

Important legislative changes in Victoria: Changing record of sex in a birth registration

General information

Legislative changes

On **1 May 2020**, reforms to the *Births, Deaths and Marriages Registration Act 1996* commence, removing barriers for Victorians wanting to change the record of sex in their birth registration.

Applications to change a record of sex in a birth registration must be made to the Victorian Registrar of Births, Deaths and Marriages (the Registrar).

From this date:

- Victorians will no longer be required to undergo sex affirmation surgery to apply to change the record of sex in their birth registration
- when changing the record of sex in their birth registration, applicants will be able to nominate a sex descriptor of their choice, which can be male; female; or any other descriptor
- parents will be able to apply on behalf of their child
- a person can change their record of sex once in a 12-month period.

Applying to change record of sex

Adults (Victorian born)

An adult's application to the Registrar must include a statutory declaration by the applicant; and a supporting statement by an adult who has known the applicant for at least 12 months.

Children (Victorian born)

Parents (or legal guardian) of a Victorian born child can apply to the Registrar to change the child's record of sex if the child consents to the change, and the parents believe the change is in the best interests of the child.

The application must include a statutory declaration by the parents and a supporting statement by a doctor or psychologist; or an adult who has known the child for at least 12 months (other than a parent).

Non-Victorian born adults and children

Non-Victorian born people can apply to the Registrar for a recognised details certificate acknowledging their affirmed sex if they have lived in Victoria for at least 12 months.

A recognised details certificate cannot be used to certify details in the Victorian Register of Births and is not a legal document.

Further information

Further information about the application processes will be available from 1 May 2020 on the Registry of Births, Deaths and Marriages Victoria's website: www.bdm.vic.gov.au

Switchboard

For peer-driven LGBTIQ support services, contact Switchboard: www.switchboard.org.au, info@switchboard.org.au, 1800 184 527.