# Gender Recognition Act 2004

## CHAPTER 7

### GENDER RECOGNITION ACT 2004

### Applications for gender recognition certificate

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Consequences of issue of gender recognition certificate etc.

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Supplementary

22 Prohibition on disclosure of information
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SCHEDULES

SCHEDULE 1 — Gender Recognition Panels

List of persons eligible to sit

1 (1) Subject to sub-paragraph (1A), the Lord Chancellor must, after...

President

2 (1) Subject to sub-paragraph (1A), the Lord Chancellor must, after...
Tenure of persons appointed to list

3 Persons on the list— (a) hold and vacate their appointments...

Membership of Panels

4 (1) The President must make arrangements for determining the membership...
5 The arrangements must ensure that a Panel determining an application...

Procedure

6 (1) Where a Panel consists of more than one member,...

Staff and facilities

7 The Secretary of State may make staff and other facilities...

Money

8 (1) The Secretary of State may pay sums by way...
8A Delegation

Tribunals and Inquiries Act 1992

9 In Schedule 1 to the Tribunals and Inquiries Act 1992...

Disqualification

10 In Part 3 of Schedule 1 to the House of...
11 In Part 3 of Schedule 1 to the Northern Ireland...

SCHEDULE 2 — Interim certificates: marriage

Part 1 — ENGLAND AND WALES

1 The Matrimonial Causes Act 1973 (c. 18) is amended as...
2 In section 12 (grounds on which a marriage celebrated after...
3 In section 13 (bars to relief), after subsection (2) insert—...
4 (1) Paragraph 11 of Schedule 1 (grounds on which a...

Part 2 — SCOTLAND

5 The Divorce (Scotland) Act 1976 (c. 39) is amended as...
6 (1) In subsection (1) of section 1 (grounds on which...
7 In section 2(1) (encouragement of reconciliation), for “in an action...

Part 3 — NORTHERN IRELAND

9 In Article 14 (grounds on which a marriage celebrated after...
10 In Article 16 (bars to relief), after paragraph (2) insert——...
11 (1) Paragraph 18 of Schedule 3 (grounds on which a...

SCHEDULE 3 — Registration

Part 1 — ENGLAND AND WALES

Introductory

1 In this Part— “the Registrar General” means the Registrar General...
Gender Recognition Register

2 (1) The Registrar General must maintain, in the General Register...

Entries in Gender Recognition Register and marking of existing birth register entries

3 (1) If the Registrar General receives under section 10(1) a...

Indexing of entries in Gender Recognition Register

4 (1) The Registrar General must make arrangements for each entry...

Certified copies of entries in Gender Recognition Register

5 (1) Anyone who may have a certified copy of the...

Short certificates of birth compiled from Gender Recognition Register

6 Where a short certificate of birth under section 33 of...

Gender Recognition Register: re-registration

7 (1) Section 10A of the 1953 Act (re-registration where parents...

Correction etc. of Gender Recognition Register

8 (1) Any power or duty of the Registrar General or...

Revocation of gender recognition certificate etc.

9 (1) This paragraph applies if, after an entry has been...

Evidence

10 (1) Section 34(5) of the 1953 Act (certified copy of...

Regulatory reform

11 England and Wales

Registration of marriages and civil partnerships

11A (1) The Registrar General may make regulations about—
Part 2 — SCOTLAND

Introductory

12 In this Part— “the Registrar General” means the Registrar General...

Gender Recognition Register

13 (1) The Registrar General must maintain, in the General Register...

Entries in Gender Recognition Register

14 (1) If the Registrar General receives under section 10(1) a...

Indexing of entries in Gender Recognition Register

15 (1) The Registrar General must make arrangements for each entry...
Extracts of entries in Gender Recognition Register

16 (1) This paragraph applies in respect of an extract issued...

Abbreviated extracts of birth compiled from Gender Recognition Register

17 Where an abbreviated extract of birth under section 39E of...

Gender Recognition Register: correction, re-registration etc.

18 Section 18A(2) (decrees of parentage and non-parentage), section 20(1) (re-registration in...

Revocation of gender recognition certificate etc.

19 (1) This paragraph applies if, after an entry has been...

Authentication and admissibility

20 sections 41 and 41A of the 1965 Act (authentication of...
20A (1) The Registrar General may, with the approval of the...

Introductory

21 In this Part— “the Registrar General” means the Registrar General...

Gender Recognition Register

22 (1) The Registrar General must maintain, in the General Register...

Entries in Gender Recognition Register and marking of existing birth register entries

23 (1) If the Registrar General receives under section 10(1) a...

Indexing of entries in Gender Recognition Register

24 (1) The Registrar General must make arrangements for each entry...

Certified copies of entries in Gender Recognition Register

25 (1) Anyone who may have a certified copy of the...

Short certificates of birth compiled from Gender Recognition Register

26 Where a short certificate of birth under Article 40 of...

Gender Recognition Register: re-registration

27 Articles 18, 19 and 19A of the 1976 Order (re-registration...
Change of name

30 Paragraphs (4) to (6) of Article 37 of the 1976...

Evidence

31 (1) Article 42 of the 1976 Order (proof of age...

Fees

32 Article 47 of the 1976 Order (fees for searches, certificates...

SCHEDULE 4 — Effect on marriage
Part 1 — ENGLAND AND WALES

Marriage Act 1949 (c. 76)

1 The Marriage Act 1949 is amended as follows.
2 In section 1 (restrictions on marriage), insert at the end—...
3 After section 5A insert— Marriages involving person of acquired gender...

Matrimonial Causes Act 1973 (c. 18)

4 The Matrimonial Causes Act 1973 is amended as follows.
5 In section 12 (grounds on which a marriage celebrated after...
6 In section 13(2), (3) and (4) (bars to relief), for...

Part 2 — SCOTLAND

Marriage (Scotland) Act 1977 (c. 15)

7 In section 2 of the Marriage (Scotland) Act 1977 (marriage...

Part 3 — NORTHERN IRELAND


8 In Article 18 of the Family Law (Miscellaneous Provisions) (Northern...


9 The Matrimonial Causes (Northern Ireland) Order 1978 is amended as...
10 In Article 14 (grounds on which a marriage celebrated after...
11 In Article 16(2), (3) and (4) (bars to relief), for...

SCHEDULE 5 — Benefits and pensions
Part 1 — INTRODUCTORY
1 This Schedule applies where a full gender recognition certificate is...
Part 2 — STATE BENEFITS

Introductory

2 (1) In this Part of this Schedule “the 1992 Act”...

Widowed mother’s allowance

3 (1) If (immediately before the certificate is issued) the person...
Widow’s pension

4 If (immediately before the certificate is issued) the person is...

Widowed parent’s allowance

5 If (immediately before the certificate is issued) the person is,...

Long-term incapacity benefit etc.

6 If (immediately before the certificate is issued) the person is...

Pension under Part 1 of the Pensions Act 2014

6A (1) Any question— (a) whether the person is entitled to...

Pension under Part 1 of the Pensions Act (Northern Ireland) 2015

6B (1) Any question— (a) whether the person is entitled to...

Category A retirement pension

7 (1) Any question— (a) whether the person is entitled to...

Category B retirement pension etc.

8 (1) Any question whether the person is entitled to—

Shared additional pension

9 (1) Any question— (a) whether the person is entitled to...

Deferment of pensions

10 (1) The person’s entitlement to— (za) a state pension under...

...

11

Graduated retirement benefit: Great Britain

12 (1) The provision that may be made by regulations under...

Graduated retirement benefit: Northern Ireland

13 (1) The provision that may be made by regulations under...

Part 3 — OCCUPATIONAL PENSION SCHEMES

Guaranteed minimum pensions etc.: Great Britain

14 (1) In this paragraph “the 1993 Act” means the Pension...

Guaranteed minimum pensions etc.: Northern Ireland

15 (1) In this paragraph “the 1993 Act” means the Pension...

Equivalent pension benefits: Great Britain

16 (1) The provision that may be made by regulations under...
Equivalent pension benefits: Northern Ireland

(1) The provision that may be made by regulations under...

SCHEDULE 6 — Sex discrimination

Part 1 — GREAT BRITAIN

1 Great Britain
2 Great Britain
3 Great Britain
4 Great Britain
5 Great Britain

Part 2 — NORTHERN IRELAND

6 The Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. ...
7 In Article 10A (gender reassignment: exception for genuine occupational qualification),...
8 In Article 10B (supplementary exceptions relating to gender reassignment), for...
9 In Article 12 (discrimination against contract workers), after paragraph (3C)...
10 In Article 14 (partnerships), after paragraph (3C) insert—
Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Gender Recognition Act 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:

- s. 4A cross-heading words inserted by S.I. 2019/1458 reg. 27
- s. 4A heading words inserted by S.I. 2019/1458 reg. 28(2)
- s. 4B heading words inserted by S.I. 2019/1458 reg. 29(2)
- s. 3(6B) words inserted by S.I. 2019/1458 reg. 24(3)(a)(i)
- s. 3(6B) words inserted by S.I. 2019/1458 reg. 24(3)(a)(ii)
- s. 3(6B) words inserted by S.I. 2019/1458 reg. 24(3)(a)(iii)
- s. 3(6B)(a) words inserted by S.I. 2019/1458 reg. 24(3)(b)(i)
- s. 3(6B)(a) words inserted by S.I. 2019/1458 reg. 24(3)(b)(ii)
- s. 3(6B)(a) words inserted by S.I. 2019/1458 reg. 24(3)(b)(iii)
- s. 3(6B)(b) words inserted by S.I. 2019/1458 reg. 24(3)(c)
- s. 3(6C) words inserted by S.I. 2019/1458 reg. 24(4)(a)
- s. 3(6C) words inserted by S.I. 2019/1458 reg. 24(4)(b)
- s. 3B(8) words inserted by S.I. 2019/1458 reg. 25(3)(a)(i)
- s. 3B(8) words inserted by S.I. 2019/1458 reg. 25(3)(a)(ii)
- s. 3B(8) words inserted by S.I. 2019/1458 reg. 25(3)(a)(iii)
- s. 3B(8)(a) words inserted by S.I. 2019/1458 reg. 25(3)(b)(i)
- s. 3B(8)(a) words inserted by S.I. 2019/1458 reg. 25(3)(b)(ii)
- s. 3B(8)(b) words inserted by S.I. 2019/1458 reg. 25(3)(c)
- s. 3B(9) words inserted by S.I. 2019/1458 reg. 25(4)(a)
- s. 3B(9) words inserted by S.I. 2019/1458 reg. 25(4)(b)
- s. 4(2)(c) words substituted by S.I. 2019/1458 reg. 26(2)
- s. 4(3)(c) words substituted by S.I. 2019/1458 reg. 26(3)(a)
- s. 4(3)(d) omitted by S.I. 2019/1458 reg. 26(3)(b)
- s. 4(3A) words inserted by S.I. 2019/1458 reg. 26(4)(a)
- s. 4(3A) words inserted by S.I. 2019/1458 reg. 26(4)(b)
- s. 4(3B) omitted by S.I. 2019/1458 reg. 26(5)
- s. 4A(1) words substituted by S.I. 2019/1458 reg. 28(3)
- s. 4A(2) words substituted by S.I. 2019/1458 reg. 28(4)(a)
- s. 4A(2)(b) words inserted by S.I. 2019/1458 reg. 28(4)(b)
- s. 4A(2)(c) words inserted by S.I. 2019/1458 reg. 28(4)(c)
- s. 4A(2)(d) words inserted by S.I. 2019/1458 reg. 28(4)(d)(i)
- s. 4A(2)(d) words inserted by S.I. 2019/1458 reg. 28(4)(d)(ii)
- s. 4A(3) omitted by S.I. 2019/1458 reg. 28(5)
- s. 4A(4) words omitted by S.I. 2019/1458 reg. 28(6)
- s. 4A(6) omitted by S.I. 2019/1458 reg. 28(7)
- s. 4A(7) words inserted by S.I. 2019/1458 reg. 28(8)(b)
- s. 4A(7) words omitted by S.I. 2019/1458 reg. 28(8)(a)
- s. 4A(8) omitted by S.I. 2019/1458 reg. 28(9)
- s. 4A(9) words inserted by S.I. 2019/1458 reg. 28(10)(b)
- s. 4A(9) words substituted by S.I. 2019/1458 reg. 28(10)(a)
- s. 4A(10) omitted by S.I. 2019/1458 reg. 28(11)
- s. 4B(1) words inserted by S.I. 2019/1458 reg. 29(3)(a)(ii)
- s. 4B(1) words omitted by S.I. 2019/1458 reg. 29(3)(a)(i)
- s. 4B(1)(a) words inserted by S.I. 2019/1458 reg. 29(3)(b)
- s. 4B(3) words inserted by S.I. 2019/1458 reg. 29(4)(a)
- s. 4B(3) words inserted by S.I. 2019/1458 reg. 29(4)(b)
- s. 5B omitted by S.I. 2019/1458 reg. 30
- s. 8(5A) words inserted by S.I. 2019/1458 reg. 31
- s. 11B substituted by S.I. 2019/1458 reg. 32
- s. 21(6) words substituted by S.I. 2019/305 reg. 2(2)
| Changes and effects yet to be applied to the whole Act associated Parts and Chapters: |
| Whole provisions yet to be inserted into this Act (including any effects on those provisions): |
| – s. 3(6AA) inserted by S.I. 2019/1458 reg. 24(2) |
| – s. 3B(7A) inserted by S.I. 2019/1458 reg. 25(2) |