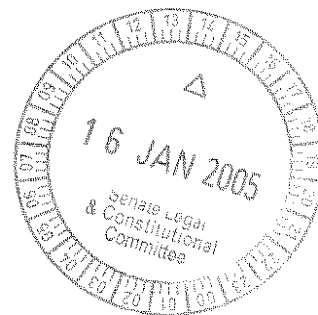


61 2 99953787

Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
02 6277 5794



RE: Inquiry into the provisions of the Australian Citizenship Bill 2005

The new Australian Citizenship Bill 2005 recently introduced has sparked some controversy and interesting debate within the immigrant community. It is quite easy to personalize the new bill and summarize the changes as non-inclusive, unfair and any other description that people may use to describe how the "establishment" has done a number on us.

At first glance, it is quite true that Australia needs a new bill. The Australian Citizenship Act 1948 does not take into account the paradigm shift in global people movement. However, as with any changes in law, there is always someone who gains an upper hand and someone who stands to lose. Listed below are brief examples of the ones who stand to lose, in relation to the proposed increase of the residency requirement from two to three years for citizenship eligibility.

The permanent resident application process takes an average of two years before validation, some have even waited longer. The new requirement will add another 365 days to this group of people who will have all in all already put in four years.

Educational benefits: the three year wait will disadvantage many people who have been waiting to start their own or their children's higher education.

Employment: Personally, I hope to work in the government and the extra year wait is another hurdle that's not very encouraging.

To say that the extra year is "unfair" may be simplistic but there is no other word to describe Section 22 (1) part b (residence requirement) of the proposed new law.

If it is a national security issue, a prospective terrorist will find ways to enter the country. It is the casual visitor who poses the most risk as they are not vetted as much as citizenship applicants.

When DIMIA recently altered their residency application requirements (raised the points required), applicants who had applied prior to the changes fell under the previous requirement. Applications received before the changes were not disadvantaged in this instance. The committee should consider a similar policy in relation to the residence requirement changes.

The Australian government has in place an aggressive promotional campaign to encourage eligible residents to become citizens as there are many who have not taken it up. This group as well as recent entries should be given the opportunity to do so under the previous legislation. An additional year can potentially decrease the number of citizenship applicants to the detriment of this campaign.

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What are some of the options for this conundrum?

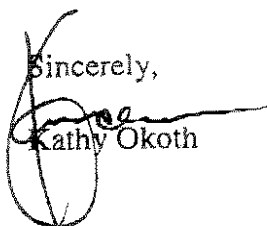
- Amnesty for all residents who arrived before the effective date of the new law
- Amnesty for a resident who arrived before this date and has been resident for one year (as they have only one more year) i.e. anyone who arrived a week before the new date of the law may not expect to have a two year wait as they have just arrived
- Maintain the two year rule with applicants undergoing thorough vetting and identification.

Citizenship applicants who validated their visa before the new law comes into effect should be given the chance to apply under the two year rule.

I sincerely hope that permanent residents currently living in the country with the hope of being lawful Australian citizens, within two years, will be given the opportunity to do so within those two years.

Australian citizenship is not a right but a privilege and it will be a privilege to get my citizenship certificate sooner rather than later.

Sincerely,



Kathy Okoth