

APPENDIX 1

Community Consultations



Background

To assist in preparing this report to Government on contemporary issues in Australian citizenship policy and law and on how to promote increased community awareness of the significance of Australian citizenship, the Council undertook wide-ranging community consultations.

A key feature of the consultations was the development and dissemination of an issues paper titled *Contemporary Australian Citizenship*. The issues paper, which was launched by the Minister for Immigration and Multicultural Affairs, the Hon. Philip Ruddock MP, on 3 February 1999, provided background information on Australian citizenship, raised a range of issues for the future and called for submissions from interested individuals and organisations.

A broad distribution strategy ensured that 6000 copies of the issues paper were dispersed throughout Australia and various overseas countries. This distribution strategy, together with advertisements calling for public submissions placed early in 1999 in ten mainstream newspapers and thirteen key ethnic newspapers, generated 199 submissions.

Of the 199 submissions received, the majority (66 per cent or 131 submissions) were from

individual members of the public. Of these, 52 submissions were from Australian Citizens living overseas. Submissions from non-government organisations represented nearly 10 per cent of submissions received while Local Government councils and ethnic organisations each accounted for just under 10 per cent. A significant number of submissions were also made by Commonwealth and State governments and by academics.

Appendix 2 provides a list of individuals and organisations that forwarded submissions to the Council.

The submissions received express a wide range of views relating to Australian citizenship. The following highlights some of the key issues raised.

Concept of Australian Citizenship

This issue was addressed directly in 49 submissions (25 per cent of submissions received).

The majority of these submissions agree that Australian citizenship should be valued emotionally, rather than purely as a way of gaining certain legal rights and responsibilities. These submissions consider that Australian citizenship should also signify

a commitment to Australia and to shared civic values. Fundamental to those civic values is said to be the freedom for individuals and groups to express their own culture and freedom from discrimination. Many support the notion that Australian citizenship extends to an understanding of Australia's history, its democratic institutions and laws, its wider social development and the responsibilities and privileges of Australian Citizenship.

There is widespread support for a written document, accessible to all Australians, setting out what it means to be an Australian citizen. This belief is grounded in the notion that a person cannot fully appreciate Australian citizenship without understanding its full implications. Such a document, it is argued, should outline the type of emotional commitment to Australia that is needed to be a true Australian citizen and the legal responsibilities and privileges associated with Australian Citizenship.

Some submissions favour a public declaration on Australian citizenship in the Constitution so that it can be seen as a foundation to the legal system. The broader concept of citizenship is emphasised in this context because, it is argued, people's rights and entitlements are based on their humanity rather than possession of Australian Citizenship in the legal sense.

Other submissions argue that it is desirable to define citizenship in civic, rather than ethnic terms. While this is already the case formally, submissions argue that it needs to be better promoted. The civic idea of citizenship means

that citizens are required to live and work within Australia's legal, social and political institutions.

Another view portrays Australian citizenship as a guarantee of human rights and respect by government. Papers following this line of reasoning believe emphasis should be placed on core values of humanity, rather than civic principles associated with Australian citizenship.

Some believe that the legal notion of Citizenship is likely to be less important in the twenty-first century, largely due to increasing globalisation.

Responsibilities and Privileges of Australian Citizenship

The issue of the responsibilities and privileges attached to Australian Citizenship is raised directly in 34 submissions (17 per cent of submissions received).

Some submissions argue that there is a need to clarify and explain the responsibilities and privileges of Australian Citizenship. This, it is argued, should take the form of an authoritative statement which should be incorporated either in the Constitution or in the Preamble to the *Australian Citizenship Act 1948*. Another suggestion is that an 'Australian Declaration of Rights and Responsibilities' be developed and published.

Others caution against including such a statement in the Constitution or the Act, fearing that it might disinvest non-Citizens of rights and status to which they are entitled, not as Australian Citizens, but as human beings.

A number of submissions indicate that Australian Citizenship and the responsibilities and privileges attached to it should be regarded as a 'sacred privilege'.

Most submissions argue that all Australian Citizens should have the same rights, regardless of whether they are Citizens by birth or grant.

A number of submissions call for Australian Citizens to be given preferential treatment over permanent residents in relation to government benefits and taxes. These submissions argue, in particular, that people who are eligible for Australian Citizenship but do not acquire it after a set period in Australia should not be entitled to the same benefits (eg. Medicare, Centrelink payments, voting) as Australian Citizens. Others believe that such an approach may jeopardise the capacity of Australian Citizenship to foster and enhance a sense of community and nationhood and may even infringe basic human rights.

Conversely, a smaller number of submissions argue that in the interests of equality and social responsibility, permanent residents should have the same responsibilities and privileges as Australian Citizens. These submissions believe that Citizenship as a legal status should not determine accessibility to rights. In this vein, one author argues that voting rights should be linked to residence rather than Citizenship.

Some submissions question the fact that the right to vote is available to a small segment of non-Citizens. They note that this is inequitable

and suggest that voting rights either be withdrawn from this category of non-Citizens, or be extended to all permanent residents.

Promotion/Increasing Awareness of Australian Citizenship

Forty-two submissions (21 per cent of submissions received) directly address issues of promotion and increasing awareness of Australian citizenship.

A number of submissions state that people should be actively encouraged to become Australian Citizens and to regard their citizenship as a common link with other Australians. People should not, however, be *pressured* into becoming an Australian Citizen until they are psychologically ready to make a full commitment to Australia.

A smaller number of submissions note, however, that it is not absolutely necessary for migrants to become Australian Citizens in order to participate in, and contribute to, Australian society.

There is much (although not universal) support for a national public information and education program on Australian citizenship, which would stimulate interest in, and public debate on, Australian citizenship. Submissions favour promotion of Australian citizenship on the basis of full participation in Australia. Some believe that a campaign which promotes citizenship must reflect Australia's basic approach of tolerance, inclusiveness, mutual respect for the rights of others and a 'fair go' for all.

Many submissions note that for a promotional campaign to make a real difference, it should involve newly arrived migrants and school children. A small number of submissions believe that the Australian-born do not require civics education.

Some believe that any promotional campaign should be well resourced, while others believe that it should not be overly costly.

Submissions draw from the experiences of other countries that have a Citizenship Day (USA) and even a Citizenship Week (Canada) — calling for Local, State and Commonwealth governments to organise similar celebrations.

Affirmation ceremonies are singled out in some submissions as a worthwhile mechanism to increase public interest in Australian citizenship. Some believe that affirmations should be conducted as a special and memorable occasion for all young people coming of age (at 18 years). Others believe they should be available to all Australian citizens, irrespective of age. Others see value in affirmation ceremonies for schoolchildren. One suggestion is that affirmation ceremonies take place on Australia Day. Others support affirmation ceremonies being conducted in conjunction with Citizenship conferral ceremonies. On the other hand, a small number of submissions are sceptical of the value of affirmation ceremonies.

Other suggestions to increase awareness of Australian citizenship include: organising events where people from all walks of life talk about what their citizenship means to them;

weekly school ceremonies with singing of the national anthem and hoisting of the Australian flag; playing the national anthem before each cinema screening and public function; and recognition of Australia Day as a day to celebrate Australian citizenship.

Civics (including Education)

Civics and associated education strategies were raised directly in 37 submissions (19 per cent of submissions received).

There is widespread support for public civics information and education programs because, it is argued, effective participation in society as an Australian citizen requires some knowledge of civics. It is also submitted that such a campaign would inform people about the responsibilities and privileges attached to Australian Citizenship and thereby encourage them to become Australian Citizens.

There is consensus that civics-based education programs should be incorporated in every school's curriculum.

There is also agreement that civics education should be a feature of the Australian Citizenship application process. One suggestion involves the production and distribution to applicants of a pamphlet covering the responsibilities and privileges attached to Australian Citizenship and aspects of Australian civics. A small number of submissions argue that prospective Australian Citizens should be required to attend civics courses before being granted Australian Citizenship.

Others believe civics education should be inclusive – available to residents and Australian Citizens (irrespective of whether they are migrants or not). In this context it was suggested that there may be scope in the TAFE sector to provide appropriate learning opportunities.

Some believe that civics education should incorporate an appreciation of the multicultural reality of Australian society and that the contributions of indigenous people and migrants should be specifically acknowledged.

There are differing views as to which level of government would be best placed to deliver civics education. Some submissions believe Local Government councils should be involved in order to include people at a community level. Others call for the support of the Commonwealth government to produce a national campaign.

Some see a need for greater coordination and standardisation of existing civics education.

Some submissions refer to Discovering Democracy, a national civics and citizenship education program, funded by the Commonwealth. They suggest that this program should be supported, as it is best placed to deliver civics education to a wide cross-section of the Australian community.

The Australian Citizenship Act 1948

Twenty-six submissions (13 per cent of submissions received) directly call for a review of the *Australian Citizenship Act 1948*.

Some submissions argue that the Act is too legalistic and narrow in the way it addresses Australian Citizenship. They have called for wider issues to be addressed in the Act, possibly in a redrafted Preamble. The latter, some have argued, could usefully set out the significance of Australian Citizenship (some submissions interpret this in the broader sense and others in the legal sense), the features that unite Australians and the responsibilities and privileges associated with Australian Citizenship. Some support redrafting of the current Preamble to ensure it applies to all Australian Citizens, whether born in Australia or not.

Others, however, oppose the idea of a new Preamble along these lines, suggesting that the Constitution is the more appropriate place for a statement of this type.

Some have argued for a Bill of Rights, stating that without a clearly stated expression of the responsibilities and privileges of Australian Citizenship, other than the legal ones (voting, jury service), people do not know what is expected of them.

Another view cautions against including a statement on the responsibilities and privileges of Australian Citizenship in either the Constitution or the Act for fear of disinvesting non-Citizens of rights and status to which they are entitled, not as Australian Citizens, but as human beings.

Some submissions call for the Act to be rewritten in plain English to make it more accessible to the average Australian.

Others have argued that the Act will largely be read by lawyers and consequently there is no need to simplify it. A number of submissions believe that a guide to the legislation or explanatory booklet would be helpful in explaining issues to the average Australian. Some believe that such a document should be widely distributed to schools.

Acquisition of Australian Citizenship

The general issue of acquisition of Australian Citizenship (as opposed to the matter of specific requirements for acquisition of Australian Citizenship) was directly addressed in 21 submissions (11 per cent of submissions received).

The point is made that acquiring Australian Citizenship should be the culmination of a migrant's settlement experience and is therefore a very important step.

It is also argued that the Commonwealth government should develop procedures for ensuring that acquisition of Australian Citizenship is based on a genuine desire to call Australia home rather than for reasons of convenience.

A small number of submissions call attention to the requirements for registration of Australian Citizenship by descent (the child generally has to be under 18 years of age). Submissions support the notion that all children born to an Australian Citizen parent should qualify for Australian Citizenship by descent, irrespective of age.

English Language Requirements

The English language requirement for grant of Australian Citizenship was addressed directly in 42 submissions (21 per cent of submissions received).

Twenty-four submissions (57 per cent of submissions addressing the English language requirement) support retention of the current English language requirement, 12 submissions (29 per cent) believe the requirement should be increased, and two submissions (five per cent) call for the requirement to be abolished. (Four submissions do not comment on the level of the requirement.)

Those advocating an increase in the English language requirement generally believe that this is necessary to allow new Australian Citizens to participate fully in Australian society. They often argue that applicants for Australian Citizenship should be able to speak, read and write English comprehensively, and that this ability should be tested more vigorously than is currently the case. (At the more extreme end, some call for a written examination which will also incorporate testing on such matters as the Australian Constitution, the levels and functions of government in Australia and on the civic duties of Australian Citizens.) Others state that conferring Australian Citizenship on people who may not, because of language difficulties, fully understand the Australian Citizenship Pledge demeans Australian Citizenship.

Those who argue for maintenance of the current English language requirement at the 'basic' level note that people who may not be

fluent in English may nonetheless be able to exercise the rights and responsibilities of Australian Citizenship. They argue that lack of fluency in English does not reflect on the loyalty and commitment of people, nor on their ability to participate as active Citizens. Others believe that any increase would effectively advantage migrants from an English-speaking background.

Some argue that it would be unjust to demand a higher standard of English proficiency given that they believe the Government no longer provides free English language training for migrants other than refugees. Note: the Government continues to provide, through the Adult Migrant English Program, up to 510 hours of free English language training to all newly arrived family migrants and refugees.

A small number of submissions argue that English language proficiency should not be a condition for acquiring Australian Citizenship.

Others believe that an English language requirement is contrary to the notion of a multicultural Australia and is an unsatisfactory way of determining whether a person is sufficiently committed to the nation to become an Australian Citizen.

Some submissions argue that exemptions from the English language requirement should only be applicable from 70 years of age (currently 50 years) because Citizens up to 70 years of age are required to serve on juries. It is also argued that exemptions from the 'responsibilities and privileges requirement should be increased from the current 60 years

because Citizens over 60 years of age are required to vote.

Residence Requirements

Thirty-five submissions (18 per cent of submissions received) directly address the issue of the residence requirement for Australian Citizenship.

Fourteen submissions (40 per cent of submissions addressing this issue) believe the current residence requirements should be retained.

Eighteen submissions (51 per cent) argue that the residence requirement should be increased. Such an approach, it is argued, would make Australian Citizenship more meaningful. Many also believe that residence in Australia for 'two out of the preceding five years' is not sufficient for migrants to become properly acquainted with Australian culture, language and people. Some note that most overseas countries have longer residence requirements than Australia.

Suggestions for a more appropriate residential qualifying period range from three years continuous residence in Australia to 10 years or longer. A minority of submissions argued that Australian Citizenship should be granted after a lengthy period of non-criminal activity, with 'provisional Citizenship' granted in the intervening period.

Others note that the key issue is how long it takes for a migrant to come to terms with living in a new country.

Three submissions (nine per cent of submissions addressing this issue) argue that residence

requirements should be reduced, partly on the basis that it is contrary to the principles of natural justice for permanent residents to pay taxes without being able to vote. Also, it is argued that this would also have the effect of allowing migrants to participate fully in Australian society soon after they arrive.

Some believe that a shorter residence period should be applicable where people have undertaken a comprehensive civics education program and can demonstrate a clear understanding of civics in Australia and a strong commitment to Australia.

Loss of Australian Citizenship through section 17

Loss of Australian Citizenship upon acquisition of another Citizenship was the most frequently raised issue, being addressed in 148 submissions (74 per cent of submissions received).

The majority of submissions raising this issue (111) were prepared by individuals. Of those, 56 submissions were prepared by individuals living in Australia while 55 were submitted by individuals living overseas. The issue was also addressed by a number of non-government organisations, ethnic organisations, Commonwealth and State government representatives and Local Government councils.

In total, 127 submissions (86 per cent of submissions addressing this issue) supported the retention of Australian Citizenship upon acquisition of another Citizenship and

20 (14 per cent) opposed this concept. (One submission did not put forward a view.)

Of individuals living in Australia who addressed this issue, 80 per cent supported retention of Australian Citizenship upon acquisition of another, while 20 per cent opposed it. 96 per cent of individuals living overseas supported the concept.

75 per cent of non-government organisations who addressed this issue supported retention of Australian Citizenship upon acquisition of another. All ethnic organisations supported the concept while Local Government councils were equally divided.

Most submissions favouring retention of Australian Citizenship upon acquisition of another cite globalisation and international business as necessitating holding more than one Citizenship. It was submitted that many countries discriminate against foreigners, including Australian Citizens, in terms of employment opportunities and taxes. If Australian Citizens could retain their Citizenship when they acquire another Citizenship they would have the opportunity to overcome these disadvantages. As well, access to a non-Australian passport would facilitate international travel for many Australians living overseas, particularly within the European Union.

Many Australians living overseas also pointed out the difficulties involved in being unable to participate fully, in the civic sense, in their country of residence (especially voting) despite, for example, paying taxes.

Submissions also reflect the inequity of allowing overseas-born Australian Citizens to have more than one Citizenship, while penalising Australian-born Citizens who apply for the Citizenship of another country.

The majority of submissions argue that acquiring the Citizenship of another country does not make a person less loyal to Australia. In fact, many Australians resident overseas actually promote Australia overseas, often creating linkages and business opportunities both in Australia and abroad, and bringing back entrepreneurial and technical skills.

Some also note that changing Australia's Citizenship law in this area would bring Australia into line with most of the major English speaking countries.

A small number of submissions put the view that while possession of more than one Citizenship should be possible, Australia should not allow Australian Citizens to possess the Citizenship of countries with which Australia is in conflict or that espouse values that conflict with those of Australia.

One submission raises the issue of the constitutionality of section 17 of the *Australian Citizenship Act 1948* (which provides for loss of Australian Citizenship on acquisition of another Citizenship).

Submissions which oppose possession of more than one Citizenship question the loyalty to Australia of Australian Citizens who Pledge allegiance to a foreign country. They also make the point that possession of more than one Citizenship may lead to difficulties where Australian Citizens are also Citizens of a

country with which Australia is at war. Another point of view is that the values of Australian Citizenship conflict with concepts of global citizenship because, it is argued, for the present and possibly for some time yet, global values are different.

Deprivation of Australian Citizenship

Deprivation of Australian Citizenship was addressed directly in 18 submissions (nine per cent of submissions received).

Some submissions argue that the current provisions are adequate and should not be altered.

Other submissions maintain that if a person who has been granted Australian Citizenship commits a serious criminal offence, they should be deprived of their Australian Citizenship. There is also a belief that deprivation should include associated penalties such as deportation, or loss of entitlement to government benefits.

Some submissions argue for a period of 'provisional Citizenship' before full Australian Citizenship is granted (see discussion under *Residence requirements* above). These submissions support the passing of legislation to deport persons who commit serious crimes during the transitional period.

Resumption of Australian Citizenship

Six submissions (three per cent of submissions received) directly addressed the issue of resumption of Australian Citizenship.

Two submissions expressed no difficulties with current provisions.

The other submissions indicated that people who wish to resume their Australian Citizenship should be a permanent resident for a period of time before they are eligible to apply. Also, that there should be a mandatory requirement for English comprehension and literacy. One submission considered it anomalous that the resumption provisions apply only to circumstances where Australian Citizenship is lost as a result of a person's actions to *acquire* the Citizenship of another country – not where loss occurred as a result of actions to retain the Citizenship of another country.

Children

Eleven submissions (five per cent of submissions received) directly addressed the issue of children in the context of Australian Citizenship.

It was argued that all children who apply for, and are granted, Australian Citizenship, should be given their own, personal certificates of Australian Citizenship. The cost of supplying these certificates to children should be borne by the Commonwealth government.

Children are also mentioned in the context of loss of Citizenship upon acquisition of another, with some papers arguing that it is unfair for children born overseas to Australian Citizens to lose their entitlement to Australian Citizenship because their parents applied for the Citizenship of another country.

Citizenship Fees

The issue of Citizenship fees was addressed directly in six submissions (three per cent of submissions received). Almost all submissions called for a waiving or reduction of fees for Citizenship applications.

One submission argued that abolition of Citizenship fees would affirm the importance of Australian Citizenship as a unifying symbol in Australia's multicultural society. Citizenship, it is argued, is both a privilege and a right and should not have to be bought. The Government should subsidise Citizenship acquisition, it is argued, just as it does elections and other community activities that are central to the preservation of democratic values.

Other submissions argued that people who have served in the Australian military during wartime should obtain Australian Citizenship without incurring a fee.

Another suggestion was that Citizenship fees should be waived for applicants who came to Australia as minors. A further view was that recipients of the carer payment should be eligible for Citizenship fee concessions, similar to recipients of other benefits such as the age pension.

Conferral of Citizenship Arrangements

Conferral arrangements were addressed directly in 15 submissions (seven per cent of submissions received).

Submissions have generally argued that while significant and meaningful Citizenship ceremonies should continue to be conducted, the option of a private ceremony should also be available for those who wish it. One suggestion was to offer candidates the opportunity of a private ceremony by the Mayor.

The view was put that the public nature of Citizenship ceremonies may be intimidating to people who, for example, have problems reading and verbalising the Australian Citizenship Pledge because of lack of confidence or low levels of English proficiency.

Private conferral ceremonies may also encourage long-term permanent residents to apply for Australian Citizenship by removing the image that they are recently arrived migrants.

A related suggestion was that recitation of the Pledge, and indeed attendance at a conferral ceremony, be optional for residents who have been law-abiding citizens for 15 years or more, on the grounds that making the Pledge and/or attending a conferral ceremony is unnecessary.

One submission suggested that consideration be given to extending the right to hold Citizenship ceremonies to other organisations.

One submission requested that eligible permanent residents be allowed to take the Pledge at an Australian Embassy overseas. This, it was argued, will facilitate acquisition of Australian Citizenship by eligible permanent residents living overseas.

In terms of the content of Citizenship ceremonies, one submission suggested that candidates be encouraged to say a few words at their Citizenship ceremony with a view to making the whole process more meaningful for both themselves and other Australians. Another suggestion was that candidates be required to renounce foreign allegiances. A further view was that Citizenship ceremonies focus more on the role of Australian Citizens in national development and the civic responsibilities of Australian Citizens.

Some Local Government councils argued for financial support from the Commonwealth government to help them continue to provide meaningful Citizenship ceremonies. This was said to be particularly true of councils in areas with high concentrations of migrants.

Oath/Affirmation/Pledge

This aspect of Australian Citizenship was addressed directly by 15 submissions (seven per cent of submissions received).

One submission expressed the view that the current Australian Citizenship Pledge does not convey the true meaning of Australian Citizenship. Other submissions called for the Pledge to be reworded to clearly reflect the responsibilities and privileges associated with becoming an Australian Citizen. One submission advocated that the Pledge should make it clear that Australia is a Christian nation. Some submissions argued that the Pledge should include provision for the renunciation of foreign Citizenships and allegiances.

It was also suggested that potential Australian Citizens should swear allegiance to Her Majesty the Queen of Australia. Another point raised is that it is inappropriate to swear allegiance to Australia because this means different things to different people.

War Crimes

The issue of war crimes in the context of Australian Citizenship was raised in four submissions (two per cent of submissions received).

These submissions maintain that the inability to retrospectively deprive Australian Citizenship produces a moral quandary which has the effect of rewarding fraud and which results in the devaluation of Australian Citizenship. It is argued that Australian Citizenship law has failed to adequately deal with individuals who have either committed crimes against humanity, or against whom very credible evidence supports allegations of participation in crimes against humanity during the Nazi occupation in Europe. The submissions argue that where Citizens have committed, or are found by the Minister to have committed, crimes against humanity, then the Minister should be invested with the power to cancel, or at least suspend, Australian Citizenship. The submissions argue that Citizenship law should be central to dealing with war criminals.

Military Service

The issue of military service and Australian Citizenship was raised in six submissions (three per cent of submissions received). The majority of these submissions suggest that people who have served in the Australian military have made a significant commitment by defending Australia and, as a result, should not be made to pay a fee for grant of Australian Citizenship. Similarly, they should not have to be 'assessed' for Citizenship or swear allegiance to Australia — their commitment to Australia has been proven.

APPENDIX 2

List of Submission Authors (199 submissions received)



Individuals – Australia

T G Bell (NSW)
Dr Alan Bird and Mrs Jean Bird (SA)
T A Bourdet (NSW)
Ms Eileen J Boyd (NSW)
Mrs Audra Burrows (NSW)
Mr Robert Cameron and Ms Moira Cameron (QLD)
Mr Ralph Chapman (University of Tasmania)
Mr Ron Chenhall (NSW)
Dr John Chesterman (James Cook University)
Dr Ka Sing Chua (VIC)
Mr Brian Collin (TAS)
Ms Penny Connolly (WA)
Mr Bert Corkhill (NSW)
Mr Paul M Danaher (VIC)
Professor Alastair Davidson (Swinburne University of Technology)
Mr Noel Dolton (NSW)
Ms Phillipa Downey (NSW)
Mr Robert Downey (QLD)
Mr Peter H Edwards (NSW)
Mr Denis Eisenbise (VIC)
Mr Mike Enders (Charles Sturt University)
Mr Wolfgang Evers
Mr Robert Field (VIC)
Dr Robin B Fitzsimons (NSW)
Mr Gerald L Friedlander (VIC)
Mr Bob Fung (NSW)
Mr Yanis Garrett (NSW)
J M Gillespie (NSW)
Mr Brad Golding (VIC)
Mr Alan Gosnell (NSW)
Mr Alex H Gould (NSW)
Mr H J Grant (ACT)
Ms Renata Gray (NSW)
Mr Barrie Green (VIC)
Ms Christine Gunadi (NSW)
Mr Dennis Hagarty (NSW)
Mr Robert J Hall (NT)
Mrs Marta Hauptman (VIC)
Mr Philip Hawke (ACT)
Mr J Hewitt (NSW)
Ms Barbara Hewitt (VIC)
Mrs Elizabeth Holek (VIC)
Mr Jeff Hounslow (ACT)
Ms Margaret Jakovac (NSW)
Mr Leslie Jewson (NSW)
Ms Ann-Mari Jordens (ACT)
Mr Rex Kearns (NSW)
Mr Brian Latter (VIC)
Ms Christine MacDowall (VIC)
Dr Colin Mackenzie (TAS)
Mr R A Manthorpe (VIC)
Mr Paul Martin (NSW)
Mr John Mayger (NSW)
Kali McIntyre (VIC)
Mr Jeff McMahon (NSW)
Mr Paul F Moffitt (SA)
Mrs Ethel Nicol (QLD)

Ms Doris Pederson (WA)
Dr Lynnette J Peel (VIC)
Mr Michael Perroux (NSW)
Mr Peter Pieruschka (ACT)
Mr Oliver Raymond (VIC)
Mr Tim Reardon (NSW)
Mr Alfredo Reposi (SA)
Mr Ralph E Rowlett (NSW)
Ms Kim Rubenstein (University of Melbourne)
The Reverend Graham Sawyer (NSW)
Mr Ernest W Selley (SA)
Ms Ena Shaw (VIC)
Mr Michael T Skully (VIC)
Chris Smalley (QLD)
Mr Percival Thomas (NSW)
Ms Tracey Trompak (QLD)
Mr Andrew E L Tucker (VIC)
Mr Ernest J L Tucker (VIC)
S Walker (QLD)
E D Webber (NSW)
Ms Joyce Webster (NSW)
Mr Senan John Whelan (NSW)
Mr Paul Whyte (ACT)
R A Williams OAM (NSW)
Mrs Judith Wilson (NSW)
Ms Jacqueline Wilson (TAS)
Ling Li Wu (ACT)

Individuals – Overseas

Mr Alex D Bailye (UK)
Miss Amanda Bailye (UK)
Ms Myrtle Bailye (UK)
Dr David Bird (USA)
Mrs C P Brune-Withanage (SRI LANKA)
Professor Andrew Choo (UK)
Dr Rodney L Corker and Ms Joanne S Corker
(USA)

Dr Peter Doherty AC FAA (USA)
Mr William A Evans (USA)
Mr Anthony H Fisher (USA)
Dr David F Fisher and Mrs Helen Fisher (UK)
Mr Ian Gowrie-Smith (UK)
Mrs Jan Grandjean (USA)
Ms Lisa Green (ITALY)
Mrs Susan Harris (UK)
Mr Ian Hicks and Ms Anne Hicks (USA)
Mr Anthony J de V Hill (USA)
Mr Michael Hogan (CANADA)
Mr David G V Hudson (UK)
Dr John G R Hurrell (USA)
Miss K E Jamieson (UK)
Mrs Susanna Johnson (UK)
Mr Alan M Kindred (USA)
Mr Keith H King (CANADA)
Ms Carlile Latta (USA)
Ms Catherine M Lockenwitz (DENMARK)
Ms Jacqueline Lovell-Harmon (USA)
Ms Anne MacGregor and Mr John Russel
(BELGIUM) and 33 Australian Citizens
working in Belgium
Ms Diana McArthur Adams (CANADA)
Mr Paul McGrath (FIJI)
Mr Leslie B McKenna (USA)
Mr Richard Moore (USA)
Ms Linda Morgan (USA)
Ms Dee Nolan (UK)
Mrs June M Polvado (USA)
Professor Jennifer Radden (USA)
Ms Susan Tutt Randolph (USA)
Dr M Gary I Riley (USA)
Ms Deborah Ryder (SWITZERLAND)
Ms Marilyn R Saunders (USA)
Mr Peter Schawalder (USA)
Mr Colin Schofield (UK)

Dr Jennifer Sharpley (UK)
P Silverwood (CANADA)
Ms Julie Slater (UK)
Professor Margaret Somerville (CANADA)
Ms Margaret Stanzler (USA)
Ms Lynette M Stephens (UK)
Mr John B Sturrock (USA)
Mr Graham R Taylor (USA)
Mrs Annette Thorp (UK)
Mr Tim S Wade (USA)
Ms Angela Wales Kirgo (USA)
Ms Angela Zuccarini (ITALY)

Commonwealth and State Government

Aboriginal and Torres Strait Islander
Commission
Attorney-General's Department
Mr Mike Board JP MLA, Minister for
Citizenship and Multicultural Interests (WA)
Mr Bob Carr MP, Premier of NSW
Mr Greg Cornwell, MLA, Legislative Assembly
for the ACT
Department of the Chief Minister (NT)
Department of Defence
Department of Education, Training and
Youth Affairs
Department of the Premier and Cabinet
(Multicultural Affairs Qld)
Mr Phil Honeywood MP, Former Minister
Assisting the Premier on Multicultural
Affairs (Vic)
Mr Gavan O'Connor MP (VIC)
Mr John Olsen MP, Premier of South Australia

Local Government councils

Banana Shire Council (QLD)
Bass Coast Shire Council (VIC)
Baulkham Hills Shire Council (NSW)
Bellingen Shire Council (NSW)
City of Port Lincoln (SA)
City of Stirling (WA)
Council of the City of Lithgow (NSW)
Darwin City Council (NT)
Gosford City Council (NSW)
Jabiru Town Council (NT)
Logan City Council (QLD)
Palmerston Town Council (NT)
Pine Rivers Shire Council (Qld)
South Sydney City Council (NSW)
Tamworth City Council (NSW)

Organisations

Aboriginal Provisional Government (TAS)
Australia/Israel and Jewish Affairs Council
Australian Arabic Council (VIC)
Australian Chamber of Commerce and Industry
Australian Federation of Islamic Councils Inc
Baptist Churches of NSW and ACT
Carers Association of Australia
Centro Comunitario Español (Spanish
Community Centre, SA)
Commission on Social and Bioethical
Questions, Lutheran Church of Australia
Coordinator of Multicultural Apostolate,
Catholic Migrant Centre, Archdiocese of
Perth (WA)

Country Women's Association of NSW
Curriculum Corporation (VIC)
Electoral Reform Society of SA
Erskine Rodan and Associates
Ethnic Communities' Council of NSW Inc
Ethnic Communities' Council of Queensland Ltd
Executive Council of Australian Jewry (Vic)
Federation of Ethnic Communities' Councils
of Australia
Hudson and Co (Law Firm, UK)
International Association of Educators
for World Peace
Italian-Australian 'Lanterna' Sydney
Linklaters and Paines (Law Firm, UK)
Migrant Network Services (Northern Sydney) Ltd
Migrant Resource Centre Forum of NSW
Migrant Women's Lobby Group (SA)
Monarchist Association of South Australia
National Multicultural Advisory Council
Q Base (NSW)
Refugee and Immigration Legal Centre Inc (VIC)
The Liberal Party of Australia, NSW Division,
Gosford Branch
The Returned and Services League of Australia
Ltd, National Headquarters
The Returned and Services League of Australia
(Mackay District Branch)
The Returned and Services League of Australia
Inc (Victorian Branch)
Uniting Church of Australia, NSW Synod,
Board for Social Responsibility

APPENDIX 3



Framework for Conducting Affirmation Ceremonies for Australian Citizens and Australians

An affirmation for Australian Citizens ceremony

The concept of an affirmation ceremony is to provide an opportunity for Australian Citizens (those born in Australia, those previously conferred Australian Citizenship or those who acquired Australian Citizenship by descent or other means), if they wish to do so, to publicly affirm their loyalty to Australia and its people. Many of these people would not have previously had an opportunity to publicly affirm their commitment to Australia.

It is envisaged that an affirmation element will be incorporated at the end of the program for the usual Australian Citizenship ceremony and at an appropriate time at formal civic occasions other than Citizenship ceremonies. It is proposed that affirmation ceremonies should be conducted in accordance with the following guidelines.

Legal status

Affirmations by Australian Citizens have no status in law and no legal effect. No records need to be kept on those who take part and no individual details, such as names of those participating, are required by the Department of Immigration and Multicultural Affairs.

Those who take part will not be required to prove their Australian Citizenship and no certificate with the person's name and details will be provided. To avoid confusion, it is desirable for organisers of affirmation ceremonies not to provide any form of certificate to people who affirm their Australian Citizenship.

The Minister for Immigration and Multicultural Affairs, or his delegate, is not required to preside over the affirmation, as it has no legal standing. It may be appropriate for an official guest at the Citizenship ceremony or relevant civic occasion, who may have indicated an interest in the affirmation component, to conduct this part of the program. The event will be of symbolic importance to participants and therefore should be conducted with dignity.

Participants in an affirmation ceremony

An invitation to participate in an affirmation ceremony may be extended to relatives, friends and others accompanying candidates to Australian Citizenship ceremonies or to appropriate persons, depending upon the nature of the occasion. Participation in an

affirmation ceremony is voluntary and those who choose to take part do so of their own free will.

The affirmation for Australian Citizens

The text of the affirmation for Australian Citizens is based on the Australian Citizenship Pledge of Commitment made by Australian Citizenship conferees and reads as follows:

*As an Australian citizen,
I affirm my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I uphold and obey.*

A card with the words of the affirmation for Australian Citizens will be provided to those who participate, in order to read out the words and also as a memento of the occasion. At outdoor ceremonies, if feasible, the affirmation cards should be handed to guests as they arrive, by Local Government council staff. This will enable those wishing to participate in the affirmation component to become familiar with the words in advance and to consider if they wish to make this statement of affirmation. For indoor ceremonies, the cards could be placed on guests' chairs.

The affirmation for Australian Citizens and non-Citizens

An appropriate affirmation to be made by all Australians, both Citizens and non-Citizens, is a modification of the affirmation above, as follows:

*I affirm my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I uphold and obey.*

Where practicable, it is desirable that a card with the text of the modified affirmation be provided to those who participate, in order to read out the words and as a memento of the occasion.

Procedures for affirmations at Australian Citizenship ceremonies

- During the Mayor/Presiding Officer's speech at the beginning of the conferral ceremony, the affirmation for Australian Citizens component should be foreshadowed so that those present (who will be unfamiliar with the concept) will be aware of what is likely to occur.
- As the authorised officer asks the Australian Citizenship candidates to stand to make the Pledge, they should advise that later in the ceremony Australian Citizens in the audience, who wish to do so, can make their own affirmation.
- The usual Australian Citizenship ceremony procedures would then be followed. At the end of the process for registering on the Australian Electoral Roll, the Presiding Officer would announce that the legal component of the ceremony had now concluded.
- Where possible an appropriate person, who is an Australian Citizen (perhaps an official guest) may like to invite those in the audience who are already Australian

Citizens, and would like to be included in the affirmation ceremony, to stand in their places and join in repeating the affirmation on the cards provided.

Procedures for affirmations at other occasions

- The affirmation component should be foreshadowed at the beginning of the function or occasion of which it is a part, so that those present have an opportunity to familiarise themselves with the concept and affirmation text (assuming cards bearing the affirmation text are made available to participants).
- At the appropriate time (for example at the conclusion of the other components of the function), the Master of Ceremonies, function organiser or other appropriate person should invite those in the audience who wish to affirm their loyalty to Australia and its people to stand in their places and join in repeating the affirmation.
- It should be made clear to participants that recitation of the affirmation is voluntary and has no legal effect.

APPENDIX 4



Responsibilities and Privileges of Australian Citizens

The legal status of Australian Citizenship confers a number of responsibilities and privileges.

With one exception, these do not originate from the *Australian Citizenship Act 1948*. They are derived from other legislation and government policies. A list of these responsibilities and privileges is provided below.

Civic Responsibilities and Privileges

- Australian Citizens can enrol to vote at Commonwealth, State and Territory elections and referendums. (Voting is also available to British subjects who were enrolled to vote on 26 January 1984.)
- Australian Citizens can stand for election at Commonwealth, State and Territory level (subject to section 44(i) of the Constitution).
- In both Territories and most States, voting and standing for election at Local Government level is restricted to Australian Citizens. (Voting is also available to British subjects who were enrolled to vote on 26 January 1984.)
- Australian Citizens can serve on juries. (Jury service is also available to British subjects who were enrolled to vote on 26 January 1984.)

General Responsibilities and Privileges

- Australian Citizens can obtain an Australian passport and, therefore, leave and re-enter Australia without a visa. (Australian permanent residents require a resident return visa if they wish to return to Australia after a period of time overseas.)
- Australian Citizenship is a basis for employment in the Australian Public Service (subject to exceptions decided by Agency Heads).
- Australian Citizens can be employed in the Australian Armed Forces. (Note that Australian permanent residents who are in the process of obtaining Australian Citizenship, or who are eligible for Australian Citizenship, may obtain employment in the Australian Armed Forces contingent on their acquiring Australian Citizenship.)
- Australian Citizens can register a child under 18 years of age born to them overseas as an Australian Citizen by descent.
- Higher priority in immigration processing is given to people sponsored by Australian Citizens under some categories of the Migration Program.

- Applicants for migration who are subject to the points test receive an additional ten points if sponsored by a person who has been an Australian Citizen for over five years and five points if sponsored by a person who has been an Australian Citizen for less than five years.

APPENDIX 5

Citizenship Requirements in Some Overseas Countries



USA	<p>Immediately prior to filing application, permanent residence in the US for at least five years and physical presence for at least half of that time.</p> <p>Residence within the state or district in which the application is filed for at least three months.</p>
CANADA	<p>Canadian permanent residence status for three out of the four years prior to application. (Legislation is currently before Parliament which, if successful, would require people to be physically present in Canada for three years out of the six years prior to application.)</p>
NEW ZEALAND	<p>Legal residence and a permanent home base in NZ for the three years prior to application (or two years if married to a NZ citizen).</p>
UNITED KINGDOM	<p>Presence in the UK for five years prior to application and no absence from the UK of more than 450 days over the five-year period; 270 days over the 3-year period; and 90 days in the one-year prior to application.</p>
FRANCE	<p>Usual residence in France for the five-year period prior to application.</p>
JAPAN	<p>For those aged over 20 years, residence in Japan for a continuous period of not less than five years.</p>
GERMANY	<p>Legal residence in Germany of eight years.</p>
SWEDEN	<p>Uninterrupted residence in Sweden for five years; or two years for Danish, Finnish, Icelandic or Norwegian citizens.</p>

SOUTH AFRICA	Ordinary residence in the Republic of South Africa for a continuous period of not less than one year prior to application; and in addition, residence for a further period of not less than four years during the eight years immediately preceding the date of application.
ARGENTINA	Residence in the Republic of Argentina for two consecutive years.
THAILAND	Residence in the Thai Kingdom for a consecutive period of not less than five years prior to application.
POLAND	Residence in Poland for at least five years.
PHILIPPINES	Residence in the Philippines for a continuous period of not less than ten years.
NORWAY	Residence in Norway for seven consecutive years prior to application. (If married to a Norwegian national, the period of time the applicant has been married added to the period of time the applicant has lived in Norway must amount to a total of eight years, including residence in Norway for two of those years.)
ITALY	Legal residence in Italy for at least ten years.

APPENDIX 6

Administration of the Citizenship Program



The Citizenship program of the Department of Immigration and Multicultural Affairs (DIMA) covers policy on Australian Citizenship, both in the legal as well as the broader sense, and the planning and delivery of associated services. In relation to the legal aspects of Citizenship, the program involves administration of the *Australian Citizenship Act 1948*, the Australian Citizenship Regulations and the Australian Citizenship Instructions.

The program is administered from DIMA's Central Office in Canberra, with the support of state and territory offices in relation to service delivery.

Citizenship services are available in DIMA's offices in all states and territories and from Australian posts overseas. Designated Australia Post offices offer Citizenship interviewing services. Citizenship ceremonies are normally held by Local Government councils, and DIMA offers ceremonies in urgent or compassionate circumstances.

Processes involved in the administration of the Citizenship program are described below.

1. Applications for the Grant of Australian Citizenship (Section 13 of the *Australian Citizenship Act 1948*)

The Department of Immigration and Multicultural Affairs (DIMA) has developed an application kit for persons who wish to apply for Australian Citizenship. The kit contains application forms and advice on the legislative requirements and the process for grant of Australian Citizenship. It also explains the exemptions to the legislative requirements and the discretions that are available in certain circumstances. The kit is available at all offices of DIMA and can also be requested by phoning the Citizenship Telephone Enquiry Line (131880).

Applications may be lodged at any DIMA office, either by mail or in person.

The next step is a Citizenship interview to verify the details in the application form and assess whether the applicant meets the requirements for English language and knowledge of the responsibilities and privileges of Australian Citizenship. Any required certificates such as birth and marriage certificates can also be lodged during the interview.

Most offices will interview applicants when they lodge their application. Applicants living outside metropolitan areas may be referred to the Postal Manager at their local Post Office for interview. Applicants are advised about the process which will be followed and given the opportunity to ask questions.

After the interview, checks are made against the records of DIMA and against police records in Australia to establish whether the applicant is of good character. Checks are also made to confirm the applicant's permanent resident status and length of residence in Australia.

A decision is then made on an application and the applicant is formally notified of the decision.

DIMA's published service standards are that 90 per cent of all applications are decided within 90 days of an application being lodged. In October 1998, on average, 67 per cent of applications were decided within 1 month. A further 23.5 per cent were decided within 1–2 months of receipt. Thus 90.5 per cent were decided within two months of making application.

If an application is approved, the Local Government council makes arrangements for the applicant to attend a Citizenship ceremony where Australian Citizenship is formally conferred and new Citizens are presented with a Certificate of Australian Citizenship.

The average time from decision to conferral is about ten weeks. However, this depends upon the frequency of ceremonies conducted by councils. In remote areas for example,

councils may have only one or two ceremonies per year.

If an applicant does not meet the requirements for Australian Citizenship, the application will be refused or deferred depending upon the circumstances involved. Applicants who are refused are notified of their right of appeal to the Administrative Appeals Tribunal.

Applications may be deferred for up to 12 months if the applicant:

- does not meet the normal requirements, (with the exception of those relating to residence in Australia), and is likely to meet the requirements within the period of deferral;
- is under consideration for cancellation of visa; or
- may be charged with an offence.

2. Citizenship Ceremonies

Section 15 of the *Australian Citizenship Act 1948* (the Act) requires that all applicants who have been approved for the grant of Australian Citizenship must make the Pledge of Commitment in order to acquire Australian Citizenship with the exception of;

- people who cannot understand the nature of the application because of some permanent, mental or physical impairment;
- children under 16 years of age;
- children under 16 years of age included on a responsible parent's certificate.

People exempted from making the Pledge become Citizens when their application is

approved, except those included on a parent's certificate who become Citizens either on the same date as the parent, or on the date of later inclusion on the parent's certificate.

Since 1954 public ceremonies have been conducted by Local Government councils in civic halls. Often supported by community groups, these ceremonies are conducted with dignity and warmth. Through the use of Local Government councils for public Citizenship ceremonies, candidates are introduced to the three spheres of government and the opportunity arises to formally accept them into the Australian community.

The presiding officer at the ceremony must be an Australian Citizen and have been approved to confer Citizenship by the Minister for Immigration and Multicultural Affairs. Such people are usually Lord Mayors, Mayors, Town Clerks and Shire Presidents.

The Act enables the Minister to make arrangements for an applicant to make the Citizenship Pledge in public, accompanied by proceedings to impress upon applicants the responsibilities of Australian Citizenship. Accordingly, the Minister has issued guidelines for local government on conducting Citizenship ceremonies to provide consistency across Australia. These guidelines also ensure the legal requirements are met within a consistent and dignified framework.

Dignity is added to the occasion by the display of a portrait of the Queen, the Australian Coat of Arms and Australian flag. The national anthem is played at the ceremony.

The ceremony generally opens with a brief address by the presiding officer, including the reading of the words of the Preamble to the Act. This is followed by an address to the candidates by invited speakers such as the Minister for Immigration and Multicultural Affairs or his representative, local members of State and Federal Parliament, a Senator, members of local community organisations and members of the local indigenous community. After the speeches, candidates take the Citizenship Pledge at which time they officially become Australian Citizens. They are then presented with their certificates of Australian Citizenship.

Candidates are invited to bring their relatives and friends to the ceremony so that they can join in the occasion. After the ceremony, a social gathering with refreshments is generally provided by the council.

Some Local Government councils present the new Citizens with an Australian tree/shrub to plant as a lasting memento of the occasion.

On occasions, councils also conduct private ceremonies — for example, where a person requires Australian Citizenship urgently.

The Department of Immigration and Multicultural Affairs also conducts private ceremonies in special circumstances. This is normally where candidates are exempt from the English language requirement, have poor English language skills, or where they have a disability. These ceremonies are dignified but less formal than public ceremonies. Members of Parliament and community groups are not usually present at these ceremonies.

3. Applications for Australian Citizenship by Descent (Section 10B of the *Australian Citizenship Act 1948*)

Applications for registration as an Australian Citizen by descent can be lodged by parents of children born outside Australia and under 18 years of age, at any Australian mission overseas or DIMA office in Australia.

The application must be supported by conclusive evidence that at least one natural parent was an Australian Citizen at the time of the child's birth. If that parent acquired Australian Citizenship by descent, evidence must be provided that the parent has resided in Australia legally for an aggregate period of at least two years.

If the legislative requirements are met, the child must be registered in the Register of Citizenship by Descent. The child acquires Australian Citizenship on the date of registration.

The parent who made application is issued with an extract from the Register as evidence of the child's acquisition of Australian Citizenship.

4. Applications for Australian Citizenship by Descent (Section 10C of the *Australian Citizenship Act 1948*)

Applications for Australian Citizenship by descent under section 10C of the *Australian Citizenship Act 1948* may be lodged at any DIMA office in Australia or overseas by people over 18 years of age if they were born between 26/1/1949 and 15/1/1974 (inclusive).

The application must be supported by conclusive evidence that at least one natural parent was an Australian Citizen at the time of the applicant's birth and is still an Australian Citizen. In addition, as this provision has a good character requirement, Australian police records are checked. If the applicant is living outside Australia, a police certificate must be provided.

Applications are referred to the central office of DIMA for processing. If the applicant meets the legislative requirements, the application is registered and the person becomes an Australian Citizen upon the date of registration.

A declaratory certificate of Australian Citizenship is issued to the applicant as evidence of acquisition of Australian Citizenship.

Unsuccessful applicants are notified of their right of appeal to the Administrative Appeals Tribunal.

5. Applications for Resumption of Australian Citizenship (Sections 23A, 23B and 23AA of the *Australian Citizenship Act 1948*)

People who have lost their Australian Citizenship may apply to resume it at any office of DIMA or Australian mission overseas. Application forms are available at those offices.

The application must be accompanied by evidence of former possession of Australian Citizenship (eg. a full Australian birth certificate, certificate of Australian Citizenship etc) and documentation showing that loss of Australian Citizenship has occurred (eg. a foreign Citizenship certificate).

If an applicant meets the legislative requirements, the application is registered and the person regains their Australian Citizenship on the date of registration.

A declaratory certificate of Australian Citizenship is issued to the person as evidence of having reacquired Australian Citizenship.

Applicants who are refused are notified of their right of appeal to the Administrative Appeals Tribunal.

6. Declarations of Renunciation of Australian Citizenship (Section 18 of the *Australian Citizenship Act 1948*)

A declaration of renunciation of Australian Citizenship may be lodged at any DIMA office or Australian mission overseas.

Australian Citizens may generally renounce Australian Citizenship if they are 18 years or older and possess another Citizenship, or are born or ordinarily resident in another country and cannot get the Citizenship of that country unless they renounce their existing Citizenship. Renunciation can be refused in some instances, including if the Minister for Immigration and Multicultural Affairs considers that it would not be in the interests of Australia to register the declaration of renunciation.

A declaration must be accompanied by evidence of possession of Australian Citizenship and possession of the Citizenship of another country or evidence that they will acquire another Citizenship immediately after they renounce their Australian Citizenship.

Declarations are processed in the Central Office of DIMA and if the legislative requirements are met, the declaration is registered and the person ceases to be an Australian Citizen from that date. Evidence of the registration of a declaration of renunciation of Australian Citizenship is issued to the applicant.

Applicants whose declarations are not registered are advised of their right of appeal to the Administrative Appeals Tribunal.

7. Application for a Certificate of Evidence of Australian Citizenship (Regulation 8 of Australian Citizenship Regulations)

Applications from people requiring evidence of their Australian Citizenship – for example, because they have lost their original evidence, may be lodged at any DIMA office or Australian mission overseas.

Persons who acquired Australian Citizenship automatically (eg. under the transitional provisions of the former section 25 of the *Australian Citizenship Act 1948* (the Act), by adoption, or by birth) must produce conclusive documentary evidence that they met the requirements of that particular legislative provision of the Act.

Where it is determined that the person is an Australian Citizen, a declaratory certificate of Australian Citizenship is issued to that person as evidence of possession of Australian Citizenship.