



Gender Recognition Act 2004

2004 CHAPTER 7

[^{F1}Issue of full certificate after interim certificate: applicant married [^{F1}or a civil partner]]

[^{F1}4D [^{F2}Application under section 4C: death of spouse or civil partner]

- (1) In a case where an application is made under section [^{F3}4C] and the applicant's spouse [^{F4}or (as the case may be) 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 [^{F5}or 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 4C 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) which the person is, by virtue of subsection (1), treated as having made,
 - “ required evidence ” means the evidence required by section 5(4).]

Textual Amendments

- F1** Ss. 4C-4F inserted (S.) (16.12.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), s. 36, [Sch. 2 para. 5](#); S.S.I. 2014/287, art. 3, Sch.
- F2** S. 4D title substituted (30.11.2021) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), s. 16, [sch. 2 para. 5\(6\)\(b\)](#); S.S.I. 2021/351, reg. 2, sch. (with reg. 3)
- F3** Word in s. 4D(1) substituted (30.11.2021) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), s. 16, [sch. 2 para. 5\(6\)\(a\)\(i\)](#); S.S.I. 2021/351, reg. 2, sch. (with reg. 3)
- F4** Words in s. 4D(1) inserted (30.11.2021) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), s. 16, [sch. 2 para. 5\(6\)\(a\)\(ii\)](#); S.S.I. 2021/351, reg. 2, sch. (with reg. 3)
- F5** Words in s. 4D(1)(a) inserted (30.11.2021) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), s. 16, [sch. 2 para. 5\(6\)\(a\)\(iii\)](#); S.S.I. 2021/351, reg. 2, sch. (with reg. 3)

Changes to legislation:

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