

Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Cross Heading: Alternative grounds for granting applications. (See end of Document for details)

SCHEDULES

SCHEDULE 5

CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

PART 2

ALTERNATIVE GROUNDS FOR GRANTING APPLICATIONS FOR GENDER RECOGNITION CERTIFICATES

Alternative grounds for granting applications

16 Section 2 (determination of applications): after subsection (3) insert—

“(3A) This section does not apply to an application under section 1(1)(a) which states that it is an application for a certificate to be granted in accordance with section 3A.”

Commencement Information

II Sch. 5 para. 16 in force at 10.12.2014 by S.I. 2014/3169, art. 2

17 After section 3 insert—

“3A Alternative grounds for granting applications

- (1) This section applies to an application under section 1(1)(a) which states that it is an application for a certificate to be granted in accordance with this section.
- (2) The Panel must grant the application if satisfied that the applicant complies with the requirements imposed by and under section 3B and meets the conditions in subsections (3) to (6).
- (3) The first condition is that the applicant was a party to a protected marriage or a protected civil partnership on or before the date the application was made.
- (4) The second condition is that the applicant—
 - (a) was living in the acquired gender six years before the commencement of section 12 of the Marriage (Same Sex Couples) Act 2013,
 - (b) continued to live in the acquired gender until the date the application was made, and
 - (c) intends to continue to live in the acquired gender until death.
- (5) The third condition is that the applicant—

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- (a) has or has had gender dysphoria, or
 - (b) has undergone surgical treatment for the purpose of modifying sexual characteristics.
- (6) The fourth condition is that the applicant is ordinarily resident in England, Wales or Scotland.
- (7) The Panel must reject the application if not required by subsection (2) to grant it.”

Commencement Information

I2 [Sch. 5 para. 17](#) in force at 10.12.2014 by [S.I. 2014/3169](#), [art. 2](#)

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