



# Australian Citizenship Regulation 2016

made under the

*Australian Citizenship Act 2007*

## Compilation No. 18

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Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Australian Citizenship Regulation 2016* that shows the text of the law as amended and in force on 28 October 2023 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## Part 1—Preliminary

### 1 Name

This is the *Australian Citizenship Regulation 2016*.

### 3 Authority

This instrument is made under the *Australian Citizenship Act 2007*.

### 5 Definitions

In this instrument:

*Act* means the *Australian Citizenship Act 2007*.

*Australian mission overseas* means a diplomatic, consular or migration office maintained by or on behalf of the Commonwealth outside Australia.

*credit card surcharge*: see section 16.

*Hague Convention on Intercountry Adoption* means the *Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*, done at The Hague on 29 May 1993.

Note: The Convention is in Australian Treaty Series 1998 No. 21 ([1998] ATS 21) and could in 2016 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

*PayPal surcharge*: see section 16.

*Schedule 3 amount*: see section 16.

## Part 2—Australian citizenship

### 6 Registration under section 18 of the Act

For the purposes of section 18 of the Act, a person is registered by the Minister:

- (a) making a record of the fact that the person is an Australian citizen by descent; and
- (b) including the record on a data storage system kept by the Department.

### 6A Citizenship for persons adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement

- (1) For the purposes of the definition of *Bilateral Arrangements regulations* in subsection 19C(4) of the Act, the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023* are prescribed.
- (2) For the purposes of the definition of *Intercountry Adoption regulations* in subsection 19C(4) of the Act, the *Family Law (Hague Convention on Intercountry Adoption) Regulations 1998* are prescribed.

### 7 Registration under section 19E of the Act

For the purposes of section 19E of the Act, a person is registered by the Minister:

- (a) making a record of the fact that the person is an Australian citizen by adoption in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement; and
- (b) including the record on a data storage system kept by the Department.

### 8 Defence service requirement—prescribed visas

For the purposes of paragraphs 23(2)(a) and (3)(a) of the Act, the following visas are prescribed:

- (a) Employer Nomination (Permanent) (Class EN);
- (b) Labour Agreement (Migrant) (Class AU);
- (c) Labour Agreement (Residence) (Class BV);
- (d) Regional Employer Nomination (Permanent) (Class RN).

### 9 Prescribed reasons for failing to make pledge of commitment

- (1) For the purposes of subsection 25(3) of the Act, this section prescribes reasons for failing to make a pledge of commitment.
- (2) A person has a prescribed reason for failing to make a pledge of commitment if:
  - (a) the person was prevented from making a pledge because the Minister has determined under subsection 26(3) of the Act that the person cannot make the pledge until the end of a specified period; and

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- (b) either:
    - (i) the determination is in force, and the specified period has not yet ended; or
    - (ii) the determination has ceased to be in force or the specified period has ended, but the person has not yet had a reasonable period in which to make a pledge.
  - (3) Subject to subsection (5), a person has a prescribed reason for failing to make a pledge of commitment if:
    - (a) the person could not make a pledge, either in Australia or at an Australian mission overseas, because during the period referred to in paragraph 25(3)(a) of the Act the person was overseas:
      - (i) for medical treatment that was not available in Australia; or
      - (ii) for any purpose, and was unexpectedly hospitalised; or
      - (iii) to care for a person who was critically ill; or
      - (iv) for a funeral and other associated arrangements; and
    - (b) either:
      - (i) the person still cannot make a pledge for the reason mentioned in paragraph (a); or
      - (ii) the person is now able to make a pledge, but the person has not yet had a reasonable period in which to do so.
  - (4) Subject to subsection (5), a person has a prescribed reason for failing to make a pledge of commitment if:
    - (a) the person could not make a pledge because of an administrative error or omission made by:
      - (i) the Commonwealth, a State or a Territory; or
      - (ii) an authority of the Commonwealth, a State or a Territory; or
      - (iii) a local government authority; and
    - (b) either:
      - (i) the person still cannot make a pledge for the reason mentioned in paragraph (a); or
      - (ii) the person is now able to make a pledge, but the person has not yet had a reasonable period in which to do so.
  - (5) For the purposes of subsection (3) or (4), a person has a prescribed reason only if the person gives the Minister:
    - (a) a signed statement to support the claim, including a description of any effort that the person made to make a pledge of commitment within the relevant period; and
    - (b) written evidence that supports the statement.

## **10 Arrangements for making pledge of commitment**

For the purposes of subsection 27(2) of the Act, the arrangements are:

- (a) the pledge of commitment must be made in public if it is reasonably practicable to do so; and

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- (b) the person before whom the pledge is made must read aloud the address specified in Schedule 1 to the person making the pledge.

Note: In addition to the arrangements that are required for the purposes of subsection 27(2) of the Act, the Department may notify arrangements for making a pledge of commitment, or conducting a ceremony, that are designed to impress upon applicants the responsibilities and privileges of Australian citizenship.

### 11 Registration under section 31 of the Act

For the purposes of section 31 of the Act, a person is registered by the Minister:

- (a) making a record of the fact that the person is an Australian citizen by resumption of citizenship; and
- (b) including the record on a data storage system kept by the Department.

### 12 Form of notice under subsection 37(3) of the Act

- (1) For the purposes of subsection 37(3) of the Act, a notice must be in accordance with the form in Schedule 2.
- (2) The signature of the Minister on the notice may be a facsimile that is printed or stamped.
- (3) A presiding officer may sign the notice if the person to whom the notice is given acquired citizenship by conferral after making the pledge of commitment in accordance with section 27 of the Act before that presiding officer.
- (4) The following information in relation to the person to whom the notice is given may be set out on the back of the notice:
  - (a) the person's name at the time of acquisition of Australian citizenship, if different from the person's current name;
  - (b) the date of any notice of evidence of Australian citizenship previously given to the person;
  - (c) any other name in which a notice of evidence of Australian citizenship has previously been given to the person;
  - (d) any other date of birth in a notice of evidence of Australian citizenship previously given to the person.

Note: A notice given under section 37 of the Act is prima facie evidence of the matters in the notice (see subsection 37(5) of the Act).

- (5) If the back of the notice sets out any of the information referred to in subsection (4), the signature of the Minister (which may be a facsimile that is printed or stamped) must also be included on the back of the notice.

### 13 Personal identifiers

For the purposes of subsection 40(2) of the Act, a request must inform the person of the following matters:

- (a) why a personal identifier must be provided;
- (b) how a personal identifier may be collected;



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- (c) how a personal identifier may be used;
- (d) the circumstances in which a personal identifier may be disclosed to a third party;
- (e) that a personal identifier may be produced in evidence in a court or tribunal in relation to the person who provided the personal identifier;
- (f) that the *Privacy Act 1988* applies to a personal identifier, and that the person has a right to make a complaint to the Australian Information Commissioner about the handling of personal information;
- (g) that the *Freedom of Information Act 1982* gives a person access to certain information and documents in the possession of the Government of the Commonwealth and of its agencies, and that the person has a right under that Act to seek access to that information or those documents, and to seek amendment of records containing personal information that is incomplete, incorrect, out of date or misleading.

## Part 3—Other matters

### 15 Application for replacement of evidence of Australian citizenship lost, destroyed or damaged due to a natural disaster

- (1) This section applies to an application under section 37 of the Act for evidence of Australian citizenship if:
  - (a) the application relates to the replacement of evidence of Australian citizenship that was lost, destroyed or damaged due to a natural disaster that is included on a list of natural disasters published by the Department on its website; and
  - (b) the application is made within 18 months of the date specified for the natural disaster on the list.
- (2) For the purposes of paragraph 46(1)(c) of the Act, the application must be accompanied by the following:
  - (a) a statutory declaration stating that the evidence of Australian citizenship has been lost, destroyed or damaged due to the natural disaster;
  - (b) if the evidence of Australian citizenship is damaged—the damaged evidence of Australian citizenship.

Note: No fee is payable for an application to which this section applies (see Schedule 3).

### 16 Fees to accompany applications

For the purposes of paragraph 46(1)(d) of the Act, the fee to accompany an application under a provision of the Act is the sum of:

- (a) the amount (the **Schedule 3 amount**) set out in Schedule 3 for the application; and
- (b) if the Schedule 3 amount, or part of the Schedule 3 amount, is paid by credit card—the following amount (the **credit card surcharge**):
  - (i) for payment by Visa or MasterCard credit card—1.4% of the Schedule 3 amount paid by credit card;
  - (ii) for payment by American Express or Japan Credit Bureau (JCB) credit card—1.4% of the Schedule 3 amount paid by credit card;
  - (iii) for payment by Diners Club International credit card—1.99% of the Schedule 3 amount paid by credit card;
  - (iv) for payment by China UnionPay credit card—1.9% of the Schedule 3 amount paid by credit card; and
- (c) if the Schedule 3 amount, or part of the Schedule 3 amount, is paid by the PayPal system—the amount (the **PayPal surcharge**) of 1.01% of so much of the Schedule 3 amount as is paid by the PayPal system.

**17 Refund of fees under subsection 46(3) of the Act**

- (1) The Minister may refund the whole or part of a fee that has been paid under section 46 of the Act in relation to an application made under section 16, 19C, 21 or 29 of the Act in any of the following circumstances:
  - (a) a person has previously made an application under the same section and a decision on that application has not been made;
  - (b) a person has made an application as a result of incorrect advice given by the Department;
  - (c) a person is an Australian citizen;
  - (d) a person has paid an incorrect fee.
- (2) The Minister may refund the whole or part of a fee that has been paid under section 46 of the Act in relation to an application made under section 33 of the Act in either of the following circumstances:
  - (a) a person has previously made an application under the same section and a decision on that application has not been made;
  - (b) a person has made an application as a result of incorrect advice given by the Department.
- (3) The Minister may refund the whole or part of a fee that has been paid under section 46 of the Act in relation to an application made under section 37 of the Act in any of the following circumstances:
  - (a) a person has previously made an application under the same section and a decision on that application has not been made;
  - (b) a person has made an application as a result of incorrect advice given by the Department;
  - (c) a person has already been given evidence of his or her Australian citizenship, but a Departmental error was made which resulted in an error in the information provided in the evidence.
- (4) If a person:
  - (a) made an application under section 21 of the Act; and
  - (b) claimed eligibility in that application on the basis of the criteria in subsection 21(2) of the Act; and
  - (c) paid the amount specified in item 13 of Schedule 3; and
  - (d) does not satisfy the criteria in subsection 21(2) of the Act because he or she did not sit a test as described in paragraph 21(2A)(a) of the Act;the Minister may refund an amount equal to the difference between:
  - (e) the amount specified in that item; and
  - (f) the amount specified in item 10 or 17 of Schedule 3, whichever is applicable.
- (5) If:
  - (a) the Minister refunds an amount in relation to a fee under subsection (4); and
  - (b) the fee included a credit card surcharge or PayPal surcharge;

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the Minister must also refund the proportion of the surcharge that is equal to the proportion that the refunded amount is of the fee specified in item 13 of Schedule 3.

(6) If a person:

- (a) made an application under section 21 of the Act; and
- (b) claimed eligibility in that application on the basis of the criteria in subsection 21(2) of the Act; and
- (c) paid the amount specified in item 14 of Schedule 3; and
- (d) does not satisfy the criteria in subsection 21(2) of the Act because he or she did not sit a test as described in paragraph 21(2A)(a) of the Act;

the Minister may refund an amount equal to the difference between:

- (e) the amount specified in that item; and
- (f) the amount specified in item 16 or 18 of Schedule 3, whichever is applicable.

(7) If:

- (a) the Minister refunds an amount in relation to a fee under subsection (6); and
- (b) the fee included a credit card surcharge or PayPal surcharge;

the Minister must also refund the proportion of the surcharge that is equal to the proportion that the refunded amount is of the amount specified in item 14 of Schedule 3.

## **18 Form of notice under section 47 of the Act**

For the purposes of subsection 47(4) of the Act, the Minister must give notice of a decision under the Act by:

- (a) personal delivery; or
- (b) prepaid post to the last address given to the Department; or
- (c) electronic means.

## **Part 4—Transitional arrangements**

### **19 Transitional provisions relating to the commencement of this instrument— applications made before commencement**

- (1) This section applies in relation to an application made under the Act and in accordance with the *Australian Citizenship Regulations 2007* (the **old regulations**) before 1 January 2017.
- (2) The application is taken, on and after 1 January 2017, to have been made in accordance with this instrument.
- (3) However, the following amounts are to be worked out in accordance with the old regulations as in force immediately before the start of 1 January 2017 (subject to any provisions of a transitional nature in those regulations):
  - (a) the amount of any fee payable in accordance with the old regulations in relation to the application;
  - (b) the amount of any refund of such a fee.

### **20 Application of amendments made by the *Migration Legislation Amendment (2017 Measures No. 3) Regulations 2017***

The amendments of section 16 made by Schedule 10 to the *Migration Legislation Amendment (2017 Measures No. 3) Regulations 2017* apply in relation to an application made on or after 1 July 2017.

### **21 Application of amendment made by Schedule 4 to the *Home Affairs Legislation Amendment (2018 Measures No. 1) Regulations 2018***

The amendment of section 16 made by Schedule 4 to the *Home Affairs Legislation Amendment (2018 Measures No. 1) Regulations 2018* applies in relation to an application made on or after 1 July 2018.

### **22 Application of amendment made by Schedule 1 to the *Australian Citizenship Amendment (Payment of Fees) Regulations 2018***

The amendment of section 16 made by item 1 of Schedule 1 to the *Australian Citizenship Amendment (Payment of Fees) Regulations 2018* applies in relation to an application made on or after 1 January 2019.

### **23 Application of amendment made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Concession Codes and Payment of Fees) Regulations 2019***

The amendment of Schedule 3 made by item 2 of Schedule 1 to the *Australian Citizenship Amendment (Concession Codes and Payment of Fees) Regulations 2019*

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*Regulations 2019* applies in relation to an application made on or after 2 March 2019.

### **24 Application of amendment made by Part 2 of Schedule 1 to the *Australian Citizenship Amendment (Concession Codes and Payment of Fees) Regulations 2019***

The amendment of section 16 made by item 3 of Schedule 1 to the *Australian Citizenship Amendment (Concession Codes and Payment of Fees) Regulations 2019* applies in relation to an application made on or after 1 July 2019.

### **25 Application of amendment made by Schedule 1 to the *Home Affairs Legislation Amendment (2019 Measures No. 1) Regulations 2019***

The amendment of section 16 made by Schedule 1 to the *Home Affairs Legislation Amendment (2019 Measures No. 1) Regulations 2019* applies in relation to an application made on or after 1 January 2020.

### **26 Application of amendment made by Schedule 1 to the *Home Affairs Legislation Amendment (2020 Measures No. 1) Regulations 2020***

The amendment of section 16 made by Schedule 1 to the *Home Affairs Legislation Amendment (2020 Measures No. 1) Regulations 2020* applies in relation to an application made on or after 1 July 2020.

### **27 Application of amendment made by Schedule 3 to the *Home Affairs Legislation Amendment (2020 Measures No. 2) Regulations 2020***

The amendment of section 16 made by Schedule 3 to the *Home Affairs Legislation Amendment (2020 Measures No. 2) Regulations 2020* applies in relation to an application made on or after 1 January 2021.

### **28 Application of amendments made by Schedules 5 and 6 to the *Home Affairs Legislation Amendment (2021 Measures No. 1) Regulations 2021***

The amendments of sections 16 and 17 and Schedule 3 made by Schedules 5 and 6 to the *Home Affairs Legislation Amendment (2021 Measures No. 1) Regulations 2021* apply in relation to an application under a provision of the Act made on or after 1 July 2021.

### **29 Fee for applications for evidence of citizenship where certain applications for citizenship approved after 1 July 2021**

- (1) For the purposes of paragraph 46(1)(d) of the Act, the fee to accompany an application (the *evidence application*) under section 37 of the Act is nil if:
  - (a) the applicant made an application under section 16 or 19C of the Act before 1 July 2021; and

- (b) the Minister approves the applicant becoming an Australian citizen on or after 1 July 2021; and
  - (c) the evidence application is made within the period:
    - (i) starting on 1 July 2021; and
    - (ii) ending 6 months after the day on which the Minister approves the applicant becoming an Australian citizen.
- (2) Section 16 does not apply to the evidence application.

**30 Application of amendment made by Schedule 2 to the *Home Affairs Legislation Amendment (2021 Measures No. 2) Regulations 2021***

The amendment of section 16 made by Schedule 2 to the *Home Affairs Legislation Amendment (2021 Measures No. 2) Regulations 2021* applies in relation to an application made on or after 1 January 2022.

**31 Application of amendments made by Schedule 1 to the Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022**

The amendments of sections 16 and 17 made by Schedule 1 to the *Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022* apply in relation to an application made on or after 1 July 2022.

**32 Application of amendment made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Translation Requirements for Applications) Regulations 2022***

- (1) The repeal of section 14 by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Translation Requirements for Applications) Regulations 2022* applies in relation to an application made before the commencement of that Part if:
- (a) a decision on the application had not been made before that commencement; or
  - (b) a decision on the application had been made before that commencement and one of the following applies:
    - (i) as at that commencement, the time for making an application for review of the decision under section 52 of the Act has not ended;
    - (ii) as at that commencement, the decision is subject to a review under section 52 of the Act that has not been completed;
    - (iii) before that commencement, the decision was remitted to the Minister following a review under section 52 of the Act, and the Minister has not, as at that commencement, reconsidered the decision.
- (2) The repeal of section 14 by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Translation Requirements for Applications) Regulations 2022* also applies in relation to an application made on or after the commencement of that Part.

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**33 Application of amendments made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Indexation of Citizenship Application Fees) Regulations 2023***

The amendments of this instrument made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Indexation of Citizenship Application Fees) Regulations 2023* apply in relation to an application made on or after 1 July 2023.

**34 Application of amendments made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Refund of Fees) Regulations 2023***

The amendments of this instrument made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Refund of Fees) Regulations 2023* apply in relation to an application made on or after 1 July 2023.



## **Schedule 1—Preamble for citizenship ceremony**

Note: See section 10.

Australian citizenship represents full and formal membership of the community of the Commonwealth of Australia, and Australian citizenship is a common bond, involving reciprocal rights and obligations, uniting all Australians, while respecting their diversity.

Persons on whom Australian citizenship is conferred enjoy these rights and undertake to accept these obligations:

- (a) by pledging loyalty to Australia and its people;
- (b) by sharing their democratic beliefs;
- (c) by respecting their rights and liberties; and
- (d) by upholding and obeying the laws of Australia.

## Schedule 2—Form of notice

Note: See section 12.

COMMONWEALTH OF AUSTRALIA

*Australian Citizenship Act 2007*

Australian Citizenship

*(full name of citizen)*

born on *(date of citizen's birth)*

I, the Minister administering the *Australian Citizenship Act 2007*, give notice that the  
abovenamed is an Australian citizen and that citizenship was acquired on *(date of  
acquisition or birth)*.

*(Signature or printed or stamped signature of the Minister)*

*(Title of the Minister)*

*(Signature of presiding officer)*

Dated:

Evidence No:

## Schedule 3—Amounts to accompany applications

Note: See section 16.

Amounts to accompany applications		
Item	Column 1 Application	Column 2 Amount
1	Applications made at the same time under section 16 of the Act by 2 or more siblings	\$345 for the application by the first sibling, and \$145 for the applications made by the second and subsequent siblings
2	An application under section 16 of the Act, other than an application mentioned in item 1	\$345
3	Applications made at the same time under section 19C of the Act by 2 or more siblings	\$345 for the application by the first sibling, and \$145 for the applications made by the second and subsequent siblings
4	An application under section 19C of the Act, other than an application mentioned in item 3	\$345
5	An application under section 21 of the Act if the applicant has completed at least 90 days service in the permanent forces of the Commonwealth or 90 days National Service under section 26 of the <i>National Service Act 1951</i> as in force at any time before 26 November 1964	Nil
6	An application under section 21 of the Act if the applicant entered Australia from the United Kingdom or Malta between 22 September 1947 and 31 December 1967 inclusive, and was a ward of the Minister under the <i>Immigration (Guardianship of Children) Act 1946</i>	Nil
7	<p>An application (the <b>new application</b>) under section 21 of the Act if:</p> <p>(a) the applicant claims eligibility on the basis of the criteria in subsection 21(3) or (4) of the Act; and</p> <p>(b) the applicant previously made an application (the <b>old application</b>) under section 21 of the Act; and</p> <p>(c) after considering the old application, the Minister refused to approve the person becoming an Australian citizen only because the Minister was not satisfied that the applicant met the residence requirement set out in:</p> <p style="padding-left: 20px;">(i) subsection 22(1) of the Act; or</p> <p style="padding-left: 20px;">(ii) paragraph 22A(1)(c), (d), (f) or (g) of the Act; or</p> <p style="padding-left: 20px;">(iii) paragraph 22B(1)(c), (d), (f) or (g) of the Act;</p> <p style="padding-left: 20px;">and</p> <p>(d) the applicant made the new application during the period beginning on the day of the refusal and ending at the earlier of:</p> <p style="padding-left: 20px;">(i) the end of 3 months after the applicant first became able to meet the residence requirement;</p>	Nil

**Schedule 3** Amounts to accompany applications

<b>Amounts to accompany applications</b>		
<b>Item</b>	<b>Column 1 Application</b>	<b>Column 2 Amount</b>
	and (ii) the end of 1 year after the day of the refusal	
8	<p>An application (the <b>new application</b>) under section 21 of the Act if:</p> <p>(a) the applicant claims eligibility on the basis of the criteria in subsection 21(2) of the Act; and</p> <p>(b) the applicant previously made an application (the <b>old application</b>) under section 21 of the Act on or after 1 October 2007; and</p> <p>(c) under the old application, the applicant claimed eligibility on the basis of the criteria in subsection 21(2) of the Act; and</p> <p>(d) after considering the old application, the Minister refused to approve the person becoming an Australian citizen only because the Minister was not satisfied that the applicant met the residence requirement set out in:</p> <p>(i) subsection 22(1) of the Act; or</p> <p>(ii) paragraph 22A(1)(c), (d), (f) or (g) of the Act; or</p> <p>(iii) paragraph 22B(1)(c), (d), (f) or (g) of the Act; and</p> <p>(e) the applicant made the new application during the period beginning on the day of the refusal and ending at the earlier of:</p> <p>(i) the end of 3 months after the applicant first became able to meet the residence requirement; and</p> <p>(ii) the end of 1 year after the day of the refusal</p>	Nil
9	An application under section 21 of the Act if the applicant has applied under subsection 21(8) of the Act (statelessness)	Nil
10	<p>An application under section 21 of the Act, other than an application mentioned in items 5 to 9 or item 15, if:</p> <p>(a) the applicant does not claim eligibility on the basis of the criteria in subsection 21(2) of the Act; and</p> <p>(b) the applicant:</p> <p>(i) holds a pensioner concession card issued by the Commonwealth; or</p> <p>(ii) is under the age of 18 and is listed as a dependant on a pensioner concession card issued by the Commonwealth held by another person</p>	\$40
13	<p>An application under section 21 of the Act, other than an application mentioned in items 5 to 9 or item 15, if:</p> <p>(a) the applicant claims eligibility on the basis of the criteria in subsection 21(2) of the Act; and</p> <p>(b) the applicant:</p>	\$75

<b>Amounts to accompany applications</b>		
<b>Item</b>	<b>Column 1 Application</b>	<b>Column 2 Amount</b>
	(i) holds a pensioner concession card issued by the Commonwealth; or (ii) is under the age of 18 and is listed as a dependant on a pensioner concession card issued by the Commonwealth held by another person	
14	An application under section 21 of the Act, other than an application mentioned in items 5 to 13 or items 15 to 18, if the applicant claims eligibility on the basis of the criteria in subsection 21(2) of the Act	\$540
15	An application under section 21 of the Act by a child, under the age of 16, who applies for citizenship at the same time, and on the same form, as a responsible parent	Nil
16	An application under section 21 of the Act, other than an application mentioned in items 5 to 15 or items 17 and 18	\$330
17	An application (the <b>new application</b> ) under section 21 of the Act, other than an application mentioned in item 5, 6, 8, 13 or 18, if: (a) the applicant claims eligibility on the basis of the criteria in subsection 21(2) of the Act; and (b) the applicant previously made an application (the <b>old application</b> ) on or after 1 October 2007; and (c) under the old application, the applicant sat a test as described in paragraph 21(2A)(a) of the Act; and (d) the applicant: (i) holds a pensioner concession card issued by the Commonwealth; or (ii) is under the age of 18 and is listed as a dependant on a pensioner concession card issued by the Commonwealth held by another person	\$40
18	An application (the <b>new application</b> ) under section 21 of the Act, other than an application mentioned in item 5, 6, 8, 13 or 17, if: (a) the applicant claims eligibility on the basis of the criteria in subsection 21(2) of the Act; and (b) the applicant previously made an application (the <b>old application</b> ) on or after 1 October 2007; and (c) under the old application, the applicant sat a test as described in paragraph 21(2A)(a) of the Act	\$330
19	An application under section 29 of the Act by a child, under the age of 16, who makes an application at the same time and on the same form as a responsible parent	Nil
20	An application under section 29 of the Act, other than an application mentioned in item 19	\$230
21	An application under section 33 of the Act	\$290

**Schedule 3** Amounts to accompany applications

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<b>Amounts to accompany applications</b>		
<b>Item</b>	<b>Column 1 Application</b>	<b>Column 2 Amount</b>
21A	An application under section 37 of the Act that is made at the same time and on the same form as an application under section 16 or 19C of the Act	Nil
22	An application under section 37 of the Act that is made at the same time and on the same form as an application under section 21 or 29 of the Act	Nil
23	An application in accordance with section 37 of the Act to which section 15 of this regulation applies	Nil
24	An application under section 37 of the Act, other than an application mentioned in item 21A, 22 or 23	\$265

## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced



## Endnote 3—Legislation history

## Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Australian Citizenship Regulation 2016	13 Dec 2016 (F2016L01916)	1 Jan 2017 (s 2(1) item 1)	
Migration Legislation Amendment (2017 Measures No. 3) Regulations 2017	29 June 2017 (F2017L00816)	Sch 4 (items 1, 2), Sch 10 and Sch 12 (item 1): 1 July 2017 (s 2(1) item 1)	—
Australian Citizenship Amendment Regulations 2017	18 Dec 2017 (F2017L01646)	1 Jan 2018 (s 2(1) item 1)	—
Australian Citizenship Amendment (Concessional Application Fees) Regulations 2018	8 June 2018 (F2018L00734)	Disallowed before commencing (s 2(1) item 1) Note: disallowed by the Senate at 8.01 pm on 25 June 2018	—
Home Affairs Legislation Amendment (2018 Measures No. 1) Regulations 2018	8 June 2018 (F2018L00741)	Sch 3 (item 1) and Sch 4: 1 July 2018 (s 2(1) item 1)	—
Australian Citizenship Amendment (Form of Notice) Regulations 2018	21 Sept 2018 (F2018L01327)	22 Sept 2018 (s 2(1) item 1)	—
Australian Citizenship Amendment (Payment of Fees) Regulations 2018	10 Dec 2018 (F2018L01713)	1 Jan 2019 (s 2(1) item 1)	—
Australian Citizenship Amendment (Concession Codes and Payment of Fees) Regulations 2019	25 Feb 2019 (F2019L00181)	Sch 1 (items 1, 2): 2 Mar 2019 (s 2(1) item 2) Sch 1 (items 3, 4): 1 July 2019 (s 2(1) item 3)	—
Home Affairs Legislation Amendment (2019 Measures No. 1) Regulations 2019	5 Nov 2019 (F2019L01423)	Sch 1: 1 Jan 2020 (s 2(1) item 2)	—
Home Affairs Legislation Amendment (2020 Measures No. 1) Regulations 2020	20 Mar 2020 (F2020L00281)	Sch 1: 1 July 2020 (s 2(1) item 2)	—
Home Affairs Legislation Amendment (Credit Card and PayPal Surcharge) Regulations 2020	12 June 2020 (F2020L00705)	Sch 1 (items 1, 2): 1 July 2020 (s 2(1) item 1)	—
Statute Update (Regulations References) Regulations 2020	4 Sept 2020 (F2020L01137)	Sch 1 (item 3): 6 Sept 2020 (s 2(1) item 1)	—
Home Affairs Legislation Amendment (2020 Measures No. 2) Regulations 2020	13 Nov 2020 (F2020L01427)	Sch 3: 1 Jan 2021 (s 2(1) item 3)	—

## Endnotes

### Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Home Affairs Legislation Amendment (2021 Measures No. 1) Regulations 2021	25 June 2021 (F2021L00852)	Sch 5, 6 and Sch 7 (item 1): 1 July 2021 (s 2(1) item 1)	—
Home Affairs Legislation Amendment (2021 Measures No. 2) Regulations 2021	29 Oct 2021 (F2021L01483)	Sch 2: 1 Jan 2022 (s 2(1) item 3)	—
Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022	24 June 2022 (F2022L00825)	Sch 1: 1 July 2022 (s 2(1) item 1)	—
Australian Citizenship Amendment (Translation Requirements for Applications) Regulations 2022	16 Dec 2022 (F2022L01667)	1 Jan 2023 (s 2(1) item 1)	—
Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023	22 Mar 2023 (F2023L00308)	Sch 2 (item 2): 23 Mar 2023 (s 2(1) item 1)	—
Australian Citizenship Amendment (Indexation of Citizenship Application Fees) Regulations 2023	21 June 2023 (F2023L00822)	1 July 2023 (s 2(1) item 1)	—
Australian Citizenship Amendment (Refund of Fees) Regulations 2023	27 Oct 2023 (F2023L01421)	28 Oct 2023 (s 2(1) item 1)	—

## Endnote 4—Amendment history

## Endnote 4—Amendment history

Provision affected	How affected
<b>Part 1</b>	
s 2 .....	rep LA s 48D
s 4 .....	rep LA s 48C
s 5 .....	am F2021L00852; F2022L00825
<b>Part 2</b>	
s 6A .....	ad F2020L01137 am F2023L00308
<b>Part 3</b>	
s 14 .....	rep F2022L01667
s 16 .....	am F2017L00816; F2017L01646; F2018L00741; F2018L01713; F2019L00181; F2019L01423; F2020L00281; F2020L00705; F2020L01427; F2021L00852; F2021L01483; F2022L00825 ed C14
s 17 .....	am F2021L00852; F2022L00825; F2023L01421
<b>Part 4</b>	
s 20 .....	ad F2017L00816
s 21 .....	ad F2018L00741
s 22 .....	ad F2018L01713
s 23 .....	ad F2019L00181
s 24 .....	ad F2019L00181
s 25 .....	ad F2019L01423
s 26 .....	ad F2020L00281
s 27 .....	ad F2020L01427
s 28 .....	ad F2021L00852
s 29 .....	ad F2021L00852
s 30 .....	ad F2021L01483
s 31 .....	ad F2022L00825
s 32 .....	ad F2022L01667
s 33 .....	ad F2023L00822
s 34 .....	ad F2023L01421
<b>Schedule 2</b>	
Schedule 2 .....	am F2018L01327
<b>Schedule 3</b>	
Schedule 3 .....	am F2019L00181; F2021L00852; F2022L00825; F2023L00822
Schedule 4 .....	rep LA s 48C