

birth certificate reform fact sheet august 2019 edition

Has the bill passed?

Yes. After years of tireless community advocacy, The Births, Deaths and Marriages Registration Amendment Bill 2019 (VIC) was passed in the Upper House of Victorian Parliament on the 27th of August 2019 by a margin of 26-14 votes.

When does the reform come in to effect?

Now that the bill has passed, implementation is being developed and rolled out by the Victorian Registry of Births, Deaths and Marriages, with a current deadline 1 May 2020. This is an immediate effect of the bill passing.

The reform will come into full effect **by or before the 1 May 2020 deadline**, at which time birth certificates can be updated under the new rules.

We will continue to work hard to see this occur as soon possible.

Transgender Victoria is working closely with a range of community organisations to ensure the final implementation is inclusive and representative of the needs of our community.

What does the reform do?

- Trans people are no longer forced to undergo sex reassignment surgery before requesting an update to the sex marker listed on their birth certificate.
- Individuals can nominate a descriptor other than 'female' and 'male' on updated birth certificates. This process is based on self identification and the language trans people use to describe ourselves. Some terms may be rejected for being obscene or offensive, including terms that are abusive or intended to vilify or mock marginalised groups.
- As is already the case individuals can request a copy of their birth certificate that excludes the 'sex' field. This is **not** changed by the bill.

How do I apply for a new Birth Certificate?

You can't apply yet, but will be able to soon.

Once implementation is complete, an online or in person application can be lodged.

This process will likely resemble the existing process for updating the name listed on a birth certificate.

What do I need to change my birth certificate?

If you're 18 and over you will need:

- A statutory declaration from another person who has known you for at least 12 months
- Your existing birth certificate
- Payment for an alteration fee

We will update this fact sheet accordingly when the new process is finalised.

Who can apply?

Any person **born in Victoria** and **aged 18 and above** will be able to apply via Births Deaths and Marriages.

If you are **under 18 years of age** you will additionally require:

- Support of both parents
- **Or** the surviving parent or guardian
- **Or** one parent and a court order
- **And** a supporting statement from a doctor, psychologist, or other relevant person (still to be defined).

If you were **born outside of Victoria** you can instead request a **Recognised Details Certificate** to record a change in gender.

Please note the details of the process listed within the fact sheet are still being finalised for implementation, at which time this document will be updated accordingly.