

Application to register a name change and update sex marker on birth certificate



Internal Affairs
Te Tari Taiwhenua

Aged 15 and under

Tono ki te rēhita i te huri ingoa me te whakahou tohu ira tangata ki te tiwhikete whānau

15 tau me raro iho

BDM75

Use this form to register a name change for your child and update the sex marker on your child's New Zealand birth certificate if:

- your child's birth was registered in New Zealand
- all your child's guardians consent, and
- your child is aged 15 or under.

Me whakamahi i tēnei puka hei rēhita i te huri i te ingoa mō tō tamaiti me te whakahou i te tiwhikete whānau o Aotearoa o tō tamaiti mēnā:

- i rēhitatia te whānautanga mai o tō tamaiti i Aotearoa
- e whakaae ana ngā kaitiaki katoa, ā,
- 15 tau me raro iho tōna pakeke.

Before you apply

Guidelines for your child's new name

Your child's new name must consist of one surname and one or more other names. If your religious or philosophical beliefs, or cultural traditions require your child to only have one name, you will need to attach a letter of explanation.

The new name (or combination of names) may not be accepted for registration if it:

- might cause offence to a reasonable person
- is more than 70 characters long, including spaces, without adequate justification
- is, includes, or resembles an official title or rank (in which case attach a letter of explanation), or
- is not a name (for example, it must not include numbers or symbols).

Guidelines for your child's new sex marker

You will need to select one of the following sex markers for your child:

- female
- male
- non-binary.

Timeframe

To view our current timeframes for updating your child's sex marker, go to: govt.nz/bdmtimeframes.

If you have requested a certificate showing your child's new name and sex marker, allow extra time for postage.

If the application is not correct and complete, the application may be delayed.

Contact details

Website: govt.nz/bdm/contactus

Email: bdm.nz@dia.govt.nz

Only use email for enquiries about the form. To return the form, follow the postage instructions on page 15. Do not email the completed form to us.

True statements

If you make, or cause to be made, any false statement or declaration you will be liable, on conviction, to a fine or up to 5 years imprisonment, or both.

Requirements

You will need to:

1. Have all your child's guardians' consent.
2. Provide a Letter of Support from a qualified third party.
3. Provide a certified true copy of all guardians' current photo identification.
4. Include supporting documents to establish your identity.
5. Have all guardians make a statutory declaration on page 7-11 of this form.

Refer to below for further information about these requirements.

1. Guardian consent

What is a guardian?

A legal guardian is an adult who's responsible for the upbringing and care of a child. This is often both parents of the child. In some circumstances, it can be one parent or someone additional appointed by the Family Court.

You will need all of your child's guardians to provide a signature to show consent to your application to change your child's registered name and sex.

If your child only has one guardian, or any additional guardians, your application will need to include a court document to show them being appointed. For one parent this is usually called a Sole Guardianship Order, or if your child has more than two guardians, an Additional Guardianship Order.

What if a guardian does not consent?

You are able to apply to change your child's name and registered sex by obtaining a Family Court order that may direct the Registrar-General to change the name and registered sex of your child.

2. Letters of Support

You must provide a Letter of Support from a suitably qualified third party.

The following professionals can provide a Letter of Support if they are registered in New Zealand:

- doctors
- psychologists
- psychotherapists
- nurses

- social workers
- registered counsellors

Alternatively, you can get a Letter of Support from a person aged 18 years or over who has known your child for 12 months or more.

What does the third party need to do?

The role of a third party will be to provide a Letter of Support that confirms that your child:

- understands what it means to amend the sex on their birth certificate; and
- it is something that they want to do.

The third party is not assessing if the change is in your child's best interest or if they physically conform to the sex marker you have requested.

3. Guardians' current photo identification

All guardians must provide a certified true copy of one of the following. They must include your photos.

- New Zealand or overseas passport (photo page only)
- New Zealand or international driver licence (copy of front and back)
- New Zealand or overseas firearms or dealer's licence
- New Zealand or overseas defence force or police service photo identity card
- Overseas identity card
- 18+ card or Kiwi Access Card (issued by Hopitality New Zealand) or overseas proof of age card (applicable if born in New Zealand but living overseas)
- New Zealand Emergency Travel Document
- New Zealand Certificate of Identity (issued under the Passports Act 1992)
- New Zealand Certificate of Identity (issued under the Immigration Act 2009)
- New Zealand Refugee Travel Document

A certified true copy is a photocopy that has been stamped or endorsed by an authorised person. For example, a solicitor/lawyer, notary public, registrar of the court or Justice of the Peace. This confirms that the copy is a true copy of the original document.

If you do not have photo identification, you will also need to fill out an Identity referee declaration form (BDM76) and attach it to this application.

You can find this form at:
govt.nz/birth-certificate-sex

You must present your current photo identification or completed BDM76 form (with attached photo) to the person authorised to take a statutory declaration when you sign the declaration in front of them. They can certify your document at the same time.

4. Proof of the use of your identity in the community

You must provide **two** documents from different sources. These do not need to be certified true copies. For example:

- Rates notices
- Electoral roll record
- Motor vehicle registration
- Student or tertiary identity card
- Educational certificate or school report
- Trade certificate
- Steps to Freedom form
- Community Services Card
- Utility accounts (including gas, water, electricity, mobile or home phone)
- Bank statements (including savings, credit or cheque accounts)
- Lease or tenancy agreements
- Inland Revenue tax number (provide an IR card or statement)
- Certificate of Approval or licence issued by the Private Security Personnel Licensing Authority

5. Statutory declaration requirements

A statutory declaration is a written statement signed in front of an authorised person and declared to be true.

The people below are authorised to take a statutory declaration.

New Zealand

- Registrar of Births, Deaths and Marriages
- Justice of the Peace
- Registrar or a deputy registrar of the Supreme Court, Court of Appeal, High Court or a District Court
- Person enrolled as a barrister and solicitor of the High Court
- Any other person authorised by law to administer an oath

Commonwealth country other than New Zealand

- Commonwealth representative
- Justice of the Peace
- Notary Public
- Judge
- Commissioner of Oaths
- Solicitor of the High Court of New Zealand
- A person authorised by law to administer an oath for the purpose of judicial proceeding (examples on the next page)

Non-Commonwealth country

- Commonwealth representative
- Notary public
- Judge
- Solicitor of the High Court of New Zealand

Examples of people authorised by the law of Australia, England, Wales, Ireland, Northern Ireland and Scotland to administer an oath for the purpose of judicial proceeding:

Australia

Australian Police are not authorised to take this statutory declaration unless you are in the Northern Territory.

Australian pharmacists, optometrists and doctors are not authorised to take statutory declarations.

- Judge
- Notary public
- Justice of the Peace
- Solicitor of the High Court of New Zealand
- Australian legal practitioner
- Court clerk or registrar who certifies their authority to take an oath for a judicial proceeding
- Commonwealth representative

Also, if in Northern Territory

- Commissioner for Oaths (by personal appointment)
- Member of the Legislative Assembly
- Member of the house of the Parliament of the Commonwealth elected to represent the Territory or a constituency in the Territory
- Member of the police force who is 18 years or older

Also, if in Queensland

- Commissioner for Declarations
- Conveyancer

Also, if in South Australia

- Commissioner for Affidavits

Also, if in Western Australia

- A mining registrar appointed under the Mining Act 1978

England or Wales

- Judge
- Commissioner of Oaths (by personal appointment)
- Notary public
- Justice of the Peace
- Solicitor of the High Court of New Zealand
- Solicitor
- Barrister
- Legal executive
- Licensed conveyancer
- Court clerk or registrar who certifies their authority to take an oath for a judicial proceeding
- Commonwealth representative

Ireland or Northern Ireland

- Judge
- Notary public
- Justice of the Peace
- Solicitor
- Court clerk or registrar who certifies their authority to take an oath for a judicial proceeding
- Commonwealth representative
- Solicitor of the High Court of New Zealand

Scotland

- Judge
- Notary public
- Justice of the Peace
- Commonwealth representative
- Person authorised by the law of that country to administer an oath for the purpose of a judicial proceeding
- Solicitor of the High Court of New Zealand

Privacy statement

The information provided on this form is collected under the Births, Deaths, Marriages, and Relationships Registration Act 2021 (the ‘BDMRR’ Act). A person who makes, or causes to be made, a false declaration on this form will be liable on conviction to a fine or term of imprisonment, or both. The new information will be held on a public register, and may generally be accessed by any person on application (e.g. as a certificate or printout). The Department of Internal Affairs may also release it to certain government agencies and foreign registration authorities, as authorised by law. The Department will notify the Passport service and the RealMe Identity Verification Service of the change in birth information accordance with section 107 of the BDMRR Act to ensure you do not have more than 1 identity recorded. This form and the details relating to your sex at birth will not be publicly available, except where the Registrar-General is satisfied the information is required in relation to the administration of an estate or trust, a marriage, or by order of a Court. A new birth registration will be made from the information provided. Corrections may be made as provided for in the BDMRR Act. The BDMRR Act governs access to registered information. Information about your rights to access and, where appropriate, correct the information is available on our website govt.nz/bdm or freephone 0800 22 52 52.

The information collected in your application may be used in statistical analysis and reporting for service improvement and business management purposes. Personal information will only be used where necessary for those purposes.

Data is stored, accessed and retained in accordance with our Privacy Policy, Information Management Policy, and the DIA Code of Conduct which incorporates our ICT and security policies, and in compliance with the Privacy Act 2020 and the Public Records Act 2005.

Fees statement

All fees are correct as at the form version date. All fees are in New Zealand dollars.

Application to register a name change and update sex marker on birth certificate

Aged 15 and under



Internal Affairs
Te Tari Taiwhenua

Tono ki te rēhita i te huri ingoa me te whakahou tohu ira tangata ki te tiwhikete whānau

15 tau me raro iho

BDM75

Instructions:

- You can complete this form by hand or on-screen using Adobe Reader.
- You can use the Tab key to move to the next fillable form field in Adobe Reader.
- You must still print off the application and sign where applicable by hand.
- When you see this icon it means you need to take extra care with your answers.

Please read the 'Before you apply' section (pages 1–4) of this application form carefully before you start. If your application is not correct and complete, your application may be delayed or unsuccessful.

1. My child's name

1a. Name at birth

This is the name on your child's birth certificate.

All first and middle names

Surname

1b. Name from previously registered name change (if applicable)

This applies if your child's current name is different from their name at birth due to a registered name change.

All first and middle names

Surname

2. My child's date of birth

Date (dd/mm/yyyy)

3. My child's place of birth

Town/city

Country

4. Indicate whether you want your attached documents to be:

- Securely destroyed
- Returned to you

5. All guardians' contact details

5a. Guardian 1's contact details

Guardian 1's full name

Guardian 1's email address

Guardian 1's phone number

5b. Guardian 2's contact details (if applicable)

Guardian 2's full name

Guardian 2's email address

Guardian 2's phone number

5c. Guardian 3's contact details (if applicable)

Guardian 3's full name

Guardian 3's email address

Guardian 3's phone number

5d. Guardian 4's contact details (if applicable)

Guardian 4's full name

Guardian 4's email address

Guardian 4's phone number

The next section is the Statutory Declaration. You will need to sign it in front of an authorised person. Refer to pages 3-4 for the list of people authorised to take a Statutory Declaration.



Statutory declaration

All guardian(s) need to fill out this section. If your child has more than 2 guardians, print a second copy of pages 7-11 for the additional guardian(s) to fill in and sign. Attach these pages to your application.

Take care completing this statutory declaration as you may be required to do it again if there are errors. All corrections must be:

- initialled
- dated, and
- witnessed by a person authorised to take a statutory declaration.

By completing this statutory declaration I declare that:

I authorise any necessary additional enquiries including the disclosure of personal information about myself or the person whose name is being changed for the purpose of determining eligibility for the name change part of the application. My authorisation includes any information held by the Department of Internal Affairs or another NZ government agency.

Are all guardians acting together to complete this declaration or is one guardian acting alone?

I am acting alone as a guardian ► Fill in Section 6 below
 We are all guardians acting together ► Go to Section 7 on page 9

6. Acting alone as a guardian

There are 6 statements to choose from. Select the statement that applies:

Statement 1: I, as the child's mother, am the sole guardian because the child was conceived on or after 1 July 2005 and I was not married to, nor in a civil union with, the father of the child at any time during the period beginning with the conception of the child and ending with the birth of the child; and I was not living with the father of the child as a de facto partner at any time during that period, and none of the exceptions below apply.

Exceptions to statement 1:

- The mother and father jointly registered the birth on or after 1 July 2005 on SmartStart or by completing and signing the Notification of birth for registration form (BDM27).
- The father's particulars were included in the child's birth information on or after 1 July 2005 but no later than 24 January 2009.
- A testamentary guardian of the child has been appointed by the deceased parent under section 26(2) of the Care of Children Act 2004 or section 7(2) of the Guardianship Act 1968.
- The Court has appointed any other person(s) a guardian.

Statement 2: I, as the child's mother, am the sole guardian because the child was born as a result of an assisted reproduction procedure (such as donor insemination) to me acting alone, and the donor is not my partner (i.e. not in a marriage, civil union or de facto relationship), and the donor did not become my partner between conception and notification of the birth for registration.

Statement 3-6 continue over the page

Statement 3: The Family Court has given consent for me to act alone.

Attach a copy of the Family Court order (not a Parenting order, previously known as a Custody order).

Statement 4: The guardian is unable to act because of a medical condition or they are of unsound mind.

Provide evidence from a registered medical practitioner.

Statement 5: The guardian(s) is/are dead.

If they died in New Zealand, enter the deceased's name, date of death and place of death. If they died overseas, include a certified true copy (or original) of the deceased's death certificate.

Full name of first deceased guardian

Full name of second deceased guardian

Date of death (dd/mm/yyyy)

Date of death (dd/mm/yyyy)

Place of death (dd/mm/yyyy)

Place of death (dd/mm/yyyy)

Statement 6: The guardian(s) is/are missing.

State the recent actions within the last 2 months that you have taken to contact the other guardian(s) and include the date you tried to contact them. This includes searching the electoral roles, the Internet, asking family and friends or former employers.

You must also state that you and all the people that know the guardian (which you have contacted) have no way of contacting them below.

I/we searched the electoral roles on this date: I/we asked friends on this date:

Date (dd/mm/yyyy)

Date (dd/mm/yyyy)

I/we searched the Internet on this date:

I/we asked their employers on this date:

Date (dd/mm/yyyy)

Date (dd/mm/yyyy)

I/we asked family members on this date:

Date (dd/mm/yyyy)

Tick box to confirm:

I/we and all people who know the guardian(s), who I/we have contacted, have no way of contacting the guardian(s).

If you could not attempt to contact the guardian with one of the above methods, attach a letter of explanation.

7. Guardian 1's full name, occupation, and residential address

Guardian 1's full name

Guardian 1's residential address

Street number and name

Suburb

Town or city

Country

Enter your occupation, for example, 'Landscape gardener' or 'Home-maker'. If you have no occupation, enter 'No occupation'.

Guardian 1's occupation

8. Guardian 2's full name, occupation, and residential address (if applicable)

Guardian 2's full name

Guardian 2's residential address

Same as Guardian 1's address

Street number and name

Suburb

Town or city

Country

Enter your occupation, for example 'Landscape gardener' or 'Home-maker'. If you have no occupation, enter 'No occupation'.

Guardian 2's occupation

9. The name I/we want to register on my/our child's birth certificate is:

Refer to the 'Guidelines for your child's new name' on page 1.

All first and middle names

Surname

10. I/we advise that my/our child intends to use their new name once their name is registered

If your child is already using their new name tick this box

11. I/we solemnly and sincerely declare that:

- my/our child identifies as a person of the sex marker selected below; and
- my/our child understands that their future birth certificates will show the selected sex marker in the sex field.

Select one:

Female
 Male
 Non-binary

All guardians need to sign this statutory declaration.

Guardian 1 should fill out section 12 in front of the authorised person.

Guardian 2 should fill out section 14 in front of the authorised person (if applicable).



12. Guardian 1 must fill out and sign this section before a person authorised to take a statutory declaration

(Refer to pages 3-4 for the list of authorised people.)

I solemnly and sincerely declare that the information herein in this statutory declaration is accurate and complete and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957

Declared at (Town or city, and country)

this day of (dd/mm/yyyy)

by (Signature of guardian)



13. The person authorised to take a statutory declaration must complete this section

I am satisfied of the applicant's identity because (tick one):

I have sighted the applicant's original photo identification document from the list on page 2 (write document name and number below).

Document name (e.g. New Zealand passport)

Document number (e.g. Passport number)

I have sighted the applicant's photo on a fully completed BDM76 Identity Referee form.

Signature (Authorised person signs here)

Full name of authorised person

Qualification of authorised person



14. Guardian 2 must fill out and sign this section before a person authorised to take a statutory declaration (if applicable)

(Refer to pages 3-4 for the list of authorised people.)

I solemnly and sincerely declare that the information herein in this statutory declaration is accurate and complete and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957

Declared at (Town or city, and country)

this day of (dd/mm/yyyy)

by (Signature of guardian)



15. The person authorised to take a statutory declaration must complete this section

I am satisfied of the applicant's identity because (tick one):

I have sighted the applicant's original photo identification document from the list on page 2 (write document name and number below).

Document name (e.g. New Zealand passport)

Document number (e.g. Passport number)

I have sighted the applicant's photo on a fully completed BDM76 Identity Referee form.

Signature (Authorised person signs here)

Full name of authorised person

Qualification of authorised person

End of Statutory Declaration. Continue to sections 16-19 of the form.

16. Human Assisted Reproductive Technology Register (HART)

Is your child born as a result of a HART procedure?

- Yes ► Fill in this section.
- No ► Go to Section 17.

This section applies if your child was born as a result of an assisted reproductive technology procedure using donated sperm, eggs or embryos through a fertility clinic. If the information has been provided to Births, Deaths and Marriages for inclusion on the HART Register, it will be updated to include your child's new name. This means that up-to-date information will be provided to persons who are authorised to access your child's information under the Human Assisted Reproductive Technology Act 2004.

Donation made after 21 August 2004

If your child's birth occurred as a result of a donation made after 21 August 2004, information will be sent to a fertility clinic. We can send information about the name change to the fertility clinic. They can then update their records.

- Yes, I consent to my child's new name being sent to the fertility clinic named below that holds the information:

Fertility clinic name

17. Fees

The application fee to register a name change is \$170

The application fee to update a sex marker is \$55.

Birth certificate (additional fee)

You can order a birth certificate if you need a certificate that shows your child's new details.

If you do not need a certificate to prove your child's new details, this is optional.

There are several types and packages of birth certificate that you can select from.

Enter quantity:

| | | | |
|----------------------|---|---|------|
| <input type="text"/> | Standard certificate |  | \$33 |
| <input type="text"/> | Forest style decorative certificate |  | \$35 |
| <input type="text"/> | Beach style decorative certificate |  | \$35 |
| <input type="text"/> | Two certificate package: beach style decorative and standard |  | \$55 |
| <input type="text"/> | Two certificate package: forest style decorative and standard |  | \$55 |

18. Delivery of birth certificate (if applicable)

Select a delivery method:

| | | | |
|---|-------------|----------------|--|
| <input type="checkbox"/> I want the certificate(s) sent by standard post | \$0 | | |
| <input type="checkbox"/> I want the certificate(s) couriered to a New Zealand address | \$5 | | |
| <input type="checkbox"/> I want the certificate(s) couriered to an overseas address | \$15 - \$30 | | |
| Australia, Asia, Pacific: | \$15 | Rest of world: | \$30 |
| USA: | \$20 | Includes: | Azerbaijan, Armenia, Bulgaria, Bosnia and Herzegovina, Cyprus, Croatia, Greece, Georgia, Macedonia, Malta, Moldova |
| Europe (unless listed here): | \$25 | | |

Contact us if you are unsure whether we can deliver to your country. Contact information is on page 1.

Delivery address:

Delivery name

Street number and name

Suburb

Town or city

Country

Postcode

Complete the payment section on the last page of the form.

19. Payment

Do not post cash or card. Do not email credit card details.

Charge my credit or debit card (Visa, MasterCard, American Express, Prezzy Card):

Card number

| | | | | | | | | | | | |
|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> |
|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|

Card expiry date

| | | | | |
|----------------------|----------------------|---|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | / | <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|---|----------------------|----------------------|

Name on card

Cardholder signature

Next steps

Print and sign the form.

Post the form, appropriate fee(s), and documents to us.

New Zealand office:

Births, Deaths and Marriages
Department of Internal Affairs
PO Box 10-526
Wellington 6140
New Zealand

Sydney office:

Births, Deaths and Marriages
Department of Internal Affairs
GPO Box 365
Sydney
New South Wales 2001
Australia

London office:

Births, Deaths and Marriages
Department of Internal Affairs
1 Pall Mall East
London SW1Y 5AU
United Kingdom