

Law (1972:119) About Gender Confirmation.

Utfärdad: 1972-04-21

Uppdaterad: t.o.m. SFS 1995:23 Lag (1972:119)
om fastställande av könstillhörighet i vissa fall

1 §. He who since early youth experience that he belongs to another sex than the one that is stated in the General Ledger,

and for a considerable time has appeared as this (second) gender,

and may be expected to live in this (second) gender,

can, after application, have it confirmed that he belongs to the second sex,

Confirmation may be given even if the the applicant has got confirmation according to 2 §.

2 §. Should there be an inborn malformation of the genitals that might rise doubts about his sex, he will be allowed to, after application, be given the confirmation as stated in 1 § if it is in order with the development of his gender and that it is possible to correct the malformation so that the organs (genitals) coincide with the wished gender, or, where such correction is not necessary, such gender that is most like the applicants body.

If the application, as in the previous part, concerns a person that has reached the age of eighteen years or who is younger but who does not have a guardian, the application should be made by himself. For other persons the application should be made by the guardian. Does the application concern children who have reached the age of 12 years, the confirmation may only be given if the child has agreed to the action.

Confirmation according to the first part will only be given if the applicant has reached the age of eighteen year and has undergone sterilisation or in other ways has lost the capability to propagate. (Addition according to Law 1991:514).

3 §. Confirmation according to 1 § and 2 § may only be given to unmarried Swedish citizens.

4 §. If someone intends to seek confirmation according to 1 § or 2 §, it is allowed to, after special application, perform surgical operation of his genitals with the purpose of making them more like the opposite sex. Allowance may only be given if the conditions for confirmation are at hand.

Has someone got confirmation as stated in 1 § or 2 §, the removal of the sexual gonads is allowed. The same goes if someone applied for confirmation, as stated in 1 §, and the conditions are fulfilled except the sterilisation. Allowance may only be given if special reasons exist. before the applicant has reached the age of twenty-three year.

Application for allowance, according to part one, should be made by the one who may seek confirmation. The order of 2 §, part two, point 3, should be treated accordingly.

Should a doctor not be named when the allowance is given, the operation may be made by a doctor in a hospital.

There are special orders about sterilisation and castration. (Law 1993:1285).

5 §. Questions about confirmation according to 1 § or 2 § or about allowance according to 4 § are handled by the Board of Health and Social Affaires.

6 §. The decision made by the Board of Health and Social Affaires may be appealed at a magisterial court. A special test of the case must be performed before the case is appealed to the highest magisterial court. (Law 1995:23).

7 §. Anyone who has been involved with this case (= all that is described in this law) may not give away what he has learned about the applicants personal life.

In the work of public institutions the rules in the Act of Secrecy (1980:100) should be followed. (Law 1980:214).

8 §. He who with cause or by careless action performs surgical operations that are covered in 4 § and against this law, will be fined or put to jail for a maximum of 6 months, unless the crime is covered by the Criminal Law.

Transition rules (1995:23)

This law is active from 1 April 1995. Decisions made before this law becomes active should be appealed according to older rules.

Translator's Note:

The law talks about the applicant as a male person, but that is the normal way of writing laws in Sweden. It is valid for women in the same way.

This is not an official translation to be presented at any court.

Translated by Ginnie for [The Original Harry Benjamin's Syndrome Site](#).

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