



# Gender Recognition Act 2004

## 2004 CHAPTER 7

### *Applications for gender recognition certificate*

#### **[<sup>F1</sup>3A Alternative grounds for granting applications**

- (1) This section applies to an application under section 1(1)(a) which states that it is an application for a certificate to be granted in accordance with this section.
- (2) The Panel must grant the application if satisfied that the applicant complies with the requirements imposed by and under section 3B and meets the conditions in subsections (3) to (6).
- (3) The first condition is that the applicant was a party to a protected marriage or a protected civil partnership on or before the date the application was made.
- (4) The second condition is that the applicant—
  - (a) was living in the acquired gender six years before the commencement of section 12 of the Marriage (Same Sex Couples) Act 2013,
  - (b) continued to live in the acquired gender until the date the application was made, and
  - (c) intends to continue to live in the acquired gender until death.
- (5) The third condition is that the applicant—
  - (a) has or has had gender dysphoria, or
  - (b) has undergone surgical treatment for the purpose of modifying sexual characteristics.
- (6) The fourth condition is that the applicant is ordinarily resident in England, Wales or Scotland.
- (7) The Panel must reject the application if not required by subsection (2) to grant it.]

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*Status: Point in time view as at 10/12/2014. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Gender Recognition Act 2004, Section 3A. (See end of Document for details)*

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#### **Textual Amendments**

- F1** S. 3A inserted (E.W.S.) (10.12.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), [Sch. 5 para. 17](#); S.I. 2014/3169, art. 2

**Status:**

Point in time view as at 10/12/2014. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Gender Recognition Act 2004, Section 3A.