

*Unofficial English translation, the 7th of March 2010*

(563/2002)

## **Act on the Confirmation of Gender of a Transsexual**

28 June 2002/563

It is enacted by a decree of the parliament:

### **1§**

Preconditions for confirmation

A person is confirmed to belong to the opposite gender than the one in which he or she is registered in the population information system referred to in the Act on Information on the Population (507/1993), if he or she:

- 1) provides a medical statement on the fact that he or she permanently feels to belong to the opposite gender and that he or she lives in a conforming gender role and on the fact that he or she is sterilised or for other reasons unable to reproduce;
- 2) He or she is adult;
- 3) He or she is not married or living in a registered partnership and
- 4) He or she is a citizen of Finland or has his or her residence in Finland

### **2§**

Exemption from the preconditions for confirmation

The provisions in section 1.3 do not prevent a married person or a person living in a registered partnership to be confirmed to belong to the opposite gender than the one in which he or she is registered in the population information system if the spouse or the other party to the registered partnership gives his or her consent in person to the local registration office after the local registration office has informed him or her on the conditions in subsection 2.

When the belonging to a gender is confirmed in accordance with subsection 1, a marriage is converted into a registered partnership and accordingly a registered partnership is converted into a marriage without any additional action.

The conversion stipulated in subsection 2 is registered in the population information system in conjunction with the registration referred to in section 3.

### **3§**

Authorities

Gender is confirmed on an application signed in person by the person in question by the local registration office in which territory the person has his or her home municipality or population registration municipality or if the person does not have a home municipality or population registration municipality in Finland the local registration office in Helsinki. When the local registration office has confirmed the gender of a person the local registration office shall register the confirmed gender immediately in the population information system.

What is stipulated on the local registration office applies in the province of Åland to the local government of the province.

#### **4§**

##### Appeal

The provisions for an appeal against a decision based on this act are in the Act on the Application of Administrative Law (586/1996).

#### **5§**

##### Legal consequences of confirmation

The gender confirmed in accordance with this act is to be considered to be the gender of the person in question when applying other legislation if not otherwise enacted in legislation.

#### **6§**

##### Further provisions

The Ministry of Social Affairs and Health shall issue a decree on the statement referred to in section 1 and on the organisation of the examination and treatment. The Ministry of Social Affairs and Health may in addition issue further guidance in the aforementioned matters.

#### **7§**

##### Recognition of a foreign decision

If a person has been confirmed in a foreign state to belong to the opposite gender than the one in which he or she is registered in the population information system in Finland, the decision is to be held valid without any additional confirmation if the person in question was a citizen of the state or had residence in the state in which the decision was made.

#### **8§**

##### Coming into force

This act comes into force on the 1st of January 2003

Preparatory measures can be taken in order to facilitate implementation before the coming into force of this act.

(av 2010)