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**AUSTRALIAN CITIZENSHIP BILL 2005
SUBMISSION TO THE LEGAL AND CONSTITUTIONAL COMMITTEE**

QUALIFYING PERIOD FOR RESIDENCE: SPOUSES



This submission concerns the potential impact of the Australian Citizenship Bill 2005 on spouses of Australian citizens.

I understand that current DIMIA practice is to wait two years before deciding on most spouse applications for permanent residence. While awaiting a decision on permanent residence, spouses are generally granted Spouse Temporary visas.

I also understand that, under the proposals currently before Parliament, only 12 months of any time spent in Australia on a Spouse Temporary visa could be counted towards the residence requirement of citizenship. So a spouse taking up residence in Australia as soon as a Spouse Temporary Visa was granted would need to wait at least four years before becoming eligible for citizenship;

Under the 12-month cap referred to above, my husband - who spent a year undertaking postgraduate study in Australia before applying for permanent residence, then two years on a Spouse Temporary visa - will have to have spent no less than **five years in Australia** before becoming eligible for citizenship.

By contrast, I understand that the proposals currently before Parliament would allow:

- a skilled migrant to apply for citizenship after only **three years in Australia**, even if that migrant has no previous ties with Australia; and
- a permanent resident who spends time overseas engaged in activities beneficial to Australia to apply for citizenship after spending just **one year in Australia**.

Since the Government has separately:

- (a) recognised the close and continuing association with Australia afforded by marriage to an Australian citizen; and
- (b) encouraged new arrivals to spend more time becoming familiar with the Australian way of life

I can only presume that this reflects an administrative oversight. I respectfully urge Parliament to amend the current proposals to allow all time spent in Australia on a Spouse Temporary visa (usually two years) to count towards the qualifying period for citizenship.

Melissa Wood