

The basic law is amended by adding, immediately after article 233A, the following new article:

**Conversion pseudotherapies**

**233B.-(1)** Subject to the provisions of subsection (2), a person who-

**(a)** applies a practice or technique or provides a service for the purpose of changing, suppressing or eliminating the sexual orientation, gender identity or gender expression of another person, is guilty of an offense and, on conviction, is liable to imprisonment for a term not exceeding two (2) years or a fine not exceeding five thousand euros (€5,000) or both:

Provided that, in a case in which the practice or technique is applied or the service is provided to a minor or to a person who is in a vulnerable position either due to illness, disability or mental condition, or due to the existence of a relationship of dependence or influence with the person who applies the practice or technique in question or who provides the service in question, the Court may impose a prison sentence not exceeding three (3) years or a fine not exceeding ten thousand euros (€10,000) or both;

**(b)** exercises legal guardianship and refers the person under guardianship to a practice, technique or service, for the purpose of changing, suppressing or eliminating their sexual orientation, gender identity or gender expression, is guilty of an offense and, upon conviction, is liable to imprisonment for a term not exceeding three (3) years or to a fine not exceeding ten thousand euros (€10,000) or to both; or

**(c)** announces or advertises, even covertly, in any way, a practice, technique or service, which aims to change, suppress or eliminate sexual orientation, gender identity or gender expression, is guilty of an offense and, upon conviction, is liable to imprisonment for a term not exceeding two (2) years or to a fine not exceeding five thousand euros (€5,000) or to both.

**(2)(a)** Notwithstanding the provisions of subsection (1)-

**(i)** the provision of counseling, psychological or medical services relating to the exploration and free development of a person's sexual orientation, gender identity or gender expression; or

**(ii)** the provision of scientifically established clinical procedures by qualified health professionals, as long as these are applied to the treatment of conditions related to the sexual health of the person, as defined in the International Statistical Classification of Diseases and Related Health Problems of the World Health Organization;

do not constitute a crime, provided that the above-mentioned actions do not seek to change, suppress or eliminate the sexual orientation, gender identity or gender expression of the person in question.

**(b)** For the purposes of this subsection, the term “qualified health professional” includes—

**(i)** a physician registered in the Medical Register, in accordance with the provisions of the Law on the Registration of Physicians; and

*(ii) registered psychologist, as this term is provided for in the provisions of article 2 of the Law on Registration of Psychologists.*

**3)** *The provisions of this article are applied without affecting the right to freedom of thought, conscience and religion as provided for in the provisions of Article 18 of the Constitution and Article 9 of the European Convention on Human Rights, as it was ratified by the “European Convention for the Protection of Human Rights (Ratification) Law*