

# Application for permission to change a child's surname

## Section 28 Adoption and Children Act 2002

|                            |  |
|----------------------------|--|
| Name of court              |  |
| Case no./Serial no.        |  |
| Date received by the court |  |
| Date issued                |  |

### Notes to applicants

- This form is only for use if you are applying for permission under section 28 of the Adoption and Children Act 2002 to change a child's surname.
- Before completing this form, please read the guidance notes carefully.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use black ink when filling in the form.

### Part 1 About you

a) I am a prospective adopter of the child and wish to keep my identity confidential and apply for a serial number  Yes  No

See Note 1

b) Title

Mr  Mrs  Miss  Ms  Other \_\_\_\_\_

See Note 2

c) My name is

First name(s) in full

Last name

d) My address is (including postcode)

e) My telephone number is

See Note 3

See Note 4

f) My solicitor in these proceedings is

|                              |  |         |  |
|------------------------------|--|---------|--|
| Name of solicitor            |  |         |  |
| Name of firm                 |  |         |  |
| Address (including postcode) |  |         |  |
| Telephone no.                |  | Fax no. |  |
| DX no.                       |  |         |  |
| E-mail address               |  |         |  |

g) My relationship to the child is

See Note 5

## Part 2 About the child

a) The name of the child is

First name(s) in full

Last name

b) The child is a

Boy

Girl

c) The child was born on

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

d) The child's address is

(If you do not know the child's address, please enter 'Not known')

e) The child lives with

(If you do not know the name of the person with whom the child lives, please enter 'Not known')

See Note 3

f) The adoption agency/local authority that has placed or is authorised to place the child for adoption is: (give the name and address of the adoption agency or local authority and (if known) the name and telephone number of the adoption worker who deals with the child)

|   |  |
|---|--|
| Name of adoption agency/<br>local authority |  |
| Address<br>(including post code)            |  |

|                                       |  |
|---------------------------------------|--|
| Name of your contact in<br>the agency |  |
| Telephone no.                         |  |

g) The child

is not the subject of a placement order

or

is the subject of a placement order  
(please give details and **attach a copy of the placement order**)

|                         |  |
|-------------------------|--|
| Name of court           |  |
| Case number             |  |
| Date of placement order |  |

**About other orders or proceedings that affect the child**

h)  To the best of my knowledge, no proceedings relating to the child (other than any placement order entered above) have been completed or commenced in any court

**or**

The following proceedings relating to the child have been completed/commenced (in addition to any placement order entered above)

◀ See Note 6

| Type of order made (or applied for) | Date of order (or date of next hearing) | Name of court | Case number (or serial number) |
|-------------------------------------|---|---------------|--------------------------------|
|                                     |   |               |                                |

**Cases concerning a related child**

i)  To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

**or**

The following proceedings relating to a full, half or step brother or sister of the child have been completed/commenced (please give details below and, if you were a party to any proceedings that have been completed, **attach a copy of the final order**)

| Relationship to child (eg. sister, half-brother) | Type of order made (or applied for) | Date of order (or date of next hearing) | Name of court | Case number (or serial number) |
|--|-------------------------------------|---|---------------|--------------------------------|
|  |                                     |   |               |                                |

### Part 3 About the child's parents or guardian

The name(s) and address(es) of the child's parent(s) are:

See Note 7

#### The child's mother

a) The name of the child's mother is

First name(s) in full

Last name

b) Her address is (if deceased, please write 'Deceased' in the address box)

#### The child's father

c) The name of the child's father is

First name(s) in full

Last name

d) His address is (if deceased, please write 'Deceased' in the address box)

e) Does he have parental responsibility for the child?

Yes

No

See Note 8

#### The child's guardian

f) The name of the child's guardian is

First name(s) in full

Last name

g) His/Her address is

See Note 9

### Part 4 About this application

a) I wish the child's surname to be changed to

See Note 10

b) My reasons for making this application are

See Note 11

## Part 5 Statement of truth

\*[I believe] [The applicant believes] that the facts stated in this application are true.

\*I am duly authorised by the applicant to sign this statement.

Print full name

Signed  Date

\*[Applicant] [Applicant's solicitor] [Litigation friend]

\*delete as appropriate

### If you attend the court for a hearing

1. Do you have a disability for which you require special assistance or special facilities?

Yes  No

If Yes, please say what your needs are below  
(the court staff will get in touch with you about your requirements)

◀ See Note 12

2. Do you want to use the services of an interpreter?

Yes  No

If Yes, please specify which language  
(court staff will get in touch with you about your requirements)

### What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee\* and the following documents:

- a copy of the placement order relating to the child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect.

\* If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

# Application for permission to change a child's surname (Form A55)

## Notes on completing the form

### Important

This form is for an application under Section 28 of the Adoption and Children Act 2002 for permission of the court to change a child's surname.

If you are attaching any order of the High Court or a county court to your application, it must be a sealed copy of the order (that is, a copy that has been stamped with the seal of the court). If you are attaching an order made by a magistrates' court, it must be a certified copy (a copy certified by the court officer to be a true copy of the original order), or a copy that bears the stamp of the originating court. An order issued by any other authority must be properly authenticated by that authority. If you are in any doubt about what is needed, please contact the court for assistance.

Take or send the completed application form, **and three copies**, to the court, together with the court fee and any documents you are attaching in support of your application. If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

### Notes on the application form

#### Note 1

If you are a prospective adopter (that is, you will be making an application to adopt the child) and you do not want your identity to be made known to the parents or guardians of the child, the court will issue you with a serial number. Any documents sent to the other parties will show the serial number, not your personal details. If you are required to attend the same court hearing, the court will make arrangements to ensure that your identity is protected.

If a serial number has already been issued to you, please ensure that it is entered in Part 2 paragraph (h) (About other orders or proceedings that affect the child).

#### Note 2

Where a child has been placed for adoption under section 19 of the Adoption and Children Act 2002, or an adoption agency is authorised to place a child for adoption under that section, or a placement order is in force in respect of the child, no one may cause the child to be known by a new surname unless each parent or guardian of the child gives written consent, or the court gives permission.

An application to the court for permission to change the child's surname may be made by any person, including the adoption agency or local authority authorised to place the child for adoption.

#### Note 3

If you are a prospective adopter, please see note 1 above. Otherwise, if you do not want your private address and telephone number, or the child's address, or (if the child does not live with you) the name of the person with whom the child lives, to be disclosed to any other party, do not enter those details on this application form. Instead you should enter the details on Form A65 which you must file at the court with your application. The information will not then be disclosed to any person, except by order of the court.

#### Note 4

If you are applying as an officer of the adoption agency or local authority that has placed or is authorised to place the child for adoption, you should enter the name and address of the agency/authority and the telephone number on which you can be contacted during working hours.

**Note 5**

If you are applying as an officer of the adoption agency or local authority that has placed or is authorised to place the child for adoption, please say so and state your position in the agency/local authority.

**Note 6**

If there are earlier or current court proceedings relating to the child, give the name of the court, the nature of the proceedings and the date and effect of any order made. If you were a party to any proceedings that have been completed, you should attach a copy of the final order to your application. You do not need to repeat the details of any placement order you have already given.

**Note 7**

If the child has previously been adopted, give the names of his/her adoptive parents and not those of his/her natural parents.

**Note 8**

If the child's parents were not married at the time of his/her birth, the child's father may have acquired parental responsibility

- by subsequent marriage to the child's mother;
- because he has a parental responsibility agreement with the mother, or has been granted a parental responsibility order, or
- because he registered the child's birth jointly with the child's mother (on or after 1 December 2003).

Give details of any court order or agreement in respect of parental responsibility in Part 2 About the child, paragraph (h).

**Note 9**

If the child does not have a guardian, enter 'not applicable'. Otherwise, enter the details of any person appointed to be the child's guardian by deed or will or otherwise in writing in accordance with section 5(5) of the Children Act 1989, or by an order made under section 5(1) or 14A of that Act. If the child has more than one guardian, please give the name and address of any other guardian(s) on a separate sheet, putting the child's full name, the number of the Part and the paragraph reference at the head of the sheet.

**Note 10**

If you do not want the child's new name to be disclosed to any other party, do not enter it on this application form. Instead you should enter the name on Form A65, which you must file at the court with your application. The information will not then be disclosed to any person, except by order of the court.

**Note 11**

If you are the prospective adopter and you already have a serial number or have asked for one to be issued, you should make sure that the reasons for your application do not include any information that could lead to your identity being disclosed.

Any applicant who has withheld their address or telephone number, or the child's address or the name of the person with whom the child lives on the application form should make sure that they do not include any information that could lead to these details being disclosed.

**Special assistance or facilities for disability if you attend the court****Note 12**

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements you may have on the day of the hearing, such as wheelchair access, a hearing loop, or a sign language interpreter.

The court staff will get in touch with you about your requirements. It is important that you make the court aware of all your needs. If you do not, the result may be that the hearing has to be adjourned.