

Record a change of sex or gender identity – application

Births Deaths and Marriages Registration Act 1996 (BDMR Act), Part 4A

Who can apply

Birth registered in SA

A person of or above the age of 18 years whose birth is registered in the State can apply for registration of a change of sex or gender identity if:

- the person provides a statement by a medical practitioner or psychologist certifying that the person has undertaken a sufficient amount of appropriate clinical treatment in relation to the person's sex or gender identity.

A child, younger than 18 years of age whose birth is registered in the State, or their parent or guardian, can apply for registration of a change of the child's sex or gender identity if:

- the child, or their parent or guardian, provides a statement by a medical practitioner or psychologist certifying that the child has undertaken a sufficient amount of appropriate clinical treatment in relation to the person's sex or gender identity; and
- the South Australian Civil & Administrative Tribunal (SACAT) approves the making of the application.

After the record has been changed, your new birth certificate will not be marked in any way to suggest your sex or gender identity has been changed.

South Australian residents born overseas

A person of or above the age of 18 years who was born outside Australia can apply for an "identity acknowledgement certificate" if:

- the person has been resident in the State for at least 12 consecutive months immediately before the date of the application; and
- the person's birth is not registered in another State or Territory; and

- the person provides a statement by a medical practitioner or psychologist certifying that the person has undertaken a sufficient amount of appropriate clinical treatment in relation to the person's gender identity.

A child, younger than 18 years of age who was born outside Australia, or their parent or guardian, can apply for an "identity acknowledgement certificate" if:

- the child has been resident in the State for at least 12 consecutive months immediately before the date of the application; and
- the child's birth is not registered in another State or Territory; and
- the child, or their parent or guardian, provides a statement by a medical practitioner or psychologist certifying that the child has undertaken a sufficient amount of appropriate clinical treatment in relation to the child's sex or gender identity; and
- the South Australian Civil & Administrative Tribunal (SACAT) approves the making of the application.

Born in another Australian State or Territory

Unless your birth has subsequently been registered in this State (e.g. if you are adopted in South Australia), if you were born in another Australian State or Territory you will need to apply in the State or Territory of your birth.

Limitation on the number of applications that may be made

If you apply to change your sex or gender identity more than once in a 12 month period or more than three times in your lifetime, the Registrar of Births, deaths and Marriages may reject your application.



How to apply

Please write in BLOCK letters.

Initial all corrections and do not use 'white out' or correcting fluid.

Identification (ID)

You must provide the required identity documents as outlined in this application form. Overseas documents need to be translated into English by an accredited translator. Faxed or emailed applications and ID documents are not accepted.

Provide 'certified copies' of your documents if you are submitting your application by post. A 'certified copy' is a photocopy that has been endorsed, advising it is a true copy of the original document. The following people can certify your identity documents:

- Justice of the peace (JP)
- Notary public
- Commissioner for taking affidavits in the Supreme Court of South Australia
- Proclaimed police officer.

Adult's application

- Complete sections A and D.
- Provide the required ID documents and payment
- If you have had your sex or gender identity recognised under the law of another Australian State or Territory, provide a copy of the certificate or notification issued to you by the relevant authority in that State or Territory.
- Provide a statement from a medical practitioner or psychologist certifying that you have undertaken a sufficient amount of appropriate clinical treatment in relation to your sex or gender identity (refer to section C). If you have had your sex or gender identity recognised under the law of another Australian State or Territory, the statement may specify that a sufficient amount of appropriate clinical treatment has been undertaken in that State or Territory.

Child's application

- Complete sections B and D
- Provide the required ID documents and payment
- If the sex or gender identity of you/your child has been recognised under the law of another Australian State or Territory, provide a copy of the certificate or notification issued by the relevant authority in that State or Territory.
- Provide a statement from a medical practitioner or psychologist certifying that you/your child have/has undertaken a sufficient amount of appropriate clinical treatment in relation to your/your child's sex or gender identity (refer to section C). If the sex or gender identity of you/your child has been recognised under the law of another Australian State or Territory, the statement may specify that a sufficient amount of appropriate clinical treatment has been undertaken in that State or Territory.

Applications to the Registrar of Births, Deaths and Marriages in relation to a change of a child's sex or gender identity need to be approved by the South Australian Civil & Administrative Tribunal (SACAT). This is referred to further below. This application form and the other documents referred to above must first be submitted to Births, Deaths and Marriages for assessment. They will then be returned to you to enable you to include them with a separate application that you will need to lodge in the South Australian Civil & Administrative Tribunal (SACAT).

Fees

Visit www.sa.gov.au/bdm to find out the current fees relating to the 'Record a change of sex or gender identity – application'. Application fees also apply to:

- apply for a new birth certificate – born in SA
- apply for an identity acknowledgement certificate – born overseas
- register your name change.

How we deal with your information

Your privacy

Your information is collected under the *Births, Deaths and Marriages Registration Act 1996*. The register is part of the civil records of SA and a permanent historical record.

Your information is used to prevent fraud and prove that you are eligible to:

- record a change of sex or gender identity
- be issued the related certificate.

The public do not have access to these records.

Information held in the registry can be used for statistics and uses provided for by law, e.g. – by law enforcement agencies. Access may be granted to other registries and certain government and authorised non-government agencies.

Disclosure of information

When you complete this application you are consenting to the release of the personal information you provide, to agencies that may be able to validate it.

The ID you provide may be verified through the online National Document Verification Service (DVS).

Documents issued by this office may be verified by other organisations using DVS.

Processing times

Check the estimated processing time for your application at www.cbs.sa.gov.au/processing-times

Lodge your application

Apply by post

SA Registry of Births Deaths and Marriages
GPO Box 1351, Adelaide SA 5001

Apply in person

Consumer and Business Services
Ground floor, 91 Grenfell Street, Adelaide SA 5000
Monday to Friday 9:00am - 4:30pm.

Incomplete applications may cause delays, be returned or be denied.

Enquiries

Phone: 131 882

Email: bdm.registrations@agd.sa.gov.au

Interpreting services are available by phoning the Translating and Interpreting Service (TIS National) on 131 450

Website: www.sa.gov.au/bdm

Identification and residency documents – adult applicants only

You must provide **one different form of identity from each list** e.g. if you provide an Australian driver's licence for list 2, you cannot also provide an Australian driver's licence for list 4. You must provide a different form of identity from list 4. Expired documents are not accepted.

Applying in person – bring the original documents

Applying by post – enclose certified photocopies of each identity document. Do not send original documents unless it is your SA birth certificate or change of name certificate.

Adult born in South Australia

List 1: Proof you were born in SA

- SA Birth certificate (original)

You must return your original (not a photocopy) SA Birth Certificate and SA Change of Name Certificate(s) (if applicable).

List 2: Link between photo and signature

- Australian passport
- Australian driver's licence
- Australian firearm licence
- Photo card issued by an Australian government agency

List 3: Evidence of name used within the community

- Medicare card
- Private health care card
- Credit/debit card or ATM card
- Centrelink card
- Australian Department of Veterans' Affairs card
- Australian security guard licence or crowd control licence
- School or tertiary student identity card

List 4: Proof of your current residential address

- Australian driver's licence
- Utility account (electricity, gas, water)
- Rates notice
- Centrelink concession card
- Current tenancy or lease agreement
- Superannuation fund statement

*PO boxes and bank statements are **not** accepted.*

If you don't have all of the required identification documents, please contact us to ask for assistance - phone 131 882.

Adult born overseas and residing in SA for the last 12 months

List 1: Proof of your right to reside in Australia

- Australian Citizenship Certificate
- Australian visa supported by overseas passport
- Visa status from the Department of Home Affairs
- ImmiCard

List 2: Link between photo and signature

- Australian or overseas passport
- Australian Titre de Voyage
- Australian driver's licence
- Australian firearm licence
- Photo card issued by an Australian government agency

List 3: Operation in the community

- Medicare card
- Private health care card
- Credit/debit card or ATM card
- Centrelink card
- Australian Department of Veterans' Affairs card
- Australian security guard licence or crowd control licence
- School or tertiary student identity card

List 4: Proof you have been residing in SA for at least the last 12 months before applying

- A total of four (4) different documents required. See page 4 for details.

For people who are not born in SA

- One identification document must show your place of birth. If you cannot provide this on one of the above listed documents, you can provide an expired passport or an overseas birth certificate that shows your place of birth.

Identity of the child – child application only

You must provide **one different form of identity from each list**. Expired documents are not accepted.

Applying in person – bring the original documents

Applying by post – enclose certified photocopies of each identity document. Do not send original documents unless it is your/your child's SA birth certificate or change of name certificate.

Child born in South Australia

List 1: Proof you/your child were/was born in SA

- SA Birth Certificate – original

You must return your/your child's original (not a photocopy) SA Birth Certificates and SA Change of Name Certificate(s) (if applicable).

Child born overseas and residing in SA for the last 12 months

List 1: Your/your child's overseas birth certificate

- Overseas birth certificate or travel identity document of the child – if not in English, provide a translated version as well.

List 2: You/your child's right to reside in Australia

- Australian Citizenship Certificate
- Australian visa supported by overseas passport
- Visa status from the Department of Home Affairs
- ImmiCard

List 3: Proof you/your child have/has been residing in SA for the last 12 months before applying.

- A total of four (4) different documents required. See page 4 for details.

For children who are not born in SA

- One identification document must show your/your child's place of birth. If you cannot provide this on one of the above listed documents, provide an expired passport or an overseas birth certificate that shows the place of birth.

Identity of parent(s) / Identity of parent(s) / guardian(s) – child application

Each parent/guardian must provide **one different form of identity from each list** e.g. if you provide an Australian driver's licence for list 1, you cannot also provide an Australian driver's licence for list 3. You must provide a different form of identity from list 3. Expired documents are not accepted.

Applying in person – bring the original documents

Applying by post – enclose certified photocopies of each identity document. Do not send original documents with your application.

Parent or guardian ID is not required if a child is making their own application.

Parents

List 1: Link between photo and signature

- Australian Passport
- Overseas passport
- Australian driver's licence
- Photo card issued by an Australian government agency
- Australian firearm licence

List 2: Operation in the community

- Medicare card
- Private health care card
- Credit/debit card or ATM card
- Centrelink card
- Australian Department of Veterans' Affairs card
- Australian security guard licence or crowd control licence
- School or tertiary student identity card

List 3: Proof of your current residential address

- Australian driver's licence
- Utility account (electricity, gas, water)
- Rates notice
- Centrelink concession card
- Current tenancy or lease agreement
- Superannuation fund statement

*PO boxes and bank statements are **not** accepted.*

If you don't have all of the required identification documents, please contact us to ask for assistance - phone 131 882.

Court appointed guardians

List 1: Proof of guardianship

- A custody order that allocates guardianship

List 2: Link between photo and signature

- Australian passport
- Overseas passport
- Australian driver's licence
- Photo card issued by an Australian government agency
- Australian firearm licence

List 3: Operation in the community – not applicable for children under the guardianship of the minister

- Medicare card
- Private health care card
- Credit/debit card or ATM card
- Centrelink card
- Australian Department of Veterans' Affairs card
- Australian security guard licence or crowd control licence
- School or tertiary student identity card

List 4: Proof of your current residential address - not applicable for children under the guardianship of the minister

- Australian driver's licence
- Utility account (electricity, gas, water)
- Rates notice
- Centrelink concession card
- Current tenancy or lease agreement
- Superannuation fund statement

PO boxes and bank statements are **not** accepted.

If you don't have all of the required identification documents, please contact us to ask for assistance - phone 131 882.

Residency requirements – born overseas only

If you were born overseas, you will need to prove you have been residing in SA for 12 consecutive months before the date of this application. The most current document must be less than three months old.

How to prove 12 months residency

You need to provide four (4) documents from the past 12 months from the list below. Documents must show your residential address not PO box, business or third party address.

Bank statements are not accepted.

Examples of accepted proof

Do you own your home?

- Rates notices*
- Water rates*
- Utility bills*
- Land valuation certificate
- Home insurance paper*

**Please include proof of payment*

Do you rent your home?

- Agent lease agreement with rental history ledger
- Bond lodgement notice
- Content insurance papers*
- Utility bills *
- Housing SA rental ledger

**Please include proof of payment*

Do you work?

- ATO Notice of Assessment
- Centrelink payment advice

Are you currently unemployed?

- Centrelink payment advice
- Centrelink ledger, with address history
- School reports
- University/TAFE transcripts

Do you own a vehicle?

- Insurance papers
- Registration papers*
- Infringement notice*

**Please include proof of payment*

What other documents do you have?

- Other government letters
- Electoral enrolment confirmation
- Superannuation documents
- Private health insurance statements

Need Help?

If you don't have all of the required identification documents, please contact us to ask for assistance - phone 131 882.

Born in SA

Adult applicants

- Refer to page 4 for identity requirements.
- Please complete **sections A and D**.

Child applicants

- Refer to pages 5 for identity requirements for child and parents or court appointed guardians
- Please complete **sections B and D**.

Born overseas

Adult applicants

- Refer to page 4 and 5 for identity and residency requirements
- Please complete **sections A and D**.

Child applicants

- Refer to pages 5, 5 and 7 for identity and residency requirements for child and parents
- Please complete **sections B and D**.

False representation

If you knowingly provide false information in this application, you may be guilty of an offence under Section 51 of the *Births, Deaths and Marriages Registration Act 1996*.

Maximum penalty: \$1250

Section A – Adult applicant

Current family name

Current given name

Other given names

Date of birth

Sex at birth

Male

Female

Not determined

Your parents' details

Parent 1 details

Male

Female

Co-parent

Family name

Family name at birth

Given name

Other given names

Parent 2 details

Male

Female

Co-parent

Family name

Family name at birth

Given name

Other given names

I have undertaken clinical treatment in relation to my sex or gender identity and enclose a statement of an Australian registered medical practitioner or psychologist.

I apply to the Registrar to have my change of sex or gender identity registered in accordance with section 29I of the BDMR Act (applicant whose birth is registered in South Australia) or for the issue of an identity acknowledgment certificate in accordance with section 29O of the BDMR Act (applicant born overseas and resident in South Australia) .

My new sex or gender identity is:

Male

Female

Non-binary

Indeterminate/intersex/unspecified

I understand that it is a punishable offence to:

- give false information in this application
- produce a birth certificate issued before my change of sex or gender identity with intent to deceive.

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

I have read and understand 'Your privacy' and 'Disclosure of information' and declare the information provided in this application is true and correct.

Has a change of name application been lodged with this application?

Yes

No

I certify that I have read and understood the information on the previous pages.

Signature of applicant

Date

Section B – Child’s application

Applications to the Registrar in relation to a change of a child’s sex or gender identity need to be approved by the South Australian Civil & Administrative Tribunal (SACAT). The Tribunal may approve the making of the application if satisfied that it is in the best interests of the child that approval be granted. In determining whether or not to approve the making of the application, the Tribunal must take into account whether the child:

- understands the meaning and implications of the making of the application; and
- has the capacity to consent to the application and, if so, the child’s position in relation to the making of the application; and
- has undertaken a sufficient amount of appropriate clinical treatment in relation to their sex or gender identity; and
- has been provided a designated certificate or a prescribed notification in relation to their sex or gender identity.

Child’s details

Family name

Current given name

Other given names

Date of birth

Sex at birth recorded as

Male

Female

Not determined

Details of the person completing this application

Complete this section if you are the applicant, or are applying on behalf of your child – e.g. parent, legal guardian

Family name

Given name

Other given names

Parent 1

Parent 1

Male Female Co-parent

Family name

Family name at birth

Given name

Other given names

Parent 2 (if applicable)

Male Female Co-parent

Family name

Family name at birth

Given name

Other given names

I/my child have/has undertaken clinical treatment in relation to my/my child's sex or gender identity. I enclose a statement of an Australian registered medical practitioner or psychologist.

I apply to the Registrar to have my/my child's change of sex or gender identity registered in accordance with section 29J of the BDMR Act (child whose birth is registered in South Australia) or for the issue of an identity acknowledgment certificate in accordance with section 29P of the BDMR Act (child born overseas and resident in South Australia).

I/my child wish/wishes to have my/their sex or gender identity recorded as:

Male

Female

Non-binary

Indeterminate/intersex/unspecified

I understand that it is a punishable offence to:

- give false information in this application
- produce a birth certificate issued before the change of sex or gender identity with intent to deceive

I understand that the SA Registry of Births Deaths and Marriages may confirm or verify the validation of any document provided with this application to establish my/my child's identity and eligibility for this change of sex or gender identity to be registered.

I understand that the Tribunal may ask me/my child at the time of the hearing questions to assist it in assessing whether it is in my/my child's best interests that approval be granted, including in relation to:

- whether I/my child understand/s the meaning and implications of the making of this application;
- whether I/my child have/has the capacity to consent to this application and, if so, my/my child's position in relation to the making of this application; and
- whether I/my child have/has undertaken a sufficient amount of appropriate clinical treatment in relation to my/my child's sex or gender identity

I have read and understand 'Your privacy' and 'Disclosure of information' thoroughly and declare that the information provided in this application is true and correct.

Has a change of name application been lodged with this application?

Yes

No

I certify that I have read and understood the information on the previous pages.

Signature of applicant 1

Date

Section C – Medical practitioner or psychologist statement

False information

If you knowingly provide false information in this application, you may be guilty of an offence under Section 51 of the *Births, Deaths and Marriages Registration Act 1996*.

Maximum penalty: \$1250

Statement from an Australian registered medical practitioner or registered psychologist

The law which enables applications for changes of sex or gender identity to be recognised under the *Births, Deaths and Marriages Registration Act 1996* (“the BDMR Act”) requires the Registrar of Births, Deaths and Marriages and, in the case of persons below the age of 18 years the South Australian Civil & Administrative Tribunal (SACAT), to be satisfied that the person has undertaken a sufficient amount of appropriate clinical treatment in relation to their sex or gender identity.

Applications relating to such recognition must be accompanied by a statement from a medical practitioner or psychologist certifying that the person has undertaken a sufficient amount of appropriate clinical treatment in relation to their sex or gender identity.

If the clinical treatment provided has been constituted by counselling only, please include details of the number of counselling sessions provided, the total duration of the counselling sessions and the date(s) on which the counselling sessions were provided (the BDMR Act and its associated regulations provide that treatment constituted by counselling only cannot be regarded as sufficient if it is less than a minimum of 3 separate counselling sessions aggregating at least 135 minutes or counselling sessions occurring over a period of at least 6 months).

Further considerations apply to applications made in respect of persons below the age of 18 years. In particular, they need to be approved by the South Australian Civil & Administrative Tribunal (SACAT) and the Tribunal must consider whether it is in the best interests of the child that approval be granted.

The Tribunal must take into account whether the child:

- understands the meaning and implications of the making of the application; and
- has the capacity to consent to this application and, if so, the child’s position in relation to the making of this application.

You are invited to express your opinion on these points.

The following guidance is provided to practitioners:

- The statement must be on letterhead with your contact details and your Medicare provider number.
- On the assumption that you consider that your patient has undertaken a sufficient amount of appropriate clinical treatment in relation to their sex or gender identity, the following sample text is suggested for your statement. There is no requirement that these exact words be used.

I <full name>, a [medical practitioner or psychologist] registered in Australia, have provided clinical treatment for <applicant's current full name> whose identity I have confirmed from documents provided to me.

I certify that <applicant's current full name> has undertaken a sufficient amount of appropriate clinical treatment in relation to their sex or gender identity. I base this on the following:

<insert a summary of the treatment provided, which should include the general nature of the treatment provided and any other matters you consider pertinent to your view that your patient has undertaken a sufficient amount of appropriate clinical treatment in relation to their sex or gender identity. You are not required to use the below table, but please ensure appropriate details are included in your summary as suggested below>

	Treatment provided	Duration including date(s) of treatment(s) and visit(s)	Name and speciality of professional providing treatment	Source of information (if not you)
	<i>For example: Gender affirming hormone therapy (oestrogen patch, oral tabs, testosterone blocker)</i>	<i>For example: 12/07/2019 to present</i>	<i>For example: Dr Sarah Green (sexual health physician)</i>	<i>For example: Letter of update from Dr Green dated 07/12/2020</i>
1.				
2.				

<applicant's current full name> identifies as the sex or gender identity of <insert sex or gender identity> (male, female, non-binary or indeterminate/intersex/unspecified).

I certify that the information provided is, to the best of my knowledge and belief, correct for the purpose of registering a change of sex or gender identity.

This is a confidential disclosure for the exclusive use of the SA Registry of Births, Deaths and Marriages and (in case of a child younger than 18 years of age) the South Australian Civil & Administrative Tribunal (SACAT).

<signature>

<signature block>(signature and signature block)

<Medicare provider number>

Section D – Payment details

The application fee to record a change of sex or gender identity must be paid when you submit this form. A birth certificate or identity acknowledgement certificate must also be purchased.

Applicants details – person completing this form

Current family name Current given name(s)

Residential Address

Suburb/town/city State/territory Postcode Country

Postal address (if different)

Suburb/town/city State/territory Postcode Country

Phone number Email address

Details of the certificate required

Name of registered person

Family name Family name at birth

Given name Other given names Place of birth (suburb/town/city/country)

Payment details – complete this section for all mail applications

Visit www.sa.gov.au/bdm or call 131 882 for current fees.

Total amount \$ Please debit: Mastercard Visa or enclosed cheque*/money order

Cardholder name

Signature of cardholder

Date

X

Card number

↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓

Expiry date

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CW

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