

Application for Alteration of Sex in Birth Register or a Recognised Details Certificate

Births, Deaths and Marriages Registration Act 1996 & Regulations 2008

For help or enquiries email vicbdm@justice.vic.gov.au

Information about this form

Who can apply

To be eligible to apply, you must be unmarried, 18 years of age or over (an adult) and have undergone sex affirmation surgery.

If your birth was registered in Victoria you can apply to the Registry for the record of your sex in the Birth Register to be altered.

If your birth was registered outside Victoria but your principal residence has been in Victoria for at least 12 months, you can apply to the Registry for a Recognised Details Certificate. This certificate will state your current registered name and sex after sex affirmation surgery.

The Act defines "sex affirmation surgery" as a "surgical procedure involving the alteration of a person's reproductive organs carried out for the purpose of assisting the person to be considered to be a member of the opposite sex".

You must provide evidence of sex affirmation surgery

To do this you must supply either:

- from 2 medical practitioners, statutory declaration forms that verify you have undergone sex affirmation surgery; or
- A current interstate recognition certificate issued under the law of that State that identifies you as being of a particular sex.

Additional information

Before determining the application, the Registrar may require you to provide such further information or documentation as the Registrar reasonably considers is necessary.

Fees

Application for Alteration of Sex in Birth Register

The application fee is \$68.60. The fee for each certificate issued is \$30.20.

Application for A Recognised Details Certificate

The application fee is \$98.80, which includes a certificate.

Note. All fees listed on this form are subject to change. Current fees may be confirmed at bdm.vic.gov.au

You must provide proof of identity

For your application to be successful, you must provide one type of identification from each of the 4 categories listed on page 3 of this form. Copies of these identification documents must be certified either by a sworn member of police, a Justice of the Peace located in a police station or a staff member at the Registry of Births, Deaths and Marriages.

False information

It is an offence under section 53 of the *Births, Deaths and Marriages Registration Act 1996* for a person to knowingly make a false or misleading representation in an application or document under that Act. Penalties apply.

Privacy – what does the Registry do with this information?

The Registry is collecting this information so that it can be recorded and preserved in the Register of Births.

Change of name

If you have not previously changed your name and you wish to do so, you will need to complete an Application for a Change of Name form. This is a separate process and the new name must be registered before applying for an alteration of sex in the birth register or for a recognized details certificate.

Change of Name forms are available from bdm.vic.gov.au



Births
Deaths
Marriages

VICTORIA



Application for Alteration of Sex in Birth Register or a Recognised Details Certificate

Office use only

Reg no.

Details of applicant (person who has undergone sex affirmation surgery)

1. Current surname Current given name(s)

2. Sex after sex affirmation surgery performed Male Female Place where sex affirmation surgery was performed Victoria Other Australian State or Territory Overseas

3. Surname at birth Given name(s) at birth

4. Date of birth (dd/mm/yyyy)

5. Place of birth (suburb/town/State) (and country if born outside of Australia)

6. Mother's name (surname at birth) Mother's given name(s)

7. Father's surname Father's given name(s)

8. Current residential address (PO boxes will not be accepted) Postcode

9. Postal address (if different from residential address) Postcode

10. Daytime telephone number Email address

11. Declaration and signature of person who has undergone sex affirmation surgery

- I declare that I am unmarried and 18 years of age or over; and
- my birth is registered in Victoria or my principal residence has been in Victoria for at least 12 months; and
- I have undergone sex affirmation surgery and now apply to the Registrar to:
 - (a) alter my record of birth in accordance with section 30A of the *Births, Deaths and Marriages Registration Act 1996*; or
 - (b) apply for a Recognised Details Certificate in accordance with section 30E of the *Births, Deaths and Marriages Registration Act 1996*.
- I understand and acknowledge that it is an offence under section 53 of the *Births, Deaths and Marriages Registration Act 1996* for a person to knowingly make a false or misleading representation in an application or document under that Act and that penalties apply.

Signature

Date signed (dd/mm/yyyy)

12. Certification by witness - this person must be 18 years of age or over

I certify that this document was signed before me.

Signature of witness

Printed name

Date signed (dd/mm/yyyy)

Address

Postcode

Daytime telephone number

Identification requirements for all applicants

- 13.** For your application to be successful, you must provide one type of identification from each of the 4 categories listed below. Copies of these documents must be certified either by a sworn member of police, a Justice of the Peace located in a police station or a staff member at Births, Deaths and Marriages. In the right hand column, tick which documents you are supplying. If you do not provide the required certified identification, we will be unable to process your application and it will be returned to you.



Category 1 – Evidence of right to be in Australia		
Australian Birth Certificate	Original Australian Birth Certificate (full certified copy).	
Citizenship Certificate	Australian Citizenship Certificate.	
Australia Visa in Overseas Passport	Australia Visa attached to the passport permitting holder to “remain in Australia indefinitely”.	
Category 2 – Link between identity and person (photo and signature)		
Current Australian Passport	Current Australian passport in applicant’s name. Lapsed passports cannot be accepted.	
Certificate of Identity	Certificate of identity issued by Department of Foreign Affairs or DIMA for one time use by Australians travelling overseas.	
Firearm or shooters licence	Current firearms or shooters licence.	
Overseas passport	Current Visa for entry into Australia and permitted to remain as resident.	
Australian Driver Licence	Current driver licence, Learners Permit, or Provisional Licence showing same name and address as application.	
Category 3 – Evidence of operating in the community If you are unable to provide ID from category 2 then you must provide 2 types from this category		
Overseas birth certificate	Must be accompanied by certified translation if not written in English.	
Name change	Change of Name Certificate or Deed Poll only in cases other than change of name by marriage.	
Australian Marriage certificate	Original Australian Marriage Certificate (full) issued by Registry of Births, Deaths and Marriages. Not church or celebrant issued.	
Australian divorce papers	Original Australian divorce papers.	
Bank account details	Current passbook/credit card/ATM or cheque account at financial institution in applicant’s name.	
Student ID card	Current student ID card issued in applicant’s name.	
Security Guard/Crowd Control Licence	Current, Australian Security Guard or Crowd Control Licence.	
Tertiary ID Card	Current, Australian Tertiary Education Institution ID card.	
DVA Card	Current Australian Department of Veterans Affairs Card.	
Medicare card	Medicare card showing applicant’s name.	
Working with Children Check Card	Current Working with Children Check Card.	
Category 4 – Evidence of residential address		
Bank statements	Last 3 months statements for current passbook/credit card/ATM or cheque account at financial institution in applicant’s name and address.	
Rates notice	Last 3 rates notices in applicant’s name and showing address, and proof of payment.	
Lease of tenancy agreement	Formal lease or tenancy agreement in applicant’s name and showing current address.	
Utility account	Last 3 months utility accounts eg gas, water, electricity or phone (not mobile phones) in applicant’s name and showing address and proof of payment.	

Other documents you must attach as part of your application

14. As part of this application, you must provide documents that verify you have undergone sex affirmation surgery. This can be done in two ways. You must provide either:

- **A current interstate recognition certificate** issued under an Australian State's law that identifies you as being of a particular sex; or
- **Statutory declarations verifying you have undergone sex affirmation surgery.**

The statutory declarations must be completed by 2 persons each of whom is either:

- a registered medical practitioner who performed the sex affirmation surgery; or
- a registered medical practitioner who provided other medical treatment to the applicant in connection with the applicant's transsexualism; or

if the sex affirmation surgery was performed outside of Australia, the statutory declarations can also be completed by:

- a medical practitioner registered under the law of the place where the surgery was performed who will verify that they have examined medical records, that they believe to be authentic, confirming the surgery was performed.
- a medical practitioner registered under the law of an Australian State or Territory who is adequately experienced in treating persons in connection with transsexualism and who will verify that the applicant appears to have undergone sex affirmation surgery.

What documents are you providing to verify you have undergone sex affirmation surgery?

Interstate recognition certificate Go to question **15**.

Two Statutory declarations from medical practitioners The statutory declaration forms to be completed are attached at the back of this form. Go to question **15**.

Certificates

15. Getting certificates

Whether your birth was registered in Victoria or outside of Victoria determines what happens next for this application.

If your birth was registered in Victoria, you will be able to have your altered sex recorded on the Victorian Birth Register. Any Birth Certificates issued after that time will display the altered sex but will not indicate that the sex has been altered.

If your birth was registered outside Victoria and your principal place of residence has been in Victoria for at least 12 months, you will be issued with a Recognised Details Certificate. This certificate will state your name and sex after sex affirmation surgery. If you wish to have your sex changed on the birth register and receive a new birth certificate, you will need to apply in the State/Country in which you were born.

16. Paying for this application and certificates

Application for Alteration of Sex in Birth Register

If you are lodging an application for an alteration of sex in birth register, you must pay \$98.80. This fee includes a registration fee of \$68.60 and a certificate fee of \$30.20. If your application is unsuccessful you will be refunded the certificate fee of \$29.20.

Application for A Recognised Details Certificate

If you are lodging an application for a recognised details certificate the application fee is \$98.90, which includes a certificate.

You can pay by bank cheque, money order, credit card or cash if paying in person. Personal cheques are not accepted.

Make bank cheques and money orders payable to Registry of Births Deaths and Marriages.

Note. Fees are subject to change. Current fees may be confirmed at bdm.vic.gov.au.

I wish to submit the following payment:

	Price*	Subtotal
Application for alteration of sex in birth register # (Select if you were born in Victoria)	\$98.80	\$.
Application for a recognised details certificate (Select if you were not born in Victoria)	\$98.90	\$.
Registered Post (within Australia)	\$6.20	\$.
OR		
Express Post (within Australia)	\$6.70	\$.
	Total	\$.

* All prices on this form are subject to change. Current fees may be confirmed at bdm.vic.gov.au

Price includes one standard birth certificate. Standard postage is included.

How do you wish to pay?

Bank cheque Money order Cash (only if paying in person at the Registry)

Credit Card Bankcard Visa MasterCard

Card number

Expiry date /

Signature of cardholder

Name on card (use BLOCK letters)

How to lodge your application

17. Lodge the form, payment, proof of identity documents and documents verifying you have undergone sex affirmation surgery to:

By post: GPO Box 4332, Melbourne Vic 3001

In person: Ground floor, 595 Collins Street Melbourne (8.30am to 4.30pm Mon - Fri).

This section must be completed by the first medical practitioner

I, (full name of medical practitioner)

of, (current residential address of medical practitioner)

Postcode

do solemnly declare that I am (tick appropriate box):

- A registered medical practitioner who performed the sex affirmation surgery; or
- A registered medical practitioner who provided other medical treatment to the applicant in connection with the applicant's transsexualism; or

if the sex affirmation surgery was performed outside of Australia:

- A medical practitioner registered under the law of the place where the surgery was performed who will verify that I have examined medical records, that I believe to be authentic, confirming the surgery was performed; or
- A medical practitioner registered under the law of an Australian State or Territory who is adequately experienced in treating persons in connection with transsexualism and who can verify that the applicant appears to have undergone sex affirmation surgery

and that I am registered as a Medical Practitioner as specified above and my Registration Number is

Medicare Provider Number

Overseas registration number

Medical Practitioner Board of Victoria Number (if applicable)

or

and

and I have examined or performed sex affirmation surgery on the person named below whose identity I have confirmed from documents produced to me, that being:

Full name of person of who had sex affirmation surgery

Date of birth of person who had sex affirmation surgery

and consider their sex after surgery to be (male or female)

I confirm this person has undergone sex affirmation surgery as defined in section 4(1) of the *Births, Deaths and Marriages Registration Act 1996*, that being a surgical procedure involving the alteration of a person's reproductive organs carried out for the purpose of assisting the person to be considered to be a member of the opposite sex.

I support their application to have their birth record altered in accordance with section 30A of the *Births, Deaths and Marriages Registration Act 1996* or their application for a Recognised Details Certificate in accordance with section 30E of the *Births, Deaths and Marriages Registration Act 1996*, that being the person has undergone sex affirmation surgery, is unmarried, is 18 years of age or over, and whose birth is either registered in Victoria or whose principal place of residence is and has been for at least 12 months in Victoria.

I understand this is a confidential disclosure for the exclusive use of the Registry of Births, Deaths and Marriages.

I understand and acknowledge that it is an offence under section 53 of the *Births, Deaths and Marriages Registration Act 1996* for a person to knowingly make a false or misleading representation in an application or document under that Act and that penalties apply.

I make this solemn declaration conscientiously believing the same to be true and correct.

Note: You must sign this declaration in the presence of the witness

Signature of person making this declaration

Daytime telephone number

This section must be completed by the authorised witness

Only the following people can witness this statutory declaration: A registered medical practitioner; or a member of the Police Force; or a Justice of the Peace; or a barrister or solicitor; or a member of staff at the Registry of Births, Deaths and Marriages Victoria; or a notary public; or if being witnessed overseas must be a person authorised under the law of that place to witness statutory declarations.

Declared at (print suburb or town)

in the State or Country of

on the date of (day/month/year)

Before me, being a person authorised to witness the signing of a Statutory Declaration.

Signature of witness

Printed name, address and qualification to witness this Statutory Declaration

Witness daytime telephone number

This section must be completed by the second medical practitioner

I, (full name of medical practitioner)

of, (current residential address of medical practitioner)

Postcode

do solemnly declare that I am (tick appropriate box):

- A registered medical practitioner who performed the sex affirmation surgery; or
- A registered medical practitioner who provided other medical treatment to the applicant in connection with the applicant's transsexualism; or

if the sex affirmation surgery was performed outside of Australia:

- A medical practitioner registered under the law of the place where the surgery was performed who will verify that I have examined medical records, that I believe to be authentic, confirming the surgery was performed; or
- A medical practitioner registered under the law of an Australian State or Territory who is adequately experienced in treating persons in connection with transsexualism and who can verify that the applicant appears to have undergone sex affirmation surgery

and that I am registered as a Medical Practitioner as specified above and my Registration Number is

Medicare Provider Number

Overseas registration number

Medical Practitioner Board of Victoria Number (if applicable)

or

and

and I have examined or performed sex affirmation surgery on the person named below whose identity I have confirmed from documents produced to me, that being:

Full name of person of who had sex affirmation surgery

Date of birth of person who had sex affirmation surgery

and consider their sex after surgery to be (male or female)

I confirm this person has undergone sex affirmation surgery as defined in section 4(1) of the *Births, Deaths and Marriages Registration Act 1996*, that being a surgical procedure involving the alteration of a person's reproductive organs carried out for the purpose of assisting the person to be considered to be a member of the opposite sex.

I support their application to have their birth record altered in accordance with section 30A of the *Births, Deaths and Marriages Registration Act 1996* or their application for a Recognised Details Certificate in accordance with section 30E of the *Births, Deaths and Marriages Registration Act 1996*, that being the person has undergone sex affirmation surgery, is unmarried, is 18 years of age or over, and whose birth is either registered in Victoria or whose principal place of residence is and has been for at least 12 months in Victoria.

I understand this is a confidential disclosure for the exclusive use of the Registry of Births, Deaths and Marriages.

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Note: You must sign this declaration in the presence of the witness

Signature of person making this declaration

Daytime telephone number

This section must be completed by the authorised witness

Only the following people can witness this statutory declaration: A registered medical practitioner; or a member of the Police Force; or a Justice of the Peace; or a barrister or solicitor; or a member of staff at the Registry of Births, Deaths and Marriages Victoria; or a notary public; or if being witnessed overseas must be a person authorised under the law of that place to witness statutory declarations.

Declared at (print suburb or town)

in the State or Country of

on the date of (day/month/year)

Before me, being a person authorised to witness the signing of a Statutory Declaration.

Signature of witness

Printed name, address and qualification to witness this Statutory Declaration

Witness daytime telephone number