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# Names Act

Passed 15.12.2004  
RT I 2005, 1, 1  
Entry into force 31.03.2005

Amended by the following acts

Passed	Published	Entry into force
20.05.2009	RT I 2009, 30, 177	01.07.2010
18.11.2009	RT I 2009, 60, 395	01.07.2010
10.12.2009	RT I 2010, 1, 1	01.07.2010
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the titles of ministers replaced on the basis of subsection 107 <sup>3</sup> (4) of the Government of the Republic Act as of the wording in force on 1 July 2014.
18.02.2015	RT I, 06.03.2015, 24	16.03.2015
14.06.2017	RT I, 04.07.2017, 1	01.01.2018
25.10.2017	RT I, 17.11.2017, 1	01.01.2019
13.12.2017	RT I, 30.12.2017, 1	01.01.2018
06.12.2018	RT I, 22.12.2018, 3	01.01.2019

## Chapter 1 GENERAL PROVISIONS

### § 1. Scope of regulation of Act

This Act provides for the principles of and the procedure for the assigning and application of names of natural persons (hereinafter *personal name*) and the bases for the uniform use of personal names of Estonian citizens and aliens staying in Estonia (hereinafter *person*).

### § 2. Application of Acts

- (1) The Administrative Procedure Act applies to administrative proceedings applied upon assigning and application of personal names, taking account of the specifications provided for in this Act.
- (2) The provisions regulating civil proceedings apply to proceedings applied upon assigning and application of personal names by a court.
- (3) The provisions of the Vital Statistics Registration Act apply to issues which are not regulated by this Act. [RT I 2010, 1, 1 - entry into force 01.07.2010]

### § 3. Definitions

- (1) A personal name is the official name of a person which is entered in the population register in the cases provided by law. A personal name consists of a given name and a surname.
- (2) Assigning a personal name means the first documentation of the personal name by an Estonian administrative authority or court.

(3) Application of a personal name means documentation of a personal name entered in a document issued to a person in a foreign state by an Estonian administrative authority or court and, if necessary, the rules of transcription of non-Estonian personal names from other alphabets (hereinafter *transcription rules for non-Estonian personal names*) is applied.

### **§ 3<sup>1</sup>. Use of personal name**

(1) A personal name entered in the population register is presumed correct. If a person is not a data subject of the population register, the name in his or her identity document shall be deemed to be his or her official name. [RT I, 17.11.2017, 1 - entry into force 01.01.2019]

(2) If a change under names law has been made in a foreign state in the data of a person, the person shall submit the document which served as the basis for the change under names law to an Estonian vital statistics office for entry of the changed data in the population register within 30 days after making the change. Until entry of the change under names law in the population register, the name in the identity document of the person shall be deemed to be the official name of the person. [RT I 2010, 1, 1 - entry into force 01.07.2010]

### **§ 3<sup>2</sup>. Name entry**

(1) A name entry is a set of data entered in the population register concerning a change under names law.

(2) A change under names law may be made by an Estonian vital statistics office or court under the conditions and pursuant to the procedure provided for in this Act. [RT I 2010, 1, 1 - entry into force 01.07.2010]

### **§ 4. Assigning and application of personal name**

(1) [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) An Estonian administrative authority or court may assign a personal name to a citizen of a foreign state or to an alien temporarily staying in Estonia who is not a citizen of any state, except in the cases provided for in Division 2 of Chapter 3 of this Act.

(3) A personal name shall be applied to a citizen of a foreign state or an alien temporarily staying in Estonia who is not a citizen of any state in the course of documentation of his or her personal data in Estonia for the first time on the basis of the name assigned or applied by a foreign state.

(4) Application of a personal name does not change the official name of the person. Upon documentation of a personal name, the number and order of names in the same personal name and the spelling of the given name or the surname cannot be changed. As an exception, the spelling of a name may be changed on the basis of an application of the person if a surname has been assigned to the person in a foreign state the spelling of which reflects the gender, marital status or other feature pursuant to the national tradition of the person. [RT I 2010, 1, 1 - entry into force 01.07.2010]

(5) Upon assigning of a personal name to a child who is ten years of age or older, his or her consent is required. The wishes of a child younger than ten years of age shall also be considered if the development level of the child so permits. The consent of a minor shall be ascertained by an official who shall verify it with his or her signature on the application for assignment of a name. [RT I 2010, 1, 1 - entry into force 01.07.2010]

(6) [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

(7) An administrative authority applying a personal name shall forward the documents serving as the basis for applying the personal name to a vital statistics office for making a change under names law. [RT I 2010, 1, 1 - entry into force 01.07.2010]

### **§ 5. Orthography of personal names**

(1) A personal name shall be written using Estonian-Latin letters and symbols and, if necessary, the transcription rules for non-Estonian personal names shall be used.

(2) The spelling of an Estonian personal name shall be in accordance with the rules of orthography of the Estonian language. The spelling of a non-Estonian personal name shall be in accordance with the rules of orthography of the relevant language.

(3) A personal name shall be applied:

1) on the basis of the Latin name entered in the source document according to the transcription rules for non-Estonian personal names;

2) in the absence of the possibility specified in clause 1) of this subsection, by the transcription of the non-Latin name entered in the source document with Estonian-Latin letters, which shall be done according to

the transcription rules for non-Estonian personal names or, in the absence of the rules, on the basis of the recommendation of the Office of Onomastic Expertise.

(4) Upon application of a personal name, only one of the manners specified in subsection (3) of this section shall be used at the same time.

(5) In the cases provided by law, a given name or a surname may be presented in a shortened form.

(6) The list of Estonian-Latin letters and symbols used upon assigning and application of personal names and the transcription rules for non-Estonian personal names shall be established by a regulation of the Government of the Republic.

## **§ 6. Requirements for surnames**

(1) A surname may consist:

- 1) upon assigning, of one name or two names linked by a hyphen;
- 2) upon application, of one or several names.

(2) In this Act, the surnames of persons who are or have been married to each other, are related by blood or are or have been related by marriage and the spelling of which coincides letter by letter, and also names the differences in the spelling of which are caused due to the reflection of gender, marital status or other feature in the name pursuant to the national tradition of the persons are deemed to be joint surnames.

(3) Features on the basis of which surnames are considered as joint surnames shall be established by a regulation of the minister responsible for the area.

(4) In the case of doubt with respect to the accuracy of a national or an ethnical name form, an administrative authority or a court assigning or applying the surname shall address the Office of Onomastic Expertise or a diplomatic representation of the corresponding state in order to obtain explanations.

(5) A surname may not contain numbers or non-alphabetical signs or be separately or together with the given name contrary to good morals.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(6) Exceptions to the provisions of subsection (1) of this section may be made if, due to his or her citizenship, family relations, national identity or religion, a person has personal connection to the foreign-language name tradition and the name applied for complies therewith.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(7) The requirements provided for in this section shall not apply to the application of surnames.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

## **§ 7. Requirements for given names**

(1) A given name may consist:

- 1) upon assigning, of not more than three names written as several words or two names linked by a hyphen;
- 2) upon application, of one or several names.

(1<sup>1</sup>) A non-Estonian given name must be in use in another state as a given name.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) A name which contains numbers or non-alphabetical signs or which separately or together with the surname is contrary to good morals shall not be assigned as a given name.

(3) The following shall not be assigned as a given name without good reason:

- 1) an unconventional given name which is not suitable to be used as a given name due to its complex spelling or pronunciation, or spelling or pronunciation which does not comply with the general language use, or due to its general linguistic meaning;
- 2) a name which does not correspond to the gender of the person;
- 3) a well-known name used as a personal name or a shortened version of the name, a name of a well-known author or a service name. For the purposes of this Act, a service name is a name which is used upon performance of official duties, but which is not the official name of the person.

(4) Exceptions to the provisions of subsections (2) and (3) of this section may be made if, due to their citizenship, family relations, national identity or other circumstances, a child or the parents of a child have personal connection to the foreign-language name tradition and the name applied for complies therewith.

## **Chapter 2**

### **ASSIGNING PERSONAL NAME TO CHILD**

#### **§ 8. Assigning personal name to child born alive**

(1) A child born alive shall be assigned:

- 1) the surname of the parents if the parents have a joint surname;
- 2) the surname of one of the parents upon agreement between the parents having different surnames. If they fail to reach an agreement, a guardianship authority shall decide which surname is assigned to the child;
- 3) the surname of the mother if paternal filiation is not established.

(2) A surname consisting of two names assigned to a parent upon marriage or pursuant to the procedure for changing a surname shall not be assigned to a child as a surname. If the surname of both parents consists of two names assigned pursuant to the procedure for changing a surname, the surname of one of the parents shall be assigned to the child upon agreement between the parents. This subsection shall not apply to a name consisting of two names assigned in the case provided for in clause 8 (1) 3) of this Act.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2<sup>1</sup>) If a sister or brother of a child has a surname consisting of two names which coincides with the surname of a parent consisting of two names, the surname of the parent consisting of two names may, as an exception, be assigned to the child. Multiples shall be assigned the same surname.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(3) A given name shall be assigned to a child upon agreement between the parents or on the proposal of the single parent or guardian of the child. If the right of custody of a child belongs to only one of the parents, a given name shall be assigned to the child on the proposal of the parent. If there is no agreement or no proposal is made, a guardianship authority shall decide which given name is assigned to the child.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(4) A surname and a given name shall be assigned to a foundling on the basis of an application of a guardianship authority.

#### **§ 8<sup>1</sup>. Assigning new surname to child upon filiation**

(1) If the parents of a child are not married and the father recognises the child after registration of the birth, the surname of the father may be assigned to the child.

(2) Upon adjudication of the filiation matter concerning a child in court, the court may assign a new surname to the child.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

#### **§ 9. Specifications for assigning personal name to stillborn child**

(1) A surname and, at the request of a parent or parents, also a given name shall be assigned to a stillborn child.

(2) The principles described in § 8 of this Act shall be considered upon assigning a surname and a given name.

## **Chapter 3**

### **ASSIGNING NEW PERSONAL NAME**

#### **Division 1**

### **Assigning New Personal Name or Restoration of Personal Name**

#### **§ 10. Assigning surname upon contraction of marriage**

(1) Upon contraction of marriage, a person shall choose a new surname or keep the current surname.

(2) A new surname may:

- 1) be a joint surname with the spouse which is the last surname of the spouse before marriage;
- 2) consist of the surname last borne before marriage and the surname of the spouse following it.

(3) A new surname assigned pursuant to clause (2) 2) of this section shall not consist of more than two names linked by a hyphen and a surname assigned in such form may be borne by only one of the spouses.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

### **§ 11. Restoration of surname upon divorce**

(1) Upon a divorce, the previous surname of a person may be restored by a court or vital statistics office on the basis of his or her application, otherwise the surname borne during marriage shall be preserved.  
[RT I 2010, 1, 1 - entry into force 01.07.2010]

- (2) A restored surname may be:
- 1) the surname last borne before the marriage being divorced;
  - 2) the surname last borne before the first marriage.

### **§ 12. Restoration of surname upon annulment of marriage**

Upon annulment of a marriage, the surname of a person last borne before the marriage being annulled shall be restored.

### **§ 13. Assigning personal name upon adoption**

(1) Upon adoption, a new given name and the surname of the adoptive parent may be assigned to the child by a court on the basis of the application of the adoptive parent.  
[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) Upon assigning a new given name and the surname of the adoptive parent(s), the provisions of subsections 8 (1) and (2) of this Act shall be taken account of in the case of a surname and the provisions of § 7 and subsection 8 (3) of this Act shall be taken account of in the case of a given name.

(3) In the cases specified in this section, the consent of the person specified in subsection 4 (5) of this Act is required.

### **§ 14. Restoration of personal name upon declaration of invalidity of adoption**

(1) Upon declaration of invalidity of adoption, the personal name of the child before adoption shall be restored.

(2) In the case specified in subsection (1) of this section, the consent of the person specified in subsection 4 (5) of this Act is required.  
[RT I 2009, 60, 395 - entry into force 01.07.2010]

### **§ 15. Assigning new personal name due to change of gender of person**

(1) If the gender of a person is changed, a vital statistics office may, on the basis of a written application of the person, the parent of the minor or the guardian of the minor ward, assign a new given name to the person and change the foreign-language surname of the person if gender is reflected in the surname pursuant to the national tradition of the person.  
[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) Upon assigning a new given name, the requirements and restrictions provided for in § 7 of this Act shall be complied with.

## **Division 2**

### **Assigning New Personal Name at Request of Person**

#### **§ 16. Assigning New Personal Name at Request of Person**

(1) In order to be assigned a new given name, surname or personal name, a person shall submit a standard format application to a county town local government as a vital statistics office as specified in clauses 3 (3<sup>2</sup>) 4), 9), 12) or 13) of the Vital Statistics Registration Act. Upon application for a new surname or a new personal name to be assigned, the assigning a new surname to the minor children of the person may also be applied for.  
[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

(2) An application specified in subsection (1) of this section shall be submitted in person. An application may be submitted in a digitally signed form or in writing at a vital statistics office and it shall set out the following information:

[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

1) the given name, surname, personal identification code or date of birth, place of birth, residence, contact details (including telephone number and e-mail address), citizenship and marital status of the person;

- 2) upon application for a new surname, information provided for in clause 1) of this subsection regarding the minor children of the person who bear the same surname with the applicant and wish to be assigned the new surname of their parent;
- 3) the reasons for application for a new given name, surname or personal name;
- 4) the desired new given name, surname or personal name;
- 5) the consent of the person specified in subsection 4 (5) of this Act;
- 6) the ethnic nationality of the person;
- 7) the mother tongue of the person;
- 8) the education of the person.
- 9) [repealed -RT I, 17.11.2017, 1 - entry into force 01.01.2019]

(3) The provisions of § 17<sup>1</sup> of this Act shall be complied with upon assigning a new surname and the provisions of § 19 of this Act shall be complied with upon assigning a new given name.  
[RT I 2010, 1, 1 - entry into force 01.07.2010]

(4) In general cases, a new given name, surname or personal name is assigned to a person pursuant to this section only once. A person shall be assigned a new given name, surname or personal name more than once only with good reason.

(5) A person has the right to abandon a given name, surname or personal name assigned pursuant to this section and apply for the restoration of the previous given name, surname or personal name.

(6) [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

(6<sup>1</sup>) The assignment of a new surname or restoration of the previous personal name on the basis provided for in subsections 17<sup>1</sup>(1) and (2) of this Act and assignment of a new given name on the basis provided for in subsection 19 (1) of this Act shall be decided by the minister responsible for the area or an official of the Ministry of the Interior authorised by the minister responsible for the area or a vital statistics official working at a vital statistics office specified in subsection (1) of this section authorised by the minister responsible for the area. A vital statistics official shall be deemed to be authorised if they have the right to act as a vital statistics official as provided for in subsection 4 (2) of the Vital Statistics Registration Act, which includes the right to assign a new given name or surname or restore a previous personal name on the basis provided for in this division.  
[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

(6<sup>2</sup>) If the assignment of a new given name or surname or the restoration of a previous personal name is decided by the minister or an official of the Ministry of the Interior authorised by the minister, the official of the vital statistics office specified in subsection (1) of this section shall perform the procedural acts provided for in the procedure established under subsection (9) of this section.  
[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

(6<sup>3</sup>) The costs related to the decision to assign, under subsections 6<sup>1</sup> and 6<sup>2</sup> of this section, a new given name or surnames or restore a previous personal name and the performance of procedural acts provided for in subsection (9) of this section by a local government as costs of state functions are compensated to the local government from the state budget basis of the number of acts performed during the year preceding the budgetary year and the average calculated cost of one act provided for in the state budget for the corresponding year.  
[RT I, 22.12.2018, 3 - entry into force 01.01.2019]

(7) A state fee shall be paid for making a decision on assigning a new given name, surname or personal name or restoration of a given name, surname or personal name by administrative legislation of the minister responsible for the area or a person authorised by the minister responsible for the area.  
[RT I, 22.12.2018, 3 - entry into force 01.01.2019]

(8) A detailed list of information to be submitted in an application specified in subsection (1) of this section shall be established by a regulation of the Government of the Republic.

(9) The procedure and format of applications for assigning a new given name, surname or personal name to a person shall be established by a regulation of the minister responsible for the area.  
[RT I 2010, 1, 1 - entry into force 01.07.2010]

(10) [Repealed -RT I, 17.11.2017, 1 - entry into force 01.01.2019]

(11) An applicant shall present a document specified in clauses 2 (2) 1) and 1<sup>2</sup>)–8) or § 4 of the Identity Documents Act for identification, except upon submission of a digitally signed application.  
[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

**§ 17. [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]**

**§ 17<sup>1</sup>. Assigning new surname at request of person**

(1) A new surname is assigned if a person:

- 1) wishes to use the surname of his or her parents, grandparents or great-grandparents;
- 2) wishes to use, in the case of a surname consisting of several names, only one name;
- 3) wishes to bear the same surname as the spouse or add the surname of the spouse after his or her surname;
- 4) is widowed and wishes to bear the surname last borne before the marriage;
- 5) wishes to bear the surname firmly established in the actual usage which is different from the personal name entered in a document or the population register due to writing of the name as one or several words or due to a mark which is not a letter (apostrophe, hyphen), or due to single characters, and which complies with the requirements of this Act;
- 6) wishes to use, in the case of a surname consisting of two names in brackets, one of these names without brackets;
- 7) wishes to bear the surname in the form which is entered in the population register but which differs from the name form entered in the document serving as the basis for assignment of the name to the person due to application of the transcription rules;
- 8) wishes to give his or her minor child the surname which the person took after marrying the other parent of the child after registration of the birth of the child and which is the joint surname of the parents.

(2) A new surname may be assigned at a reasoned request of a person if the person:

- 1) wishes to abandon an unconventional surname which is not suitable to be used as a surname due to its complex spelling or pronunciation, or spelling or pronunciation which does not comply with the Estonian language use, or due to its general linguistic meaning;
- 2) wishes to abandon the current surname if his or her personal name coincides with the personal name of another person;
- 3) wishes to avoid harmful economic or social consequences arising from the personal name;
- 4) wishes to bear an Estonian surname;
- 5) wishes to change the surname for any other good reason.

(3) Upon assigning a new surname to a person on the basis of subsection (2) of this section, the following shall not be assigned as the new surname:

- 1) a name which is not suitable to be used as a surname due to its complex spelling or pronunciation, or spelling or pronunciation which does not comply with the Estonian language use, or due to its general linguistic meaning;
- 2) a name which is borne by 1–20 living persons according to data in the population register;
- 3) a name in the case of which the new personal name and year of birth of the person would coincide with the personal name and year of birth of another living person;
- 4) a name which is too widespread;
- 5) a name which is used as a given name;
- 6) a name of a well-known historical figure or a famous family;
- 7) a name referring to a legal person or the protected part of a well-known registered trade mark consisting of words, and the names of state and local governments and bodies and authorities thereof;
- 8) a name in the case of which the given name and the surname of the person would be the same;
- 9) a surname consisting of the two names of the parents.

(4) Exceptions to the provisions of subsection (3) of this section may be made if, due to his or her citizenship, family relations or national identity or other circumstances, a person changing his or her surname has personal connection to the foreign-language name tradition and the name applied for complies therewith.

(5) For the purposes of this Act, a too widespread surname is a surname which is borne by 500 or more persons according to data in the population register. The list of too widespread surnames shall be established by a regulation of the minister responsible for the area and the list shall be updated in every three years.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

**§ 18. [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]**

**§ 19. Reasons for application for new given name at request of person**

(1) The following may be the reasons for application for a new given name on the basis of § 16 of this Act:

- 1) a wish to abandon an unconventional given name which is not suitable to be used as a given name due to its complex spelling or pronunciation, or spelling or pronunciation which does not comply with the Estonian language use, or due to its general linguistic meaning;
  - 2) a wish to protect the personal name of a person if it coincides with the personal name of another person;
- [RT I 2010, 1, 1 - entry into force 01.07.2010]
- 3) a wish to avoid harmful economic or social consequences arising from the name;
  - 4) a wish to change the number or order of names in the given name;

5) [repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

6) a wish to bear the given name firmly established in the actual usage which is different from the given name entered in a document or the population register due to writing of the name as one or several words or due to a mark which is not a letter (apostrophe, hyphen), or due to single characters, and which complies with the requirements of this Act;

[RT I 2010, 1, 1 - entry into force 01.07.2010]

7) a wish to use, in the case of a given name consisting of two names in brackets, one of these names without brackets;

[RT I 2010, 1, 1 - entry into force 01.07.2010]

8) a wish to bear the given name in the form which is entered in the population register but which differs from the name form entered in the document serving as the basis for assignment of the name to the person due to application of the transcription rules;

[RT I 2010, 1, 1 - entry into force 01.07.2010]

9) a wish to change the given name for any other good reason.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

(3) Upon changing the given name of a person on the basis of subsection (1) of this section, the following shall not be assigned as the new given name:

1) a name which is not suitable to be used as a given name due to its complex spelling or pronunciation, or spelling or pronunciation which does not comply with the Estonian language use, or due to its general linguistic meaning;

2) a name in the case of which the given name and the surname of the person would be the same;

3) a name in the case of which the new personal name and year of birth of the person would coincide with the personal name and year of birth of another living person.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

### **Division 3**

## **[Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]**

### **Chapter 4**

## **ORGANISATION OF PERSONAL NAMES**

### **§ 21. Application in Estonia of personal names assigned or applied in foreign state**

(1) A personal name assigned or applied in a foreign state shall be applied in Estonia to an Estonian citizen or a person staying in Estonia on the basis of a residence permit who is not a citizen of any state pursuant to this section.

(2) [Repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

(2<sup>1</sup>) A name shall be applied on the basis of a birth, marriage or divorce document or another official document issued in a foreign state which certifies the change of the personal name.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(3) The requirements of this Act regarding personal names upon assigning the personal names shall be complied with upon commencement of use of personal names assigned or applied in a foreign state and:

1) at the request of a person, the personal name assigned or applied to him or her in a foreign state shall be preserved if the personal name is written in Estonian-Latin letters;

2) personal names may be restored in the form preceding the assigning or application of personal names by a foreign state;

3) in the case of a divorce, the personal name of a person which was last borne before marriage or last borne before first marriage may be restored in the form used in Estonia.

(4) A name in a foreign document which is not a part of the given name or surname shall be deemed to be a part of the given name and shall be added after the given name.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

### **§ 22. Replacement of personal name with applied personal name**

The personal name of a citizen of a foreign state or an alien temporarily staying in Estonia who is not a citizen of any state, which is entered in a document by an Estonian administrative authority or court shall be used together with the respective document until the person has not submitted a document of the foreign state which sets out the name assigned or applied to the person by the foreign state, and the personal name has not been assigned on the basis of the document.



### **§ 23. Correction of entry concerning personal name**

(1) A person has the right to apply for the correction of his or her personal name and the personal name of his or her minor child if:

1) an incorrect personal name which does not comply with the requirements of this Act has been entered in a document or in the population register;

[RT I 2010, 1, 1 - entry into force 01.07.2010]

2) [repealed - RT I 2010, 1, 1 - entry into force 01.07.2010]

3) upon application of a personal name, the list of Estonian-Latin letters and symbols used upon assigning and application of personal names and the transcription rules for non-Estonian personal names, which are established by the Government of the Republic, have not been complied with.

(2) An administrative authority which has issued a document shall correct an incorrect personal name entered in the document immediately after identification and ascertaining of the mistake on the basis of an application of the person. The controller, processor or contractual processor of the database shall correct an incorrect personal name entered in the population register on its own initiative or on the basis of an application of the person immediately after identification and ascertaining of the mistake and shall inform the person regarding whose personal name the correction was made of the correction.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(3) If a personal name is entered in the population register, an entry concerning the personal name shall be corrected on the basis of the personal name entered in the population register.

### **§ 24. Challenging of assigning or application of personal name**

(1) A person who finds that his or her rights have been violated in the course of the proceedings regarding the assigning or application of a personal name or who does not consent to the personal name assigned or applied to him or her or his or her child or to refusal to assign or apply a personal name may submit a challenge to the Ministry of Internal Affairs or an action to an administrative court within 30 days. Calculation of the term commences as of the date when the person becomes aware or should have become aware of the violation of his or her rights, of the personal name assigned or applied, or of a decision to refuse to assign or apply a personal name.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) The Ministry of Internal Affairs shall review a challenge and make a decision concerning the challenge within 30 days after submission of the challenge after hearing the opinion of the Personal Names Committee if necessary.

### **§ 25. Personal Names Committee**

(1) The minister responsible for the area shall form an advisory Personal Names Committee with seven to nine members within the area of government of the ministry and shall establish the statutes of the Committee.

[RT I 2010, 1, 1 - entry into force 01.07.2010]

(2) The members, including the chairman of the Personal Names Committee shall be appointed by the minister responsible for the area.

(3) The Personal Names Committee shall:

1) provide recommendations to the minister responsible for the area if assigning or application of a personal name is challenged;

2) provide recommendations to the minister responsible for the area or a person authorised by the minister responsible for the area regarding answers to questions on and resolution of problems relating to the assigning or application of personal names;

[RT I, 06.03.2015, 24 - entry into force 16.03.2015]

3) make proposals to the minister responsible for the area regarding initiation of amendment of legislation concerning the assigning and application of personal names;

4) provide explanations regarding the compliance of personal names with good morals and given names not corresponding to the gender;

5) perform other functions given to the Committee by its statutes.

(4) The Personal Names Committee has the right to:

1) receive expert assessments on the subject of personal names from the Office of Onomastic Expertise;

2) receive answers from state and local government authorities to questions on the assigning and application of personal names;

3) prepare instructions and explanations which are approved by a directive of the minister responsible for the area in order to explain and publicise the Names Act.

(5) Upon making a decision, the Personal Names Committee shall use the expert assessment of the Office of Onomastic Expertise.

#### **§ 26. Office of Onomastic Expertise**

(1) The function of the Office of Onomastic Expertise in the field of personal names is to provide expert assessments regarding names.

(2) The Government of the Republic shall, on the proposal of the minister responsible for the area, designate a research institution with scientific staff specialising in onomastics as the Office of Onomastic Expertise.

## **Chapter 5 IMPLEMENTATION OF ACT**

§ 27.–§ 30.[Omitted from this text.]

#### **§ 31. Validity of personal name in use**

(1) A personal name which is in use upon the entry into force of this Act and which does not comply with the requirements of law shall be used until a personal name is assigned, restored or applied.

(2) The restriction provided for in subsection 16 (4) of this Act does not apply retroactively to persons who have changed their names before the entry into force of this Act.

#### **§ 31<sup>1</sup>. Jurisdiction to proceed with assignment of new given name or surname or restoration of previous personal name initiated in cases provided for in division 2 of chapter 3 of this Act before 1 January 2018**

(1) Upon the termination of the activities of a county government the proceedings initiated at a county government before 1 January 2018 shall be transferred in the following manner:

- 1) proceedings initiated at Harju, Järva and Rapla county governments go to a county town local government specified in clause 3 (3<sup>2</sup>) 12) of the Vital Statistics Registration Act;
- 2) proceedings initiated at Ida-Viru and Lääne-Viru county governments go to a county town local government specified in clause 3 (3<sup>2</sup>) 4) of the Vital Statistics Registration Act;
- 3) proceedings initiated at Hiiu, Lääne, Pärnu, Saare and Viljandi county governments go to a county town local government specified in clause 3 (3<sup>2</sup>) 9) of the Vital Statistics Registration Act;
- 4) proceedings initiated at Põlva, Tartu, Valga, Jõgeva and Võru county governments go to a county town local government specified in clause 3 (3<sup>2</sup>) 13) of the Vital Statistics Registration Act;

(2) Proceedings initiated at Tallinn Vital Statistics Office shall remain with Tallinn Vital Statistics Office.  
[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

#### **§ 31<sup>2</sup>. Validity of rights of vital statistics official**

Vital statistics officials employed at county town local governments specified in subsection 16 (1) of this Act who have been authorised by the minister responsible for the area before 1 January 2018 to decide on the assignment of a new given name and surname and the restoration of a previous personal name on the basis of subsection 16 (6<sup>1</sup>) of this Act shall have the right to assign or restore a name until the termination of their right to act as a vital statistics official.

[RT I, 04.07.2017, 1 - entry into force 01.01.2018]

#### **§ 32. Entry into Force of Act**

This Act enters into force on 31 March 2005.