

How can you change the gender status on formal documents?

A resource for trans and gender diverse young people and their families in Western Australia

Fact Sheet

This fact sheet answers some common questions trans and gender diverse young people, and their families, have about self-identification on formal documents.

Choices around self-identification should be respected. By reading this resource you will get a better understanding of the options in Western Australia around identification of gender.

Can you change your gender status on formal documents?

In most formal documents, yes. However different documents have different requirements and different gender identity options.

Unfortunately some trans and gender diverse people may have limited ability to change their gender status on some formal documents.

What steps are involved with making a change?

The steps for applying to change your gender status on formal documents differs depending on whether the document you would like to change is issued by:

- a) a state or territory government organisation
- OR
- b) a federal government organisation

See how you can change key documents below.

Changing the gender on your birth certificate

Birth certificates are issued and regulated at a state and territory level. This means that the approach to changing your birth certificate to match your gender identity will be different depending on which state or territory your certificate was issued in.

There is a general requirement that a medical treatment of some kind must have occurred in order to change the legal sex on your birth certificate. Unfortunately, in most states and territories, this still means trans people are required to undergo invasive surgery. In WA, hormone therapy treatment alone is enough.

In WA, you can apply to 'register change of sex' in WA if:

- you are aged 18 years or older, or your parent/s or person with parental responsibility provides a signed statement stating that the alternation of the record of the child's sex is in the best interest of the child

- your birth is registered in WA, or you have undergone a “reassignment procedure” in WA. The law has been interpreted to mean that hormone therapy is sufficient.
- In order to register a change of sex you will need a ‘recognition certificate’. In order to get this certificate, you will need to have had a “reassignment procedure”, defined as:
“a medical or surgical procedure (or a combination of such procedures) to alter the genitals and other gender characteristics of a person, identified by a birth certificate as male or female, so that the person will be identified as a person of the opposite sex and includes, in relation to a child, any such procedure (or combination of procedures) to correct or eliminate ambiguities in the child’s gender characteristics”
This has been interpreted to mean that hormone therapy alone is sufficient.
- To apply for this certificate, you will need to complete an ‘Application for Recognition Certificate’ available on the WA Department of Justice website (see ‘Where to get help and more information’ further below for the link).

How can you apply?

You can apply by post or in person by:

- Filling out the required form, currently on the Registry website as ‘Application to Register Change of Sex’
- Include your recognition certificate
- Paying the required fees. It currently costs \$48 but fees may change

See ‘Where to Get Help and Information’ for more details.

Changing your gender on federal government documents, such as your passport, and on records with Medicare or Centrelink

You can change your gender on federal formal documents or records by applying to the agency that looks after the document or record that you want to change.

There are Australian Government Guidelines on recognising gender (see the link further below). This means that:

- Federal departments and agencies must take all reasonable steps to correct the gender information in their records to make sure it is accurate, up-to-date, and not misleading
AND
- You can apply to federal agencies, such as the Department of Foreign Affairs and Trade and the Department of Human Services, directly to change your gender on your personal record, or as shown on your passport

Do you need to provide supporting documentation?

Under the Australian Government Guidelines, you need to provide **one** of the following with your request for a change of your recorded gender:

- A statement from a registered medical practitioner or registered psychologist which specifies your gender

- A state or territory gender recognition certificate or recognised details certificate showing a change in sex
- A valid Australian government travel document, such as a valid passport, which specifies your gender
- A state or territory birth certificate, or a document from an Australian Registrar of Births, Deaths and Marriages recognising a change of gender.

You **do not** need to have had surgery and/or hormone therapy for the recognition of a change of gender in federal government records. This means that even though you may not have any related medical procedures, you can still apply to correct the gender information recorded on your personal record. See *'Where to get help and more information'* for a link to the *Australian Government Guidelines*.

Here is a quick guide on changing your gender on federal government documents:

| Document | Department | What you need to do |
|----------------------|---|--|
| Your Medicare card | Department Human Services | Attend a Medicare Service Centre in person and provide one of the above documents outlined in the Australian Government Guidelines |
| Your Centrelink file | Department of Human Services | Attend a Centrelink Service Centre in person and provide one of the above documents outlined in the Australian Government Guidelines |
| Your passport | Department of Foreign Affairs and Trade | For both a new passport and/or to change your gender on an existing passport, you need to start the application process |

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|--|--|---|
| | | <p>online (here) and then print it for lodgement.</p> <p>For this application, you must also provide one of the documents outlined in the Australian Government Guidelines.</p> <p>If you are in the process of transitioning, you can provide a statement from a registered medical practitioner or psychologist that you have had or are receiving appropriate clinical treatment for gender transition. This should be provided on DFAT's 'Declaration: sex/gender of passport applicant form' (available here).</p> |
|--|--|---|

Will every application and outcome be the same?

No. The different departments may have different application forms and therefore varied outcomes around changing your gender identification.

What's an example?

The Department of Human Services can update your gender as male or female, but if you identify as non-binary, they can only add a note on your personal record. You can also tell them you prefer not to use a courtesy title such as Miss, Mr or Ms.

Whereas...

The Department of Foreign Affairs and Trade provides for the recognition of your gender as M (male), F (female), or X (indeterminate/intersex/unspecified) on your passport. However, the Department notes that those travelling with a passport showing 'X' may encounter difficulties when crossing borders due to its infrequent use. In more conservative countries or areas you may become the focus of unwanted attention.

Changing your gender on your driver's licence

The steps involved with changing your driver's licence will vary depending on the state or territory that you live in.

What you need to do in WA

In WA, you do not need to have undergone 'sex reassignment' surgery and/or hormone therapy to change your recorded gender on your licence.

You will need to visit a Driver and Vehicle Services (DVS) centre in person and provide:

- Your completed application form, 'Change of Personal Details (Form P64),' available on the WA Police website
- A passport or driver's licence that displays photo and signature (this can be expired, but must not be more than two years) and your residential address. Otherwise, you will also need to provide a letter from your current employer or educational institution showing your residential address
- If you have undergone "sexual reassignment" surgery or you are transitioning, intersex, or wish to be identified as gender diverse, indeterminate or of an unspecified gender, you must provide **one** of the following:
 - a statement about your gender from a registered medical practitioner or psychologist
 - valid passport which specifies preferred gender
 - amended birth certificate which specifies preferred gender

If you have had surgery, you may also provide a copy of your gender recognition certificate instead of one of the above.

Where to get help and more information

- To access the Australian Government Guidelines on the Recognition of Sex and Gender, visit <https://www.ag.gov.au/Publications/Documents/AustralianGovernmentGuidelinesontheRecognitionofSexandGender/AustralianGovernmentGuidelinesontheRecognitionofSexandGender.pdf>
- The Department of Justice provides guidance on amending birth certificates here: https://bdm.justice.wa.gov.au/G/gender_reassignment.aspx?uid=7219-6282-8371-6256
- The Department of Foreign Affairs offers travel advice for LGBTI travellers on its Smart Traveller website here: <https://smartraveller.gov.au/guide/Pages/lgbti-travellers.aspx>
- The 'Application for Recognition Certificate' is available at:

- if you are under 18,
https://courts.justice.wa.gov.au/files/GRB_Apply_Recognition_Cert_Child.pdf
- if you are 18 years or over,
https://courts.justice.wa.gov.au/files/GRB_Application_form_per_Reg.pdf
- For more information on changing your gender on your driver's licence, visit <https://www.transport.wa.gov.au/licensing/change-my-gender.asp>
- Parents of Gender Diverse Children provides peer support nationally to parents and those parenting trans and gender diverse children. To access their resources or make an enquiry, visit their website <https://www.pgdc.org.au>.
- The Freedom Centre provides safe social spaces, peer support, information and referral for young gay, lesbian, bisexual, trans, intersex, queer and questioning young people under the age of 26. To find out about their services visit their website <https://www.freedom.org.au/>
- TransFolk of WA is a support service for all transgender people and their loved ones in Western Australia. Visit their website to access their resources <https://www.transfolkofwa.org/>