

*These notes refer to the Gender Recognition Act 2004
(c.7) which received Royal Assent on 1 July 2004*

GENDER RECOGNITION ACT 2004

EXPLANATORY NOTES

THE ACT

8. In the Act:

- *sections 1 to 8, and Schedules 1 and 2*, establish a process for the issue of a gender recognition certificate, that is, for gaining recognition in the acquired gender. They create the Gender Recognition Panels and set out the requirements for making an application and the criteria by which the Panels will decide applications;
- *sections 9 to 21, and Schedules 3 to 6*, set out the consequences of the issue of a certificate. The general principle is that the transsexual person will for all purposes be regarded as being of the acquired gender. These sections go on to describe particular consequences in terms of the issue of a new birth certificate, marriage, parenthood, benefits and pensions, discrimination, inheritance, sport, gender-specific offences and foreign gender change; and
- *sections 22 to 29* contain supplementary provisions. For example, they include a prohibition on disclosure of information relating to a person's application for a certificate or the gender history of a successful applicant. They also limit applications, for the first six months after the Act comes into force, to those transsexual people who have been living in the acquired gender for at least six years. As these applicants will have been living in the acquired gender for so long, the criteria to be applied are also slightly different.