



VELFERÐARRÁÐUNEYTIÐ

Ministry of Welfare

Act on the legal status of individuals with gender identity disorder, No. 57/2012.

Article 1

Objective.

The objective of this Act is to guarantee individuals with gender identity disorder equal legal status with others, in keeping with human rights and human integrity.

Article 2

Scope.

This Act applies to the legal status of individuals with gender identity disorder.

Article 3

Definitions.

In this Act the following terms shall have these meanings:

1. *Gender identity disorder*: An individual's perception from a young age that he or she has been born into the wrong sex, and a desire to belong to the other sex.
2. *Gender reassignment surgery*: Surgery to reassign an individual's biological sex.

Article 4

National University Hospital Gender Identity Disorder Team.

At the National University Hospital (*Landspítali*) a Gender Identity Disorder Team shall operate and its members are to be nominated by the Chief Executive Officer of the hospital. The Team's role is to supervise the diagnosis and recognised treatment of individuals with gender identity disorder. The Team shall include specialists in psychiatry, endocrinology and psychology. The Team may also call upon other specialists for consultation and collaboration.

If an individual with gender identity disorder has been diagnosed and received recognised treatment in another country, the Team may take that into account.

Article 5

Appointment of Expert Panel on Gender Identity Disorder.

The Minister appoints an Expert Panel on Gender Identity Disorder for a term of four years at a time. The Panel shall comprise three members. Two members shall be appointed without nomination: the Medical Director of Health (*landlæknir*), who shall be chair of the Panel, and another physician. The third member of the Panel, a lawyer, shall be nominated by the minister responsible for human rights.

The costs of operating the Panel shall be met by the Treasury, and it shall be located at the Directorate of Health.

Article 6

Tasks of the Expert Panel on Gender Identity Disorder.

A person who has been diagnosed and received recognised treatment from the National University Hospital Gender Identity Disorder Team can apply to the Expert Panel on Gender Identity Disorder for recognition that he or she belongs to the other gender. The application shall be accompanied by a report from the hospital's Team. This shall state *inter alia* that the applicant has been under the Team's care for at least 18 months, and that he or she has been living in the other gender for at least one year.

Recognition is also subject to the requirements that the applicant be of legal age and legally domiciled in Iceland; that he or she have resided continuously and lawfully in Iceland for the preceding two years, and be covered by health insurance under the Health Insurance Act.

Should the applicant fulfil the criteria of paragraphs 1 and 2, the Expert Panel will confirm that he or she belongs to the other gender. If applicable, the Panel shall also confirm that the applicant is eligible for gender reassignment surgery.

The Expert Panel shall notify the applicant of its decision under paragraph 3. The Expert Panel also notifies Registers Iceland (*Þjóðskrá*) that the gender of the applicant has been legally recognised under this Act.

A decision of the Expert Panel under paragraph 3 cannot be appealed to any higher authority.

Article 7

Legal implications of recognition by the Expert Panel on Gender Identity Disorder.

An applicant who has been granted recognition under paragraph 3 of Article 6 enjoys all those legal rights pertaining to the acquired gender.

Article 8

Legal gender recognition and name change in the population register.

As soon as Registers Iceland receives notification of an individual's legal gender recognition under paragraph 4 of Article 6, it shall inform the individual of the obligation to change his or her name.

Legal gender recognition will not be registered in the population register until a valid application for change of name has been received by Registers Iceland, and the applicant's name has been changed in keeping with the Personal Names Act.

When the legal gender recognition and name change are registered in the population register, a new Identity Number may be issued to the applicant by Registers Iceland. Should he or she wish to be allocated a new Identity Number, the previous Identity Number shall remain accessible to those government authorities and other bodies which, due to the nature of their work, need to be aware of the link between the old and new Identity Number.

Article 9

Recognition of foreign decisions.

An individual who is registered in the Icelandic population register but resides abroad, or has lived abroad, and has been granted legal gender recognition due to gender identity disorder or a change of name relating to that process, may request Registers Iceland to register these changes in the population register. Registers Iceland evaluates the documentation submitted by the applicant, *inter alia* whether the name change and/or gender legal recognition were carried out under authority of the appropriate government body or court of law.

Article 10

Legal status of a child vis-à-vis the parent.

The legal status of a child vis-à-vis a parent who has been granted recognition under paragraph 3 of Article 6 remains the same as before that decision was made.

Article 11

Revocation of recognition by Expert Panel on Gender Identity Disorder.

An individual who has been granted recognition under paragraph 3 of Article 6 may turn to the National University Hospital Team on Gender Identity Disorder, should he or she wish to revert to the previous gender.

The Expert Panel on Gender Identity Disorder can revoke its recognition under paragraph 3 of Article 6, on receipt of a report from the National University Hospital Gender Identity Disorder Team stating that the individual no longer fulfils the criteria of the legal provision.

A decision of the Expert Panel under paragraph 2 is subject to the provisions of paragraphs 4 and 5 of Article 6, and Articles 7 and 8.

Article 12

Authority to issue regulations.

The Minister may make further provision in Regulations for the implementation of this Act.

Article 13

Entry into force.

This Act enters into force on 27 June 2012.

*[This translation is published for information only.
The original Icelandic text is published in the Law Gazette.
In case of a possible discrepancy, the original Icelandic text applies.]*