

Gender Recognition Reform (Scotland) Bill — Stage 2

After section 1

Section 2

Rachael Hamilton

- 18** In section 2, page 1, line 15, leave out <16> and insert <18>

Section 4

Rachael Hamilton

- 19** In section 4, page 2, line 38, leave out <16> and insert <18>

Graham Simpson

- 20** In section 4, page 3, line 9, at end insert—
- <(4) The Scottish Ministers must, by regulations, make further provision on the meaning of “living in the acquired gender”.
 - (5) Regulations under subsection (4) must specify what changes would be considered evidence that a new gender had been acquired.>".

After section 13

Rachael Hamilton

- 21** After section 13, insert—

<Parenthood

For the avoidance of doubt, this Act does not affect the status of a person whose gender has become the acquired gender under the 2004 Act as the father or mother of a child.>

Section 14

Graham Simpson

- 22** In section 14, page 15, line 36, at end insert—
- <() The Scottish Ministers must, by regulations, make further provision about—
 - (a) what would constitute a false statutory declaration under subsection (1), and
 - (b) what would constitute evidence tending to show that a person had made a false statutory declaration under subsection (1).>

After section 14

Rachael Hamilton

23 After section 14, insert—

<Effect on the Equality Act 2010

Effect on the Equality Act 2010

- (1) For the avoidance of doubt, nothing in this Act affects—
 - (a) the definition of “sex” in section 11 of the 2010 Act,
 - (b) any of the protections afforded by the 2010 Act.
- (2) In this section, “the 2010 Act” means the Equality Act 2010.>

Rachael Hamilton

24 After section 14, insert—

<Effect on the Equality Act 2010: Sport

Effect on the Equality Act 2010: Sport

For the avoidance of doubt, nothing in this Act affects the protections offered by section 195 of the Equality Act 2010.>

After section 16

Daniel Johnson

25 After section 14, insert—

<Guidance

Guidance

- (1) The Scottish Ministers must issue guidance on the interaction of this Act with the provisions of the Equality Act 2010.
- (2) The Scottish Ministers must publish the guidance in such manner as they consider appropriate.
- (3) The Scottish Ministers may vary or revoke guidance prepared under subsection (1).>

Rachael Hamilton

26 After section 16, insert—

<Evidence to be included with application

Evidence: details to be included in report

In the 2004 Act—

- (a) in section 3, subsection (3) is repealed,
- (b) in section 3B, subsection (4) is repealed,
- (c) in section 3D, subsection (4) is repealed,

(d) in section 3F, subsection (4) is repealed.>

Schedule

Graham Simpson

27 In the schedule, page 19, line 7, at end insert—

<“(5ZZA)Regulations made by the Scottish Ministers under section 8C(4) are subject to the affirmative procedure.>

Graham Simpson

28 In the schedule, page 19, line 19, at end insert—

<() after subsection (5B) insert—

“(5C) Regulations made by the Scottish Ministers under section 22A are subject to the affirmative procedure.”>

Section 18

Graham Simpson

29 In section 18, page 17, line 19 after <sections> insert <4,>

Graham Simpson

30 In section 18, page 17, line 21, at end insert—

<() The Scottish Ministers may not bring into force any provisions by regulations under subsection (2) until regulations under section 8C(4) (inserted by section 4) have been made.>

Rachael Hamilton

31 In section 18, page 17, line 21, at end insert—

<() The Scottish Ministers may not bring into force any provisions by regulations under subsection (2) until—

- (a) the Independent Review of Gender Identity Services for Children and Young People (“the Cass Review”) has published its final report, and
- (b) the Scottish Ministers have considered the report, and set out—
 - (i) their response to the report’s findings,
 - (ii) the implications of the report for the provisions of this Act and
 - (iii) the steps that they intend to take.>