



**An Roinn Coimirce Sóisialaí  
Department of Social Protection**

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**Minister Burton announces legislation on Gender Recognition and publishes the Report of the Gender Recognition Advisory Group**

The Minister for Social Protection, Joan Burton TD, today (*Thursday 14<sup>th</sup> July 2011*) announced her intention to legislate for the recognition of the acquired gender of transgender people on the basis of the recommendations of the Gender Recognition Advisory Group. This inter-Departmental group was established in May 2010 and submitted its report to the Minister on 15<sup>th</sup> of June last. The Minister has also published the Report today.

In making her announcement, Minister Burton said "I am delighted to announce that I intend to bring forward legislation later this year providing for the recognition of the acquired gender of transgender people. The High Court's ruling in the Foy case that the State was in breach of its commitments under the European Convention on Human Rights in its failure to provide this recognition was delivered in 2008. This Government is determined to implement legislation in this matter as soon as possible."

Minister Burton thanked the members of the Advisory Group for their work in researching and analysing the various issues involved and for its detailed proposals for a Gender Recognition Bill.

The main recommendations of the Group are that an independent three member Gender Recognition Panel would be established under the Bill to examine applications from persons seeking recognition of their acquired gender. The Panel would issue a Gender Recognition Certificate which would have the effect of legally recognising the acquired gender from that date. The person whose gender has been recognised would be entitled to marry a person of the opposite gender or enter a civil partnership with a person of the same gender. They would also be entitled to a new Birth Certificate in their acquired gender.

In order to qualify for recognition of their acquired gender a person would have to be at least 18 years of age, have a clear and settled intention of living in the acquired gender for the rest of their lives and have been living full-time in the new gender during the two years immediately preceding their application. They would have to furnish a formal medical diagnosis of their condition or have already undergone gender reassignment surgery.

The Minister noted that "the legal recognition of gender identity is a complex issue touching as it does on matters relating to human rights, personal identity and wellbeing and the family. However, I am happy that the Group's



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recommendations chart a good way forward to meet our obligations under the European Convention on Human Rights and address the legitimate expectations of transgender people”.

**PRESS RELEASE ENDS**