

**立法會**  
***Legislative Council***

LC Paper No. CB(3) 62/13-14

Ref : CB(3)/M/MM

Tel : 3919 3300

Date : 17 October 2013

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 30 October 2013**

**Motion on  
“Transgender marriage”**

Hon CHAN Chi-chuen has given notice to move the attached motion on “Transgender marriage” at the Council meeting of 30 October 2013. The President has directed that it be printed in the terms in which it was handed in on the Agenda of the Council.

(Odelia LEUNG)  
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion on  
“Transgender marriage”  
to be moved by Hon CHAN Chi-chuen  
at the Council meeting of 30 October 2013**

**Wording of the Motion**

That the Court of Final Appeal (‘CFA’) earlier ruled that transsexual people are entitled to marriage right; the judgment stated that the relevant provisions in the Marriage Ordinance (‘MO’) and the Matrimonial Causes Ordinance (‘MCO’) restricting the criteria for ascertaining a person’s gender to merely biological factors are unconstitutional; CFA also held that all circumstances relevant to assessing a person’s sexual identity at the time of the proposed marriage, including biological, psychological and social elements and whether any sex reassignment surgery has occurred, need to be considered; in this connection, this Council urges the Government to expeditiously comply with CFA’s judgment and amend MO and MCO, so that transgender people can enjoy marriage right and related legal rights according to the sexual identity they adopt, and to expeditiously enact a gender recognition ordinance to address the various legal problems arising from sex reassignment.