

GENDER MARKER CHANGE GUIDE

PSN positive space network

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pro bono students canada

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Disclaimer

+ CONTRIBUTORS

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This document was prepared with the assistance of PBSC Osgoode Hall law student volunteers. PBSC volunteers are not lawyers and they are not authorized to provide legal advice. This document contains general discussion of certain legal and related issues only. If you require legal advice, please consult with a lawyer.

Note: This guide contains information for people that have various different identities and immigration statuses. You may not need all of the types of IDs included in this guide, but we hope you will find the resources useful for the ones that are applicable to you.

Please ensure that you double check that the applications you are using are the most current versions.

Please use the table of contents to find the sections that are relevant to the types of IDs you need to change.

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Introduction to Guide

Gender Marker Change Guide

INTRODUCTION

Are you a transgender, non-binary, or gender non-conforming person in Ontario looking to change your gender marker?

We know that changing your gender marker on legal documents can be hard to navigate. We're here to help with this guide! In the following pages you will find document check-lists, important tips, and additional information about the process of changing your gender marker on a variety of different documents.



Some of the forms and government agencies will use other terms to describe gender marker. For example: sex designation or gender identifier.

USE THIS GUIDE IF YOU:

Are a transgender, non-binary, or gender non-conforming person looking to **change your gender marker**



If you are under 16, Justice for Children and Youth may be able to start the application to the court to waive parental consent requirements should this be required for your situation. See <u>https://jfcy.org/en/</u>for more information.

Are a Canadian Citizen OR Permanent Resident

Notes about the applicability of this guide

- If you are not born in Ontario, you cannot apply to change your birth registration or birth certificate you will need to apply for these changes following your birth province's, territory's or country's guidelines
- If you are a stateless or protected person in Canada, you may still be able to change your gender marker on a travel document

GENDER MARKER CHANGE STEPS

Now that you know you're working with the right guide, let's learn about the steps involved in changing your gender marker. Each of the steps below has a section in the guide that explains the process!



CHANGE YOUR GENDER MARKER

UPDATE YOUR BIRTH CERTIFICATE/ BIRTH REGISTRY **Note:** If you were born in Canada, updating your gender marker on your birth certificate and birth registry will help make updating other IDs easier! BUT, having an updated birth certificate is not necessary for many of the following types of IDs

UPDATE Provincial IDS

UPDATE FEDERAL IDS

OTHER PLACES TO UPDATE YOUR NAME **Driver's License**

- Photo ID card for non-drivers
- Passport
- Travel Document for Stateless or Protected Persons
- Permanent Resident Card
- Citizenship Certificate
- Certificate of Indian Status

A list of other places to consider updating your gender marker after you update government IDs



Change Your Gender Marker

Step 1: Change Your Gender Marker

If you were born in Ontario, your first step will be to complete the **Ontario Application for Change of Sex** Designation on a Birth Registration of an Adult and the Statutory Declaration for a Change of Sex **Designation on a Birth Registration of an Adult**. The application forms are attached at the end of this guide.

If you were born **outside** of Ontario, you will need to consult your birth province's or country's guidelines for changing your gender marker on your birth registration and/or birth certificate.

Information for Step 1 of this guide was found on the Government of Ontario's website at this link: https://www.ontario.ca/page/changing-your-sex-designation-your-birth-registration-and-birthcertificate#section-0. Visit this site for additional information.

In the pages below you will find information about changing your gender marker on your birth certificate and your birth registration. The process works by submitting the forms below to change your gender marker on your Birth Registration. Then by submitting a Request for Birth Certificate form, you can receive an updated copy of your birth certificate that will display the registered gender marker. These pieces of documentation may seem similar but there are a few key differences:

BIRTH CERTIFICATE Legal document used to provide an identity Document that extracts information from the birth registration: Name • Date of Birth • Certificate Number Birthplace Sex • Date of Registration • **Registration Number** • Date Issued



Can be used to obtain: an Adult General Passport, Social Insurance Number, Driver's License, Health Card

BIRTH REGISTRATION



Birth must be registered before a birth certificate can be issued

You can order a certified copy of the birth registration which includes:

- The same information as the birth certificate
- Additional information about the location of the birth, and parental information
- Can be used for: Applying for Indian Status, adopting a child abroad, certain immigration or citizenship applications, Visa application

VS.

SNAPSHOT OF PROCESS



COST \$37

- A fee waiver is being offered for applications received by April 30, 2021
- Costs for a birth certificate or birth certificate with parental information: \$25
- Cost for a certified copy of birth registration: \$35



PROCESS

Deliver completed paperwork by mail to: Office of the Registrar General 189 Red River Road, PO Box 3000 Thunder Bay, Ontario P7B 5W0



This process can be used to change your gender marker to F, M, or X



TIMELINE

6-8 weeks processing time from the date the application is received



WHAT YOU WILL NEED

1. Change Your Gender Marker on Your Birth Registration and Birth Certificate

https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormD etail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=1&ENV=WWE&TIT=11 325&N0=007-11325E

- 2. Statutory Declaration for a Change of Sex Designation on a Birth Registration of an Adult form <u>https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormD</u> <u>etail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=1&ENV=WWE&TIT=11</u> <u>324&NO=007-11324E</u>
- 3. Request for Birth Certificate form https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/For mDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=4&ENV=WWE& NO=007-11076E

Note: Each of these forms requires a variety of additional documents! See the next page for a breakdown of what documents are required for each form. Please always refer to the form for the latest changes or updates in requirements. These are current as of February 2021.

STEPS TO CHANGE YOUR GENDER MARKER

Change all your required documents 1. Form #1: Change Your Gender Marker on Your Birth Registration and Birth Certificate <u>https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/</u> FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=1&ENV= WWE&TIT=11325&NO=007-11325E

This form requires the following:

- i. A letter signed by a practising physician or a psychologist (including a psychological associate) authorized to practise in Canada, on their letterhead showing their licence number
- a. In lieu of this documentation there are some alternatives that are reviewed on a case-by-case basis. These include:
 - A document or certificate issued by a jurisdiction in which you spend your days, sleep, work and carry out activities of daily life with some permanence even if you travel from time to time
 - Other medical evidence if you aren't a domiciled or ordinarily resident
 - A certificate signed by a practising physician authorized to practise in Canada, that complies with the current requirements of s.36 (2)(a) or (b) under the <u>Vital Statistics Act</u>

Note: This is a certificate signed by a medical practitioner that you have had surgery. Please remember this is only one option that fulfils the medical documentation requirement for changing your gender marker and that surgery is NOT required.

- ii. All previously issued birth certificates, birth certificates with parental information and certified copies of the birth registration
- iii. Completed Request for Birth Certificate form

2. Form #2: Statutory Declaration for a Change of Sex Designation on a Birth Registration <u>https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RD</u> <u>R&TAB=PROFILE&SRCH=1&ENV=WWE&TIT=11324&N0=007-11324E</u>

This form requires **one** of the following:

i. A letter signed by a physician or psychologist authorized to practice in Canada, that includes the statements necessary to support your request; **or**



You **do not need** to have had specific medical treatments, like surgery or hormones therapy, to qualify to change your sex marker from M to F or F to M. The letter only needs to meet the four criteria outlined on the first page of the Application for Change of Sex Designation on a Birth Registration of an Adult.

- ii. A document or certificate issued by a jurisdiction in which you were a domiciled or ordinarily resident; or
 - Definition of domiciled and ordinarily: place where you spend your days, sleep, work and carry out activities of daily life with some permanence even if you travel from time to time
- iii. Other medical evidence if you aren't a domiciled or ordinarily resident; **or**
 - A certificate signed by a practising physician authorized to practise in Canada, that complies with the current requirements of s.36 (2)(a) or (b) under the Vital Statistics Act; or

- **Note:** This is a certificate signed by a medical practitioner that you have had surgery. Please remember this is only one option that fulfils the medical documentation requirement for changing your gender marker and that surgery is NOT required.
- More information on the Vital Statistics Act can be found here

This form requires the following:

- i. All previously issued birth certificates, birth certificates with parental information and certified copies of your birth registration
- ii. A completed Application form for a Birth Certificate



If you can find someone from this list that you feel comfortable asking, it will ensure smoother processing of your application. A family doctor or school principal can be a good choice, if you have a good relationship with one of these professionals. If you see a doctor for your gender affirming care, they are likely familiar with this form.





The fee to change your gender marker for:

- A birth certificate or birth certificate with parental information: \$25
- A certified copy of birth registration: \$35

Mail in the completed paperwork to the address below: Office of the Registrar General 189 Red River Road, PO Box 3000 Thunder Bay, Ontario P7B 5W0

WHAT HAPPENS NEXT?



If your gender marker change is approved

The version(s) of your birth certificate that you requested displaying your correct gender marker will be mailed to you



If your gender marker change is rejected

If your application is refused, you may apply in writing to the Deputy Registrar General for your application to be reconsidered



ORDERING A BIRTH CERTIFICATE WITH AN X

This process is for ordering a birth certificate if you have **previously** changed your sex designation to X on your birth registration and simply would like to order a birth certificate that displays an X.



COST First time: \$25 Replacement: \$35



PROCESS

Complete the Request for Birth Certificate form, and mail it to: Service Ontario, Office of the Registrar General 189 Red River Road, PO Box 4600 Thunder Bay, Ontario P7B 6L8 Or, fax it to: 1-807-343-7459 **Note:** This address is ONLY requesting a birth certificate with an X where you have already changed a gender marker to X



TIMELINE

6-8 weeks processing time from the date the application is received



WHAT YOU WILL NEED

Request for Birth Certificate Form See information on page 13 about what this form entails!



ORDERING A BIRTH CERTIFICATE WITH NO GENDER MARKER



If you are applying for a name change (see our other guide), you can automatically request a birth certificate with no gender marker . To do this, there is a box on page 15 of the name change form to check. You will NOT be charged an additional fee for a birth certificate with no gender marker if you check this box during the name change process (other than the fees associated with the name change).



COST

First time: \$25 Replacement: \$35



PROCESS

Complete the Request for Birth Certificate form, and mail it to: Service Ontario, Office of the Registrar General 189 Red River Road, PO Box 4600 Thunder Bay, Ontario P7B 6L8 Or, fax it to: 1-807-343-7459



TIMELINE

6-8 weeks processing time from the date the application is received



WHAT YOU WILL NEED

Request for Birth Certificate Form See information on next page about what this form entails!



ADDITIONAL INFORMATION ABOUT THE REQUEST FOR BIRTH CERTIFICATE FORM

This form is used to order: a birth certificate, a birth certificate with parental information, a certified copy of birth registration, and/or a letter confirming whether a birth is registered.

You may order any and all of these at the same time and each has an individual cost even if ordered at the same time.

Information you'll need to complete the form

Name of doctor, midwife, or attendant at birth and their address

- Parent's birth and marital information: date of birth, marital status when you were born, address at the time of birth, age when you were born, their birthdate, their place of birth
 - If adopted, then enter the information of your adoptive parent(s)
 - If a parent is not available you may use a next of kin: spouse, grandparent, child, sibling may apply but must also provide an affidavit swearing they are the closet surviving next of kin

A guarantor who can verify your identify and confirm information in your application must sign the form

A guarantor can be a:

- Lawyer
- Professional accountant
- Teacher
- Chief of a band recognized under the Indian Act (Canada)
- Notary public
- Social worker

Please see page 3 of the Request for Birth Certificate Form for more options for who can be a guarantor.





Update Your Provincial IDs

Step 2: Update Your Provincial IDs

After your gender marker has been changed on your birth certificate, you may want to update your gender marker on any provincial ID cards that you have, such as:

- Driver's Licence
- Ontario Photo ID Card (for non-drivers)

Ontario Health Cards no longer display gender markers!

If you do not have a birth certificate, that does not prevent you from changing your gender marker on these provincial IDs! The information below will explain what documentation can be provided other than a birth certificate to change your gender marker on provincial IDs.

Information for Step 2 of the guide was found on the Government of Ontario's website at the links below. Visit these links for more information:

- Driver's License: https://www.ontario.ca/page/renew-drivers-licence#section-6
- Ontario Photo Card: <u>https://www.ontario.ca/page/ontario-photo-card#section-9</u>

For these IDs, the basic process is as follows:



COST

Note: If it is your first time applying for a driver's licence or photo ID card, there is a fee. However, if you are only updating your name on an existing ID, it is free.



PROCESS

Apply in person at Service Ontario. Generally, you can complete the forms when you arrive at the Service Ontario centre. However, they are also attached at the end of this guide if you'd like to fill them out in advance. Note: Unfortunately, gender marker change services are not available online (even during COVID-19).

When applying in person Service Ontario will take new photographs for your IDs.



TIMELINE

You will immediately receive updated paper copies of your IDs. Cards will arrive in the mail about 4 weeks later.





WHAT YOU WILL NEED

An original and valid document that indicates your correct gender marker:

- Birth certificate; or
- Birth certificate with parental information; or
- Certified copy of birth registration
- If you don't have one of the above you will need the following:
- 1. A letter from a doctor or a psychologist (or psychological associate)



You do NOT need to have undergone any specific transition-related medical treatment (such as surgeries or hormones) in order to change your gender marker. This letter only needs to meet the following guidelines: 1) Be on the doctor's official letterhead, 2) State that the doctor has examined or treated you, and that the change in sex designation is appropriate, 3) Be signed by the doctor.

- 2. A letter from you that includes:
 - The change you'd like to make
 - Your full name
 - Your current address
 - Your driver's licence number
 - The name and address of the doctor or psychologist, who has assigned the letter in support of the change

Note: If you'd like to change the gender marker on your Ontario Photo Card or your Driver's Licence to an X, you do NOT have to bring any supporting documents. Just visit a Service Ontario Centre near you.



When you change your driver's license to an X, your assigned sex at birth will still remain in the Service Ontario's database. Your temporary (paper) license or ID (given to you when you apply at Service Ontario) will temporarily display your assigned sex at birth. Each time you renew or change the information on your license or ID, the temporary paper versions will unfortunately display an F or M. However, the ID cards will display an X.



Second

Update Your Federal IDs

Step 3: Update Your Federal IDs

Not all Canadian citizens, permanent residents, or stateless persons have a passport or travel document. However, if you already have one, or wish to apply for one, then the information below will be helpful.

CANADIAN PASSPORT

This section applies to Canadian citizens only. Permanent and temporary residents are not able to get Canadian Passports. There is a section on updating a Permanent Resident Card or acquiring a travel document for stateless persons included later in the guide.



COST

Applications made in Canada 5-year validity – CAN \$120 10-year validity – CAN \$160

Applications made from the USA 5-year validity – CAN \$190 10-year validity – CAN \$260 Approx. \$10-\$20 for professional passport photos

If done with application to change your name on a passport - 0



If you are submitting an application to change your name on your passport, you can change your gender marker at the same time so that you don't have to pay the fee twice. If you have changed your name previously, and later are applying to change your gender marker then the full fee will be charged again because you are submitting a new passport application.



PROCESS

Deliver completed paperwork in one of three ways:

- In person at a Passport Program Office
- In person at a participating Service Canada Centre
- Or by mail to: Passport Program Gatineau, QC K1A OG3 Canada



- When you apply for a new passport that reflects your correct gender marker, you must provide supporting documents: proof of citizenship, proof of immigration status, **or** a previous passport
- If your supporting IDs **already** display the gender marker that you'd like to be displayed on your passport then you may not need any other documentation
- If your supporting IDs display a different gender marker than what you'd like to appear on your passport, then fill out the:
 Adult Concret Provide the form (PDTC 152) (PDF 421 C4KP); and

<u>Adult General Passport Application form (PPTC 153) (PDF, 421.64KB)</u>; and <u>Request – Sex or Gender Marker – Adult 16 Years of Age or Older form</u>

- There are three options for the "sex" (gender marker) field on passports for Canadians
 - F
 - M
 - Х

Unfortunately, not all foreign governments will recognize passports with an X gender marker. Passports with an X marker may restrict your ability to travel to some countries.



You can consult travel guides or blogs to find anecdotal evidence about how travel requirements in certain countries work in practice.



TIMELINE

- In person at passport office: 10 business days
- In person at a Service Canada receiving agent: 20 business days
- By mail: 20 business days

These don't include mailing time



WHAT YOU WILL NEED

There is a full explanation on the next page about the documents and steps to take when applying for a passport

STEPS



Any of the following supporting documents are accepted:

1. Proof of Citizenship

• This includes: Canadian birth certificate or citizenship document



If you need new proof of Canadian citizenship documents then you can apply for a birth certificate if you were born in Canada and you can apply for a citizenship certificate if you were born outside Canada.

- Do **NOT** laminate these documents unless it was originally laminated by the agency that issued the document
- All documents will be returned to you

2. Proof of Immigration Status

- Valid permanent resident card, temporary resident permit, notice of decision from the immigration and refugee board, IRCC verification of status document, or a pre-removal risk assessment results letter
- A previous valid passport or any Canadian travel document issued within the last six years
 - If you want the cancelled passport to be returned, then indicate this on section two of the application form
 - The passport must still be valid or have expired within the past year, is the original passport (not a photocopy), the name on the passport and the application are the same

3. Do Your Supporting Documents Show Your Correct Gender Marker?

- If your supporting documents **show** the gender marker you want, then, you don't need to provide any other documentation if
 - Your previous passport or your verification of status documents has the "X" observation sticker; or
 - Your proof of citizenship, proof of immigration status, or previous passport has the same gender marker as what you want
- If your supporting documents **don't show** the gender marker you want
- Complete a gender marker form and submit it with your new passport application **Request – Sex or Gender Marker – Adult 16 Years of Age or Older (PPTC 643)**

Fill in the application

The application form will ask or a range of personal information <u>Adult General Passport Application form (PPTC 153) (PDF,</u> <u>421.64KB)</u>

3	Find one guarantor and two references	A guarantor is someone that can verify your identity and application. Compared to changing your gender marker on your birth certificate, there are fewer requirements for guarantors for passport applications. The person simply needs to have known you for two years and must not be related to you. They must also hold a Canadian Passport. Instructions for the guarantor are found in Section J of the application. References are additional adult persons who have known you for at least two years, and are not related. You will need two references.
4	Get passport photos taken	This can be done at most photo studios, and many pharmacies, corner stores, office supply stores, and more. The cost is typically around \$10-\$20.
5	Pay the fee	The fee will depend on the type of passport you're applying for. The different costs are listed at the top of this section of the guide.





DOCUMENT CHECKLIST

Proof of Citizenship, which may display your correct gender marker or your assigned gender marker at birth

- Your birth certificate if you were born in Canada, or
- Your certificate of citizenship if you are a naturalized citizen (not born in Canada)

Proof of Immigration Status Documents

• See list of possible documents on page 20

The Adult General Passport Application Form



Any valid Canadian travel documents issued to you

• Passport, certificate of identity or refugee travel document

Two valid passport photos, taken at a passport photo studio

• One must be verified and signed by your guarantor on the back

PERMANENT RESIDENT (PR) CARD

This section of the guide applies to people that already have their permanent residency, and are looking to change their name on their PR card. For folks with other immigration statuses, unfortunately you cannot use the process in this guide to get your first PR card.



If you are interested in becoming a Canadian Citizen, before you apply for your new PR card, you can check your eligibility for citizenship at this link: https://eservices.cic.gc.ca/rescalc/resCalcStartNew.do?&lang=en

If you are eligible for citizenship, you can submit name and gender marker change documents at the same time that you apply for citizenship.

SNAPSHOT OF PROCESS



COST

\$50, plus \$85 for the collection of biometrics (fingerprints) for some applicants. You are required to provide biometrics ONLY if:

- You applied for your PR on or after July 31, 2018, and
- You were less than 14 years old at the time you applied for your PR, and
- You are older than 14 years old now
- If these three criteria describe you, you will have to pay an additional \$85 fee, and will receive a letter instructing you on how to collect your biometrics AFTER you submit your PR card application



PROCESS

You will have to apply for a new Permanent Resident Card through the normal PR card replacement process (steps described on next page)



TIMELINE

Estimated 100-day processing time



WHAT YOU WILL NEED

There is a full document checklist following the "Steps" section on the next page



STEPS

Gather all your required documents

- 1. Your current PR Card
- 2. A photocopy of a primary identity document, which could include:
 - Your current passport or travel document
 - The passport or travel document you had when you became a permanent resident
 - Certificate of identity or travel document issued by the Minister of Immigration, Refugees and Citizenship Canada or a foreign country
- 3. Two photos that meet the specifications in the application form
- 4. For people under 18, a clear and legible photocopy of one of the following documents:
 - Your birth certificate;

TIP

- If you have a legal guardian, submit legal documentation issued by a Canadian court which proves guardianship; or
- A photocopy of your school records (report cards, transcripts, attendance records)
- 5. A completed copy of <u>Request form for a Change of Sex or Gender Marker [CIT 0404]</u>
- **6.** Optionally, if you are changing your name at the same time you can submit the above form with your change of name documentation. Changing both at the same time will save time and money.



If your documents are not in English or French, they will need to be translated. You can do this by either:

- Working with a certified translator, or
- Getting the documents translated by someone who is not related to you. However, if they are not a professional translator, they will need to sign an affidavit in front of a commissioner or notary public (see the name change guide steps for a description of how to do this)

NOTE: The website states: In exceptional cases, if it is impossible for you to obtain any of the primary identity documents, you must provide a:

- Photocopy of any identity document issued outside Canada before you came to Canada, or
- Statutory declaration signed by you attesting to your identity, and
- Statutory declaration also attesting to your identity signed by:
 - A person who knew you before you came to Canada (such as a family member) or
 - An official of an organization representing people from your country of nationality or past residence.

A statutory declaration is a statement used to assert the truth of any fact or facts or of any account in writing. A statutory declaration has the same legal effect as evidence given under oath, therefore all statutory declarations must be certified by an accredited commissioner of oaths.

Visit: https://www.canada.ca/en/immigration-refugeescitizenship/services/application/application-forms-guides/guide-5445-applying-permanent-resident-card-card-first-applicationreplacement-renewal-change-gender-identifier.html#5445E5 Fill in the application • The application form will ask for a range of personal information and immigration history form • The application form will also require you to list every time you have been outside of Canada in the last five years, or since you became a PR • You will need to fill in an additional form to request your gender marker change. It is located at this link • Youth under 18 need a parent or guardian signature on their forms The fee for a new PR card is \$50. If you require biometrics, there is an additional fee of \$85 • You must pay your fees online using a credit card or debit card before Pay the fees

- submitting your application. No other payment types are accepted.
- You must print your payment receipt and include it with your application

Mail your forms

Mail the completed paperwork to the address below: Case Processing Centre — PR Card P.O. Box 10020 Sydney, NS B1P 7C1 Canada



CANADIAN CITIZENSHIP CARD APPLICATION

This process is to acquire a new citizenship certificate for naturalized citizens (current Canadian citizens born outside of Canada). It is not the process to acquire your original Citizenship grant. If you are applying for citizenship for the first time, follow the process at <u>this link</u> instead.

SNAPSHOT OF PROCESS



COST

- Processing Fee: \$530
- Right of Citizenship Fee: \$100



PROCESS

- Follow the steps for an Application for a Citizenship Card: i. Download, Print and Complete all Forms
 - ii. Collect Documents Needed
 - iii. If documents are in a different language than English or French, translations combined with an affidavit from the person who did the translation (not a family member) must be provided
- Provide the documents that demonstrate you legally changed your name (Name Change Certificate)
- Mail Documents to: Case Processing Centre Sydney-Proofs P.O. Box 10000 Sydney, Nova Scotia B1P 7C1



Make sure all forms are signed and dated! Otherwise, they will be returned and processing will take much longer.



TIMELINE

- Processing time can be up to 5 months
- This process can take another 3-4 months if applying from outside of Canada. There is the option for urgent processing but this is generally limited to certain cases of urgent travel, access to benefits or proof for employment.



There is a tracking platform in which you can check the status of the citizenship application online. You can also update the application if need be through the online Web Form.



WHAT YOU WILL NEED

- Application for Citizenship Certificate, complete, signed and dated
- Two Citizenship Photographs, which can be taken at any passport photo studio and use the same specifications as passport photos
- Two pieces of Personal Identification
 - Examples: Driver's License, Age of Majority Card, Passport, Certificate of Indian Status Card, Health Insurance ID, Senior Citizen's Card, Travel Document
- Proof of Payment
- Submit the Request form for a Change of Sex or Gender Marker
 - This can be submitted at the same time as the Name Change
- If applicable:
 - Use of Representative For translation
 - Statutory Declaration Request of change of sex or gender form, signed and dated
 - Legal Name Change Certificate
 - All original citizenship certificates, retention documents or registration of birth abroad certificate (if previously issued citizenship)
 - If born in Canada without a citizenship certificate, birth certificate/other nationalities acquired by you and your Canadian parent before Feb 1977
 - If born outside of Canada, must provide original Birth Certificate, proof of all nationalities, proof of Canadian citizenship of parent and any supporting documents supporting relationship between parent and applicant
 - Any immigration documents demonstrating citizenship and landing and British status (if applicable, please see website for more information)



To save money and cut down on processing time, if applicable, it is better to apply for both a gender identifier change and name change at the same time due to the long processing time and the higher fees associated with the citizenship process.

Information for changing citizenship certificates was found on the Government of Canada's website at this link: <u>https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-0001-application-citizenship-certificate-adults-minors-proof-citizenship-section-3.html</u>

CERTIFICATE OF INDIAN STATUS CARD



COST

\$0



PROCESS

- 1. Complete the **Secure Certificate of Indian Status Application for Already Registered Persons**, with the reason for application being "Replacement (changes to personal information)
 - For Changing Gender Marker, select in Section 1 which gender, M/F/X you would like to have appear on the status card
- 2. Gather all relevant documents. Original copies will be returned.
- Bring application to the nearest regional office OR mail application to: National Registration Processing Unit 10 Wellington Street Gatineau, Quebec K1A OH4



TIMELINE

16 weeks for Complete Applications (not including mail time)



WHAT YOU WILL NEED

1. Two passport-style photographs

- One photograph must be signed by the guarantor and say "This is the true likeness of the (Name of applicant/child/dependent adult)" on the back of the photograph
- Date when the photos were taken and the information (name and address) of the studio/person who took the photo on the back of each photo
- 2. Identity Documents (Adult Applicant or Consenting Parent)
 - Original Proof of Birth Document
 - Birth certificate listing name of parents (required) from Canada, Quebec, US or country other than Canada or US
 - Document must be in English or French
 - Long Form Birth Certificate must be submitted to show changed gender

3. Name Linking Document

- If the original name does not match the name on the application, Name-Linking documents must be provided to show this link
- Examples: Legal Name Change Certificate, Marriage Certificate, Common-Law Certificate, Court Order, Resumption of Surname Certificate

4. Supporting Identity Documents

- **Option 1:** An identity document that provides full name, date of birth, photo and signature (i.e., passport, driver's license, ID card, health card, citizenship card, PR card)
- **Option 2:** More than one identity document that together demonstrate full name, date of birth, photo and signature (i.e., health card, US passport, NEXUS card, government employee ID card, PR card without signature, firearms license)
- Guarantor (to confirm the identity of the applicant)
 - Must be 18 years of age, reside in Canada or US, be reachable by phone for verification and must have known the applicant personally for at least 2 years
 - Parent/Guardian cannot be a guarantor but a family member can be if they meet the criteria outlined above
 - MUST fill out Guarantor Declaration Form
 - Sign and date photocopies of the documents that support the applicant's identity



TRAVEL DOCUMENT FOR STATELESS AND PROTECTED PERSONS IN CANADA



COST \$160



PROCESS

- **1. Complete the Adult Travel Document Application (PPTC 190)**
 - Be sure to sign each page of the application!
- 2. Complete the Request Sex or gender marker Adult 16 years of age or older [PPTC 643] form to be included with the Travel Document **Application**

3. Find a guarantor and two references

- The guarantor will sign your application, the back of one passport photo, all photocopies of any supporting identity documents (front and back)
- "Mother's maiden name" may not apply to everyone, if it doesn't apply to you:
 - Cross out the expression on the form and write "parent's surname at birth"
 - Fill in the field with the surname (last name) at birth of one parent
 - Write your initials in the margin

4. Mail the complete application to:

OSC PPT-COL PO Box 8783 STN T CSC Ottawa. ON K1G 5G8 **Note:** It's suggested to use a certified courier or traceable mail service

If using a courier:

Centralized Network - Certificate of Identity Section Place du Centre, Commercial Level 2 200 Promenade du Portage Gatineau, QC J8X 4B7

COVID-19 Note: In-person applications are currently unavailable



TIMELINE

20 days from the arrival of your application, this does not include return mailing time

DOCUMENT CHECKLIST



A photocopy of your proof of immigration status in Canada

- This can be: valid permanent resident card, temporary resident permit, notice of decision from the Immigration and Refugee Board, IRCC verification of status document, or a pre-removal risk assessment results letter
- You can apply for these ID's in Ontario and then after receiving them, submit the travel document application

Document(s) to support identity, which must include your new name, date of birth, photo and signature

- ID must be from a federal, provincial, territorial, state government authority or equivalent abroad
- You can use: Driver's license, foreign passport, non-driver license, ID card issued by federal, provincial or territorial government, government employment identification
- **COVID Note:** If your ID is expired it will still be accepted as long as it meets the ID requirements. This does NOT apply for Canadian passports you CANNOT use expired passports as proof of your identity.



Two valid passport photos

- Must be taken by a commercial photographer and the back of one of the photos must be stamped with: the date the photos were taken AND the name and complete address of the photo studio
- The guarantor must write on the back of one photo: "I certify this to be a true likeness of (applicant's or child's name)" and sign their name







Other Places to Update Your Gender Marker

Step 4: Other Places to Update Your Gender Marker

Once your gender marker and IDs are in order, there are many other places that you may need to update your gender marker. The process will look a little different for each of these, so this list is just to jog your memory about some of the places that your gender maker might be on file:

- 1. Schools, Colleges, and Universities
- **2. Doctor's and Dentist's Offices**

Provide your correct gender marker to your medical care team

- **3. Elections Canada**
- 4. Extended Health Benefits
- 5. Any Legal Documents, such as Wills, Estates, and Power of Attorney





Resources

Resources

We hope you've found this guide helpful! Below are a variety of resources and services that may help support you through this process by answering burning questions, provide legal services, or make further referrals.

The availability of these services is current as of March 2021 and they may change.

Free Legal Advice

The 519 Virtual Trans ID Clinic

Description: The 519 offers free legal assistance via video call for ID applications and other related needs. This is by appointment only during COVID. Email **<u>TransIDClinic@The519.org</u>** to book an appointment.

Dates: Monday-Friday 10:00am – 7:00pm, Saturdays 10:00am – 5:00pm **Location:** 519 Church St

Website: https://www.the519.org/events/virtual-trans-id-clinic

The 519 Legal Clinic: Over-the-Phone Support

Description: Summary advice to respond to legal needs during COVID-19. This includes (but not limited to) immigration/refugee law, issues with police, and mental health law. To book an appointment call 416-392-6874 or email **LegalClinic@The519.org Dates:** Tuesdays and Thursdays, 6-8:30pm

Website: https://www.the519.org/events/phone-legal-clinic

Queer Justice Project – Hamilton Community Legal Clinic

Description: The Queer Justice Project is designed to address unmet legal needs of the LGBTQ+ and Two Spirit ['queer'] community in Hamilton. It serves as a resource for education, system navigation, and access to justice for queer people.

Services We Offer: Assistance with navigating the bureaucratic process and completing applications correctly; Providing free notarial services; Peer support; At this time, we cannot cover the fees associated with the process, but we may be able to provide referrals to other services which can provide financial assistance; For more complicated situations, we may be able to provide further legal support; offer ID clinics.

Address: Hamilton Community Legal Clinic

100 Main St E, Suite 203 (2nd Floor) Hamilton, ON L8N 3W4 **Date:** Contact them for information on where and when sessions will take place **Phone:** 905-527-4572

Website: <u>https://queerjustice.ca</u>

CLASP - ID Clinic

Description: The ID clinic helps individuals obtain identification and can assist with the government document to ease the application process. You will be assisted by law students who are supervised by a licensed lawyer. To book an appointment call 416-736-5029.

Dates: Fridays, 12:30 to 4:30pm

Location: All appointments are being conducted virtually

Eligibility criteria can be found here: <u>https://www.osgoode.yorku.ca/community-</u> <u>clinics/welcome-community-legal-aid-services-program-clasp/apply-clasps-services/</u>

Resources for Refugees and Newcomers

519 - Mock Hearing Program for LGBTQ Refugee Claimants

Description: The 519 provides guidance for IRB hearings by facilitating mock hearings. These hearings are hosted by trained immigration and refugee lawyers, law students, and the 519 staff. Each session hosts one claimant.

Dates: 3-4 sessions per week, based on capacity **Location:** 519 Church St

519 – Settlement Support: For Refugees and Newcomers

Description: The 519 provides information and support with filling out government applications. To book an appointment call 416-392-6878 ext. 4000.

Dates: Monday-Friday, 9:30am-4pm

Location: 519 Church St

Website: https://www.the519.org/programs/settlement-support-program

YWCA Hamilton & Speqtrum : 2SLGBTQIA+ Newcomer Youth Community Support program

Description: Get settled in your community; prepare for work in Canada and find a job; meet friends and make connections; get counselling and supports; find your people and a safe environment.

Website: <u>https://www.speqtrum.ca/newcomer</u> and <u>https://www.ywcahamilton.org/join/</u> Contact: Noura Afify

289-439-6154 newcomer@speqtrum.ca



Community Resources

Rainbow Health Ontario

Description: Rainbow Health Ontario created a directory to help you find a health and social service provider who has expressed a commitment to providing competent and welcoming care to LGBT2SQ people in Ontario. Please note that the providers listed have not been screened and that RHO cannot guarantee the quality of service. If you're interested in browsing the programs or services then visit the link below.

Website: <u>https://www.rainbowhealthontario.ca/lgbt2sq-health/service-provider-</u> <u>directory/</u>

Positive Space Network - Halton Region

Description: The Positive Space Network builds community and creates safer spaces for 2SLGBTQ+ youth ages 6-24 in Halton Region by creating youth-focused programming, providing mental health support and cultivating community partnerships. Contact PSN's Resource coordinator to be able to connect folks to local services and resources within the community.

Website: https://positivespacenetwork.ca/

Contact: Resource Coordinator, Sarina Sarraf 289-208-0886 **sarinas@rockonline.ca**

Sherbourne Community Health Centre

Contact: REX, Pride Program and Specialized Supports Coordinator, Pronouns (He/Him/His) 647-864-5996

terrence.rodriguez@rexdalechc.com

www.rexpride.ca

Facebook/Instagram: @rexdalepride

Address: Rexdale Community Health Centre 301-222 Dixon Rd, Toronto, Ontario, Canada M9P 3S5

Out and Proud Program

Contact: Children's Aid Society of Toronto 416-924-4640 x2987

lgale@torontocas.ca

Address: 30 Isabella St., 4th floor, Toronto, Ontario M4Y 1N1

