

CHAPTER 1

INTRODUCTION

1.1 On 25 June 2009, the Senate referred the Australian Citizenship Amendment (Citizenship Test review and Other Measures) Bill 2009 to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry and report by 7 September 2009.

1.2 The Bill was introduced in the Senate on 25 June 2009 by Senator the Hon. Penny Wong, Minister for Climate Change and Water, at the request of Senator the Hon. John Faulkner, Minister for Defence, and Senator the Hon. Chris Evans, Minister for Immigration and Citizenship.

1.3 The Bill seeks to amend the *Australian Citizenship Act 2007* to make changes to the Australian Citizenship Program, and in particular, the citizenship test implemented by the former government. \$123.6 million was [provided over 5 years in the 2007/08 Budget to establish and implement the test.¹ According to the Explanatory memorandum, the Bill aims to achieve the following, much of which was recommended by the Australian Citizenship Test Review Committee (CTRC). The Bill:

- provides that certain applicants may be eligible for citizenship without sitting the citizenship test if, at the time of application, they have a physical or mental incapacity that is as a result of suffering torture or trauma outside Australia;
- provides that the citizenship test must be successfully completed within a specified period;
- provides that to be eligible for citizenship by conferral, applicants who are under 18 years of age must be permanent residents at both the time of application and the time of decision; and
- streamlines the application process so that citizenship testing and citizenship application would usually take place in one visit to immigration offices.

The committee notes that both hard and electronic copies of the Explanatory Memorandum for the Bill contained misnumbered Item numbers, and understands that this error will be rectified at third reading stage.

Conduct of the inquiry

1.4 The committee advertised the inquiry in *The Australian* newspaper on 1 July 2009, and invited submissions by 31 July 2009. Details of the inquiry, the Bill, and associated documents were placed on the committee's website. The committee also wrote to over 100 organisations and individuals inviting submissions.

1 Answer to Legal and Constitutional Affairs Estimates Committee question on notice, Immigration and Citizenship portfolio, received 17 July 2009.

1.5 The committee received 21 submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public.

1.6 The committee held a public hearing in Melbourne on 27 August 2009, A list of witnesses who appeared at the hearings is at Appendix 2 and copies of the Hansard transcript are available through the Internet at <http://aph.gov.au/hansard>.

Acknowledgement

1.7 The committee thanks the organisations and individuals who made submissions and gave evidence at the public hearing.

Note on references

1.8 References in this report are to individual submissions as received by the committee, not to a bound volume. References to the committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard transcript.