**Intersex Children Protection Act 2018**

**As passed**

The Hon. Drunk\_King\_Robert MP

**A Bill for an Act to protect the bodily autonomy of intersex individuals.**

**The Parliament of AustraliaSim enacts the following**

**PART 1 - PRELIMINARY**

**1. Short Title**

This Act may be cited as the *Intersex Protection Act 2018*

**2. Commencement**

This Act is to commence on the day it receives Royal assent.

**3. Objects of this Act**

1. The aim of this act is to establish regulations limiting the practice of Intersex Medical Interventions, so that:
	1. The right of informed consent for medical procedures is enforced for intersex children.

**4. Definitions**

In this Act:

**Intersex Medical Interventions** refers to medical procedures, whether surgical or hormonal, used to modify atypical sex characteristics so as to more closely conform to either male or female sex characteristics.

**Age of Majority** refers to the age at which a person becomes a legal adult.

**Minor** refers to any person under the Age of Majority.

**Medical Practitioner** means a person who is registered under a law of a State or Territory as a medical practitioner.

**Psychiatrist** means a person who is registered under the Health Practitioner National Law (National Law) as in force in each state and territory registered as a Specialist psychiatrist and is a fellow of the Royal Australian and New Zealand College of Psychiatrists.

**PART 2 - APPLICATION**

**5. Intersex Medical Interventions on minors**

1. The practice of Intersex Medical Interventions on minors is prohibited.
	1. Penalty: Revocation of medical license and up to 1000 penalty units.
2. Exceptions are available in cases where:
	1. The child both –
		1. Has the approval of 1 different Medical Practitioners;
			1. Requires an Intersex Medical Intervention for any physically life threatening conditions.
3. Exceptions are available for hormone based treatments in cases where:
	1. The child-
		1. Expresses their wish to transition to male or female over a period of at least 6 months;
		2. Has the approval of 2 different Medical Practitioners;
		3. Has the approval of a legal guardian, or of an appropriate court in the lack or disapproval of such;
		4. the approval of a psychiatrist.

**6. Intersex Medical Interventions for those above Age of Majority**

1. Intersex Medical Interventions may be provided to consenting adults at or above the age of majority.
2. Consent shall be validated by an affidavit swearing that the consenting party is:
	1. At the age of majority; and,
	2. In full capacity to make legal decisions; and,
	3. Is making said decision without any coercion, pressure, or under the influence of any medication or drug; and,
	4. Has been fully informed of all potential dangers, side effects, or other knowledge that may prevent an individual from consenting to an Intersex Medical Intervention.

Penalty: Revocation of medical license and up to 1000 penalty units on failure to meet this criteria for consent.