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Statutory Rules 1988 No. 1

324/

Australian Citizenship Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting
with the advice of the Federal Executive Council, hereby make the following
Regulations under the *Australian Citizenship Act 1948*.

Dated 24 November 1988.

N. M. STEPHEN

Governor-General

By His Excellency's Command,

Minister of State for Immigration, Local
Government and Ethnic Affairs

Principal Regulations

1. In these Regulations, "Principal Regulations" means the Australian
Citizenship Regulations.

Extract of entry in register

2. Regulation 7D of the Principal Regulations is amended:

(a) by inserting after subregulation (3) the following subregulations:

"(3A) Where an authorised officer decides that he or she is
not satisfied that any extract of the original entry previously given
to a person has been lost or destroyed, the authorised officer shall
notify in writing the person requesting the extract of the entry as
corrected of the reasons for the decision and that an application
in writing for review of the decision may be made to the Secretary
not later than 60 days after the day of the notification.

"(3B) The officer conducting a review:

(a) shall cause the applicant for the review to be notified of
the officer's decision; and

- (b) if that decision is unfavourable—shall cause to be sent to the applicant, together with the notification, a statement of the reasons for the decision.

“(3C) Where the officer conducting a review is satisfied that any extract of the original entry in the register previously given to a person has been lost or destroyed, the officer shall cause an authorised officer to give to the applicant for the review an extract of the entry as corrected.”; and

- (b) by adding at the end the following subregulation:

“(5) In this regulation, review means review by a Senior Executive Service officer within the meaning of the *Public Service Act 1922*, holding, or performing the duties of, an office in the Department.”.

Declaratory certificate of citizenship issued on application

3. Regulation 8 of the Principal Regulations is amended by adding at the end of the following subregulations:

“(9) Where an authorised officer decides that he or she is not satisfied that the declaratory certificate previously issued to the applicant has been lost or destroyed, an authorised officer shall notify the applicant of the reasons for that decision and that an application in writing for review of the decision may be made to the Secretary not later than 60 days after the day of the notification.

“(10) The officer conducting a review:

- (a) shall cause the applicant for the review to be notified of the officer's decision; and
- (b) if that decision is unfavourable—shall cause to be sent to the applicant, together with the notification, a statement of the reasons for the decision.

“(11) Where the officer conducting a review is satisfied that the declaratory certificate previously issued to the applicant has been lost or destroyed, the officer shall cause an authorised officer to issue to the applicant a declaratory certificate of citizenship.

“(12) In this regulation, review means review by a Senior Executive Service officer, within the meaning of the *Public Service Act 1922*, holding, or performing the duties of, an office in the Department.”.

Further amendments

4. The Principal Regulations are amended as set out in the Schedule to these Regulations.



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SCHEDULE

Regulation 4

FURTHER AMENDMENTS

1. The Principal Regulations are amended by omitting from each of the following provisions "Immigration and Ethnic Affairs" (wherever occurring) and substituting "Immigration, Local Government and Ethnic Affairs":

Subregulation 3 (1); Form 6 in the Second Schedule (including the Notes at the foot of that form); Form 8 in the Second Schedule.

2. The Principal Regulations are amended by omitting from Form 6 in the Second Schedule "IMMIGRATION AND ETHNIC AFFAIRS" (wherever occurring) and substituting "IMMIGRATION, LOCAL GOVERNMENT AND ETHNIC AFFAIRS".

3. The Principal Regulations are amended by omitting from each of the following provisions "authorized" (wherever occurring) and substituting "authorised":

Definition of "authorized officer" in subregulation 3 (1); subregulation 7 (2); regulation 7B; subregulations 7C (1), (2), (3) and (4), 7D (2), (3) and (4), 8 (1) and (8); paragraph 13A (3) (b); regulation 17; subregulation 22 (1).

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1 1988. 2 December
2. Statutory Rules 1960 No. 62 as amended by 1961 No. 120; 1964 No. 1; 1965 Nos. 8 and 146; 1967 No. 149; 1968 No. 129; 1969 No. 72; 1970 Nos. 9 and 189; 1973 Nos. 29 and 196; 1975 No. 181; 1976 No. 269; 1978 No. 272; 1979 No. 143; 1980 No. 339; 1981 No. 112; 1982 No. 118; 1983 No. 68; 1984 Nos. 252 and 351; 1985 No. 260; 1986 Nos. 209, 210, 223 and 306; 1987 Nos. 87, 88 and 312

