Transgender Marriage Equality Law Announced

Sunday, 4 March 2018

The LGBTI Legal Service celebrates the announcement by the Queensland Government of changes to be introduced to the Births, Deaths and Marriages Registration Act 2003 (Qld) this week.

This reform fixes a problematic section of the Act that states: “The reassignment of a person’s sex after sexual reassignment surgery may be noted in the person’s entry in the register of births or adopted children register only if the person is not married.”

The LGBTI Legal Service provides free legal advice to Queensland’s LGBTI community on matters relating to their gender identity and sexuality.

The LGBTI Legal Service has provided advice to many transgender clients who were caught in this bizarre and destructive legal technicality. Until now, we have sadly had to advise clients who want to pursue a change to their gender that they must first seek a divorce. Soon, transgender people will be able to stay married through their gender transition.

President of the LGBTI Legal Service, Matilda Alexander, commented:

“Our clients are faced with an impossible choice between embracing their true gender identity by divorcing their supportive partner or continuing to live under the oppression of an official gender that does not match their identity but keeping their marriage.

“This change demonstrates the continued journey towards marriage equality for the LGBTI community. Last year, gay and lesbian Australians fought and won the right to equal love and the announcement will bring marriage equality to transgender people in Queensland as well.”

The LGBTI Legal Service continues to call for further reforms of the Births, Deaths and Marriages Registration Act 2003 and the Anti-Discrimination Act 1991 to continue these important steps towards equality in Queensland.

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