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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 medical purposes**

- 5.—(1) It is not an offence under section 22 of the Act to disclose protected information if—
- (a) the disclosure is made to a health professional;
  - (b) the disclosure is made for medical purposes; and
  - (c) the person making the disclosure reasonably believes that the subject has given consent to the disclosure or cannot give such consent.
- (2) “Medical purposes” includes the purposes of preventative medicine, medical diagnosis and the provision of care and treatment.
- (3) “Health professional” means any of the following—
- (a) a registered medical practitioner;
  - (b) a registered dentist within the meaning of section 53(1) of the Dentists Act 1984<sup>(1)</sup>;
  - (c) a registered pharmaceutical chemist within the meaning of section 24(1) of the Pharmacy Act 1954<sup>(2)</sup> or a registered person within the meaning of article 2(2) of the Pharmacy (Northern Ireland) Order 1976<sup>(3)</sup>;
  - (d) a registered nurse;
  - (e) a person who is registered under the Health Professions Order 2001<sup>(4)</sup> as a paramedic or operating department practitioner;
  - (f) a person working lawfully in a trainee capacity in any of the professions specified in this paragraph.

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(1) 1984 c. 24.  
(2) 1954 c. 61.  
(3) (S.I.1976/1213 (N.I. 22)).  
(4) SI 2002/254.