
Act on Gender Autonomy No 80 /2019 as amended by Act No. 159/2019, No. 152/2020 and No. 154/2020

If mention is made in this Act of a Minister or Ministry without further specification as to the field of competence, this shall be understood to mean the **Prime Minister** or the **Prime Minister's Office**, under whose auspices this Act is administered. Information on the division of responsibilities between ministries, laid down in a Presidential Decree, can be found [here](#).

Chapter I

Objective and Definitions.

■Article 1

Objective.

This Act provides for the right of persons to define their own gender, thereby aiming at guaranteeing the recognition of their gender identity. The objective of this Act is also to guard the rights of persons to physical integrity.

■Article 2

Definitions.

For the purposes of this Act, the following definitions shall apply:

1. *Gender (sexuality)*: A collective term, including, inter alia, sex characteristics, gender, gender identity and gender expression.

2. *Sex characteristics*: Biological traits related to gender, such as sex chromosomes, hormone function, gonads and genitals.

3. *Gender expression*: A personal social expression with regard to one's gender.

4. *Gender identity*: The identification and definition of one's gender.

5. *Physical integrity*: The absolute right to autonomy over one's body and entitlement to respect for one's right to life, security, freedom and human dignity.

[6. *Atypical sex characteristics*: Sex characteristics that fall outside traditional definitions of sex characteristics as male or female, e.g. as regards functionality or appearance.] ¹⁾

¹⁾ [Act 154/2020, Article 1.](#)

Chapter II.

Right to Define One's Gender.

■Article 3

Right to Define One's Gender.

For every person there is in place, in accordance with age and maturity, an unrestricted right:

a. to define one's gender,

b. to have one's gender, gender identity and gender expression recognised,

- c. to develop one's personality in keeping with one's gender identity,
- d. to physical integrity and autonomy concerning changes to sex characteristics.

■Article 4

Right to Change the Official Gender Registration.

- For every person there is in place the right from the age of [15] ¹⁾ to change one's gender registration in Registers Iceland. A request for such changes shall be submitted to Registers Iceland. Alongside a change in gender registration, the applicant has the right to a name change.
- It is prohibited to make a surgical operation, medication, hormonal treatment or other medical treatment, such as psychiatric or psychological therapy, a requirement for changing the registration of gender.
- A change pursuant to paragraph 1 entails the right of a person to obtain identity documents that are in keeping with the change, as well as documents pertaining to the education and employment records of the said person.
- The gender of a person shall be recorded in public registers and other public data in the same manner as in Registers Iceland.
- [Icelandic nationals residing abroad are entitled to change the registration of their gender and name pursuant to paragraph 1.] ²⁾

¹⁾[Act 152/2020, Article 1.](#) ²⁾[Act 159/2019, Article 1.](#)

■Article 5

Changing the Gender Registration of a Child.

A child under the age of [15] ¹⁾ may, with the assistance of its guardians, change its official gender registration.

- A request for changing a child's gender registration shall be submitted to Registers Iceland. Alongside a change in gender registration, the child has the right to a name change. The provisions of Article 4[(2) to (5)] ²⁾ shall also apply to this provision.
- A child that does not have the support of one or both of its guardians in changing its gender registration may submit a request for a change of registered gender to an expert committee pursuant to Article 9 and have the registration changed if the committee accepts the request.
- A decision to change the gender registration of a child shall be taken with the interests of the child in mind and be in conformity with its will and the development of its gender identity.

¹⁾[Act 152/2020, Article 1.](#) ²⁾[Act 159/2019, Article 2.](#)

■Article 6

Neutral Gender Registration.

- Neutral gender registration is permitted.
- Public and private bodies that register gender shall provide for the possibility of registering gender as neutral, inter alia in identity documents, forms and databases, and provide for a clear denotation of such registration. In passports, neutral gender registration shall always be denoted with the letter X.

■Article 7

Limited Authorisation to Change Gender Registration.

A change in gender registration pursuant to this Act and a simultaneous name change shall only be permitted once, unless otherwise justified by special circumstances. A person again requesting a change of gender registration shall provide a written submission to Registers Iceland recounting the reasons for such a request.

[The restriction in paragraph 1 shall not apply to individuals under the age of 18.] ¹⁾

¹⁾ [Act 152/2020, Article 2.](#)

■ Article 8

Effect of a Changed Gender Registration on Legal Status.

When a child has changed its official gender registration, its legal status vis-à-vis a parent, cf. Articles 4 and 5, will remain as it was prior to the change.

A persons who has had a change of official gender registration shall enjoy all legal rights of the registered gender.

Every person is entitled to health care services in accordance with its sex characteristics, irrespective of gender registration.

Rules that apply to a woman who carries and gives birth to a child shall also apply to a person who carries and gives birth to a child after the gender registration has been changed.

■ Article 9

[A committee of experts on changes to the gender registration of children and permanent changes to atypical sex characteristics of children.]¹⁾

The Minister will appoint a committee of experts on changes to the gender registration of children [and permanent changes to atypical sex characteristics of children] ¹⁾ that will serve for a term of four years at a time. The committee is comprised of three members. One of the members shall be a paediatrician, appointed by the Directorate of Health, one shall be a psychologist with child psychology as a field of expertise, appointed by the Icelandic Psychological Association, and one shall be a lawyer with special knowledge in the field of children's rights, appointed by the Minister responsible for human rights issues.

The committee of experts makes its decisions pursuant to Article 5(3) [and Article 11a(6)].

¹⁾ In assessing cases, the committee may obtain the opinion of other specialists, if necessary.

Members of the committee and specialists who have been consulted pursuant to this Article shall handle matters of persons submitting their cases to the committee with the utmost confidentiality.

A decision of the expert committee in accordance with Article 5(3) cannot be appealed to a higher administrative authority, except for procedural reasons.

¹⁾ [Act 154/2020, Article 2.](#)

■ Article 10

Recognition of Foreign Gender Registrations and Applicants for International Protection.

A ruling by a foreign court or the registration by a foreign competent authority of a change in the registration of a person's gender, as well as a name change, is fully recognised in Iceland.

A person seeking international protection in Iceland may request that registration certificates, cf. [Article 34 of the Foreign Nationals Act No 80/2016](#), include the person's gender registration in accordance with the person's gender identity, even if this does not correspond to the person's identity documents from the home state.

Chapter III

Physical Integrity and Changes to Sex Characteristics.

■ Article 11

Physical Integrity.

- Permanent changes to genitals, gonads or other sex characteristics of persons 16 years of age or older are prohibited without their written consent. Furthermore, in cases involving children aged between 16 and 18, an assessment is needed from the Child and Adolescent Psychiatric Department team on gender identity ... ¹⁾ pursuant to Article 13, to confirm that it is in the best interests of the child to perform the surgical operation. Permanent changes include inter alia surgical operations, medication and other irreversible medical interventions.
- Regarding exceptions from the principle in paragraph 1, the provisions of the Patients' Rights Act apply.
- Prior to making changes pursuant to paragraph 1, the person shall be provided with detailed information on the planned treatment, including on progress, risks and benefits involved, whether it will affect reproductive abilities, as well as information on other possible remedies and the consequences of not acting at all. The person shall also be invited to seek second expert opinion regarding the necessity of the treatment, free of charge. If treatment results in diminished reproductive capabilities or permanent infertility, the person shall be informed about any possibilities of preserving gamete cells.

¹⁾[Act 154/2020, Article 3.](#)

■ Article 11a

Children born with atypical sex characteristics.

- Children born with atypical sex characteristics shall have the right to physical integrity in relation to their sex characteristics and the right to receive the best health care available at any given time. In implementing the Act, care shall be taken to respect their right to self-determination regarding personal matters.
- Permanent changes to the sex characteristics of a child under the age of 16 born with atypical sex characteristics shall only be made in conformity with the will of the child, *cf.* paragraph 6. However, if a child is unable to give its consent due to its young age or is for other reasons unable to express its will, the child's sex characteristics may be changed if so required for health reasons, following a detailed assessment of the need for such changes and of their consequences in the short and long term. Social, psychosocial and appearance-related reasons shall not be regarded as health reasons. Permanent changes pursuant to the first and second sentence include *inter alia* surgical operations, medication and other irreversible medical interventions.
- When preparing a decision on permanent changes to a child's sex characteristics for health reasons pursuant to paragraph 2 without the child's consent, the child shall be consulted to the extent possible in light of its level of maturity and in all cases once the child has reached the age of 12. Before a decision is made, every effort shall be made to establish the child's position and take account of its views in conformity with its age and maturity. A child, in conformity with its age and maturity, as well as its guardians, shall be provided with the information mentioned in Article 11(3). The guardians shall give their written consent. In the decision-making process, the child and its guardians shall receive counselling and support from a team on the issue of children born with atypical sex characteristics pursuant to Article 13a. In every case, a reasoned position shall be taken as to the possibility of postponing any