

To the Legal and Constitutional Affairs Legislation Committee:

I'm a Project Manager in Sydney.

I'm writing to express major concerns on the following two issues proposed by the *Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017*:

### **1. Retroactive application:**

By backdating the commencement date to 20 April 2017, the Bill not only penalises people who are already living in Australia permanently, but also those already eligible for citizenship under the current law.

I came to Australia in 2013 on a 457 Visa to work as a System Analyst for one of the superannuation software project. In 2014 I enrolled myself to study part time Masters of Information Technology Program in University of Sydney as an International Student. Paid the full tuition fee from my savings, hoping to utilize my experience and new skills to further develop my career in Australia and contribute more meaningfully to the society.

In 2016, I applied for subclass 190 state sponsorship from New South Wales government and successfully transitioned to a permanent resident status.

There is no rationale to how this retroactive rule can contribute to ensuring national security or protecting Australian values. The Bill is applicable for permanent residents (PR) who are already committed to Australia indefinitely. These people have already gone through several rounds of character verification and police checks. Whereas temporary residents are not required to do so before entering the country, targeting at PR clearly does not add any practical values to tackle security threats.

Lastly, the retroactive aspect of the Bill is against the Australian values of fairness and equality because it prevents eligible applicants from making their pledges to the country. It also prevents existing migrants from making informed decisions about their future. We have already made life-changing decisions to relocate, work and do business in Australia relying on the current citizenship law. To allow fairness, **it is suggested that the Bill adopts a similar approach to the *Australian Citizenship (Transitional and Consequential) Act 2007***, which exempts those who have their PR granted on or before the commencement date of the new law and apply for citizenship within 3 years.

### **2. Disqualified temporary residence periods:**

Aiming to ensure better social integration, the government is imposing a 4 year wait on PR while disqualifying the temporary residency (TR) period. However, it is a fact that nothing that can be gained on a PR visa cannot be achieved on a temporary visa.

In the last 3 years, as temporary resident, I believe I contributed equally well as I am doing now. Our second daughter was born in 2015 in the very excellent St. George Hospital, and all while our first daughter is doing her studies in kindergarten.

Now all of the above will de-stabilize if the new citizenship rules comes in effect, we won't be certain of our future path, neither of our children's future.

An emphasis on longer permanent residency is therefore ineffective and impractical to promote Australian culture and values. As such, it is submitted that the Bill continues to include temporary residence periods in the general residence requirement.

Thank you for the opportunity to provide my submission.