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**THE REGISTRATION OF DOCUMENTS (CHANGE OF
NAME) REGULATIONS**

L.N. 277/1967.

1. These Regulations may be cited as the Registration of Documents (Change of Name) Regulations. Citation.

2. these Regulations— Interpretation.

“minor” does not include a woman who has been married;

“the relevant person” means the person whose name is being changed.

3. (1) A document evidencing a change of name of a person resident in Kenya— Document evidencing change of name may be endorsed on registration.

(a) which is in Form 1 in the Schedule; and

(b) in respect of which the following requirements of these Regulations have been complied with,

shall, upon being registered, be endorsed by the registrar with the words “Registered in accordance with the Registration of Documents (Change of Name) Regulations”.

(2) If the relevant person is a woman she shall be described in the document as a spinster, a married woman, a widow or (if her marriage has been dissolved) a feme-sole, as the case may be.

(3) The document shall be signed by the relevant person in both the old and the new names (or in the case of a minor by his parent or other legal guardian), and the signature shall be witnessed by one witness.

(4) If a minor whose name is being changed is over sixteen years of age his consent shall be endorsed on the document and witnessed by an advocate.

4. The following further evidence shall be produced to the registrar in relation to the relevant person— Further evidence to be produced.

(a) in all cases, a certificate of birth, unless the birth was not registered;

(b) if a married woman, her certificate of marriage, or other evidence of her marriage if it was not registered, together with—

(i) the written consent of her husband to her change of name, the consent being endorsed on the document evidencing the change of name and witnessed by an advocate; or

(ii) a certificate from an advocate that she is living separate from her husband in such circumstances that the separation is likely to be permanent;

(c) if a widow, her certificate of marriage, or other evidence of her marriage if it was not registered, together with the certificate of

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death of her husband;

(d) if a feme-sole, her certificate of marriage, or other evidence of her marriage if it was not registered, together with the decree absolute or certificate of divorce.

Statutory declaration.

5. The documents mentioned in regulations 3 and 4 shall be exhibited to a statutory declaration made by a person resident in Kenya in Form 6 in the Schedule.

Resident outside Kenya.

6. If the relevant person is resident outside Kenya evidence shall be produced that he does not intend such residence to be permanent, and the registrar may require the production of a certificate by an advocate as to the nature and probable duration of such residence.

Forms.

7. The forms set out in the Schedule shall be used for the purposes of these Regulations.

SCHEDULE

(rr. 3, 5, 7)

FORM 1

DEED POLL ON CHANGE OF NAME

“A”

THIS CHANGE OF NAME DEED is made this day of 19 by me..... of¹ a resident of Kenya now or until recently called

WITNESSED AND IT IS HEREBY DECLARED [on behalf of myself, my wife and my children and remoter issue born or to be born]² as follows:—

- 1. I absolutely renounce and abandon the use of my said former name of... and I assume and determine to take and use [from the date hereof]³ the new name of..... in substitution for my former name of
- 2. I shall at all times hereafter in all records documents and other writings and in all actions and dealings and on all occasions whatsoever use the new name ofin substitution for my former name of so relinquished as aforesaid to the intent that I [my wife and my children and issue]² may hereafter be known not by the former name ofbut by the new name of only.
- 3. I authorize and require all persons at all times to describe and address me [my wife and my children and issue]² by the new name of.....

IN WITNESS whereof I have hereunto subscribed my new name of..... and also my former name of..... and have affixed my seal the day and

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year first herein written.

SIGNED SEALED AND DELIVERED by the above—named in the presence of: }
 } [former name]
 }
 } [new name]

This is the Deed marked "A" referred to in the Declaration of.....
 and produced and shown to him on making the
 said Declaration before me this day of..... 19.....

.....
Commissioner for Oaths

NOTES:

1. Insert name and description. A woman must be described as spinster, married woman, widow or (if her marriage has been dissolved) female.
2. Omit as necessary.
3. Omit if the change has already taken place.
4. One witness is required.

 FORM 2

CONSENT OF HUSBAND

[to be endorsed on Deed Poll of Married Woman]

I..... of
 the husband of the within-named.....
 hereby certify that I consent to the change of name of my wife effected by this Deed.

Date signed

Witness to the signature
 of the above named:

Advocate.

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FORM 3

CERTIFICATE OF ADVOCATE

[alternative to Form 2]

I.....of.....
an advocate of the High Court of Kenya hereby certify that the within-named
..... is known
personally to me and is separated from her husband
..... in such circumstances that the
separation is likely to be permanent.

Date Signed
Witness to the signature of
the above-named:

FORM 4
"A"

DEED POLL BY PARENT OR GUARDIAN ON CHANGE OF
NAME BY INFANT

THIS CHANGE OF NAME DEED is made the day of
..... 19 by me
of the [father and]¹[mother and]¹legal guardian of
..... ofnow or until recently called
..... who is an infant now of the age of years [and
a spinster]¹and a resident of Kenya

WITNESSED AND IT IS HEREBY DECLARED as follows:—

- 1. On behalf of the said I absolutely renounce and
abandon the use of his [her] former name of.....
..... and on his [her] behalf assume and determine to take and
use the new name of in substitution for his
[her] former name of
2. The said will at all times hereafter in all
records documents and other writings and in all actions and dealings and on
all occasions whatsoever use the new name ofin
substitution for his [her] former name ofso
relinquished as aforesaid to the intent that the said
[his wife and his children and remoter issue]² may hereafter be known not
by the former name of but by the new
name ofonly.
3. On behalf of the said
I authorize and require all persons at all times to describe and address the said

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..... [his wife and his children and remoter issue]² by the new name of

IN WITNESS whereof I have hereunto set my hand and seal the day and year first herein written.

SIGNED SEALED AND DELIVERED by the above-named in the presence of:—³ }

(Exhibit marking as for Form 1)

NOTES:

- 1. Delete as appropriate.
2. Delete in the case of a female infant.
3. One witness is required.

FORM 4

CONSENT BY INFANT OVER SIXTEEN

[to be endorsed on Deed Poll by Parent or Guardian]

Iof being of the age years consent to the change of my name effected by this Deed.

Date Signed
Witness to the signature of the above-named: Advocate.

FORM 5

STATUTORY DECLARATION OF IDENTITY

I of a person resident in Kenya do solemnly and sincerely declare as follows:—

- 1. I have for years personally known the person formerly known as and now known as referred to in the Deed now produced and shown to me and marked "A" which person is hereinafter referred to as the relevant person.
2. The certificate of birth now produced and shown to me and marked "B" is

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the certificate of birth of the relevant person.

[OR]

To the best of my knowledge information and belief the birth of the relevant person was not registered.

3. The relevant person and the person who executed the said Deed marked "A" are one and the same person.

4. I declare as aforesaid from my personal knowledge of the person formerly known as and now known as and I make this Declaration conscientiously believing the same to be true and according to the Oaths and Statutory Declarations Act.

Declared by the above-named
Before me,
Commissioner for Oaths.



FORM 6

STATUTORY DECLARATION OF IDENTITY

[for change of name of a minor]

I of a person resident in Kenya do solemnly and sincerely declare as follows:—

1. I have for years personally known the person formerly known as and now known as..... and referred to in the Deed now produced and shown to me and marked "A" which person is hereinafter referred to as the relevant person.

Minor

2. The certificate of birth now produced and shown to me and marked "B" is the certificate of birth of the relevant person.

3. To the best of my knowledge and belief the person who executed the said Deed is the parent [guardian] of the relevant person.

Married Woman

2. The certificate of birth and the certificate of marriage now produced and shown to me and respectively marked "B" and "C" are the certificate of birth of the relevant person (whose single name was.....) and the certificate of marriage of the relevant person with [name of husband].

Widow

- 2. The certificate of birth and the certificate of marriage now produced and shown to me and respectively marked "B" and "C" are the certificate of birth of the relevant person (whose single name was.....) and the certificate of marriage of the relevant person with [name of husband].
- 3. The certificate of death now produced and shown to me and marked "D" is the certificate of death of the said [name of husband].

Feme-sole

- 2. The certificate of birth and the certificate of marriage now produced and shown to me and respectively marked "B" and "C" are the certificate of birth of the relevant person (whose single name was.....) and the certificate of marriage of the relevant person with [name of husband].
- 3. The certified copy decree absolute of divorce [or] certificate of divorce now produced and shown to me and marked "D" is a true copy of the decree dissolving [or] certificate of the dissolution of my said marriage.
- 4. I declare as aforesaid from my personal knowledge of the said and I make this solemn Declaration conscientiously believing the same to be true and according to the Oaths and Statutory Declarations Act.

Declared by the above-named
 Before me,
 Commissioner for Oaths.



Note.—If any birth, marriage or death was not registered, the declarant should so declare to the best of his knowledge and belief, and the rest of the form should be modified accordingly.

