



Gender Recognition Act 2004

2004 CHAPTER 7

Supplementary

23 Power to modify statutory provisions

- (1) The Secretary of State may by order make provision for modifying the operation of any enactment or subordinate legislation in relation to—
 - (a) persons whose gender has become the acquired gender under this Act, or
 - (b) any description of such persons.
- (2) The power conferred by subsection (1) is exercisable by the Scottish Ministers (rather than the Secretary of State) where the provision to be made is within the legislative competence of the Scottish Parliament.
- (3) The appropriate Northern Ireland department may by order make provision for modifying the operation of any enactment or subordinate legislation which deals with a transferred matter in relation to—
 - (a) persons whose gender has become the acquired gender under this Act, or
 - (b) any description of such persons.
- (4) In subsection (3)—

“the appropriate Northern Ireland department”, in relation to any enactment or subordinate legislation which deals with a transferred matter, means the Northern Ireland department which has responsibility for that matter,

“deals with” is to be construed in accordance with section 98(2) and (3) of the Northern Ireland Act 1998 (c. 47), and

“transferred matter” has the meaning given by section 4(1) of that Act.
- (5) Before an order is made under this section, appropriate consultation must be undertaken with persons likely to be affected by it.

Changes to legislation: There are currently no known outstanding effects for the Gender Recognition Act 2004, Section 23. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 23 modified (6.4.2016 unless brought into force earlier by an order under s. 56(1) of the amending Act) by [Pensions Act 2014 \(c. 19\)](#), s. 56(4)(4), **Sch. 12 para. 47**
- C2** S. 23(3)(4) modified (N.I.) (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(3), **Sch. 12 para. 42**

Changes to legislation:

There are currently no known outstanding effects for the Gender Recognition Act 2004, Section 23.