

Football Queensland Gender Dispensation

INTRODUCTION AND PURPOSE

1. Football Queensland (FQ) is a sporting organisation that facilitates competitive sporting activities, in which strength, stamina and physique are relevant.
2. As a state sporting organisation, FQ has statutory non-delegable duties in respect of health and safety and integrity in sport.
3. It is within this context that FQ is committed to providing a safe, enjoyable and inclusive environment for all persons where possible.
4. The purpose of this policy is to:
 - a. set out FQ's position in respect of transgender and gender diverse participation;
 - b. where possible, support the inclusion of transgender and gender diverse participants at the community participation level of football in Queensland; and
 - c. assist individuals in understanding their rights and obligations.

SCOPE AND APPLICATION

5. This policy applies to FQ, its member associations, applicants and participants.

COMMITMENTS AND STATEMENTS

6. FQ understands that each individual's experience of transition or affirmation is unique and personal. This will be considered to the fullest extent - where possible and reasonable.

DISCRIMINATION

7. Discrimination on the basis of sex, gender identity or intersex status will only be unlawful where it contravenes the:
 - a. Anti-Discrimination Act 1991 (Qld); and/or
 - b. Sex Discrimination Act 1984 (Cth).
8. Importantly, the legislation does provide several exemptions of when discrimination will not be deemed unlawful. Specifically:
 - a. pursuant to section 111 of the Anti-Discrimination Act 1991 (Qld), it is not unlawful to restrict participation in a competitive sporting activity to either males or females, if the restriction is reasonable having regard to the strength, stamina or physique requirements of the activity; and
 - b. pursuant to section 42 of the Sex Discrimination Act 1984 (Cth), it is not unlawful to discriminate on the ground of sex, gender identity or intersex status by excluding persons from participation in any competitive sporting activity in which the strength, stamina or physique of competitors is relevant.

FQ'S POSITION FOR PARTICIPATION

Community Participation

9. This section does not apply to the FQ Academy Pathway System.
10. At the community level, FQ promotes the inclusion of transgender and gender diverse persons to the fullest extent possible.
11. For players less than 12 years of age, FQ requires all associations, clubs and indoor centres to permit players to participate in accordance with their affirmed gender identity – whether or not this accords with their sex assigned at birth (pursuant to their original birth certificate).
12. For players 12 years of age and older, where they wish to participate in a single sex competition that does not accord with their sex assigned at birth (pursuant to their original birth certificate), the dispensation form (Form) must be submitted for FQ's consideration.
13. The Form:
 - a. must be sufficiently completed to allow FQ to fully consider the request;
 - b. is required by FQ, to allow it to discharge its statutory non-delegable duties; and
 - c. must be submitted for each season.
14. FQ considers the collection of this information is necessary and further confirms that any information collected will only be disclosed if necessary and in accordance with the law.

Elite Participation and Participation in the FQ Academy Pathway System

15. For players:
 - a. eligible for the FQ Academy Pathway System; or
 - b. 12 years of age and older who are eligible to compete in the advanced leagues (the FQPL Competitions),
 - c. players will only be permitted to play in accordance with their sex assigned at birth (pursuant to their original birth certificate).

Ongoing obligations

16. As noted above, it is an ongoing obligation on all applicants/participants to submit the Form at the start of each season.
17. FQ recognises that a participant's gender identity may change during a season. If there is a change, the participant must notify their community club and FQ as soon as practicable. FQ may require the participant to complete the Form at that juncture, in which case their ongoing participation will be assessed.

PRIVACY AND CONFIDENTIALITY

18. Gender, gender identity and sex are private matters. All persons must treat such information as private and confidential. Information shall only be disclosed if necessary and in accordance with the relevant laws.

RESOLVING ISSUES AND COMPLAINTS HANDLING

19. Concerns or complaints in respect of this policy and/or subject matter will be dealt with in accordance with FQ's complaints handling processes and relevant policies.

DEVELOPING THE POLICY AND RIGHT TO VARY

20. In publishing this policy, FQ had regard to:

- a. the relevant legislation;
- b. the Australian Human Rights Commission's Guidelines for the Inclusion of Transgender and Gender Diverse People in Sport (June 2019); and
- c. the Australian Human Rights Commission's Equal Identities: A Human Rights review of the Experiences of Trans and Gender Diverse People in Australia Report (March 2026).

21. FQ, as a state sporting organisation, was also required to have regard to national and international policies/guidelines. As at the date of publication, this policy reflects the position adopted by both the:

- a. Fédération Internationale de Football Association; and
- b. International Olympic Committee.

22. FQ reserves its right to amend, vary or revoke this policy at any time, including in the event there are changes to the legislation or relevant policies/guidelines.

