



MEDIA RELEASE / STATEMENT

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Gender identity laws strengthened

Equal Opportunity Tasmania welcomes changes to the *Anti-Discrimination Act 1998* (Tas), which received Royal Assent on 7 May 2019.

The changes mean that:

- Discrimination, and conduct that is offensive, humiliating, intimidating, insulting or ridiculing on the basis of being intersex remains against the law, but the attribute is now called '*intersex variations of sex characteristics*'.
- Discrimination, and conduct that is offensive, humiliating, intimidating, insulting or ridiculing on the basis of gender identity remains against the law, but gender identity now includes gender expression.
- It is now against the law to do something publicly that incites hatred, serious contempt or severe ridicule of a person or group on the basis of gender identity or intersex variations of sex characteristics.

A person who identifies as female or male and may speak, or have mannerisms that are different to their sex at birth or atypical for their gender; and people whose sex at birth is not clear or have variations in reproductive anatomy or hormone levels, are examples of where people are protected.

Definitions:

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of an individual including gender expression (whether by way of medical intervention or not), with or without regard to the individual's designated sex at birth, and may include being transgender or transsexual.

Gender expression means any personal physical expression, appearance (whether by way of medical intervention or not), speech, mannerisms, behavioural patterns, names and personal references that manifest or express gender or gender identity.

Transgender means a person who –

- (a) does not identify, to whatever degree, with the gender identity assigned them at birth; and
- (b) at times, or permanently, has a gender identity which might be perceived as atypical for his or her birth gender; and
- (c) identifies themselves as a member of another gender, and lives or seeks to live as a member of that gender.

Transsexual means a person who, whether or not intersex and having been legally assigned one gender at birth –

- (a) assumes the bodily characteristics of the other gender by medical or other means; or
- (b) identifies himself or herself as a member of the other gender; or
- (c) lives or seeks to live as a member of the other gender.

Sex characteristics means a person's physical, hormonal or genetic features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, genes, hormones, and secondary sex characteristics.

For further information, contact:

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