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Committee Secretary
Senate Legal and Constitutional Affairs Committee
Parliament House
CANBERRA ACT 2600
Citizenshipbill@aph.gov.au

Dear Committee Secretary

SENATE INQUIRY INTO AUSTRALIAN CITIZENSHIP LEGISLATION AMENDMENT BILL 2018

Thank you for the opportunity to make a submission to the Senate inquiry into Senator Pauline Hanson's Australian Citizenship Legislation Amendment (Strengthening the Commitment for Australian Citizenship and Other Measures) Bill 2018.

Oz Kiwi is concerned that Senator Pauline Hanson has proposed changes to Australian Citizenship requirements. It is particularly disappointing given the overwhelming number of opposing submissions to the Senate Committee inquiry into Peter Dutton's Citizenship Amendment Bill (2017). Senator Hanson's Bill offers no point of differentiation, except to increase the general residence requirement for those applying for citizenship by conferral, from its current requirement of four years as a permanent resident, to **eight years**.

In 2017 Oz Kiwi made submissions to both the Department of Immigration and the Senate Committee inquiry into the Citizenship Legislation Amendment (2017) opposing the proposed changes. Given our concerns we feel compelled to again express our disappointment that there is a further attempt to pursue unpopular changes to citizenship eligibility requirements.

New Zealand citizens arriving in Australia are granted a Special Category Visa (SCV) that allows them to reside indefinitely. Many will have already resided in Australia for several years as an SCV-holder before obtaining a permanent visa. Given their right to stay indefinitely on the SCV, the proposal to extend residence requirements as a permanent resident serves no clear policy purpose for New Zealanders, but adds unnecessary red tape and can cause much harm.

Without citizenship, a migrant in Australia cannot vote, cannot join the Federal public service, cannot serve in the Australian Defence Force, and can only access limited support for tertiary education. All New Zealanders residing in Australia are required to contribute towards the cost of the NDIS, but only Protected SCVs¹ can access the scheme. These limitations are substantial and should not be extended without a very solid policy justification. No such justification is to be found in the Government's proposals.

New Zealand Skilled Independent 189 (New Zealand) stream visa-holders will be exempt from the Bill's reforms and therefore only be required to reside as a permanent resident for 12 months. There is no policy logic in excluding one cohort of New Zealand citizen from the proposed new residency period simply based on the class of permanent visa they hold. This comparison is particularly pertinent when the other class of visa in question, the Special Category Visa, also allows for indefinite residence.

¹ **Protected Special Category Visa-holders** (PSCVs) are those New Zealanders who were residing in Australia on 26 February 2001, or who had resided in Australia for at least 12 months within the preceding two years.



There are several unintended consequences of the proposed introduction of an eight (8) year wait as a permanent resident, particularly for young people. An eight (8) year permanent residence requirement would delay tertiary study until citizenship is conferred, or lead to them giving up on pursuing tertiary studies entirely. Young New Zealanders who are granted a permanent visa lose access to HELP, even if they otherwise meet the ten-year residence requirement.

While the Government's objective is to incentivise migrants to demonstrate greater commitment to Australia, the interaction of education and citizenship policies in this case acts perversely to, in effect, punish those New Zealanders who have demonstrated that commitment by putting themselves on a pathway to citizenship.

While Oz Kiwi opposes any extension to the current 12 month residency requirement as a permanent resident, New Zealanders could be exempted from an eight year wait for citizenship eligibility by either:

- restoring the former permanent resident status to all Special Category Visa-holders (SCVs) and declaring all former SCVs to have been permanent residents during the period they held an SCV;
OR
- declaring that former Special Category Visa-holders (SCVs), subsequently granted a permanent visa, to be considered permanent residents during the time they held an SCV.

Yours sincerely

Joanne Cox
Deputy Chair, Oz Kiwi