

## **Finnish Law**

N:o 563/ 2002

The Gender confirmation of transsexual individuals Act

According to the decision of the Parliament it is stipulated:

1 §

Confirmation requirements:

A person is to be confirmed to belong to a gender opposite to what he or she has been marked in the census mentioned in the Census Act (507/1993) in case he or she:

- 1) provides a medical statement of permanently belonging to the opposite sex and that he or she lives in the gender accordingly and the fact that he or she is either sterilized or sterile for some other reason;
- 2) is of legal age;
- 3) is not married neither in registered partnership; and
- 4) is a Finnish citizen or has permanent residence in Finland.

2 §

An exception to the confirmation requirements

Unhindered of what is stipulated in 1 § 3rd paragraph, a person in matrimony or in registered partnership can be confirmed belonging to the opposite sex than he or she has been marked in the census, if the spouse or the other partner in the registered partnership has after the magistrate has explained facts mentioned in the second paragraph given his or her agreement in person to the magistrate.

When the membership in sex in the case mentioned in paragraph one is confirmed, marriage transitions into registered partnership and, vice versa, registered partnership transitions into marriage.

Change mentioned in the paragraph two is marked in the census along the marking meant in 3 §.

3 §

Authorities

Gender is confirmed after a signed application from the applicant the magistrate of person's home municipality or the census municipality or if a person has neither home municipality nor census municipality in Finland, the magistrate in Helsinki. When the magistrate has confirmed person's gender as in 1 §, the magistrate has to mark the confirmed gender in to the census registry without delay.

What is stipulated here about magistrate will in the County of Ahvenanmaa concern the County Government.

4 §

Appeals

Appeals for the decision meant in this Act are stipulated in Governing legislation use Act (586/1996).

5 §

The judicial effects of the confirmation

The gender confirmed as in this law is to be seen person's gender when other legislation is applied unless otherwise stipulated.

6 §

## Authorization

The medical statement in 1 § and the implementation of medical research and care aimed at sex change will be more precisely stipulated in the Statute given by the Ministry of Social Affairs and Health. The Ministry of Social Affairs and Health can also give more precise guidelines.

## 7 §

### Recognizing a foreign decision

In case a person has been in a foreign state confirmed with a legal decision belonging to an opposite gender than he or she is marked in the Finnish census, the decision will be regarded legal without further affirmation, if when making the decision the person was a national of that state or had a residence in the state where the decision was made.

## 8 §

### Coming to effect

This law comes to effect January 1st, 2003.  
Before this law come to effect proceedings needed for its implementation can be taken.

HE 56/2001  
StVM 7/2002  
EV 49/2002

Naantali, June, 28th 2002  
The President of the Republic  
TARJA HALONEN

Minister of Services  
Eva Biaudet

N:o 564/ 2002

Stipulated in Naantali June 28, 2002

Changing the Sterilization Act in chapters 1 and 4 § Act

According to the decision of the Parliament it is changed the sterilization Act given in April 24, 1970 (283/1970) 1 § par:s 5 and 6 and also 4 §, as they are in Act 125/1985 and 4 § in Acts 87/1991 and 1083/1992, and further the 1 § will be added. as it is in the mentioned Act 125/1985, a new paragraph 7 as follows:

1 §

Sterilization can be proceeded at applicant's wish following the stipulations of this law:

-----

5) when there is a reason to conclude that his or her offspring would develop a difficult disease of a handicap;  
6) when his or her illness or a similar reason strongly limits his or her caretaking of children; or  
7) when a person permanently experiences that he or she belongs to an opposite gender and lives in the role of the opposite gender.

4 §

Sterilization can be proceeded:

1) In the case meant in 1 § par:s 1 and 2 by the decision of the doctor undertaking the sterilization;  
2) In the case meant in 1 § par:s 3 and 4 by the decision of two doctors.  
3) In the cases meant in 1 § par:s 5 and 6 and 2 § by the permission of the Center of Medicolegal Affairs; and  
4) In the cases meant in 1 § paragraph 7 by the decision of two doctors.

Above the decision in the chapter one bullet two should include a written statement by the undertaking doctor and some other doctor where they precisely declare the reasons for their action and unanimously state that the necessary requirements exist.

If one doctor's decision, or in cases meant in 1 § par:s 3, 4 and 7 both doctor's decisions should be negative, a permission for sterilization can be applied from the Center of Medicolegal Affairs.

Above the precise contents of the statement given by doctor in paragraph one bullet 4 can be stipulated by the statute of the Ministry os Social Affairs and Health.

----

This law comes to effect January 1st, 2003.  
Before this law come to effect proceedings needed for its implementation can be taken.

HE 56/2001  
StVM 7/2002  
EV 49/2002

Naantali, June 28, 2002  
The President of the Republic  
TARJA HALONEN

Minister of Services  
Eva Biaudet

N:o 565/ 2002  
Stipulated in Naantali June 28, 2002

Castration Act Voiding Act

According to the decision of the Parliament it is stipulated:

1 §

This law declares Castration Act of April 24, 1970 (282/1970) along with later changes made to it null and void.

2 §

This law comes to effect January 1st, 2003.  
Before this law come to effect proceedings needed for its implementation can be taken.

HE 56/2001

StVM 7/2002  
EV 49/2002

Naantali June 28, 2002  
The President of the Republic  
TARJA HALONEN

Minister of Services  
Eva Biaudet

N:o 563/ 2002

Changing Center of Medicolegal Affairs Act 1 and 2 § Act

According to the decision of the Parliament it is

changed the Center of Medicolegal Affairs Act of November 27, 1992 (1074/1992) 1 § paragraph 1 and 2 § as such as there is the 1 § paragraph 1 in Act 421/1998, as follows:

1 §

The duty of the Center of the Medicolegal Affairs is to take care of the monitoring of the health care professionals, abortion, sterilization, researching the cause of death and the duties given for judicial psychiatry in legislation as well as other duties that in other laws or statutes is stipulated or as a reference to which is stipulated for it to process.

The Center operates subjected to the Ministry of Social Affairs and Health. The Center is also taking care by the authorization of the above legislation the duties that are within its area of expertise that the aforementioned Ministry gives.

-----

2 §

The Center for Medicolegal Affairs includes the Board for monitoring the health care professionals, the Board for abortion and sterilization matters and The Board of matters pertaining to Judicial Psychiatry; the tasks, organization and naming of which are stipulated by the statute of the Government.

This law comes to effect January 1st, 2003.

Before this law come to effect proceedings needed for its implementation can be taken.

----

HE 56/2001

StVM 7/2002

EV 49/2002

Naantali June 28, 2002  
The President of the Republic  
TARJA HALONEN

Minister of Services  
Eva Biaudet