

To: the relevant Bill committee of the legislative Council

From: YIP MINZ, EDWARD

Marriage (Amendment) Bill 2014

26/4 (1.3.15) 01 7.5.15

1. The Bill is unconstitutional.
2. If the Bill be passed and enacted, the Hong Kong resident who is a transgender wishing to register marriage in Hong Kong is required to complete the gender reassignment surgery so required by the law and has the identity card changed to the sex identification, whereas non-Hong Kong residents are not required to have the gender reassignment surgery for there is no law to compel them to complete the gender reassignment surgery in their respective countries. This breaches the principle that all people are equal before the law.
3. A transgender is a person who acquires the gender not being his or her inborn gender and gives a acquired gender thereon, either by hormone therapy or gender reassignment surgery. notarised now to live in the
4. A MTF transgender even though undergone the gender reassignment surgery is not a perfect woman because she does not have ovaries and uterus, thereby can not give birth to a baby.
5. A FTM transgender even though undergone the gender reassignment surgery is not a perfect man because he can not lock another woman up and his artificial penis is not responsive to sex stimuli, yet a MTF and a FTM are joyous despite of the imperfection, some chose not to have the surgery and his artificial penis is not responsive to sex stimuli, yet a MTF and a FTM are joyous despite of the imperfection, some chose not to have the surgery social status altogether that tells. To this end, a hormone therapy and minor surgeries of some kind could attain the effect, the gender reassignment surgery might help but will mean not sufficient and necessary.
6. We accept a man who appears to be effeminate but lives as a man, to be a man and do not discriminate him, the same to a mannish woman, we accept a hermaphrodite as well. Why should we not accept a MTF who possesses a penis and a FTM transgender who does not have a penis. It is an unfounded worry in fear that a person who does not complete the gender reassignment surgery might change sex from time to time.
7. In the long run, a marriage shall mean a contract between 2 free persons above the age of 18 (a person of the age of 16 to 18 with the consent of their respective parents or guardians) before a civil celebrant in the presence of at least 2 other witnesses, a voluntary union for life of the couple. If the two are truly in love with each other and vows a marriage openly, it is a matter between them, why shall we have a say in regard of their respective sex.
8. To conclude, in the short run, 40A should be repealed and in the long run, introduce the gender recognition bill and revoke the marriage ordinance and related enactments.
9. Add a section to the Marriage (Amendment) Bill 2014 such that an object to the intended marriage to be celebrated in Hong Kong shall not be taken as an object on the ground that either party or both parties to the intended marriage is not of the inborn gender.

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