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Your Ref:
Our Ref: 2009/159681

Department of
Justice and Attorney-General

30 October 2009

Kathy Anne Noble
President
Changeling Aspects
PO Box 897
Cleveland QLD 4163

Dear Ms Noble

I refer to your e-mail and attached letter dated 23 October 2009 and advise that you would need to obtain legal advice regarding the legal recognition in Queensland of a 'Recognised Details Certificate'. You should also obtain legal advice regarding your enquiry about your birth certificate and passport.

The 'recognition certificate' you allude to in your letter that is mentioned in section 23(4) (b) (ii) of the Queensland Births, Deaths and Marriages Registration Act 2003 refers to a certificate issued under the law of another State that identifies the person who is the subject of the certificate as having undergone sexual reassignment surgery and is the sex stated in the certificate.

This 'recognition certificate' accompanies an application to the Queensland Registry by a person who was born in Queensland, has undergone sexual reassignment surgery and wishes to register the change of sex on their birth registration. They also have the option of producing statutory declarations from two doctors verifying that the person has undergone sexual reassignment surgery.

There is a major difference between a 'Recognised Details Certificate' and the 'recognition certificate' referred to in the Births, Deaths and Marriages Registration Act 2003. The latter requires the person to have undergone sexual reassignment surgery whereas it is my understanding that a 'Recognised Details Certificate' can be issued if surgery has not occurred.

Currently, there is no provision in legislation for the Queensland Registrar-General to issue a 'Recognised Details Certificate'. You may wish to contact your local State member of parliament with a view to having such legislation introduced by the Queensland Government.

Yours faithfully



David John
A/Registrar-General

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Deaths and Marriages**
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