



# Gender Recognition Act 2004

## 2004 CHAPTER 7

### *Applications for gender recognition certificate*

#### **5 Subsequent issue of full certificates**

- (1) A court which—
  - (a) makes absolute a decree of nullity granted on the ground that an interim gender recognition certificate has been issued to a party to the marriage, or
  - (b) (in Scotland) grants a decree of divorce on that ground,must, on doing so, issue a full gender recognition certificate to that party and send a copy to the Secretary of State.
- (2) If an interim gender recognition certificate has been issued to a person and either—
  - (a) the person's marriage is dissolved or annulled (otherwise than on the ground mentioned in subsection (1)) in proceedings instituted during the period of six months beginning with the day on which it was issued, or
  - (b) the person's spouse dies within that period,the person may make an application for a full gender recognition certificate at any time within the period specified in subsection (3) (unless the person is again married).
- (3) That period is the period of six months beginning with the day on which the marriage is dissolved or annulled or the death occurs.
- (4) An application under subsection (2) must include evidence of the dissolution or annulment of the marriage and the date on which proceedings for it were instituted, or of the death of the spouse and the date on which it occurred.
- (5) An application under subsection (2) is to be determined by a Gender Recognition Panel.
- (6) The Panel—
  - (a) must grant the application if satisfied that the applicant is not married, and
  - (b) otherwise must reject it.

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*Status: This is the original version (as it was originally enacted).*

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- (7) If the Panel grants the application it must issue a full gender recognition certificate to the applicant.