal, or the NSW Police Commissioner, must obtain approval from that authority before making an application. Making an application without approval is an offence under the *Births, Deaths and Marriages Registration Act 1995*.

Persons restricted from changing their name in NSW

The *Births, Deaths and Marriages Registration Act 1995* restricts certain classes of persons from changing their name without the permission of a supervising authority. It also restricts people from making a change of name on behalf of a restricted person. Restricted persons are:

- An inmate.
- A person on remand.
- A parolee.
- A periodic detainee.
- A person who is subject to a supervision order.
- A forensic patient.
- A correctional patient.

Exemptions to these restrictions are:

- Persons who have been convicted of an offence under a law of the Commonwealth.
- Persons who are the subject of a warrant under the Commonwealth *Defence Force Discipline Act 1982* and are in a correctional centre pursuant to a punishment imposed under that Act.
- Persons who are detainees within the meaning of the Commonwealth *Migration Act 1958* and who are held in a correctional centre.
- Persons who are in the keeping of a correctional officer under section 250 of the *Crimes (Administration of Sentences Act) 1999*.
- Persons who are a former serious offender because of the commission or alleged commission of an offence under a law of the Commonwealth.

If you are unsure of your status please contact:

- **LawAccess NSW on 1300 888 529** (Monday to Friday 9am to 5pm excluding public holidays).
- Prisoners can call **Prisoners Legal Service** or **LawAccess NSW** on the Common Auto Dial List (CADL) as a free call – just press 11# (Legal Aid) and 2# (LawAccess).