

## **QUESTION TAKEN ON NOTICE**

**BUDGET ESTIMATES HEARING : 22 May 2017**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(BE17/267) - Citizenship changes – legislation - Programme 2.1: Citizenship**

Senator Carr, Kim (L&CA) written:

What changes require legislation?

Are the questions a legal part of the application?

Will any exemptions be made for circumstances where an injustice may be caused?

What is the department's strategy if the legislation is delayed?

*Answer:*

The citizenship reforms are underpinned by changes to relevant legislation. This includes the Australian Citizenship Act, Australian Citizenship Regulation, and Determinations.

To be eligible to become an Australian citizen by conferral, applicants are required to pass the citizenship test.

The Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017 provides the Minister for Immigration and Border Protection discretionary powers to waive the general residence requirement where, due to an administrative error by or on behalf of the Commonwealth, the applicant believed they were an Australian citizen, or where it is in the public interest to do so.

The Department is still accepting applications for Australian citizenship and does not anticipate that the process of reform will delay the processing of new applications lodged from the date of the Government's announcement.