



Application to Register Change of Sex (Birth not registered in Australia)

Under Part 5A of the *Births Deaths and Marriages Registration Act 1995* a person who is 18 or above, and:

- who is an Australian Citizen or Permanent Resident of Australia, and
- who lives, and has lived in NSW for at least one year, and
- who has undergone a sex affirmation procedure, and
- who is not married, and
- whose birth is not registered in Australia,

may apply for registration of their sex.

Upon registration of a change of sex the person may apply to the Registrar for issue of a Recognised Details Certificate.

How to complete this application

Please read the instructions carefully. All sections must be completed. Please use black ink and BLOCK letters to complete this form. All corrections must be initialled. Do not use correction tape or fluid.

1. This application includes four (4) forms: Applicants Statutory Declaration to Register a Change of Sex, two (2) supporting Statutory Declarations to Register a Change of Sex (to be completed by two (2) Australian registered medical practitioners verifying that you have undergone a sex affirmation procedure) and a Payment Details form.
All forms must be completed and given to the Registry with the appropriate identification and fee.
2. All sections must be completed to ensure your application can be processed quickly. Incomplete applications will experience a delay.
3. Please provide at least four (4) forms of identification with your application (see identification categories). A qualified witness must certify photocopies of identification documents as true copies of the original.
4. Write your present residential address on the Statutory Declaration to Register a Change of Sex. A post office box is not acceptable. You can record your postal address on the Payment Details form.
5. Ensure your signature on the statutory declaration is witnessed by a qualified witness. The qualified witness must complete their name, address and daytime telephone number.
6. The fee for registering a change of sex includes the issue of a Recognised Details Certificate.
7. The Registry will not accept faxed applications or faxed identification documents.
8. Overseas documents must be translated into English by an accredited translator.

Certificate fees

See separate "Fees for Products and Services" flyer.

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

Section 57 – False representation:

A person who makes a representation in an application, notice or document under this Act or in response to a notice under Section 44 of this Act (Registrar's powers of inquiry), knowing the representation to be false or misleading in a material particular, is guilty of an offence.

Maximum penalty: 100 penalty units or 2 years imprisonment, or both.

Statutory Declaration to Register a Change of Sex

(Under 32DA of the *Births Deaths and Marriages Registration Act, 1995* for a person whose birth is not registered in Australia)

OFFICE USE ONLY

COS NO. _____

Details of the person who is completing this declaration.

I, _____
(full name presently being used)

of _____
(present residential address)

_____ (suburb) _____ (postcode)

declare

Daytime phone number _____

I was born on ____/____/____ at _____
(town) (city)

_____ (country) and registered at birth in the full name of _____

Mother's name in full _____

Father's name in full _____

My sex at birth was recorded as _____
(male/female)

My marital status is _____
(State whether never married, divorced or widowed. If you have been previously married you will need to show evidence of termination of the previous marriage.)

I have since undergone a sex affirmation procedure for which I tender medical verification by two (2) Australian registered medical practitioners with my application.

I am an Australian Citizen / Permanent Resident of Australia and have lived in New South Wales for

_____ (years) (months)

I now apply to the Registrar to have my change of sex registered in accordance with Section 32DA, showing my registered sex as

_____ (male/female)

I understand it is a punishable offence to give false information in this declaration.

I understand that the NSW Registry of Births Deaths and Marriages may confirm or verify the validity of any document provided with this application to establish my identity and eligibility for this change of sex to be registered.

I make this solemn declaration conscientiously believing the same to be true and correct, and by virtue of the provisions of the *Oaths Act 1900*.

I have read and understand 'Your Right To Privacy' and 'Disclosure of Information' thoroughly and that the information provided is true and correct.

Signature of applicant

A qualified witness must witness your signature and complete their name, address and daytime telephone number.

Signature of applicant _____

DECLARED at _____ in the state of _____ on ____ / ____ / ____

BEFORE ME (signature of qualified witness) _____

Witness daytime phone number _____

Name and address of witness _____

_____ JP number

Tick correct title of witness: Justice of the Peace Notary Public Legal Practitioner (holding a current practising certificate)
 A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

Section 57 – False representation:

A person who makes a representation in an application, notice or document under this Act or in response to a notice under Section 44 of this Act (Registrar’s powers of inquiry), knowing the representation to be false or misleading in a material particular, is guilty of an offence.

Maximum penalty: 100 penalty units or 2 years imprisonment, or both.

Supporting Statutory Declaration 1 – Change of Sex (to verify sex affirmation procedure)

(Under Section 32DA of the *Births, Deaths and Marriages Registration Act 1995*)

Details of medical practitioner completing this form

I, _____
(full name of medical practitioner)

of _____
(practising address of medical practitioner)

_____ (Suburb) _____ (Postcode)

daytime phone number _____

declare

I am registered in Australia as a medical practitioner and my Medicare Provider Number is _____

I have examined or performed sex affirmation surgery on _____
(full name of applicant being used at present)

whose identity I have confirmed from documents produced to me.

I confirm this person has undergone sex affirmation surgery as defined in Section 32A, sex affirmation surgery means a surgical procedure involving the alteration of a person's reproductive organs carried out:

- a) for the purpose of assisting a person to be considered to be a member of the opposite sex; or
- b) to correct or eliminate ambiguities relating to the sex of the person.

I support _____ to register a change of sex in _____
(full name of applicant being used at present)

accordance with Section 32DA of the *Births Death & Marriages Registration Act 1995*, showing the sex now to be _____
(male/female)

This is a confidential disclosure for the exclusive use of the NSW Registry of Births Deaths & Marriages.

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1900*.

Signature of medical practitioner

A qualified witness must witness your signature. The qualified witness must complete their name, address and daytime telephone number.

Signature of medical practitioner _____

DECLARED at _____

in the State of _____

on _____ / _____ / _____

BEFORE ME (signature of qualified witness) _____

Witness daytime phone number _____

Name and address of witness (block letters) _____

JP No. _____

- Tick correct title of witness: Justice of the Peace Notary Public Legal Practitioner (holding a current practising certificate)
 A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

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Maximum penalty: 100 penalty units or 2 years imprisonment, or both.

Supporting Statutory Declaration 2 – Change of Sex (to verify sex affirmation procedure)

(Under Section 32DA of the *Births, Deaths and Marriages Registration Act 1995*)

Details of medical practitioner completing this form

I, _____
(full name of medical practitioner)

of _____
(practising address of medical practitioner)

(Suburb) (Postcode)

daytime phone number _____

declare

I am registered in Australia as a medical practitioner and my Medicare Provider Number is _____

I have examined or performed sex affirmation surgery on _____
(full name of applicant being used at present)

whose identity I have confirmed from documents produced to me.

I confirm this person has undergone sex affirmation surgery as defined in Section 32A, sex affirmation surgery means a surgical procedure involving the alteration of a person's reproductive organs carried out:

- a) for the purpose of assisting a person to be considered to be a member of the opposite sex; or
- b) to correct or eliminate ambiguities relating to the sex of the person.

I support _____ to register a change of sex in _____
(full name of applicant being used at present)

accordance with Section 32DA of the *Births Death & Marriages Registration Act 1995*, showing the sex now to be _____
(male/female)

This is a confidential disclosure for the exclusive use of the NSW Registry of Births Deaths & Marriages.

I make this solemn declaration conscientiously believing the same to be true and correct and by virtue of the provisions of the *Oaths Act 1900*.

Signature of medical practitioner

A qualified witness must witness your signature. The qualified witness must complete their name, address and daytime telephone number.

Signature of medical practitioner _____

DECLARED at _____

in the State of _____

on _____ / _____ / _____

BEFORE ME (signature of qualified witness) _____

Witness daytime phone number _____

Name and address of witness (block letters) _____

JP No. _____

Tick correct title of witness: Justice of the Peace Notary Public Legal Practitioner (holding a current practising certificate)
 A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*

If you knowingly provide false information in this statutory declaration, you may be guilty of an offence under Section 57 of the *Births, Deaths and Marriages Registration Act 1995*.

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Payment details to Register a Change of Sex

*Your certificate will be mailed to you if your application is received by post and will incur a postage and handling fee.

See separate "Fees for Products and Services" flyer.

Please PRINT clearly in BLACK pen. Start at the left. Write one letter in each box. Leave one box between words. Please complete all details.

APPLICANT'S DETAILS (details of person completing this form). Please provide at least (4) certified copies of identification with your application.

Family Name

Given Name/s

Street Address

Suburb State Postcode

Postal Address (if different to above)

Suburb State Postcode

Email

Signature of Applicant Home Phone Number ()

Contact Phone Number ()

DETAILS OF APPLICANT

Current Family Name

Current Given Name

Family Name at Birth

Given Name/s at Birth

Place of Birth- Town

City

Country Date of Birth / /

PAYMENT DETAILS (complete this section for mail applicants only) See separate "Fees for Products and Services" flyer

Enclosed is a Cheque* /Money Order for \$. OR Please Debit my: AMEX Mastercard Visa \$. **(Cheques should be made payable to the 'NSW Registry of Births, Deaths & Marriages')**

Card Number

Name of Cardholder Expiry Date /

Signature of Cardholder

Identification

- **Photocopies of identification must be certified by a qualified witness as true copies of the original.**
- **You must provide at least four (4) forms of identification, one (1) document from each category.**
- **If your Category 1 document does not include your place of birth you must also provide a passport or full birth certificate containing this information.**
- **One (1) document must include your current residential address.**
- **Your Category 4 document must show that you have been resided in New South Wales for the past 12 months.**
- **If your current name is different to the name recorded on any of your identity documents, you must provide evidence of your name change (i.e. change of name certificate, Deed Poll).**

CATEGORY 1	CATEGORY 2	CATEGORY 3
<ul style="list-style-type: none">• Certificate of Australian Citizenship• NZ Citizenship Certificate together with passport• NZ Birth Certificate• Foreign passport with permanent residency visa	<ul style="list-style-type: none">• Australian Driver's Licence• Australian Passport• Firearms Licence• Foreign Passport	<ul style="list-style-type: none">• Medicare Card• Current Credit Card or Debit Card• Centrelink or Department of Veterans Affairs Card• Security Card/Crowd Control Licence• Tertiary Education Institution ID Card
CATEGORY 4		
<ul style="list-style-type: none">• Utility account or bank statement with current residential address• Utility account or bank statement dated more than 12 months prior to this application		

Qualified Witness

The following persons can certify photocopies of documents as true copies of the original and can also witness your signature.

- Justice of the Peace
- Legal Practitioner (holding a current Practising Certificate)
- A person authorised to administer an oath under Section 26 of the *Oaths Act 1900*.
- Notary Public

Checklist to assist you in completing your application

- I have read the instructions carefully.
- I have completed the Statutory Declaration to register a change of sex.
- My signature on the Statutory Declaration form has been witnessed by a qualified witness.
- I have included the required forms of identification with this application.
- All copies of identification have been certified as true copies of the original by a qualified witness.
- Two (2) medical practitioners (Australian registered) have completed the supporting Statutory Declarations.
- I have completed the Payment Details form.

Your Right to Privacy

The NSW Registry of Births Deaths & Marriages administers the *Births, Deaths and Marriages Registration Act 1995* (NSW). Information required on this form is collected under the provisions of the Act as the basis to alter the register to record a change of sex. These are part of the civil records of NSW and a permanent historical record. The public does not have access to these records.

The information held by the Registry may be used for statistical purposes and by law enforcement agencies, as well as other uses provided for by law. Such access for approved purposes may be granted to other Registries and certain government agencies (including Passports Office, Department of Immigration and Citizenship, and motor vehicle or driver licencing authorities) and to the authorised non-government agencies.

To protect your privacy, the Registry requires proof of your identity. In line with the *Privacy and Personal Information Protection Act 1998*, the Registry collects this information to determine your eligibility to alter the register to record a change of sex, to obtain the requested certificate, and to prevent fraud.

For more information on privacy and disclosure of change of sex data, please visit www.bdm.nsw.gov.au

Disclosure of Information

When you complete this application form, we will assume that you consent to the release of information provided by you, to those agencies who may be able to validate that information in support of your application.

This information may be provided to agencies including (but not limited to) other Registries of Births, Deaths & Marriages, Law Enforcement agencies, Department of Foreign Affairs and Trade (DFaT), Department of Immigration and Citizenship (DIAC), and motor vehicle or driver licencing authorities. Usually these referrals will be to simply verify the documents or other evidence that you have provided us in making your application for a certificate. If there are discrepancies, we may require you to correct any errors with the issuing agency, before being able to process your application. It is extremely important that all your identity documents are accurate and reflect your correct identity information.

Documents provided as proof of identity may have their authenticity verified through the online Certificate Validation Service (CertValid) and the National Document Verification System (DVS). Documents issued by this office may also be verified by other organisations using CertValid and/or DVS.

How to lodge this application

Please post your application with your identification and payment to:

NSW Registry of Births Deaths & Marriages
GPO Box 30, Sydney NSW 2001

Or visit a Registry office:

- 35 Regent Street, Chippendale, Sydney NSW 2008
- 95 Tudor Street, Hamilton, Newcastle NSW 2303
- 2/74 Kembla Street, Wollongong NSW 2500
- 160 Marsden Street, Parramatta NSW 2150

Office hours are Monday to Friday 8.00am - 4.30pm

If you require further information or need advice, a language assistance service is available by phoning the Translating and Interpreting Service (TIS) on 13 14 50.

Telephone: 1300 655 236
TTY: 9354 1371



**Registry of Births
Deaths & Marriages**
Attorney General & Justice

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