



# Circular

No. 2016/12

October 2016

*Replaces LPI Circular 2009/08*

## **New proof of identity requirements for Change of Name (form 10CN) commencing 1 November 2016**

New procedures relating to the registration of Change of Name (form 10CN) will take effect from 1 November 2016. Land and Property Information (LPI) is allowing a transition period of three months, with full compliance required from 1 February 2017.

### **Why are these changes being introduced?**

The changes are being introduced as one of a range of LPI initiatives aimed at reducing the risk of fraudulent land transactions. The Verification of Identity required will be aligned with the Verification of Identity Standard set out in Schedule 8 of [NSW Participation Rules for Electronic Conveyancing](#) determined under the *Electronic Conveyancing National Law (NSW)* and the [Conveyancing Rules section 12E Real Property Act 1900](#).

### **Identification required**

Originals or certified copies of documents in the categories as shown in Appendix 1 must be provided on lodgment of a Change of Name (form 10CN) where the parties changing their name will remain on title following registration.

### **What will LPI do with this evidence?**

LPI will make copies of any original documents and return them to the lodging party or Practitioners should sight original documents, certify and obtain copies of those documents for lodgment. The evidentiary documents lodged with applications will be validated with the appropriate authorities. Copies of these documents will be retained by LPI but will not be placed on the public record or made available for public inspection.

### **Is a Change of Name (form 10CN) required when a party whose name has changed is disposing of an interest in land?**

No. A Change of Name (form 10CN) is not required when the registered parties are being removed from title e.g. by a transfer. In this case a statutory declaration explaining the discrepancy in names will suffice.

### **What supporting evidence will be required from organisations such as companies and financial institutions?**

There is no change to this requirement. Companies, financial institutions and other non-government organisations must provide evidence of a change of name by way of a certificate of incorporation under the *Corporations Act 2001*, or equivalent evidence under other legislation.

**More information**

For more information see the LPI fact sheet [Changing your name on your title](#) or contact LPI on T: 1300 052 637 or E: [GeneralEnquiry@lpi.nsw.gov.au](mailto:GeneralEnquiry@lpi.nsw.gov.au).

Instructions for completion of the form vary according to the category of applicant and are available on the [Registrar General's Directions](#) website.

## Appendix 1

### Identification Required

The documents produced must be current, except for an expired Australian Passport which has not been cancelled and was current within the preceding 2 years.

All requirements in one of the categories below must be met as a minimum:

Category	Minimum Document Requirements
	<b>For Persons who are Australian citizens or residents:</b>
1	Australian Passport or foreign passport plus Australian drivers licence or Photo Card plus change of name or marriage certificate if necessary
2	Australian Passport or foreign passport plus full birth certificate or citizenship certificate or descent certificate plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary
3	Australian drivers licence or Photo Card plus full birth certificate or citizenship certificate or descent certificate plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary
4	(a) Australian Passport or foreign passport plus another form of government issued photographic identity Document plus change of name or marriage certificate if necessary  (b) Australian Passport or foreign passport plus full birth certificate plus another form of government issued identity Document plus change of name or marriage certificate if necessary
5	(a) Identifier Declaration plus full birth certificate or citizenship certificate or descent certificate plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary.  (b) Identifier Declaration by a Person specified in Verification of Identity Standard paragraph 4.4(e)* plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary.  <i>Note: Refer to Verification of Identity Standard paragraph 4.</i>

	<b>For Persons who are not Australian citizens or residents:</b>
6	<p>(a) Foreign passport plus another form of government issued photographic identity Document plus change of name or marriage certificate if necessary</p> <p>(b) Foreign passport plus full birth certificate plus another form of government issued identity Document plus change of name or marriage certificate if necessary.</p>

\* **Paragraph 4.4(e) Schedule 8** [NSW Participation Rules for Electronic Conveyancing](#)

**Note** Marriage Certificate from Registry, Births, Deaths and Marriages must be provided. A ceremonial marriage certificate is not acceptable as supportive evidence.

**Note** A document containing text in a foreign language must be accompanied by an English translation. The translation must be signed on each page by the interpreter and be identified as an accurate translation of the document.

### **Identifier Declaration**

If categories 1 to 4 cannot be met, Category 5(a) may be used with an Identifier Declaration. An Identifier Declaration certifies the identity of the person being referenced. The identity of the declarant must be supported by original or certified copies of documentation that meets all of the requirements in one of the categories numbered 1 to 4 in the table above.

The Identifier Declaration is in the form of a Statutory Declaration detailing the following:

- the Identity Declarant's name and address; and
- the Identity Declarant's occupation; and
- the Identity Declarant's date of birth; and
- the nature of the Identity Declarant's relationship with the Person Being Identified; and
- that the Identity Declarant is not a relative of the Person Being Identified; and
- that the Identity Declarant is not a party to the Conveyancing Transaction(s) the Person Being Identified has or is entering into; and
- the length of time that the Identity Declarant has known the Person Being Identified; and
- that to the Identity Declarant's knowledge, information and belief the Person Being Identified is who they purport to be.

If category 5(a) cannot be met, Category 5(b) may be used. The Identifier Declaration for 5(b) must be made by a person who is an Australian Legal Practitioner, a Bank Manager, Community Leader, Court Officer, Doctor, Land Council Officeholder, Licenced Conveyancer, Local Government Officeholder, Nurse, Public Servant or Police Officer.