

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.