

Application to record a change of sex or gender identity for an adult

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.

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 sex or gender identity.

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.

- Complete sections A and D.
- If you also wish to register a change of name at the time of recording a change of sex or gender identity, complete section C.
- 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 B). 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.



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.

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.

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

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

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.

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

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.

Enclose certified photocopies of each identity document. Do not send original documents unless it is your SA birth certificate or change of name certificate.

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

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 (front and back)

Australian firearm licence

Photo card issued by an Australian government agency

If you are unable to supply one of the above photo identity documents a guarantor must complete page 5 and you must also include a passport size photograph that has been witnessed and signed by the guarantor. Refer to page 5 for further details.

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 (front and back)

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.

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 (front and back)

Australian visa supported by overseas passport

Visa status from the Department of Home Affairs

Immicard

List 3: Operation in the community

Medicare card

Private health care card

Credit/debit 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 2: Link between photo and signature

- Australian or overseas passport
- Australian Titre de Voyage
- Australian driver's licence (front and back)
- Australian firearms licence
- Photo card issued by an Australian government agency

If you are unable to supply one of the above photo identity documents a guarantor must complete page 5 and you must also include a passport size photograph that has been witnessed and signed by the guarantor. Refer to page 5 for further details.

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. Refer below .

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.

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 notice*
- 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

Unable to supply photo identification

If you are unable to supply the photo identity documents listed on pages 3 and 4, a guarantor must complete the below details. You must also include a passport size photograph that has been witnessed and signed by the guarantor.

Please include a recent passport size colour photograph signed on the back by a guarantor.

The guarantor MUST:

- not be related by birth or marriage to the person changing their sex or gender identity;
- not be a de facto partner of the person changing their sex or gender identity;
- not live with the person in the last 12 months;
- be 18 years of age or over;
- endorse the back of the photograph writing: "this is a true photo of" (the applicant's full name) and signing their own name;
- have known the person for at least the last 12 months.

Guarantor's details

Surname

Given names

Residential address (PO Box **cannot** be accepted)

Date of birth

Daytime telephone number

Email address

How do you know the person in this photo
(e.g. friend, colleague)?

How long have you known this person?

Guarantor's declaration

I declare that the information I have provided is true and correct to my knowledge and that I am qualified to be a guarantor for the person registering a change of sex or gender identity in this application.

I authorise the SA Registry of Births, Deaths & Marriages to make enquiries with any organisation or individual to verify the information I have provided on this form.

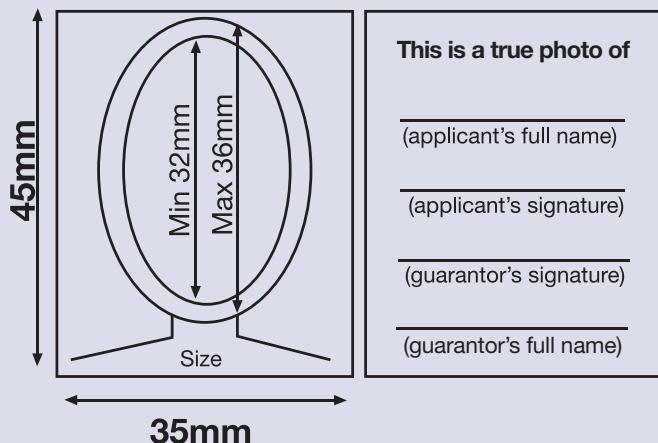
Guarantor's signature

Date signed

Your photograph MUST:

- Measure 45mm high and 35mm wide
- be signed on the back by you
- be endorsed on the back by the guarantor with their name and signature

Please DO NOT glue or staple down the photo



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 - Your details

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.

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

Signature of applicant

Date

Section B – 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).

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

<signature>

<signature block> (signature and signature block)

<Medicare provider number>

Section C - Register a change of name

Eligibility

To apply to change your name in SA you must be:

- 18 years of age or older
- born in SA, or
- born overseas AND a permanent resident in SA for at least the last twelve months immediately before the date of your application.

Must be born in SA or overseas

If you were born in Australia but not SA you must apply to the Registry in the State or Territory of your birth.

Multiple name changes

You may change your name once in a 12 month period and 3 times in your lifetime (exceptions may apply).

Successful applications

To help us complete your application, you will need to:

- return all original birth certificates and/or change of name certificates issued by the SA Registry of Births Deaths & Marriages;
- be honest and accurate on your application;
- explain why you want to change your name;
- choose a name that is not prohibited i.e. not rude, too long, or includes numbers or symbols. The name should not be a statement or phrase, or resemble an official title or rank recognised in Australia;
- advise all your previous change of names and/or previous names that you have used.

Permission for a police check

We request your permission to apply for a National Police Check with the South Australia Police. There is no cost for this check. If you choose not to consent, we may ask you to provide a recent National Police Certificate. This will be at your own cost.

Restricted persons and registrable offenders

The BDMR Act restricts certain groups of persons from changing their name without the permission of a supervising authority or the Commissioner of Police. It also restricts people from making a change of name on behalf of a restricted person. Restricted persons in SA includes, but is not limited to:

- A prisoner
- A prisoner released on parole
- A person subject to an extended supervision order
- A person released on licence under section 24 of the *Criminal Law (Sentencing) Act 1988*

For the full list of restricted persons please refer to section 29B of the *Births, Deaths and Marriages Act 1996* which can be found at: legislation.sa.gov.au

Registrable offenders

The *Child Sex Offenders Registration Act 2006* provides for the requirements in relation to changing or applying to change the name of a registrable offender. For the full list of registrable offenders please refer to sections 6-8 of the *Child Sex Offenders Registration Act 2006* which can be found at: legislation.sa.gov.au

Persons in prison or on parole, or on home detention or subject to an extended supervision order must obtain the written approval of the Chief Executive of the SA Department for Correctional Services. Persons under the supervision of the Commissioner of Correctional Services or the SA Commissioner of Police must obtain approval from that authority before changing or applying to change their name. Making an application without approval is an offence and penalties apply.

If unsure of your status

If you are a prisoner call the Prisoner Complaint Line, number 2 on the Prisoner Telephone System (freecall).

If you are in the community call the Department for Correctional Services on 08 8226 9000.

Registrable offenders should contact the South Australia Police ANCOR Section on 1800 766 255.

Alternatively you can seek legal advice by contacting the Legal Help Line on 1300 366 424.

1. Do you wish to register a change of name with your application to record a change of sex or gender identity?

Yes - Go to question 2

No - Go to Section D Payment Details

2. Were you born overseas?

Yes - Go to question 3

No - Go to question 4

3. Are you a permanent resident of Australia or Australian citizen?

Yes - Go to question 4

No - Contact us on 131 882

4. Are you a restricted/registrable person?

Yes - Contact your supervising authority or attach letter authorising a change of name.

No - Go to question 5

5. Have you already changed your name three times in any Registry within Australia?

Yes - Contact us on 131 882

No - Go to question 6

6. Have you changed your name within the last 12 months before the date of this application?

Yes - Contact us on 131 882

No - Go to question 7

7. What is your new name?

New family name(s)

New given name(s)

8. Have you previously changed your name in Australia or overseas or used any other name(s) in the past?

No - Go to question 9

Yes - You must provide evidence of how you changed your name:

- List all previous names used;
- Return original (not a photocopy) change of name certificates if you have previously registered a change of name in SA;
- provide certified copies of change of name certificates from other states/territories or overseas;
- this also includes a change of name by marriage, deed poll, divorce, common usage and any other official documents.
- You must list all previous names. Failure to list all previous names may result in your application being unsuccessful.

Previous name 1

Date changed Where changed

Previous name 2

Date changed Where changed

Previous name 3

Date changed Where changed

9. Can we apply for a National Police Check for you with South Australia Police?

You are not required by law to consent, however if you answer NO it may delay your application in certain circumstances.

Yes - There is no cost involved

No - We may ask you to purchase a National Police Check from the South Australia Police. Any certificates issued before the lodgement date of this application will not be accepted.

10. Why are you changing your name?

You need to provide a reason for your change of name application to be considered. Write a brief statement explaining the reason for changing your name. One or two word explanations such as 'personal' are not sufficient and may result in your application being unsuccessful.

Your declaration

The following declaration must be signed in front of a Justice of the Peace (JP), Notary Public, Police Officer or Practising Solicitor/Lawyer.

I declare that:

- I understand that it is a punishable offence to give false or misleading information in this application or supporting documents.
- I understand that the SA Registry of Births Deaths and Marriages may confirm or verify the validity of any document provided with this application to establish identity and eligibility for this change of name to be registered.
- I will use my new name stated at question 7 on all my identification documents.
- I will not seek to use my new name for a fraudulent or improper purpose.
- I have read and understand all the instructions in this document including 'Privacy' and 'Disclosure of Information'.
- By signing this application, I am allowing the Registry at its discretion to conduct checks with appropriate agencies to verify information in my application, including the authenticity of supporting documentation under the *Births Deaths and Marriages Registration Act 1996*.

Your signature

Date

Name of Registry approved witness

Signature of Registry approved witness

Address of Registry approved witness

Qualification of Registry approved witness

Date

