



# **Australian Citizenship Amendment (Intercountry Adoption) Act 2015**

**No. 7, 2015**

**An Act to amend the *Australian Citizenship Act 2007*, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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## Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedule(s).....	2
<b>Schedule 1—Amendments</b>		<b>3</b>
	<i>Australian Citizenship Act 2007</i>	3





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## **An Act to amend the *Australian Citizenship Act 2007*, and for related purposes**

[Assented to 25 February 2015]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Australian Citizenship Amendment (Intercountry Adoption) Act 2015*.

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## **2 Commencement**

This Act commences on the day this Act receives the Royal Assent.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Australian Citizenship Act 2007*

#### **1 Section 2A**

Omit:

The second is citizenship for persons adopted in accordance with the Hague Convention on Intercountry Adoption: see Subdivision AA.

substitute:

The second is citizenship for persons adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement: see Subdivision AA.

#### **2 Subdivision AA of Division 2 of Part 2 (heading)**

Repeal the heading, substitute:

#### **Subdivision AA—Citizenship for persons adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement**

#### **3 Section 19B**

Omit:

You may be eligible to become an Australian citizen under this Subdivision if you are adopted outside Australia in accordance with the Hague Convention on Intercountry Adoption by at least 1 Australian citizen.

substitute:

You may be eligible to become an Australian citizen under this Subdivision if you are adopted outside Australia by at least one Australian citizen in accordance with:

- (a) the Hague Convention on Intercountry Adoption; or
- (b) a bilateral arrangement.

#### 4 Paragraph 19C(2)(a)

After “Convention country”, insert “or a prescribed overseas jurisdiction”.

#### 5 Paragraph 19C(2)(c)

After “Intercountry Adoption regulations”, insert “or the Bilateral Arrangements regulations, as applicable”.

#### 6 Subsection 19C(4) (definition of *adoption compliance certificate*)

Repeal the definition, substitute:

*adoption compliance certificate*:

- (a) for an adoption in accordance with the Hague Convention on Intercountry Adoption—has the same meaning as in the Intercountry Adoption regulations; and
- (b) for an adoption in accordance with a bilateral arrangement—has the same meaning as in the Bilateral Arrangements regulations.

#### 7 Subsection 19C(4)

Insert:

*Bilateral Arrangements regulations* means the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998*.

*prescribed overseas jurisdiction* has the same meaning as in the Bilateral Arrangements regulations.

#### 8 Subsection 34(1) (heading)

Repeal the heading, substitute:

*Citizenship by descent or for persons adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement*

## **9 Application**

The amendments made by this Schedule apply in relation to an application made under section 19C of the *Australian Citizenship Act 2007* on or after the day this item commences by a person adopted outside Australia by an Australian citizen in accordance with a bilateral arrangement, even if the adoption occurred before that day.

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[*Minister's second reading speech made in—  
House of Representatives on 29 May 2014  
Senate on 25 September 2014*]

(108/14)

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5