

Background

A self-identification process for people to amend the sex on their New Zealand birth certificate was enacted in New Zealand in December 2021 and comes into effect **15 June 2023** and is essential to transgender, intersex, nonbinary and takatāpui people.

What has changed?

This self-identification process will replace the Family Court process for amending sex on birth certificates based on how a person identifies, rather than eligibility criteria such as medical treatment (which is the current requirement where permanent medical changes are required). Note, there are currently options for Passports and Driver licenses in NZ outside this process.

Importantly too, sex and gender markers other than male and female will now be available **The additional sex and gender markers will be non-binary and indeterminate.**

What are the implications for organisations and workplaces?

There are some the critical questions you may need to ask immediately and look at review and updated your policies, systems and even infrastructure if you have not already. Why? **The Human Rights Act 1993** includes protection for our gender diverse communities under the 'sex' protected category with the Human Rights Commission saying that this includes discrimination on the grounds of **"sex" includes gender identity** – in other words, transgender people are also protected against discrimination for the provision and access to employment and services.

Note that the new legislation does not include a process for overseas born people to register their gender. The self-identification provisions updated the way people born in New Zealand amend the sex recorded on their birth certificate.

Questions for organisation and workplaces:

- Do you have Non-Binary and additional gender options on your **forms, systems and processes** including your payroll system?
- Do you have processes in place to **update people's gender** and names across your systems quickly and respectfully? Are staff aware of this and is it easy to apply and access?
- Do you have **Gender Neutral Bathrooms** and/or changing facilities available to staff and customers?
- If you have **uniforms and dress standards**, do you have a clear policy and provision to provide inclusive options outside the gender binary and to support people with changing or updating uniforms as required to align with their gender id or expression?
- Do you have **pronouns** including non-binary options they/them/ theirs /ia and others to ensure people can use pronouns aligned with their Gender Identity? Grab our pronouns guide if you need help.
- If you use titles like Sir, Miss, Mr, Mrs, do you have the options for **Mx** and others for people to use if they do not identify as a binary gender?
- Do you have a **Gender Transition/ Affirmation policy** available to all staff that is easy to access? When did you last share and consider this? Does this include Gender Affirmation leave, or are you considering this?
- Do you have **Rainbow Awareness Training** available to your staff and managers including understanding gender diversity?

We are here to support you with the above including advice, policy and training. Please reach out to us info@pridepledge.co.nz