

## Registry of Births, Deaths & Marriages

Ref: DOC25/293656

19 June 2025

President  
Jennifer Ball  
Law Society NSW  
lawsociety@lawsociety.com.au

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Re: Update on change of sex process – Equality Legislation Amendment (LGBTIQA+) Act 2024

Dear President Ball,

New arrangements for registering a change of sex will take effect in New South Wales from 1 July 2025. The ***Equality Legislation Amendment (LGBTIQA+) Act 2024*** (Equality Act) amends Part 5A of the *Births, Deaths and Marriages Registration Act 1995 (NSW)*, making it simpler for people to register a change of sex without the need for a medical procedure.

The Equality Act introduces provisions to protect the privacy of people who register a change of sex, or both a change of sex and name in NSW. I would like to draw your attention to the certificate format and documentation that may be presented by people looking to update their details or identity credentials.

- Where a person born in NSW **registers a change of sex**, their new birth certificate will include the new sex marker with no indication that a change has taken place. The birth registration number will be the same as the original birth record.
- Where a person born in NSW **registers a change of name and a change of sex**, their former names will not be listed on the new birth certificate. A change of name registration number will be included in the endorsements section of the updated birth certificate. I have included a sample certificate for your reference ([Tab A](#)). The birth registration number will be the same as the original birth record.
- People born overseas that register a change of sex in NSW will be issued with a recognised details certificate ([Tab B](#))

I will issue two documents under seal to people who were born in NSW and register a change of sex from 1 July 2025. These are official linking documents that can be relied on when helping people to update their details or access new identity credentials.

1. A one-off previous birth certificate watermarked '*this birth certificate was issued for linking purposes only*' (Tab C)
2. A verification letter confirming that a change of sex has been legally registered in NSW (Tab D)

A fact sheet (Tab E) is also attached to provide further information.

The Registry's Director, Operations and Service Delivery, Ms Louise Briffa, is available to brief your leaders should that be helpful. I would be grateful if you could provide Louise with a contact point in your organisation. She can be contacted at [louise.briffa@customerservice.nsw.gov.au](mailto:louise.briffa@customerservice.nsw.gov.au) or on 8258 7119.

Sincerely,



**Theresa Fairman**  
Registrar

**NSW Registry of Births, Deaths & Marriages**

**NEW SOUTH WALES**  
BIRTHS DEATHS AND MARRIAGES REGISTRATION ACT 1995  
**BIRTH CERTIFICATE**

REGISTRATION NUMBER

**727213/1978**

1. CHILD	Family Name Given Name(s)  Sex Date of Birth Place of Birth	<b>CITIZEN Alice Claire  Female 02 October 1978 Campbelltown Hospital, Campbelltown</b>
2. MOTHER	Family Name Family Name at Birth Given Name(s) Occupation Age Place of Birth	<b>CITIZEN SMITH Janet Maria Teacher 34 years Orange, NSW</b>
3. FATHER	Family Name Given Name(s) Occupation Age Place of Birth	<b>CITIZEN Stuart John Electrician 31 years Randwick, NSW</b>
4. MARRIAGE OF PARENTS	Date of Marriage Place of Marriage	<b>08 August 1976 Sydney, NSW</b>
5. PREVIOUS CHILDREN OF RELATIONSHIP		<b>Not any</b>
6. INFORMANT(S)	Name Address  Name Address	<b>J. CITIZEN 35 Regent Street Chippendale, NSW, 5687 MOTHER  S. CITIZEN 35 Regent Street Chippendale, NSW, 5687 FATHER</b>
7. REGISTERING AUTHORITY	Name Date	<b>Theresa Fairman, Registrar 08 September 1978</b>
8. ENDORSEMENT(S)		<b>1367693/2018</b>



Before accepting copies, sight unaltered original. The original has a coloured background.

REGISTRY OF BIRTHS  
DEATHS AND MARRIAGES

SYDNEY 21 May 2025

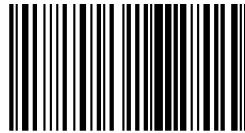
I hereby certify that this is a true copy of particulars recorded in a  
Register in the State of New South Wales, in the Commonwealth of Australia

Registrar



110726720251747789216659

52 PIRRAMA ROAD  
PYRMONT NSW 2009



11072672025

Sample

## NEW SOUTH WALES

Births, Deaths and Marriages Registration Act 1995

## RECOGNISED DETAILS CERTIFICATE

Family Name Given Name(s) Sex Date of Birth Place of Birth	<b>Citizen</b>  <b>John James</b>  <b>Male</b>  <b>01 January 1950</b>  <b>Wellington, New Zealand</b>
<b>REGISTERING AUTHORITY</b>  Number  Name  Date	<b>331668/2023</b>  <b>Theresa Fairman, Registrar</b>  <b>12 April 2023</b>
<b>ENDORSEMENTS</b> Not Any	



Before accepting copies, sight unaltered original. The original has a coloured background.

REGISTRY OF BIRTHS  
DEATHS AND MARRIAGES

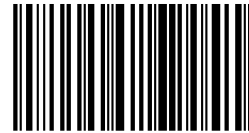
SYDNEY 12 April 2023

I hereby certify that this is a true copy of particulars recorded in a  
Register in the State of New South Wales, in the Commonwealth of Australia

Registrar



033146920231681274121350  
James John Citizen  
NSW



03314692023

## NEW SOUTH WALES

BIRTHS DEATHS AND MARRIAGES REGISTRATION ACT 1995

## BIRTH CERTIFICATE

REGISTRATION NUMBER

727213/1978

1. CHILD	Family Name Given Name(s)  Sex Date of Birth Place of Birth	<b>CITIZEN Alice Claire  Male 02 October 1978 Campbelltown Hospital, Campbelltown</b>
2. MOTHER	Family Name Family Name at Birth Given Name(s) Occupation Age Place of Birth	<b>CITIZEN SMITH Janet Maria Teacher 34 years Orange, NSW</b>
3. FATHER	Family Name Given Name(s) Occupation Age Place of Birth	<b>CITIZEN Stuart John Electrician 31 years Randwick, NSW</b>
4. MARRIAGE OF PARENTS	Date of Marriage Place of Marriage	<b>08 August 1976 Sydney, NSW</b>
5. PREVIOUS CHILDREN OF RELATIONSHIP		<b>Not any</b>
6. INFORMANT(S)	Name Address  Name Address	<b>J. CITIZEN 35 Regent Street Chippendale, NSW, 5687 MOTHER  S. CITIZEN 35 Regent Street Chippendale, NSW, 5687 FATHER</b>
7. REGISTERING AUTHORITY	Name Date	<b>Theresa Fairman, Registrar 08 September 1978</b>
8. ENDORSEMENT(S)	<b>The full name of the registered person was previously recorded as John Citizen. Registrar 21 May 2023.</b>	



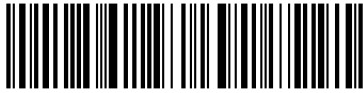
Before accepting copies, sight unaltered original. The original has a coloured background.

REGISTRY OF BIRTHS  
DEATHS AND MARRIAGES

SYDNEY 14 May 2025

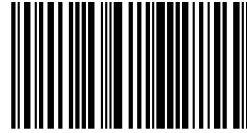
I hereby certify that this is a true copy of particulars recorded in a  
Register in the State of New South Wales, in the Commonwealth of Australia

Registrar



123252920251747186293616

Janet Marie Citizen  
NSW



12325292025



## Registry of Births, Deaths & Marriages



12 June 2025  
ORN: S6076266012

To whom this may concern

Letter of verification - change of sex

This letter confirms that a change of sex was registered for Alice Claire CITIZEN, born on [DOB] with the NSW Registry of Births, Deaths & Marriages.

Please refer to the new birth certificate issued with the registration number [Registration Number here] for evidence of the newly recorded sex descriptor. This new sex has been legally registered under NSW law.

This letter has been provided for administration purposes and can be used with identification documents as proof of a change of sex when updating personal records with other organisations.

Prior to registering the change of sex, the Registry also issued a copy of Alice Claire CITIZEN's previous birth certificate which shows their previous sex. This previous birth certificate is no longer current. It has been provided for administration purposes only to further assist with linking previous and current records.

To learn more about change of sex, visit [nsw.gov.au/change-of-sex](https://nsw.gov.au/change-of-sex).

Yours sincerely,

Theresa Fairman

Registrar



### Registry of Births, Deaths & Marriages

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## Fact sheet: Implementing change of sex reforms in NSW

On 1 July 2025 new laws come into effect that will make it easier for people to change their sex in NSW. A medical procedure is no longer required. The changes are made under the ***Equality Legislation Amendment (LGBTIQA+) Act 2024***.

People can register a change of sex in two ways.

1. People born in NSW will register an alteration of sex on a NSW birth record
2. People born overseas will register an acknowledgement of sex in NSW, without changing a record of birth from another country

### Eligibility to apply to register a change of sex in NSW

- adults (18+) born or adopted in NSW
- adults (18+) born overseas
- parents or guardians applying for children (under 18) born or adopted in NSW or born overseas
- Department of Communities and Justice (DCJ) caseworkers applying on behalf of children (under 18) if the child is under the care of the Minister

People born or adopted in Australia, but not in NSW, are required to apply in the state or territory they were born in. Each jurisdiction has different laws and processes.

People born overseas need to meet the following residency criteria to register a change of sex:

- currently live in NSW, and
- have lived in NSW continuously for at least 12 months, and
- are either an Australian citizen or permanent resident

An online tool is available on the Registry website [nsw.gov.au/change-of-sex](https://nsw.gov.au/change-of-sex) to check eligibility and provide information on the application process. People can register for email updates through the checker.

### Applying for a change of sex

A digital application form will be available at [nsw.gov.au/change-of-sex](https://nsw.gov.au/change-of-sex) from 1 July. It will verify identity documents digitally and include templates for a statutory declaration and statement of support. The online form is the fastest way to apply to register a change of sex. However, a paper-based option will also be available on the website and from Service NSW.

## Documentation required for an adult (18 and over)

- a completed change of sex application form
- a statutory declaration confirming that the applicant identifies as the specified sex, and lives, or plans to live, as that sex (template available on the website)
- a statement of support from an adult who has known the applicant for at least 12 months confirming that they believe the person is making the application in good faith (template available on the website)
- three forms of identification
- overseas born applicants will also need to provide evidence of
  - Australian citizenship or permanent residency, and
  - current and continuous residence in NSW for at least 12 months

## Documentation required for a child (under 18) to register a change of sex

In most cases, where a child has two living parents or guardians, both need to apply on their child's behalf with the following documentation:

- a completed change of sex application form
- a statutory declaration by the child (if they can complete it) or a statement of support from the parents
- a supporting statement from a qualified counsellor who has provided counselling to the child
- three forms of identification for the child
- three forms of identification for each of the parents or guardians
- a court order allocating guardianship (if applicable)
- evidence of the child's Australian citizenship or permanent residency (overseas born children only)
- evidence of the child's current and continuous residence in NSW for at least 12 months (overseas born children only)

One parent or guardian can apply under the following circumstances:

- only one parent is listed on the child's birth certificate or guardianship order showing they are the only parent or guardian for the child, or
- a District Court order authorising the alteration of the child's record of sex (if the child was born in NSW) or registration of acknowledgement of sex (if the child was born overseas), or
- one parent or guardian is deceased.

A parent that has been allocated sole parental responsibility by the Federal Circuit and Family Court of Australia will require a District Court order that specifically authorises them to apply for a change of sex for their child.

A caseworker from the Department of Communities and Justice (DCJ) may apply to register a change of sex for a child in the care of the Minister. In addition to the documents outlined above, the application will need to be supported by:

- an order issued by the Children's Court of NSW allocating sole parental responsibility to the Minister
- a District Court order authorising DCJ to apply for a change of sex on the child's behalf

Definitions of counsellor and guardian for the purposes of applying to register a change of sex for a child

- A guardian is a person who has been allocated all aspects of parental responsibility for a child or young person until the child or young person reaches 18 years of age by a guardianship order under the *Children and Young Persons (Care and Protection) Act 1998*.

- A qualified counsellor is someone who has one of the following qualifications - a medical practitioner, psychologist, nurse practitioner, a clinical member of the Psychotherapy and Counselling Federation of Australia or someone eligible for membership of the Australian Association of Social Workers.

## Certificates issued following a change of sex or change of sex and change of name

NSW birth certificates and recognised details certificates can be ordered which will reflect the new sex marker. There will be no indication that a change of sex has been registered. If a person born in NSW has also registered a change of name, their former names will not appear on their new birth certificate.

## Updating details with other organisations following a change of sex

The Registry will issue two documents to people who are born in NSW to help them update their details with other organisations.

1. a one-off previous birth certificate watermarked '*this birth certificate was issued for linking purposes only*'
2. a verification letter signed by the Registrar confirming that a change of sex has been legally registered in NSW

When a change of sex and/or change of name is registered in NSW for a person born overseas, their birth record is not changed because it was registered in another country. A change of name and/or recognised details certificate can be used, in conjunction with other identity documents, to update details with Australian organisations.

## Applying to register both a change of sex and change of name

The requirements and application forms for change of sex and change of name are different. However, people will be able to apply for both without waiting for a change of name application to be processed first.

Systems are in place to ensure that dual applications are processed together. This will ensure that a new birth or recognised details certificate includes the applicant's new name.

Both change of sex and change of name applications can be submitted online.

- Applicants who **do not intend to change their name** or have **already registered a new legal name** can complete the change of sex application only in their current name.
- Applicants that have a **current change of name application** with the Registry will be asked to include their change of name order number (ORN) in the change of sex application form.
- Applicants who **intend to apply to register a change of name** are encouraged to start that process via the online change of name form just prior to submitting a change of sex application.

A combined change of sex and change of name PDF form can be printed, completed and posted to the Registry, or submitted over the counter at a Service NSW Service Centre.

Where change of sex and change of name applications have been processed together, any certificates will be posted in the applicant's previous name to ensure that they can collect certificates which are sent via Registered Post.

## Differences between change of name and change of sex applications

Requirements for change of name and change of sex are set out under different sections of the *Births, Deaths and Marriages Registration Act 1995* (NSW). The differences are outlined in the following table.

	Change of name	Change of sex
Residency for overseas born	Continuous residency in NSW for at least 3 years immediately preceding the application.	Must be an <u>Australian citizen or permanent resident</u> living in NSW who can provide proof of current and continuous residency in NSW for at least 1 year.
Number of changes	One change of name in a 12-month period and a maximum of 3 changes in a lifetime. Limited exceptions to this rule are considered on a case-by-case basis.	No limit
Documentation (in addition to ID)	<p>Reason for application.</p> <p>Overseas applicants must provide evidence of continuous residency in NSW for three years immediately prior to the application.</p> <p>Evidence of former name changes if registered in other jurisdictions or internationally.</p>	<p>Residency status (overseas born applicants only)</p> <p>Adult applicants:</p> <p>Statutory declaration by adult applicants, and</p> <p>Statement of support by adult who knows applicant for a minimum of 12 months.</p> <p>Application for a child:</p> <p>Statutory declaration by a child if they can complete one, or parents can complete a statement of support, and</p> <p>Statement of support by a qualified counsellor.</p>
Other restrictions	Registrar must be satisfied that the registration is not sought for fraud or another improper purpose	N/A
Disclosure of criminal convictions	Mandatory	Not required
Consent to a National Police Check	Mandatory	Not required
Sole parents	The Federal Circuit and Family Court of Australia orders a sole parent to make decisions on all major long-term issues.	A District Court order must specifically authorise a sole parent to apply to register an alteration of sex record for a child, or an acknowledgement of sex for an overseas born child.

Availability to 'restricted' people	Not without permission of a supervising authority	
Other restrictions	Registrar must be satisfied that the registration is not sought for fraud or another improper purpose	N/A

## Timeframes and fees

The following service timeframes will apply for complete, correct and compliant applications.

	Change of sex	Change of name and change of sex
Online application	3-4 weeks	4-6 weeks
Paper application	5-7 weeks	7-9 weeks

Proposed fees from 1 July.

	Change of name	Change of sex
Registration fee	Applications for 14 years and over \$195 standard \$224 priority  Applications for 13 years and under \$155 standard \$184 priority	\$70
Certificate fees	\$57 change of name certificate + \$11 postage and handling	\$57 birth certificate + \$11 postage and handling  \$57 Recognised details certificate + \$11 postage and handling  No priority service available

## Fee waivers

People who are experiencing financial hardship and are vulnerable in one of the following ways may be eligible for a free birth or recognised details certificate under the Registry's fee waiver policy.

- a person who is currently a victim of and/or directly impacted by domestic violence
- a person who is sleeping rough or homeless
- a child under 18 years of age who is currently living in poverty or experiencing significant disadvantage
- a person suffering from a long-term chronic debilitating illness

- a person who has experienced a personal disaster, e.g., house fire resulting in destruction of all personal property, within six months of the event occurring
- a person who is incarcerated or being released from a correctional facility

The fee waiver policy also extends to members of the Stolen Generations.

People can apply for a fee waiver for a new birth certificate or recognised details certificate at a Service NSW Centre. A supporting letter from a community service provider is generally required.

### **Descriptors on birth and marriage records**

Regardless of their legal sex, people may choose to be described as:

- mother, father or parent when registering the birth of their child
- bride, groom or partner on a marriage registration

### **Applying to register a change of sex – restricted people**

A restricted person requires written approval from the relevant supervising authority to apply to register a change of sex. This includes inmates, people on parole or remand, forensic and correctional patients, periodic detainees, and people on a reintegration home detention order. The full definition of ‘restricted person’ can be found in section 31B of the *Births Deaths & Marriages Registration Act 1995*.