

➤ HOW TO CHANGE YOUR SEX ON YOUR BIRTH CERTIFICATE IN NEW ZEALAND

Steps to be taken in having the birth certificate changed from M to F or the other way around.

1. Go to the family court and ask for the following 'Application for declaration as to sex to be shown on birth certificate' (Birth's death's and marriages registration act 1995 section 28(1) (3) ; they should give you 3 pages one is for the application mentioned above and the two pages which will say, 'Affidavit in support of application for declaration as to sex to be shown on birth certificate' (this is where you write in your personal gender history) Mention that you have changed your name by deed poll, as this will be required when you produce your birth certificate ; its called substantive evidence, as stated on the side column next to where the reference is, are the words:- Exhibit "A" Exhibit "B", is where you place the results of your SRS surgery and any other relevant information. The next three documents are in yellow and are called the INFORMATION SHEETS. They need to be filled out and are kept at the court so that the court knows where to send any documents or require any more information.

The first page you fill out fully, but the next two pages are mainly to do with your marriage and perhaps divorce. If your divorce happened some considerable time ago you may be able to leave those last two pages blank. It is quite clear as to what it asks, so there should be no problem there, but if in doubt when you go to file the documents, asks the registrar and they will advise you.

Make sure that you sign them in front of the deputy court registrar when you submit them; don't not sign them without a witness (i.e. a police officer, solicitor, registrar of the court, or Justice of the peace) as they have to actually SEE you sign them.

I have added 4 documents in support of the application

1. From the surgeon who did the reassignment operation
 2. From my doctor in support of the operation results and a little bit of history about how long I had been with the doctor, and when I started on hormones.
 3. The document telling of my orchidectomy (this of course may not apply to anyone else)
 4. My original birth certificate
- I did not send the psychiatrist report, which was my personal choice...

In submitting these documents it must be mentioned in the affidavit and then indexed as "Exhibit A, through to Exhibit D", or what ever letter is relevant, in rotation. (What that does is to allow the judge to go the particular exhibit required, etc., for proof of the work or surgery having been carried out.)

I would strongly recommend that you get copies done of your birth certificate and have them signed by a Justice of the peace, court registrar, lawyer, or police officer.

With all that information, head off to the family court and hand the application over to the registrar who will stamp and ask you if the documents are correct and true, which will be done on a bible for affirmation. Once that's done sit back and wait and it will take anywhere from 60 days to 3 months or more (Govt departments are known to be slow) but after, say, 3 weeks write in requesting to know where your application is, and for a date of hearing.

On the 22nd march I sent the application in to the family court, and today, the 30th of March 2006, I received a letter from the family court advising me that they have assigned a case manager for my application; this is so that if any more information is required she will write to me and vice versa applies.

On the 9th April 2006 I received a letter from the family court advising me that my case was allocated a date at the beginning of May at 10 am and being the one that submitted the application I am required to be present in court on the day. I wait in anticipation.

The date is the May 3rd, 2006, and just before 12 midday I received a phone call from the lady who is looking after my case in court, she rang me to say that the judge had dealt with my application in-house, and that I did not have to attend the hearing in court on May 4th, 2006, as the relevant information that I supplied to the court was sufficient for the judge to make a ruling, and that my application was successful.

This means that I am now seen as female! I now have to wait for the court to process the order and then send it to me; I can then send it down to the Births, Deaths, and Marriages Dept to have the sex changed on my birth certificate from Male to Female.

I now await the letter from the court with the order, which I understand will be processed as soon as possible?

Today I was meant to be going to the family court at 10.15 am for the judge to rule on my application, but as you will have read above, the judge ruled in-house and the application was approved. I went to the letterbox at around 4pm and, lo and behold, there was a letter from the family court. Upon opening it, I read that the court orders that my Birth Certificate be changed to show that I belong to the female Sex.

On Thursday the 11th I received a letter from the Births, Deaths, and Marriages, saying that I needed to fill in the application to have the gender changed on my Birth Certificate, and also to apply for the new birth certificate. The application to have the gender changed will cost \$50.00, and the cost of the new birth certificate will be \$26.00 All one needs to do is fill in both documents, and, along with the cheque, send them to the Births, Deaths, and Marriages Office in Wellington.

I filled out the application along with the copy of the order plus a cheque for \$76.00 and sent them to the Birth Deaths and Marriages main registry office in Wellington. I now wait with eager anticipation to receive my new Birth Certificate. The application was sent on the 11th may 2006.

On the 25th May I received my new Birth Certificate with all the right letters in the right place, so all is well with the world, well New Zealand anyway.

A WORD OF CAUTION: I would recommend that you look at legal representation first, but remember that it will cost you.

However you can choose to do what I have done, as all of the information still needs to be put together and submitted. I asked the family court Registrar if I needed a solicitor and the answer was no, you can do this yourself, but of course it's your choice as to which way you go.