

Media Release

The Hon Jill Hennessy MP

Attorney-General

Minister for the Coordination of Justice and Community Safety – COVID-19

Minister for Workplace Safety



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LAWS COMMENCE TO DELIVER FAIRER BIRTH CERTIFICATES

Trans and gender diverse Victorians can now alter the sex recorded on their birth certificate without having to undergo invasive and costly sex affirmation surgery, with new laws now in effect.

Trans and gender diverse people can now nominate the sex listed in their birth registration as male, female, or any other accepted gender diverse or non-binary descriptor of their own choice.

The *Births, Deaths and Marriages Registration Amendment Act 2019* passed Parliament last August, removing a discriminatory barrier for people who are forced to out themselves whenever a birth certificate is requested – often causing embarrassment and raising privacy, safety and discrimination concerns.

Overturning the requirement for an individual to undergo sex affirmation surgery before changing their birth certificate recognises that some trans and gender diverse people are unable to, or choose not to, undergo a serious and expensive medical procedure.

The Andrews Labor Government reforms mean Victoria now joins the Australian Capital Territory, South Australia, Western Australia, Tasmania and the Northern Territory, which all no longer require a person to undergo sex reassignment in order to alter the sex recorded on their birth registration documents.

Measures included in the legislation will enable the Registrar of Births, Deaths and Marriages to refuse to register a descriptor that is obscene, offensive or if it is not reasonably established as a sex descriptor.

The new laws were informed by extensive consultation with trans and gender diverse individuals and organisations, doctors and psychologists, the Australian Bureau of Statistics, the Gender and Sexuality Commissioner and previous public consultations undertaken by the Australian Human Rights Commission.

The Registry of Births, Deaths and Marriages has worked closely with the trans and gender diverse community to implement the reforms.

Applicants can learn more about how to change their record of sex via the Registry of Births, Deaths and Marriages website bdm.vic.gov.au.

Quotes attributable to Attorney-General Jill Hennessy

“For too long trans and gender diverse communities have been sent a painful and false message that there is something wrong with being trans or gender diverse that needs to be ‘fixed’.”

“We’ve removed an unfair and unnecessary barrier – allowing trans and gender diverse Victorians to finally access a birth certificate that truly reflects who they are without having to undergo invasive and costly surgery.”

Quote attributable to Minister for Equality Martin Foley

“Equality is not negotiable in Victoria and today, we’re a step closer to achieving it for all LGBTIQ Victorians – this is about delivering a basic right which was long overdue.”

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