



# Gender Recognition Act 2004

## 2004 CHAPTER 7

### *Supplementary*

#### **27 Applications within two years of commencement**

- (1) This section applies where applications are made under section 1(1)(a) during the period of two years beginning with the appointed day (“the initial period”).
- (2) Section 2(1)(a) has effect as if there were inserted at the end “or has undergone surgical treatment for the purpose of modifying sexual characteristics,”.
- (3) In the case of an application which—
  - (a) is made during the first six months of the initial period, or
  - (b) is made during the rest of the initial period and is based on the applicant having undergone surgical treatment for the purpose of modifying sexual characteristics,section 2(1)(b) has effect as if for “two” there were substituted “six”.
- (4) Subsections (5) and (6) apply in the case of an application to which subsection (3) applies and in the case of an application—
  - (a) made during the rest of the initial period,
  - (b) based on the applicant having or having had gender dysphoria, and
  - (c) including a statutory declaration by the applicant that the applicant has lived in the acquired gender throughout the period of six years ending with the date on which the application is made.
- (5) Section 3 has effect as if for subsections (1) to (3) there were substituted—
  - “(1) An application under section 1(1)(a) must include either—
    - (a) a report made by a registered medical practitioner, or
    - (b) a report made by a chartered psychologist practising in the field of gender dysphoria.
  - (2) Where the application is based on the applicant having or having had gender dysphoria—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the reference in subsection (1) to a registered medical practitioner is to one practising in the field of gender dysphoria, and
  - (b) that subsection is not complied with unless the report includes details of the diagnosis of the applicant's gender dysphoria.
- (3) Subsection (1) is not complied with in a case where—
- (a) the applicant has undergone or is undergoing treatment for the purpose of modifying sexual characteristics, or
  - (b) treatment for that purpose has been prescribed or planned for the applicant,
- unless the report required by that subsection includes details of it.”
- (6) Paragraph 4(2) of Schedule 1 has effect with the omission of paragraph (b).