

16 January 2006

Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
Parliament House
Canberra ACT 2600

E-mail: legcon.sen@aph.gov.au

Dear Committee Secretary

Inquiry into the provisions of the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005

Thank you for the opportunity to make a submission to this committee.

With regard to the proposed legislation I wish to express my agreement with the issues raised in other submissions ie. those individuals who are already permanent residents at the time that the new legislation is adopted should continue to have their applications for Citizenship assessed under the legislation in place at the time that they became permanent residents. Many current residents have made plans based on a two year waiting period to apply for Citizenship and will experience at best inconvenience and at worst significant hardship as the result of the change.

I also wish to comment on the position of permanent residents who have spent time in Australia as temporary residents prior to becoming permanent residents. I note that the proposed legislation contains an exemption to the effect that ***"time spent in Australia as a temporary resident in activities beneficial to the interests of Australia may be treated as time spent in Australia as a permanent resident, provided the applicant has been in Australia for a total period of at least one year or if the applicant would suffer significant hardship or disadvantage if the time was not counted as permanent residence in Australia."***

Using my own case as an example: I entered Australia as a temporary resident in November 2002 on an employer sponsored 457 temporary visa. I was employed by an organisation that I continue to be employed by. My husband joined me in Australia eight months later and immediately entered the work force - in a senior position in a profession that is experiencing a skills shortage. We have made our home in Adelaide, which I understand to be an area of low population growth.

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In August 2003 we submitted our application for permanent residence and became permanent residents in July 2004. We typically spend 4 weeks a year overseas and therefore anticipated applying for Citizenship in approximately September 2006 ie. after 24 months permanent residence, and were disappointed to learn that in terms of the new legislation we may have to wait another year before being eligible to apply.

If this occurs we will be taxpayers in Australia for almost 5 years without having the ability to vote and participate in this country's decision-making process. We are also excluded from employment in certain government and quasi-government organisations. Finally we are eager to adopt children, having none of our own, and cannot begin this process until at least one of us is a citizen. This is particularly disappointing for us as the adoption process is a lengthy one anyway and this will add a further year to the time we will have to wait.

I would therefore respectfully request that the proposed exemption receive favourable consideration and is interpreted as broadly as possible.

Yours Faithfully

A handwritten signature in black ink, appearing to be 'Shona Salver', written in a cursive style.

Shona Salver