



**An Bille um Inscne Neamhdhénártha agus Daoine
Idirghnéasacha a Aithint, 2026**
Non-Binary and Intersex Recognition Bill 2026

Meabhrán Miniúcháin
Explanatory Memorandum



**AN BILLE UM INSCNE NEAMHDHÉNÁRTHA AGUS DAOINE
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EXPLANATORY MEMORANDUM

Purpose of the Bill

This is an Act to recognise a non-binary gender in law and to recognise those born intersex and consequently amends the Gender Recognition Act 2015, Interpretation Act 2005, Civil Registration Act 2004; the Act also extends the protection against discrimination to those who are intersex through amendments to the Employment Equality Act 1998 and Equal Status Act 2000.

Provisions of the Bill

Section 1 – Interpretation

Section 1 sets out definitions for terms used in the Act.

Section 2 – Amendment of the Gender Recognition Act 2015 – Recognition of a Non-Binary Gender

Section 2 amends Section 8 of the Gender Recognition Act 2015 to provide for the right of persons resident in the State to change their recorded gender to the female gender, male gender, or to a non-binary gender.

Section 3 – Amendment of Section 13 of Gender Recognition Act 2015- Recognition of Non-Binary Gender

Section 3 amends Section 13 of the Gender Recognition Act 2015 to provide for the use of 'X (non-binary)' as an indication of a person's gender on a gender recognition certificate.

Section 4 – Amendment of Section 18 of the Gender Recognition Act 2015 – Effect of a Gender Recognition Certificate

Section 4 amends Section 18 Gender Recognition Act 2015 to include non-binary gender in the effects of this Act.

Section 5 – Amendment of Section 18 of the Interpretation Act 2005- Recognition of a Non-Binary Gender in Enactment of Law

Section 5 amends Section 18 of the Interpretation Act 2005 to extend its scope to include the non-binary gender; meaning that any legislation or statutory instruments that imports the masculine and/or feminine gender also imports the non-binary gender and vice versa.

Section 6 – Amendment of Schedule 1 of the Civil Registration Act 2004 – Ability of Qualified Informants to Enter X in Registers

Section 6 amends Schedule 1 of the Civil Registration Act 2004 to explicitly state an X (unspecified/intersex) marker may be used to recognise sexual characteristics other than female and male, or where sex is unspecified in the following registers:

- Register of Births
- Register of Stillbirths
- Register of Adoptions
- Register of Deaths

Section 7 – Amendment of Section 6 of the Employment Equality Act 1998 – Prevention of Discrimination on the Grounds of Sexual Characteristics

Section 7 amends Section 6 of the Employment Equality Act 1998 to outlaw the discrimination against a person due to them being intersex; referred to as the sexual characteristics ground.

Section 8 – Amendment of Section 3 of the Equal Status Act 2000 – Prevention of Discrimination on the Grounds of Sexual Characteristics

Section 8 amends section 3 of the Equal Status Act 2000 to outlaw the discrimination against a person due to them being intersex; referred to as the sexual characteristics ground.

Section 9 – Short title and commencement

Section 9 cites the short title of the Act and provides for its commencement.

*Deputies Ruth Coppinger, Richard Boyd Barrett, Paul Murphy,
Meán Fómhair, 2026.*

