**CONSULTATION QUESTIONS**

Question 1 (Paragraphs 3.01 - 3.29)

The initial view of Scottish Government is that applicants for legal gender recognition should no longer need to produce medical evidence or evidence that they have lived in their acquired gender for a defined period. The Scottish Government proposes to bring forward legislation to introduce a self-declaration system for legal gender recognition instead.

Do you agree or disagree with this proposal?

Agree

Disagree

Don’t know

If you want, you can give reasons for your answer or add comments.

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| Q1 |

Question 2 (Paragraphs 3.30 – 3.34)

Should applicants to the proposed gender recognition system in Scotland have to provide a statutory declaration confirming they know what they are doing and intend to live in their acquired gender until death?

Yes

No

Don’t know

If you want, you can give reasons for your answer or make comments.

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| Q2 |

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| Question 3 (Paragraphs 3.35 – 3.39)  Should there be a limit on the number of times a person can get legal gender recognition?  Yes  No  Don’t know  If you want, you can give reasons for your answer or make comments. |

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| Q3 |

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| Question 4 (Paragraphs 3.40 – 3.47)  If the Scottish Government takes forward legislation to adopt a self-declaration system for legal gender recognition, should this arrangement be open:  (A) only to people whose birth or adoption was registered in Scotland, or who are resident in Scotland?  or  (B) to everyone?  or  (C) Don’t know  If you want, you can give reasons for your answer or make comments. |

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| Q4 |

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| Question 5 (Paragraphs 4.04 - 4.07)  (This question relates to the reduction of the minimum age of applicants for legal gender recognition to those aged 16 and over from the current age of 18. Question 6 will ask your views on the options for people younger than 16).  The Scottish Government proposes that people aged 16 and 17 should be able to apply and obtain legal recognition of their acquired gender. Do you agree or disagree?  Agree  Disagree  Don’t know  If you want, you can give reasons for your answer or add comments. |

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| Q5 |

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| Question 6 (Paragraphs 4.08 – 4.41)  Which of the identified options for children under 16 do you most favour? (Please select only one answer).  Option 1 – do nothing for children under 16  Option 2 - court process  Option 3 - parental application  Option 4 – minimum age of 12  Option 5 – applications by capable children  None of these options |

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| Q6 |

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| Question 7 (Paragraphs 5.01 – 5.08)  Should it be possible to apply for and obtain legal gender recognition without any need for spousal consent?  Yes  No  Don’t know  If you want, you can give reasons for your answer or add comments. |

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| Q7 |

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| Question 8 (Paragraphs 5.10 – 5.16)  Civil partnership is only available to same sex couples. This means that civil partners cannot remain in their civil partnership if one of them wishes to obtain a full Gender Recognition Certificate.  Should they instead be allowed to remain in their civil partnership? This would mean that a woman and a man would be in the civil partnership.  Yes  No  Don’t know  If you want, you can give reasons for your answer or add comments. |

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| Q8 |

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| Question 9 (Paragraphs 5.17 – 5.21)  Should legal gender recognition stop being a ground of divorce or dissolution?  Yes  No  Don’t know  If you want, you can give reasons for your answer or add comments. |

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| Q9 |

Question 10 (Paragraphs 6.01 – 6.06)

Are any changes to section 22 (prohibition on disclosure of information) necessary?

Yes

No

Don’t know

If you answered Yes, describe the changes you consider are needed.

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| Q10 |

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| Question 11 (Paragraphs 6.23 – 6.31)  Should a person who has been recognised in their acquired gender under the law of another jurisdiction be automatically recognised in Scotland without having to make an application?  Yes  No  Don’t know  If you want, you can give reasons for your answer or add comments. |

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| Q11 |

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| Question 12 (Paragraphs 7.01. – 7.06.)  Should Scotland take action to recognise non-binary people?  Yes  No  Don’t know  If you answered No, and if you want, you can give reasons for your answer. |

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| Q12 |

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| Question 13 (Paragraphs 7.08. – 7.41.)  **If you answered Yes to Question 12**, which of the identified options to give recognition to non-binary people do you support? (You can select more than one option).  Option 1: Changes to administrative forms  Option 2: Book of Non-binary Identity  Option 3: Limited document changes  Option 4: Full recognition using proposed self-declaration system  Option 5: Incremental approach  Option 6: Amendment of the Equality Act 2010  None of the above options  If you want, you can give reasons for your answer, add comments or, if you think none of Options 1 to 5 is suitable, describe your preferred option. |

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| Q13 |

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| Question 14  At paragraph 7.26. and in Annex J we have identified the consequential legal impacts if non-binary people could obtain legal gender recognition using the proposed self-declaration system.  Are you aware of other impacts we have not identified?  Yes  No  Don’t know  If you answered Yes, describe the impacts you have identified. |

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| Q14 |

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| Question 15 (Paragraphs 8.01. – 8.06.)  Do you have any comments about, or evidence relevant to:  (a) the partial Business and Regulatory Impact Assessment;  (b) the partial Equality Impact Assessment;  (c) partial Child Rights and Wellbeing Impact Assessment; or  (d) the partial Privacy Impact Assessment?  Yes  No  If you answered Yes, add your comments or evidence. |

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| Q15 |

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| Question 16  Do you have any further comments about the review of the Gender Recognition Act 2004?  Yes  No  If you answered Yes, add your comments. |

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| Q16 |