



# Gender Recognition Act 2004

## 2004 CHAPTER 7

*[<sup>F1</sup>Issue of full certificate after interim certificate: applicant married [<sup>F1</sup>or a civil partner]*

### **[<sup>F1</sup>4B Application under section 4A: death of spouse [<sup>F2</sup>or civil partner]**

- (1) In a case where an application is made under section 4A(2) <sup>F3</sup>... and the applicant's spouse [<sup>F4</sup>or civil partner] dies before the application is determined—
  - (a) the application is to be treated as an application, made under section 5(2) in a case where a spouse has died [<sup>F5</sup>or under section 5A(2) in a case where a civil partner has died], for a full gender recognition certificate to be issued; and
  - (b) that application is to be treated as having been made at the time when the application under section 4A was made.
- (2) The Gender Recognition Panel determining the application must specify the period within which the applicant is to produce the required evidence in support of the new application.
- (3) In this section—
  - “ new application ” means the application under section 5(2) [<sup>F6</sup>or (as the case may be) section 5A(2)] which the person is, by virtue of subsection (1), treated as having made;
  - “ required evidence ” means the evidence required by section 5(4) [<sup>F7</sup>or (as the case may be) section 5A(4)]. ]

#### **Textual Amendments**

- F1** Ss. 4A, 4B and cross-heading inserted (10.12.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), [Sch. 5 para. 4](#); S.I. 2014/3169, art. 2
- F2** Words in s. 4B heading inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), [29\(2\)](#) (with reg. 35)
- F3** Words in s. 4B(1) omitted (2.12.2019) by virtue of [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), [29\(3\)\(a\)\(i\)](#) (with reg. 35)
- F4** Words in s. 4B(1) inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), [29\(3\)\(a\)\(ii\)](#) (with reg. 35)

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**Changes to legislation:** There are currently no known outstanding effects for the Gender Recognition Act 2004, Section 4B. (See end of Document for details)

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- F5** Words in s. 4B(1)(a) inserted (2.12.2019) by The Civil Partnership (Opposite-sex Couples) Regulations 2019 (S.I. 2019/1458), regs. 1(2), **29(3)(b)** (with reg. 35)
- F6** Words in s. 4B(3) inserted (2.12.2019) by The Civil Partnership (Opposite-sex Couples) Regulations 2019 (S.I. 2019/1458), regs. 1(2), **29(4)(a)** (with reg. 35)
- F7** Words in s. 4B(3) inserted (2.12.2019) by The Civil Partnership (Opposite-sex Couples) Regulations 2019 (S.I. 2019/1458), regs. 1(2), **29(4)(b)** (with reg. 35)

**Changes to legislation:**

There are currently no known outstanding effects for the Gender Recognition Act 2004, Section 4B.