



**Australian Government**  

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**Department of Foreign Affairs and Trade**

22 May 2007

Ms Kathy Anne Noble  
President of Changeling Aspects  
knoble@iinet.net.au

Dear Ms Noble

Thank you for your email to Wayne Smith regarding the issue of passports to Transsexual people. Your letter has been forwarded to me for a response.

The policy on the issue of travel documents to transsexuals has been and continues to be subject to a process of evolution. In 1984 passports could be issued to transsexuals subject to production of appropriate medical evidence that they had undergone gender reassignment surgery. In 1989, passport policy permitted the issue of a passport showing the preferred sex in the personal particulars page to an applicant who was specifically travelling overseas to undergo a sex reassignment operation. The applicant would, however, be required to produce medical evidence of the intended medical procedure to support their application, and the passport so provided would have a limited validity of one year. On advice from the Attorney-General, and recognising that the ramifications of such actions went well beyond international travel facilitation, passport recipients were issued with the letter you refer to, which I note is dated from 2002.

In 2005, the policy was changed to one of requiring Australian-born transsexuals requesting a passport in their new gender, to provide birth certificates to prove their gender of reassignment. This reflected the introduction of legislation in all States and Territories over the intervening period providing a framework for the official recognition of the change of sex of individuals who had undergone gender reassignment, through the amendment of their official registration records. It also reflected the ministerial decision in September 2003 aimed at strengthening our procedures to combat identity fraud. This introduced the requirement that only the name on a person's birth or citizenship certificate or name registered with the Registrar of Births, Deaths and Marriages (RBDM) could appear in an Australian passport. This policy has since been codified in the Australian Passports Act 2005.

All Australian States and Territories, except Norfolk Island, have now introduced legislation providing for the amendment of birth records for persons who have met the conditions for gender reassignment.

However, your question, "...are we fully recognised at law, and can this be stated in writing..." is best addressed to the Attorney Generals Department as the Department of Foreign Affairs and Trade can only provide advice on passport matters.

I hope this information is of assistance.

Yours sincerely

Ross Tysoe  
Assistant Secretary  
Passport Client Services Branch