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STATUTORY INSTRUMENTS

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**2005 No. 635**

**The Gender Recognition (Disclosure of Information)  
(England, Wales and Northern Ireland) Order 2005**

**Disclosure for religious purposes**

4.—(1) It is not an offence under section 22 of the Act for a person who acquired protected information in an official capacity in relation to an organised religion to disclose information to any other person acting in such a capacity if the conditions set out in paragraphs (2) and (where applicable) (3) are met.

(2) The first condition is that the disclosure is made for the purpose of enabling any person to make a decision—

- (a) whether to officiate at or permit the marriage of the subject;
- (b) whether the marriage of the subject is valid or should be annulled or dissolved;
- (c) whether to admit or appoint the subject—
  - (i) as a minister of religion,
  - (ii) to any employment, office or post for purposes of an organised religion,
  - (iii) to any religious order or community associated with an organised religion, or
  - (iv) to membership (or any category of membership) of an organised religion;
- (d) whether any admission or appointment mentioned in sub-paragraph (c) is valid or should be suspended, terminated or revoked; or
- (e) whether the subject is eligible to receive or take part in any religious sacrament, ordinance or rite, or take part in any act of worship or prayer, according to the practices of an organised religion.

(3) The second condition is that, if the disclosure is made for the purpose of enabling any person to make a decision of the kind mentioned in paragraph (2)(c), (d) or (e), the person making the disclosure reasonably considers that the person to whom the disclosure is made may need the information in order to make a decision which complies with the doctrines of the religion in question or avoids conflicting with the strongly held religious convictions of a significant number of the religion's followers.

(4) It is not an offence under section 22 of the Act for a person who acquired protected information in an official capacity in relation to an organised religion to disclose protected information to any person responsible for supervising him in relation to a decision of the kind mentioned in paragraph (2).