

→ CHANGING NAMES, GENDER AND MARITAL STATUS

NAME

👤 A name change in RSA is a simple process of filling in forms, supplying photos and paying a fee at Home Affairs.

👤 You do not need to motivate why you want to change your name.
Important! Merely changing your name (e.g. from Jacob to Janine) does not change your legal gender.

GENDER

👤 You can change your legal gender, with a different application.

👤 You do not have to have surgery to change the gender in your ID or passport.

👤 You need two letters from your medical professionals (e.g. a medical doctor, psychologist or social worker) that say you have had "gender reassignment".

👤 The law says "gender reassignment" can include different forms of medical treatment or surgical procedures.

👤 Medical treatment on its own makes you eligible for an amendment of your ID.

👤 The process of gender reassignment will differ from person to person and you do not need to undergo all the available procedures..

MARRIAGE

Should a medical or government official de-mand that you dissolve your marriage before you may change your gender they are acting outside of the law and violating your rights.

Contact Gender Dynamix for assistance with your application.

GENDER → DYNAMIX

VISION

Gender Dynamix envisions a society where everyone is free to express their gender, within, across and beyond the male-female binary without fear of discrimination.

MISSION

Using a human rights framework, we undertake to support transgender people to access and advocate for their rights; increase awareness and visibility of transgender people in South Africa; promote freedom of expression of gender identity; focusing on transgender, transsexual and other gender non-conforming people. We assist significant others, family, friends and colleagues of trans people with information and education. We lobby government, civil society, national and international decision-makers and the media to combat prejudice against transgender people; and we strive to play an integral role in transgender activism in South Africa, Africa and globally by participating in relevant human rights networks.



📌 Join our Gender Dynamix Facebook page and group! Sign up for our newsletter.

→ CONTACT US

📧 www.genderdynamix.org.za
✉ info@genderdynamix.org.za



→ MY RIGHTS AS A TRANSGENDER PERSON IN SOUTH AFRICA



The Bill of Rights in the Constitution says the following about the rights of all South African people - and that includes Transgender people!

- +👤 We have freedom of expression including the freedom to express our gender identity.
- +👤 Equality for all.
- +👤 It prohibits unfair discrimination on the basis of one's sex, gender or sexual orientation. Please note both sex and gender are mentioned which means the constitution acknowledges that your gender identity can be different from the sex of your body.
- +👤 We have the right to dignity.
- +👤 We have the right to privacy (including the right not to have one's person searched).
- +👤 The right to bodily and psychological integrity (including the right to security in and control over one's body).
- +👤 Freedom of belief and opinion.
- +👤 The right to have access to appropriate health care services.

It is illegal to discriminate against persons who are transgender and you can use these legal protections to challenge unfair treatment.

In a groundbreaking case a mother from East London challenged the dress code of a high school when her transgender son was forced to wear a girl's uniform. The Superintendent General of Education in the Eastern Cape issued a statement that encouraged schools to reform and promised measures by the department that would lead to reform in schools.



→ SPORT

There are many debates and medical arguments around the use of hormones and participation in sport for transgender people. South African laws have not yet been challenged to accommodate transgender people with specific mention but our constitution and equality laws allows for transgender people to demand their rights in this field. Contact Gender DynamiX if you would like assistance to pursue such a matter.

→ TRANSGENDER EMPLOYEE

An employer may not discriminate against you if you are transgender or if you undergo a gender transition in the workplace. In 2010 there was a labour case where the judge said that the employer should practice what it preaches.

“It has a policy against discrimination yet it wanted the applicant to hide the fact that she was a transsexual. Unfair discrimination in the workplace should not be tolerated at all costs.” - Judge

The transgender person in this case won her case and the employer was found guilty of discrimination.

→ TRANSGENDER PEOPLE WITH CHILDREN

People who express gender, change gender, or just wear cross gender clothes in public or at home are within their rights and may not suffer any prejudice or fear for the loss of their children.



→ TRANSGENDER AT SCHOOL

EDUCATORS

- The department of education has a policy that stipulates that all learners should have an environment in which they will thrive and all its policies defer to the power of the constitution.
- Teachers are required to respect a code of conduct and to vow to "respect the dignity and rights of all persons without prejudice".
- All schools should have an anti-bullying and safety policy in place to deal with such cases.

LEARNERS

- Have an equal right to education.
- Have the right to not be bullied or suffer prejudice from teachers because of gender identity.
- Have the right to wear the school uniform which agrees with their gender identity.
- Have the right not to be barred from participating in certain activities just because of being transgender.
- It is not only a right, but also a responsibility to report bullying or prejudice to authorities.
- Gender variant children are minority groups that deserve protection.

PARENTS OF A TRANSGENDER CHILD

Parents of transgender children have the right to challenge discriminatory systems i.e. policies, processes and procedures pertaining to their child(ren) at schools or any other space children occupy.



→ HEALTH RIGHTS

The Bill of Rights states that everyone has the right to have access to health care services. This means:

- ✓ You have the right to undergo various gender reassignment procedures (including surgery, hormonal treatment and other procedures) to the extent that you want and in the order you want.
- ✓ It is your right to find the appropriate person to treat you. The medical sector sometimes requires a diagnosis of gender dysphoria (or gender identity disorder, or transsexualism) by a medical professional such as a psychologist or psychiatrist before you can access treatment. Some professionals may be more knowledgeable and flexible in their treatment options than others.
- ✓ It is your right to seek a second opinion and to obtain treatment that puts your psychological and health interests and needs first.
- ✓ If you are not satisfied with the service of the public health system, it is your right to challenge government to supply you with the relevant services dealing with your condition.
- ✓ Many transgender people suffer prejudice at health care institutions because of their gender presentation. This is against the South African constitution and other discrimination laws. Every citizen of this country can hold public health care providers accountable.



**TRANS-
GENDER.**
IT'S NOT A
GAY OR
STRAIGHT
THING. IT'S
ABOUT MY
GENDER.