

2005 No. 151

GENDER RECOGNITION

The Gender Recognition (Prescription of Particulars to be Registered) (Scotland) Regulations 2005

Made - - - - - *14th March 2005*

Coming into force- *4th April 2005*

The Registrar General, in exercise of the powers conferred by section 10(4) of, and paragraphs 14(1)(a) and (4) of Schedule 3 to, the Gender Recognition Act 2004^(a) and of all other powers enabling him in that behalf and with the approval of the Scottish Ministers in accordance with paragraph 14(4) of Schedule 3 to that Act, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Gender Recognition (Prescription of Particulars to be Registered) (Scotland) Regulations 2005 and shall come into force on 4th April 2005.

(2) In these Regulations—

“the 1965 Act” means the Registration of Births, Deaths and Marriages (Scotland) Act 1965^(b);

“Adopted Children Register” means the register maintained by the Registrar General under section 45(1) of the Adoption (Scotland) Act 1978^(c);

“registers of births” means the registers of births endorsed by the district examiner in accordance with section 34 of the 1965 Act and maintained by the Registrar General;

“Registrar General” means the Registrar General for Scotland;

“registration district” has the same meaning given by section 5(1) of the 1965 Act.

Particulars to be registered in the Gender Recognition Register

2.—(1) The particulars required by paragraph 14(1)(a) of Schedule 3 to the Gender Recognition Act 2004 to be contained in an entry in the Gender Recognition Register are—

(a) in relation to the entry in the Gender Recognition Register, the particulars set out in paragraph (2);

(b) in relation to the person’s birth, the particulars set out in paragraph (3) as contained in the registers of births or the Adopted Children Register; and

(c) in relation to the person as at the date of registration, the particulars set out in paragraph (4).

(2) The particulars referred to in paragraph (1)(a) are—

(a) the year of the register;

(a) 2004 c.7.

(b) 1965 c.49.

(c) 1978 c.28.

- (b) the district number;
 - (c) the entry number;
 - (d) the date of registration; and
 - (e) the signature of the Registrar General or a member of the Registrar General's staff authorised by the Registrar General to sign the entry.
- (3) The particulars referred to in paragraph (1)(b) are–
- (a) the name of the registration district in which the birth was registered;
 - (b) the registration district number or volume number pertaining to the relevant register;
 - (c) the year in which the birth of the person was registered;
 - (d) the entry number in the relevant register;
 - (e) the person's–
 - (i) forename(s);
 - (ii) surname(s);
 - (iii) sex;
 - (iv) date of birth;
 - (v) place of birth; and
 - (f) the maiden surname of the person's mother.
- (4) The particulars referred to in paragraph (1)(c) are the person's–
- (a) forename(s);
 - (b) surname(s); and
 - (c) sex.
- (5) In paragraph (4)(c), "sex" means the acquired gender of the person.

DUNCAN MACNIVEN
Registrar General for Scotland

New Register House,
Edinburgh
14th March 2005

Approved by the Scottish Ministers

TAVISH SCOTT
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
14th March 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the particulars in relation to the person's birth and other matters which must be contained in an entry in the Gender Recognition Register maintained under paragraph 13(1) of Schedule 3 to the Gender Recognition Act 2004.

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