

GENDER REASSIGNMENT AMENDMENT BILL 2018 (WA)

EXPLANATORY MEMORANDUM

Overview of the Bill

The Gender Reassignment Amendment Bill 2018 amends the *Gender Reassignment Act 2000* (WA) to allow a person to be issued with a recognition certificate, regardless of their marital status.

The *Gender Reassignment Act 2000* (WA) (Gender Reassignment Act) governs the process by which a person can obtain official recognition of a change of gender. A person may apply to the Gender Reassignment Board to be granted a recognition certificate that identifies the person as belonging to the sex to which they have been reassigned and which authorises the Registrar of Births, Deaths and Marriages to amend the sex recorded on the person's birth certificate to reflect their assumed gender.

The amendment to the Gender Reassignment Act will remove the current requirement under section 15(3) of the Act that a recognition certificate cannot be issued to a person who is married. Accordingly the amendment will allow a person to be issued a recognition certificate regardless of their marital status.

Clause 1 Short title

Clause 1 provides that the Bill, once enacted, will be known as the *Gender Reassignment Amendment Act 2018*.

Clause 2 Commencement

Clause 2 provides for the commencement of the Act.

Sections 1 and 2 come into operation on the day the Act receives Royal Assent. The rest of the Act will come into operation on the 28th day after that day.

Clause 3 Act amended

This clause provides that the Act will amend the *Gender Reassignment Act 2000*.

Clause 4 Section 15 amended

Clause 4 of the Bill provides for the deletion of section 15(3) of the Gender Reassignment Act thereby removing the requirement that a recognition certificate cannot be issued to a person who is married.