

# DIARIO OFICIAL (OFFICIAL GAZETTE)

I  
SECTION

OF THE REPUBLIC OF CHILE  
Ministry of the Interior and Public Security

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## LAWS, REGULATIONS, DECREES AND RESOLUTIONS OF A GENERAL NATURE

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Num. 42.225

Monday 10 of December, 2018

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### General Norms

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CVE 1508085

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#### MINISTRY OF JUSTICE AND HUMAN RIGHTS

LAW NO. 21.120

#### RECOGNIZES AND PROTECTS THE RIGHT TO GENDER IDENTITY

Considering that the H. National Congress has approved the draft law originated in a motion of the honourable senator Mrs. Ximena Rincón González and Mr. Ricardo Lagos Weber and Mr. Juan Pablo Letelier Morel and of the former senator Mrs. Lily Pérez San Martín and Mr. Camilo Escalona Medina,

Draft law:

#### TITLE I

#### OF THE RIGHT TO GENDER IDENTITY

**Article 1°.- RIGHT TO GENDER IDENTITY AND TO THE RECTIFICATION OF SEX AND REGISTRY NAME.** The right to gender identity consists in the liberty of any person whose gender identity does not coincide with her/his sex or birth registration, to request the rectification of these.

For the purposes of this law, the gender identity will be understood as the personal and internal conviction of being a man or woman, just as the person perceives her/his self, which may or do not coincide with the sex and name verified in the Birth Registration Act.

The mentioned in the foregoing paragraph, may or do not involve the appearance modification or the corporal function through medical, surgical or other similar treatments, always that they are freely chosen.

**Article 2°.- PURPOSE OF THE LAW-** The purpose of this law is regulate the procedures in order to access to the rectification of birth certificate of a person in relation to her/his sex and name, before the respective administrative or judicial body, when the birth certificate do not coincide or it is not consistent with her/his gender identity.

In no case, the administrative or judicial body, depending on the case, may request for appearance modification or corporal function of the applicant, through medical, surgical and other similar treatments, to run, reject or receive the rectifications mentioned in the foregoing section.

**Article 3°.- SPECIFIC GUARANTEE DERIVED FROM THE IDENTITY OF GENDER.** Everyone has the right to be recognized and identified in accordance with his or her gender identity, once the correction regulated by this law has been made, in the public and private instruments accrediting his or her identity with respect to the name and sex, in accordance with the provisions of this law. In addition, images, photographs, digital media, computer data or any other instrument with which persons appear in official records shall be consistent with that identity.

**Article 4°.- GUARANTEES ASSOCIATED WITH THE ENJOYMENT AND EXERCISE OF THE RIGHT TO GENDER IDENTITY.** Everyone has the right:

a) To the recognition and protection of gender identity and expression. Gender expression means the external manifestation of the person's gender, which may include

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ways of speaking or dressing, body modifications, or forms of behavior and social interaction, among other aspects.

b) To be recognized and identified according to their gender identity and expression in public and private instruments that accredit their identity with respect to the name and sex, in accordance with the provisions of this law. In addition, images, photographs, digital media, computer data or any other instrument with which persons appear in official records shall be consistent with that identity.

c) To the free development of her/his person, according to her/his identity and gender expression, allowing her/his greatest possible spiritual and material realization.

No natural or legal person, rule or procedure may limit, restrict, exclude, suppress or impose other requirements than those contemplated by this law for the exercise of this right. It shall not be a condition for the recognition of the right to gender identity to have undergone any type of intervention or treatment modifying the appearance.

The foregoing is without prejudice to the legitimate exercise of the fundamental rights recognized in the Political Constitution of the Republic and the international human rights treaties ratified by Chile and in force.

**Article 5°.- PRINCIPLES RELATING TO THE RIGHT TO THE IDENTITY OF GENDER.** The right to gender identity recognizes, among others, the following principles:

a) Principle of non-pathologization: the recognition and protection of gender identity considers, as an essential aspect, the right of all trans people not to be treated as sick.

b) Principle of arbitrary non-discrimination: State bodies shall ensure that, in the exercise of the right to gender identity, no person is affected by distinctions, exclusions or restrictions that lack reasonable justification, in the terms of article 2 of Law No. 20,609, which establishes measures against discrimination.

c) Principle of confidentiality: everyone has the right, in proceedings before an administrative or jurisdictional authority, to have the confidential nature of the data considered as sensitive data safeguarded, in the terms indicated by Article 2(g) of Law No. 19,628 on the protection of privacy.

d) Principle of dignity in treatment: State bodies must respect the intrinsic dignity of persons, emanating from human nature, as an essential axis of the fundamental rights recognized by the Political Constitution of the Republic and by the international treaties on human rights ratified by Chile and in force.

Everyone has the right to be treated with kindness and respect by the State bodies at all times and in all circumstances.

e) Principle of the best interests of the child: State bodies shall guarantee to all children and adolescents the maximum satisfaction in the exercise and full and effective enjoyment of their rights and guarantees, in the terms of article 3 of the Convention on the Rights of the Child.

f) Principle of progressive autonomy: every child or adolescent may exercise his or her rights on her or his own behalf, in accordance with the evolution of her or his abilities, age and maturity.

The father, mother, legal representative or person legally responsible for the personal care of the child or adolescent shall provide guidance and direction in the exercise of the rights provided in this Act.

## TITLE II

### OF THE PROCEDURE OF RECTIFICATION OF SEX AND REGISTRY NAME

**Article 6°.- GENERAL REQUIREMENTS FOR ALL APPLICATIONS.** Without prejudice to the provisions of Titles III and IV of the present law, every request for rectification of sex and registry name shall contain the first name or names with which the interested person intends to replace those appearing in her/his birth certificate, as well as the request to rectify the documents with which the person was identified before the Civil Registry and Identification Service, regardless of the medium in which they are kept in the Service.

However, those who manifest the will not to modify their first names, may keep them, as long as they are not mistaken about their new registered sex.

**Article 7°.- APPLICATION FOR RECTIFICATION EFFECTED BY FOREIGNERS.**

Foreigners may only rectify their sex and name for the purposes of issuing Chilean documents, complying with the requirements established in this law. To do so, they must register their birth at the Santiago office of the Civil Registry and Identification Service. Likewise, in the corresponding rectification procedure, foreigners must always prove their permanent residence in Chile.

**Article 8°.- OF THE RESERVATION OF PROCEDURES AND OF THE INFORMATION LINKED TO THEM.** The procedures of this law will have the character of reserved with respect to third parties, and all the information linked to them will be considered as sensitive data, and must be treated in accordance with the provisions of the law No. 19,628 on the protection of privacy. The foregoing is without prejudice to the duties of information indicated in article 20 of this law.

## TITLE III

THE ADMINISTRATIVE PROCEDURE FOR RECTIFICATION OF THE REGISTRATION  
RELATING TO SEX AND NAME APPLIED FOR BY AN ADULT WITHOUT A MARRIAGE  
RELATIONSHIP IN FORCE

**Article 9°.- OF THE APPLICATION FOR THE RECTIFICATION OF BIRTH CERTIFICATE.** Any adult may, up to twice, and through the procedures provided for in this Act, obtain rectification of the sex and name which it appears individualized in her/his birth certificate may be consistent with her/his gender identity.

The identification documents and any other public or private instrument issued once the rectification under this law has been carried out must recognize and respect the new sex and name of the applicant.

**Article 10.- OF THE COMPETENT AUTHORITY AND THE APPLICATION.** In the event that the applicant is of legal age and does not have a marriage relationship in force, the Civil Registry and Identification Service will be competent to take cognizance of the application. The application may be filed at any office of such Service, regardless of the applicant's domicile or residence.

When the person concerned submits the request for rectification, the Registrar and Identification Officer shall inform the applicant of the legal effects of the acceptance of the request.

**Article 11.- PROCESSING OF THE RECTIFICATION APPLICATION.** Received the application referred to in article 9 of this law, the officer of the Civil Registry and Identification Service shall verify the identity of the applicant through the valid identity card or, if necessary, the fingerprint or in accordance with the procedure provided for in article 92 of statutory decree of law No. 2,128, which approves the organic regulation of the Civil Registry Service of the Ministry of Justice of 1930. It shall also verify that the applicant does not have a valid marriage relationship, that he or she is of legal age and, in the case of foreigners, that he or she meets the requirements set forth in article 7 of this Act.

In addition, the Officer of the Civil Registry and Identification Service shall, as soon as possible, summon the applicant and two competent witnesses to a special hearing. In it, the applicant and the witnesses shall declare, under promise or oath, that the former is aware of all the legal effects of the acceptance of the request to rectify her/his birth certificate with regard to his sex and name. For these purposes, the persons listed in article 16 of the Civil Marriage Act, contained in article 1 of Act No. 19.947, shall not be competent witnesses.

The Officer of the Civil Registry and Identification Service shall draw up a record of the hearing and of the statements referred to in the foregoing paragraph.

Without prejudice to the provisions of the foregoing paragraphs, no additional information may be required in order to accept the application for processing.

Within a maximum period of forty-five days from the filing of the application, the National Director of the Civil Registry and Identification Service shall issue the corresponding order of service, which may accept, reject the application on reasonable grounds, or declare it inadmissible.

The application shall only be rejected on the ground that the applicant has not proved her/his identity or that the statement of the applicant and of the competent witnesses has not been verified in the terms indicated in the second paragraph above.

The National Director of the Civil Registry and Identification Service shall declare the application inadmissible only when one of the following grounds applies:

- a) It will be formulated by a person who has not reached the age of majority.
- b) It will be formulated by a person with an undissolved marriage relationship. To this end, at the time of issuing the service order that will resolve the administrative request, it will confirm that the applicant is not bound by an undissolved marriage relationship.

In case of inadmissibility of the application, the Civil Registry and Identification Service shall inform the applicant of the judicial procedures established by this law.

#### TITLE IV

### JUDICIAL PROCEEDINGS TO RECTIFY THE REGISTRATION RELATING TO SEX AND NAME

#### Paragraph 1

The request to rectify the birth certificate of persons over fourteen and under eighteen years of age.

**Article 12.- OF THE APPLICATION FOR RECTIFICATION OF BIRTH CERTIFICATE OF PERSONS OVER FOURTEEN YEARS OF AGE AND UNDER EIGHTEEN YEARS OF AGE.** Persons over fourteen and under eighteen years of age may request the rectification of the sex and name with which they appear individualized in their birth certificate that may be consistent with their gender identity. However, once they reach the age of majority, they may require a new rectification in accordance with the relevant procedures.

Persons over the age of sixteen and under the age of eighteen with a marriage relationship in force who wish to request the rectification referred to in this law may make such request personally in accordance with the procedure established in Paragraph 2 of this Title.

The identification documents and any other public or private instrument issued once the rectification under this law has been carried out shall recognize and respect the new sex and name of the person over fourteen years of age and under eighteen years of age.

**Article 13.- OF THE COMPETENT COURT AND SUPLETORIETY.** In case of applications of persons over fourteen years of age and under eighteen years of age, the court with jurisdiction in family matters corresponding to the domicile of the applicant shall be competent to hear the application.

The procedure shall be conducted in accordance with the rules of this Title and those of Title I of this law.

The provisions of Titles I and III of Law No. 19,968, which creates the Family Courts, shall apply in addition to what is not regulated by this law.

**Article 14.- ACTIVE LEGITIMATION.** The request for rectification of persons over fourteen and under eighteen years of age must be presented by their legal representatives or one of them, at the election of the over fourteen and under eighteen years of age, if there is more than one.

**Article 15.- CONTENT OF THE APPLICATION.** The request must be well-founded, clearly and precisely setting out the factual background and the legal grounds on which it is based, with a precise indication of the specific requests that are submitted to the court for a ruling. In addition, it shall state the reasons according to which, in the opinion of the applicant, the claim made is beneficial for the over fourteen and under eighteen years of age in accordance with the provisions of Articles 3 and 4 of the hereby law.

The application may be accompanied by any relevant background information, especially those that take into account the psychosocial and family context of the person aged between fourteen and eighteen and their family group. The reports referred to in the third paragraph of article 17 of this law may also be accompanied.

**Article 16.- PRELIMINARY HEARING.** Once the application has been received and the provisions of the foregoing article have been complied with, the judge shall admit it for processing and shall summon the person or persons aged fourteen and under eighteen, together with the person or persons who submitted the application, to a preliminary hearing within a period of fifteen days.

In the same decision admitting the application for processing in accordance with the foregoing paragraph, the court shall, ex officio, summon, for the same date as the preliminary hearing, the person over fourteen years of age and under eighteen years of age and the father or mother or legal representative who have not acceded to the application, to a preparatory hearing, which shall be held with the parties attending, immediately after the holding of the preliminary hearing.

At the preliminary hearing, the judge shall inform the applicant of over fourteen and under eighteen years of age and the applicant(s) about the characteristics of the rectification and its legal consequences.

In addition, at the preliminary hearing the person over fourteen and under eighteen years of age may exercise his or her right to be heard directly before the judge and a technical adviser, and shall express his or her willingness to change his or her sex and registered name, as well as the first name or names with which he or she intends to replace those appearing in his or her birth certificate, without prejudice to the provisions of the second paragraph of article 6 of this Act. The court shall see to that all actions taken by persons over fourteen and under eighteen years of age are conducted in an appropriate environment that ensures their physical and mental health and under conditions that guarantee their voluntary participation, privacy and security.

Notwithstanding the mentioned in the foregoing paragraph, persons over fourteen years of age and under eighteen years of age shall have the right to be heard at all stages of the proceedings, and the judge shall consider their opinions, taking into account their age and degree of maturity.

**Article 17.- PREPARATORY HEARING AND TRIAL.** Immediately after completing the preliminary hearing, the court will hold the preparatory hearing with the parties in attendance.

At the preparatory hearing, the court may, ex officio or at the request of the applicant(s), order the summons to the trial hearing of specific persons to testify on the factual background set forth in the application referred to in article 15, in accordance with the subject matter of the trial established by the court.

If they have not been filed with the application, the court may, at the preparatory hearing, order that the following reports be accompanied:

a) A psychological or psycho-social report stating that the over fourteen and under eighteen years of age and their family environment have received professional accompaniment for at least one year prior to the application. The foregoing shall be deemed to have been fulfilled if the original or authentic copy of the report on participation in the professional accompaniment program referred to in article 23 of this Act was accompanied in the application or offered at the preparatory hearing; and

b) A psychological or psychosocial report that rules out the determinant influence of third parties, such as the father, mother, legal representative, or who legally cares for the person over fourteen and under eighteen years of age or other adults significant to her/him, on the will expressed by her/his as to his gender identity.

Likewise, in the preparatory hearing, the judge may order the performance of one or more diligences that he deems necessary for the correct resolution of the case. However, in no case may he or she order physical examinations for persons over fourteen and under eighteen years of age.

Without prejudice to the foregoing, the judge may, with the agreement of the parties, conduct the trial hearing immediately after the end of the preparatory hearing.

At the trial hearing, those summoned to the hearing will be heard and the evidence admitted by the court will be taken.

The final judgment shall be well founded and shall state the fact that the opinion of the over fourteen and under eighteen years of age person has been heard, as well as the reasons which the court has considered for deciding in accordance with or against that opinion. In order to decide, the court must have at its disposal the reports of the proceedings.

The judgment may be challenged in accordance with the regime of remedies applicable to contentious issues in family matters. The appeal of the final judgment shall be granted for both purposes and shall have preference for its hearing and judgment.

The court, in the final decision granting the application, shall order the Civil Registry and Identification Service to rectify the birth certificate, officiating for such purposes to proceed to the change of sex and name, or only the sex, as appropriate, and that the respective sub-registrations are made in the margin.

The Civil Registry and Identification Service shall proceed only by virtue of a final judgment. Once the corrections and subscriptions indicated in the foregoing paragraph have been made, the new identity documents shall be issued in accordance with the provisions of this law.

#### Paragraph 2

The request for rectification of persons with a marriage relationship in force.

**Article 18.- OF THE COMPETENT COURT.** In the case of applications from persons with a marriage relationship in force, whether or not they are of legal age, the application shall be heard by the court competent in family matters corresponding to the domicile of either of the spouses, at the choice of the applicant.

**Article 19.- OF THE PROCESSING OF THE APPLICATION.** The request for rectification made by persons with a valid marriage relationship must be founded, clearly and precisely stating the factual background and the legal grounds on which it is based, with a precise indication of the specific petitions that are submitted to the court's pronouncement and individualizing the non-applicant spouse.

If the application meets all the legal requirements, the judge will summon the spouses to the preparatory hearing, ordering them to be served in accordance with the general rules.

The spouses shall have the right to demand financial compensation in accordance with the provisions of Paragraph 1 of Chapter VII of the Civil Marriage Law, contained in Article 1 of Law No. 19.947, and Paragraph 4 of Title III of Law No. 19.968.

The judge shall pronounce in the definitive sentence on the request for rectification and, in the event of accepting it, in the same act shall declare the termination of the marriage by virtue of the grounds of numeral 5 of article 42 of the aforementioned Civil Marriage Law, and shall regulate its effects. It will also, resolve any other matter that has been discussed in the procedure.

By virtue of the grounds for termination of marriage established in numeral 5 of article 42 of the above-mentioned Civil Marriage Act, the parties appearing shall be deemed, for all legal purposes, to be divorced.

The personal and property effects arising from the termination of the marriage regulated in the final judgment may be challenged in accordance with the regime of remedies applicable to contentious issues in family matters.

The court, in the final decision granting the application, shall order the Civil Registry and Identification Service to rectify the birth and marriage certificate, officiating for such purposes to proceed to the change of sex and name, or only the sex, as appropriate, and that the respective sub-registrations be made in the margin.

The Civil Registry and Identification Service shall proceed only by virtue of a final judgment. Once the corrections and subscriptions indicated in the foregoing paragraph have been made, the new identity documents shall be issued in accordance with the provisions of this law.

#### TITLE V

#### THE RECTIFICATION OF THE BIRTH CERTIFICATE, THE NEW IDENTIFICATION DOCUMENTS AND THE EFFECTS OF THE RECTIFICATION

**Article 20.- OF THE EMISSION OF NEW DOCUMENTS AND FURTHER DILIGENCIES.** Once the request for rectification has been accepted or the final judicial decision has been received, as appropriate, the Civil Registry and Identification Service will proceed to make the pertinent modifications and sub-registrations, after which the new identifying documents will be issued.

For such purposes, the interested person shall be summoned to personally attend any office of the Civil Registry and Identification Service to issue the new identity documents, which shall replace, for all legal purposes, the previous identity documents.

The original identity documents may not be used, requested or exhibited under any circumstances and in any public or private entity, without prejudice to the provisions of Law No. 19.628 on the protection of privacy.

The rectification of the birth certificate and identification documents covered by this Act shall not affect the number of the single national role of the person concerned, which shall be maintained for all legal purposes.

Likewise, the Civil Registry and Identification Service shall inform the following institutions, when appropriate, of the rectification of the consignment and the issuance of new documents, in particular:

- a) To the Electoral Service;
- b) To the Internal Revenue Service;
- c) To the General Treasury of the Republic;
- d) To the Investigative Police of Chile;
- e) To the Police of Chile;
- f) To the Gendarmerie of Chile;
- g) To the Superintendency of Health, in order to inform the Social Security Institution in which the applicant quoted, of the change of sex and registry name, which must be registered by the institution;
- h) To the Superintendency of Pensions, in order to inform the respective Pension Fund Administrator or the Social Welfare Institute, depending on where the applicant contributes, of the change of sex and registry name, which must be registered by the institution;
- i) To the National Health Fund, in order to record the change of sex and registry name of the applicant;
- j) To the Ministry of Education;
- k) To the Council of Rectors of Chilean Universities (Cruch);
- l) To the Corporation of Private Universities (CUP);
- m) To the Council of Private Higher Education Institutions (Conifos), and
- n) To any other public or private institution that the applicant considers relevant or that is requested by the applicant.

All information or communication between institutions, whether public or private, must be treated in accordance with Law No. 19,628 on the Protection of Privacy.

**Article 21.- THE EFFECTS OF THE RECTIFICATION OF THE BIRTH CERTIFICATE.** Once the modifications and subscriptions referred to in the previous article have been made, the interested person must be recognized and identified according to his/her gender identity.

Images, photographs, digital media, computer data or any other instrument with which persons appear in public and private registers shall be consistent with that identity.

The foregoing is without prejudice to the provisions of article 2, paragraph 3, of Act No. 20.609, which establishes measures against discrimination.

**Article 22.- THE EFFECTS OF THE RECTIFICATION OF CERTIFICATE RESPECT OF THIRD PARTIES.** The legal effects of the rectification of sex and name made under this Act shall be enforceable against third parties from the time the rectified entry is extended in accordance with article 104 of the Statutory Decree of Law No. 2,128, which approves the organic regulation of the Civil Registry Service of the Ministry of Justice, 1930.

The rectification of the birth certificate shall not affect the ownership of the patrimonial rights and obligations that could correspond to the person prior to the registration of the change, nor shall it affect those arising from the relations of family law in all its orders and degrees, which shall remain unchanged.

Likewise, it will not affect the guarantees, rights and health benefits that could correspond to the person prior to the registration of the change.

## TITLE VI

### OTHER PROVISIONS

**Article 23.- PROFESSIONAL ACOMPANYMENT PROGRAMMES.** The children, or teenagers whose gender identity does not coincide with their sex and registry name and their families will be able to access the professional accompaniment programs described in this article.

These will consist of a multidisciplinary professional orientation that will include actions of psychological and biopsychosocial counseling, whose object will be the granting of tools that allow its integral development, according to her/his gender identity.

The actions included in the professional accompaniment programs must be designed by the Ministry of Social Development, in collaboration with the Ministry of Health. Such actions may be carried out by non-profit legal persons that have current accreditation from the Ministry of Social Development, complying with the requirements and conditions established by the regulations referred to in the first paragraph of Article 26 of this law.

In the event that a person under age has been subjected for at least one year to a professional accompaniment program executed by any of the legal persons mentioned in the previous paragraph, she or he may request a report of participation in the program. This report may only replace the one referred to in paragraph (a) of the third paragraph of Article 17 if it provides a detailed account of all the accompaniment activities carried out. However, it may also draw conclusions and other background information, if deemed relevant.

The requested legal person may not unreasonably refuse or delay the delivery of the report referred to in the preceding foregoing paragraphs. Unjustified delay shall be understood to mean that the report has not been evacuated within a period of thirty working days following receipt of the request for the report.

**Article 24.- MALICIOUS USE OF THE IDENTITY DOCUMENTS.** Who, with prejudice to third parties, maliciously use the older and new identity documents, will be punished with ordinary imprisonment within the minimum range.

**Article 25.- PROHIBITION OF ARBITRARY DISCRIMINATION.** No legal or natural person, public or private institution, may perform an act or omission that cause arbitrary discrimination and deprivation, disturbs or threatens persons and their rights, due to their identity and expression gender.

Those who are directly affected by for and action or omission that evoke arbitrary discrimination may take legal action of arbitrary non-discrimination in the provisions of the law N° 20.609 without prejudice of the civil, legal or administrative responsibility that may be resulted of this contravention.

**Article 26.- REGULATION MATTERS.** A regulation pronounced by the Ministry of Social Development and also entered into by the Ministry of Health, shall regulate the minimum actions that must contemplate the accompaniment program described in the article 23, as well as the requirements, validity and cancellation of the accreditation of the non-profit legal persons that will offer these programs. Likewise, this regulation shall regulate any other relevant matter for the appropriate management of the professional accompaniment program in accordance with the provisions of the article 23.

A regulation issued by the Ministry of Justice and Human Rights shall regulate the procedure in the provisions of the Title III and any other necessary matter to the appropriate management of the hereby law, without prejudice of the mentioned in the foregoing paragraph.

## TITLE VII

### ADEQUACY OF VARIOUS LEGAL BODIES

**Article 27.-** The article 42 of the Civil Marriage Law, contained in the first article of Law No. 19.947, is amended as follows:

- a) In the number 3°, replace the final expression, 'and' with a semicolon.
- b) In the number 4°, replace the end point with the words, 'and'.
- c) Add the following number 5°:

“5° By a final sentence that accepts the request for rectification of sex and name on the basis of gender identity.



**Article 28.-** In article 1792-27 of the Civil Code, add the following number (7):

"7) By dissolution of the marriage in the case provided for by numeral 5 of article 42 of the Civil Marriage Law, contained in article 1 of Law No. 19.947."

**Article 29.-** In the first paragraph of article 2 of Law No. 20.609, which establishes measures against discrimination, the phrase "gender identity" is replaced by "gender identity and expression".

#### TRANSITIONAL PROVISIONS

**Article One:** By the sole ministry of this law, all persons who, on the date of its entry into force, have obtained a change of name based on gender identity, in accordance with the provisions of Laws Nos. 17,344 and 4,808, without having obtained rectification of their registered sex, may resort to the competent body pursuant to this law to obtain the aforementioned rectification of their registered sex.

**Article two.** - The regulations referred to in article 26 must be issued within six months of the publication of this law in the Official Gazette.

**Article three.** - This law shall enter into force one hundred and twenty days after the last publication in the Official Gazette of the regulations referred to in Article 26.

Having complied with the provisions of No. 1 of Article 93 of the Political Constitution of the Republic and inasmuch I have been kind enough to approve and sanction it; therefore, enact and put into effect as a Law of the Republic.

Santiago, 28 November 2018: SEBASTIÁN PIÑERA ECHENIQUE, President of the Republic; Hernán Larraín Fernández, Minister of Justice and Human Rights; Cecilia Pérez Jara, Secretary General of the Government; Alfredo Moreno Charme, Minister of Social Development; Emilio Santelices Cuevas, Minister of Health.

What I am transcribing to you for your knowledge - Sincerely greets you, Marcela Correa Benguria, Deputy Secretary of Human Rights (S).

#### Constitutional Court

##### **Draft law recognizing and protecting the right to gender identity, corresponding to bulletin No. 8924-07**

The Secretary of the Constitutional Court, who subscribes, certifies that the Senate sent the bill, approved by the National Congress, which recognizes and protects the right to gender identity (Bulletin No. 8,924-07), in order that this Constitutional Court, in accordance with the provisions of article 93, first paragraph, No. 1, of the Political Constitution of the Republic, exercise control of constitutionality with respect to its articles 13, first paragraph, and 18, and by judgment of 14 November in the proceedings Rol No. 5385-18-CPR.

It is declared:

That the provisions contained in articles 13, first paragraph, and 18 of the draft law subjects to constitutionality control, are adjusted to the Political Constitution of the Republic.

Santiago, 15 November 2018.- Mónica Sánchez Abarca, Secretary (S).