

No. 563/2002

Act on legal recognition of the gender of transsexuals

Section 1 – Preconditions for legal recognition

A person can be legally recognised to belong to the gender opposite to that according to which he or she is recorded in the population information system referred to in the Population Information Act (507/1993) if he or she:

- 1) presents a medical statement stating that he or she permanently feels to belong to the gender opposite to that assigned to him or her and lives in that gender role, and that he or she has been sterilised or is for some other reason infertile;
- 2) is of age;
- 3) is not married or living in a registered partnership; and
- 4) is a Finnish national or has his or her place of residence in Finland.

Section 2 – Exemption from the preconditions for legal recognition

(1) Notwithstanding the provisions of section 1(1) (3) a person who is married or lives in a registered partnership can be legally recognised to belong to the gender opposite to that according to which he or she is recorded in the population information system, if the married spouse or the other partner in the registered partnership has, after the Local Register Office has given him or her an account of the circumstances referred to in subsection 2, personally given the Register Office his or her consent to that.

(2) When belonging to a gender is legally recognised in a case referred to in subsection 1, marriage will be converted, without any separate measures, into a registered partnership and registered partnership into marriage.

(3) The conversion referred to in subsection 2 shall be recorded in the population information system in connection with the entry referred to in section 3.

Section 3 – Authorities

(1) A person's gender is reassigned upon application signed by the person concerned by the Local Register Office within whose area the person has municipality of residence or municipality entered in the population register, or in case the person has no municipality of residence or municipality

entered in the population register in Finland, by the Local Register Office of Helsinki. Once the Local Register Office has legally recognised the person's gender in accordance with section 1, the Office shall immediately record the reassigned gender in the population information system.

(2) In the Province of Åland the provisions of this Act concerning the Local Register Office apply to the State Provincial Office.

Section 4 – Appeal

Provisions on appealing a decision referred to in this Act are laid down in the Administrative Judicial Procedure Act (586/1996).

Section 5 – Legal consequences of legal recognition

The gender legally recognised in accordance with this Act shall be considered the person's gender when applying other legislation, unless otherwise provided.

Section 6 – Authorisation provision

Further provisions on the medical statement referred to in section 1 as well as on arranging the medical examination and treatment aiming at changing a person's gender are laid down by decree of the Ministry of Social Affairs and Health. In addition, the Ministry of Social Affairs and Health can issue further instructions regarding the matters concerned.

Section 7 – Recognition of a foreign decision

If a person has been recognised in a foreign state by a legally valid decision to belong to the gender opposite to that according to which he or she is recorded in the Finnish population information system, the decision shall be considered valid in Finland without a separate approval if the person at the time of making the decision was a national and had his or her place of residence in the state where the decision was made.

Section 8 – Entry into force

(1) This Act enters into force on 1 January 2003.

(2) Measures necessary for the implementation of this Act may be undertaken before its entry into force.