

# UPDATED NSW REGISTRY PROCESS FOR Change of Record of Sex for people under 18

On 1 July 2025, NSW will have a new process to request changes to 'record of sex' on the NSW Registry of Births, Deaths and Marriages (the Registry).

The changes are part of the *Equality Legislation Amendment (LGBTIQ+)* Act 2024. This removes the requirement for a person to undergo a sex affirmation procedure in order to alter their record of sex. (We are using the term 'record of sex' in this document which is the term used by the NSW Government.) The new process, from 1 July, will allow people to choose as their record of sex one of four options: female, male, non-binary and non-specified.

## Who is Eligible to apply for change to their record of sex in the NSW Registry?

- adults (18+) born or adopted in NSW
- adults (18+) born overseas  
(Residency requirements apply)
- parents or guardians applying for children (under 18) born or adopted in NSW or born overseas
- Department of Communities and Justice (DCJ) caseworkers applying on behalf of children (under 18) if the child is under the care of the Minister.



An online tool is available on the Registry website [nsw.gov.au/change-of-sex](https://nsw.gov.au/change-of-sex) to check eligibility and provide information on the application process. People can register for email updates through the checker.

## What about people born in other states?

People born or adopted in Australia, but not in NSW, are required to apply in the state or territory they were born in.

## How do I start the process to apply for a change of record of sex?

A digital application form will be available at [nsw.gov.au/change-of-sex](https://nsw.gov.au/change-of-sex) from 1 July. The online form is the fastest way to apply for changes.

In most cases, where a child has two living parents or guardians, both need to apply on their child's behalf.

If you are unable to complete the online application form, printed copies, and all relevant supporting forms will be available on the Registry's website and in Service NSW service centres. If you would like to submit the form in person, you will need to bring identity documents and completed supporting documents. Copies of your identity documents can be made at Service centres.

NSW Change of Recorded Sex Forms include:

1. Application form
2. Statutory Declaration form
3. Supporting Statement

## How long does it take and what is the cost?



Fees and processing times will be updated prior to 1 July and will be available on the BDM website: [www.nsw.gov.au/bdm/processing-times](https://www.nsw.gov.au/bdm/processing-times).



For more information about Fee waivers, go to: [www.nsw.gov.au/departments-and-agencies/births-deaths-marriages/about-registry/fee-waiver-policy](https://www.nsw.gov.au/departments-and-agencies/births-deaths-marriages/about-registry/fee-waiver-policy)

## Supporting Evidence Documentation required for a child (under 18)



The supporting evidence required with the application form will depend on whether the application is completed by: both Parents/Guardians, a sole parent or sole guardian if more than one is listed on the existing birth certificate, and if the child was born in NSW or overseas. Supporting evidence and statutory declarations must be completed on the NSW forms. Scan the QR code to see the list of supporting evidence you will need.

One parent or guardian can apply under the following circumstances:

- Only one parent is listed on the child's birth certificate or guardianship order showing they are the only parent or guardian for the child; or
- A District Court order authorising the alteration of the child's record of sex (if the child was born in NSW) or registration of acknowledgement of sex (if the child was born overseas), or
- One parent or guardian is deceased.

For a child under Department of Communities and Justice Care, a caseworker from the Department of Communities and Justice (DCJ) can apply to register a change of record of sex for a child in the care of the Minister. In addition to the documents outlined above, the application will need to be supported by:

- an order issued by the Children's Court of NSW allocating sole parental responsibility to the Minister;
- a District Court order authorising DCJ to apply for a change of sex on the child's behalf.

## What is the definition of a guardian for the purposes of applying to register a change of record of sex for a child in NSW

A guardian is a person who has been allocated all aspects of parental responsibility for a child or young person until the child or young person reaches 18 years of age by a guardianship order.

## Can I apply to register both a change of sex and change of name?

Yes, but these both have different application forms. People will be able to apply for both without waiting for a change of name application to be processed first. While change of name and change of sex are separate applications, you don't have to wait for the change of name to be processed.

The Registry recommends that you submit an online change of name application shortly before submitting a change of sex application for a child. When this is done, record the online reference number (ORN) and include this on your change of sex application.

Systems are in place to ensure that dual applications are processed together. This will ensure that a new birth or recognised details certificate includes the applicant's new name. Both change of sex and change of name applications can be submitted online.

By processing these applications close together, if you order a new birth certificate, the Registry will provide you with one birth certificate with the updated sex descriptor and the child's new name.

## What certificates will be issued following a change of record of sex

NSW birth certificates (born in NSW) and recognised details certificates (born overseas) can be ordered which will reflect the new record of sex.

There will be no indication that a change of sex has been registered. If a person born in NSW has also registered a change of name, their former names will not appear on their new birth certificate.

Where change of sex and change of name applications have been processed together, any certificates will be posted in the applicant's previous name to ensure that they can collect certificates which are sent via Registered Post.

Applicants who do not intend to change their name or have already registered a new legal name can complete the change of sex application only in their current name.

## Once I have my updated record of sex how do I update this in the other formal systems?

To help with updating your details with other organisations following a change to record of sex, the Registry will issue two documents to people who are born in NSW to help the update their details with other organisations.

1. a one-off previous birth certificate watermarked 'this birth certificate was issued for linking purposes only'
2. a verification letter signed by the Registrar confirming that a change of sex has been legally registered in NSW

When a record of change of sex and/or change of name is registered in NSW for a person born overseas, their birth record is not changed because it was registered in another country. A change of name and/or recognised details certificate can be used, in conjunction with other identity documents, to update details with Australian organisations.

Note: While your new birth certificate or recognised details certificate can be used in Australia, other countries may not legally recognise a change of sex.

## Is it possible for siblings to have their birth certificate updated?

NSW birth certificates do not display siblings' record of sex. Any names on a birth certificate must be recorded as it was at the time of delivery. However, a notation can be included in the endorsement section of a certificate with the new name of a parent or sibling. You can apply to correct the record to include the notation, and a new certificate will need to be purchased.



Apply to correct a record here: [www.nsw.gov.au/family-and-relationships/name-changes-and-corrections/correct-an-entry](http://www.nsw.gov.au/family-and-relationships/name-changes-and-corrections/correct-an-entry).



Find out more about PTYE - email us at [info@ptye.org](mailto:info@ptye.org)

## Parents for Trans Youth Equity (PTYE)

We are a group of parents, carers and allies advocating for the equitable treatment and well-being of transgender and gender diverse (TGD) youth. We are actively involved in ensuring trans youth have the same rights and support as their non-gender diverse peers. We focus on issues like school safety, healthcare access, and discrimination, aiming to create inclusive and affirming



environments for trans youth. Our work around this bill had included advocacy for young people aged 14 and over to have agency to apply independently, no restrictions for single parents applying and reduced bureaucracy around supporting documents. We will continue to lobby in these areas.

## Other resources



[transcend.org.au](http://transcend.org.au)  
Transcend Australia



[pgdc.org.au](http://pgdc.org.au)  
Parents of Gender Diverse Children



[twenty10.org.au](http://twenty10.org.au)  
Twenty10