

RECOMMENDATIONS

Recommendation 1

3.7 The Committee recommends that the principal Bill include a substantive provision, which provides that a person who is a citizen under the 1948 Bill is a citizen for the purpose of the new Act.

Recommendation 2

3.8 The Committee recommends that a chart or alternatively a readers' guide, which explains the operation of the new law, be developed and incorporated as a Schedule to the principal Bill.

Recommendation 3

3.13 The Committee recommends that the Department develop and implement a comprehensive public information campaign to promote the new Citizenship Act.

Recommendation 4

3.14 The Committee recommends that sufficient budget be allocated to enable the use of television, newspaper and radio in Australia and overseas in appropriate community languages.

Recommendation 5

3.15 The Committee recommends that the Department work actively with DFAT to ensure that information materials are distributed through Australian overseas posts to facilitate communication with the expatriate community.

Recommendation 6

3.25 The Committee recommends that the Government apply the new residential qualifying period to permanent residents who are granted permanent residency on or after the date of commencement of subdivision B.

Recommendation 7

3.26 The Committee recommends that the policy guidelines ensure the concepts of 'significant hardship or disadvantage' and 'beneficial to Australia' are interpreted broadly to include social and cultural factors as well as economic considerations.

Recommendation 8

3.37 The Committee recommends that the 'good character' test be defined in the Bill.

Recommendation 9

3.49 The Committee recommends that proposed sections 17(4), 24(4) and 30(4) be amended to give the Minister a discretion to reject an application where s/he is satisfied that the person poses a threat to national security.

Recommendation 10

3.60 The Committee recommends that sections 17, 24 and 30 be amended so as to limit the exclusion from citizenship on national security grounds in the case of a stateless person to applicants who have been the subject of an actual conviction for a security related offence in accordance with the provisions of the Convention on the Reduction on Statelessness.

Recommendation 11

3.61 The Committee recommends that the Bill be thoroughly reviewed to ensure that Australia fully discharges its responsibility towards stateless persons and that the UNHCR and HREOC be consulted as part of this process.

Recommendation 12

3.78 The Committee recommends that the Department continue to work with the Privacy Commissioner to restrict to the maximum extent possible the collection, access, use and disclosure of personal identifying information in the Bill.

Recommendation 13

3.91 The Committee recommends that the Bill should expressly adopt the principle that, in all decisions affecting the rights and interest of a child, the best interests of the child shall be a paramount consideration in Part 1 of the Bill.

Recommendation 14

3.92 The Committee recommends that the Bill should clarify when a child may make an application in their own right and when an application may be considered as part of an application of a responsible parent.

Recommendation 15

3.93 The Committee recommends that the discretion to revoke the citizenship of a child where the citizenship of the parent has ceased should be amended to reflect Australia's international obligations and include a:

- **presumption against revocation of citizenship of a child;**
- **requirement that the Minister must have regard to the best interests of the child as a paramount consideration;**
- **requirement that the views of the child should be taken into account.**

Recommendation 16

3.104 The Committee recommends that all existing review rights be maintained.

Recommendation 17

3.108 The Committee recommends that the Preamble recognise that Australian citizenship represents full and formal membership of the community of the Commonwealth.