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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes the countries and territories that are approved by the Secretary of State for the purposes of the Gender Recognition Act 2004 (the “Act”).

Section 1(1)(b) of the Act permits applications for a gender recognition certificate on the basis of having changed gender under the law of a country or territory outside the United Kingdom. Applicants under section 1(1)(b) are required by section 3(5) to provide evidence that they have changed gender under the law of an “approved country or territory” outside the United Kingdom. An “approved country or territory” is defined by section 2(4) as one prescribed by order made by the Secretary of State.

Applicants under section 1(1)(b) need not meet the evidentiary requirements in sections 3(1) to 3(4), which apply to applications under section 1(1)(a) of the Act. These include a requirement to provide one or more medical reports from a registered medical practitioner or a chartered psychologist.