

Bills Committee on Marriage (Amendment) Bill 2014

**List of follow-up actions arising from the discussion
at the meeting on 1 April 2014**

1. The Administration was requested to provide the following information/advise in writing -

- (a) the administrative guidelines for considering applications to change the sex entry on a Hong Kong Identity Card;
- (b) the number of persons in Hong Kong who had received relevant treatment for gender identity disorder (such as hormonal treatment and going through a real-life experience living in the opposite sex) in public or private hospitals in Hong Kong in past years; and among such persons, the respective numbers of those who had and had not subsequently gone through the full sex re-assignment surgery ("SRS"), and in the case of the latter, the reasons for non-completion of the process;
- (c) the number of transsexual persons who received SRS outside Hong Kong;
- (d) whether the Administration had conducted any consultation with any parties or professional bodies in drafting the Marriage (Amendment) Bill 2014 ("the Bill") and if yes, the parties consulted and the details; and
- (e) whether the Bill as presently drafted, which requires that a person has to have gone through a full SRS before his or her sex could be re-assigned for the purpose of marriage, would violate the Hong Kong Bill of Rights (for example Article 14) or international human rights laws including the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (for example Article 16), the International Covenant on Civil and Political Rights (for example Article 7), and the European Convention on Human Rights (for example Articles 3 and 8) .

2. Noting that the United Kingdom ("UK") Government had set up an Interdepartmental Working Group on Transsexual People in 1999 to review the problems facing transsexuals and that the Gender Recognition Act was

passed in UK in 2004 to make provision for and in connection with change of gender, the Administration was requested to provide for members' reference relevant information on UK's experience in addressing problems facing transsexuals in relevant areas of law and in dealing with issues relating to gender recognition, including areas studied/deliberated and issues of contention.

Council Business Division 2
Legislative Council Secretariat
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