2. ENROLMENT OF DEEDS

The Enrolment of Deeds (Change of Name) Regulations, 1949

1949 No. 316 (L. 3)

Made - - - -	21*st February*, 1949
Laid before Parliament	28*th February*, 1949
Coming into Operation	10*th March*, 1949

I, Wilfrid Arthur, Baron Greene, Master of the Rolls, in exercise of the powers conferred upon me by Section 218 of the Supreme Court of Judicature (Consolidation) Act, 1925(a), and of all other powers enabling me in this behalf, do hereby make the following Regulations with regard to the enrolment in the Central Office of the Supreme Court of deeds poll evidencing change of name:—

1. The person whose change of name is evidenced by the deed poll (in these Regulations referred to as "the applicant") must be a British subject.

2.—(1) If the applicant is a citizen of the United Kingdom and Colonies—

(*a*) by birth ; or

(*b*) by descent ; or

(*c*) by registration ; or

(*d*) by naturalisation ; or

(*e*) by incorporation of territory

he must be described as such in the deed poll. In all other cases the applicant must be described as a British subject.

(2) If the applicant is a woman, she must be described as a spinster, a married woman or a widow or (in the case of a woman whose marriage has been dissolved by a decree absolute of divorce) as a feme sole.

3.—(1) As proof of British nationality or of citizenship of the United Kingdom and Colonies the applicant must produce—

(*a*) a certificate of birth ; or

(*b*) a certificate of citizenship by registration or naturalisation or otherwise ; or

(*c*) some other certificate or document evidencing such nationality or citizenship.

(2) In addition to the documents set out in the last preceding paragraph—

(*a*) a married woman must produce her certificate of marriage, and must, unless good cause is shown to the contrary, obtain the written consent of her husband to her change of name. Such consent must be endorsed on the deed poll and must be witnessed by a solicitor ;

(*b*) a widow must produce her certificate of marriage and the certificate of death of her deceased husband ;

(*c*) a feme sole must produce the certificate of marriage to her former husband and the decree absolute of divorce.

(a) 15 & 16 Geo. 5. c. 49.

4. The deed poll and the certificate or certificates or other documents mentioned in Regulation 3 must be exhibited to a statutory declaration by a British subject who is a householder resident in the United Kingdom and who must in the statutory declaration declare that he is such. The declaration must state the period, which should not be less than ten years, during which such householder has known the applicant and must identify with the applicant the person referred to in the documents exhibited to the declaration.

5. If the applicant is resident outside the United Kingdom, evidence will be required that such residence is not intended to be permanent and the applicant may be required to produce a certificate by a solicitor as to the nature and probable duration of such residence.

6. The deed poll must be signed by the applicant in both his old and new names.

7. The deed poll must be advertised in the London Gazette after enrolment and a copy of the Gazette containing the advertisement must be produced when the deed is taken up. If the applicant is a woman, her description must be included in the advertisement.

8. Notwithstanding anything contained in these Regulations, the following provisions shall apply whenever it is desired to enrol a deed poll evidencing the change of name of an infant:—

(*a*) no such deed shall be enrolled except by order of the Master of the Rolls; and

(*b*) the application for enrolment must be supported by such evidence as the Master of the Rolls may require, including in particular evidence that the change of name is for the benefit of the infant and (if the infant has attained the age of sixteen years) that he consents to the application.

9.—(1) These Regulations may be cited as the Enrolment of Deeds (Change of Name) Regulations, 1949, and shall come into operation on the tenth day of March, 1949.

(2) The Interpretation Act, 1889(**a**), shall apply to these Regulations as it applies to an Act of Parliament.

Dated the 21st day of February, 1949.

Greene, M.R.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to explain their general purport.*)

These Regulations prescribe the procedure to be followed, consequent upon the coming into force of the British Nationality Act, 1948, by a person who wishes to enrol a deed poll of change of name in the Central Office of the Supreme Court.

(**a**) 52 & 53 Vict. c. 63.