

MEDIA RELEASE

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Options paper to amend Tasmanian *Births, Deaths and Marriages Registration Act 1999* released

Tasmania's Anti-Discrimination Commissioner, Robin Banks, has today released a consultation paper outlining options for amending the Tasmanian *Births, Deaths and Marriages Registration Act 1999* to provide improved arrangements for the legal recognition of transgender and intersex people in Tasmania in line with changes to protections under the *Anti-Discrimination Act 1998* (Tas) and the *Sex Discrimination Act 1984* (Cth).

'A consistent and fair approach to the legal recognition of Tasmanians who are gender diverse or seek to have intersex variations recognised is important to ensure official records match their identity and appropriate form of recognition', Ms Banks said. 'It is unacceptable in 2016 that our laws still require evidence of expensive, risky and for some precluded surgical procedures for a change of sex to be legally recognised. Nor is it appropriate that persons with intersex variations be required to have surgical or hormonal interventions to modify their sex characteristics.'

'The options paper recommends that the requirement to undertake surgery be removed and that arrangements for amending sex records more clearly reflect the actual complexities of sex and gender diversity', Ms Banks said.

The paper also considers options that would enable people who are transgender or intersex to legally record their sex using, X or other non-binary sex marker.

'Retaining binary sex categories of M (male) and F (female) as the only option available may provide for ease of administration, but does little to promote inclusion or recognition of the realities faced by those who identify with neither category', Ms Banks said.

'The recommended change is consistent with recent decisions of the High Court and with changes taking place elsewhere. For Tasmania to consider and act on these issues now means we will again be in the forefront of ensuring our laws are relevant, up to date and inclusive of all Tasmanians', Ms Banks said.

The options paper has been provided to Tasmania's Attorney General, The Hon Dr Vanessa Goodwin and the final report will be provided to the Attorney-General following the consultation period. Comments on the paper are being accepted until Monday 4 April.

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