**EXPLANATORY STATEMENT**

Issued by the Assistant Minister for Citizenship and Multicultural Affairs

*Australian Citizenship Act 2007*

*Australian Citizenship Amendment (Indexation of Fees) Regulations 2025*

The *Australian Citizenship Act 2007* (the Citizenship Act) provides for the process of becoming an Australian citizen, the circumstances in which citizenship may cease, and other related matters.

Section 54 of the Citizenship Act provides that the Governor-General may make regulations prescribing matters required or permitted by the Citizenship Act to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to the Citizenship Act. Paragraph 46(1)(d) of the Citizenship Act provides that an application made under that Act must be accompanied by the fee prescribed by the regulations.

For the purposes of paragraph 46(1)(d) of the Act, section 16 of the *Australian Citizenship Regulation 2016* (the Citizenship Regulation) provides that the fee to accompany an application is the amount set out in Schedule 3, in addition to any surcharge if the payment is made by credit card or PayPal. The *Australian Citizenship Amendment (Indexation of Fees) Regulations 2025* (the Regulations) applies the Consumer Price Index (CPI) to Australian citizenship application fees from 1 July 2025.

Fees for Australian citizenship are increased to keep pace with the cost of processing applications for Australian citizenship and delivering the Australian citizenship program. Citizenship application fees were last updated on 1 July 2024.

There is no change to Items in Schedule 3 to the Citizenship Regulation that provide for a nil fee. There is no change to some smaller fees due to rounding.

The amendments to the Citizenship Regulation relate to matters of detail and are therefore appropriate for inclusion in regulations.

A Statement of Compatibility with Human Rights has been completed in accordance with the *Human Rights (Parliamentary Scrutiny) Act 2011*. The overall assessment is that the Regulations are compatible with human rights. A copy of the Statement is at Attachment A.

No consultation was undertaken as the amendment does not substantially alter existing arrangements. The change will enable the Citizenship Program to keep pace with the cost of processing applications and in line with CPI. This accords with section 17 of the *Legislation Act 2003* (the Legislation Act)*,* which provides that before a rule-maker makes a legislative instrument, they must be satisfied that appropriate and reasonably practicable consultation has taken place. In determining whether any consultation is appropriate, the rule-maker may have regard to any relevant matter*.*

The Regulations commence on 1 July 2025.

Further details of the Regulations are set out in Attachment B.

The Department follows standard practices to notify clients about the proposed changes, including updating citizenship application fees on its website.

The Citizenship Act specifies no conditions that need to be satisfied before the power to make the Regulations may be exercised.

The Regulations are a legislative instrument for the purposes of the Legislation Act.

**ATTACHMENT A**

**Statement of Compatibility with Human Rights**

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

***Australian Citizenship Amendment (Indexation of Fees) Regulations 2025***

This Disallowable Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

**Overview of the Regulation change**

The *Australian Citizenship Amendment (Indexation of Fees) Regulations 2025* amends the *Australian Citizenship Regulation 2016* (the Regulation) to increase fees for certain Australian citizenship applications.

Schedule 3 to the Regulation sets out, for the purposes of paragraph 46(1)(d) of the *Australian Citizenship Act 2007*, the amount of the fee payable (if any) to accompany an application for citizenship.

The previous citizenship application fees as listed under Schedule 3 to the Regulation were set on 1 July 2024. In line with the 2023-24 Budget Measure *Revenue Options for Citizenship Application Fees*, ongoing annual indexation of citizenship application fees applies from 1 July 2024. This means that from 1 July 2025 some fee amounts to accompany citizenship applications have changed. Items in Schedule 3 that provide for a nil fee have not changed. There is no change to some smaller fees due to rounding.

The purpose of this amendment is to increase citizenship application fees in order to keep pace with the cost of processing applications and delivering the Citizenship Program. Citizenship application fees are categorised as a resource charge and are guided by the Australian Government Charging Framework issued by the Department of Finance.

The fees are amended in accordance with the following table:

|  |  |  |  |
| --- | --- | --- | --- |
| **Item Number**  | **Type of Application**  | **Fee from 1 July 2024 (AUD)**  | **Fee from 1 July 2025 (AUD)**  |
| 1  | Citizenship by descent – person born outside Australia to an Australian parent Applications made at the same time under section 16 of the Act by 2 or more siblings  | $360 for the application by the first sibling, and $150 for the applications made by the second and subsequent siblings  | $370 for the application by the first sibling, and $150 for the applications made by the second and subsequent siblings (no increase for second and subsequent siblings) |
| 2  | Citizenship by descent – person born outside Australia to an Australian parent An application under section 16 of the Act, other than an application mentioned in item 1  | $360 | $370 |
| 3  | Citizenship through adoption – person adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement Applications made at the same time under section 19C of the Act by 2 or more siblings  | $360 for the application by the first sibling, and $150 for the applications made by the second and subsequent siblings | $370 for the application by the first sibling, and $150 for the applications made by the second and subsequent siblings(no increase for second and subsequent siblings) |
| 4  | Citizenship through adoption – person adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement An application under section 19C of the Act, other than an application mentioned in item 3  | $360 | $370 |
| 10  | Citizenship by conferral – other than general eligibility – citizenship test not required – eligible for concessional fee An application under section 21 of the Act, other than an application mentioned in items 5 to 9 or item 15, if: (a) the applicant does not claim eligibility on the basis of the criteria in subsection 21(2) of the Act; and (b) 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 | $40 (no increase) |
| 13  | Citizenship by conferral – general eligibility – eligible for concessional fee An application under section 21 of the Act, other than an application mentioned in items 5 to 9 or item 15, if: (a) the applicant claims eligibility on the basis of the criteria in subsection 21(2) of the Act; and (b) 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  | $80 | $80 (no increase) |
| 14  | Citizenship by conferral – general eligibility 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  | $560 | $575 |
| 16  | Citizenship by conferral – other than general eligibility - citizenship test not required An application under section 21 of the Act, other than an application mentioned in items 5 to 15 or items 17 and 18  | $345 | $350 |
| 17  | Citizenship by conferral – general eligibility – applicant previously passed citizenship test in association with a previous application – eligible for concessional fee An application (the ***new application***) 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 old application) 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 | $40 (no increase) |
| 18  | Citizenship by conferral – general eligibility – applicant previously passed citizenship test in association with a previous application An application (the ***new application***) 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 ***old application)*** 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  | $345 | $350 |
| 20  | Resumption of Australian citizenship An application under section 29 of the Act, other than an application mentioned in item 19  | $240 | $245 |
| 21  | Renunciation of Australian citizenship An application under section 33 of the Act  | $300 | $310 |
| 24  | Evidence of Australian citizenship An application under section 37 of the Act, other than an application mentioned in item 21A, 22 or 23  | $275 | $280 |

**Human rights implications**

The measures in this instrument may engage the right to acquire or change a nationality under the following international instruments:

* Article 24(3) of the International Covenant on Civil and Political Rights;
* Article 5(d)(iii) of the Convention on the Elimination of all Forms of Racial Discrimination;
* Article 18 of the Convention on the Rights of Persons with Disabilities;
* Article 9 of the Convention on the Elimination of All Forms of Discrimination Against Women; and
* Article 7 of the Convention of the Rights of the Child.

An increase in fees for citizenship applications may engage the right to acquire or change a nationality under the instruments listed above. To the extent that a person has a right to acquire or change a nationality, an increase in fees may limit that right. However, any limitation is reasonable and proportionate, noting also that the Regulation provides for concessional fees for recipients of certain income support payments. The amendments are necessary to ensure the continued delivery of the Citizenship Program in a timely and efficient manner.

**Conclusion**

This regulation change is compatible with human rights because, to the extent that it may limit human rights, those limitations are reasonable, necessary and proportionate.

**The Hon Julian Hill MP**

**Assistant Minister for Citizenship and Multicultural Affairs**

**ATTACHMENT B**

**Details of the *Australian Citizenship Amendment (Indexation of Fees) Regulations 2025***

Section 1 - Name

This section provides that the name of the instrument is the *Australian Citizenship Amendment (Indexation of Fees) Regulations 2025* (the Regulations).

Section 2 - Commencement

This section provides that the Regulations commence on 1 July 2025.

Section 3 - Authority

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

Section 4 - Schedules

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

**Schedule 1 – Amendments**

**Part 1 – Amendments**

***Australian Citizenship Regulation 2016*** (the Citizenship Regulation).

**Items [1 to 10]**

Part 1 of Schedule 1 to the Regulations amends column 2 of the table in Schedule 3 to the Citizenship Regulation. Items 1 to 10 give effect to increases to the citizenship application fee amounts from 1 July 2025.

The amendments made by items 1 to 10 substitute previous citizenship fee amounts with indexed fee amounts. The following table summarises the changes that take effect on 1 July 2025.

|  |  |  |  |
| --- | --- | --- | --- |
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| 2  | Citizenship by descent – person born outside Australia to an Australian parent An application under section 16 of the Act, other than an application mentioned in item 1  | $360 | $370 |
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| 4  | Citizenship through adoption – person adopted in accordance with the Hague Convention on Intercountry Adoption or a bilateral arrangement An application under section 19C of the Act, other than an application mentioned in item 3  | $360 | $370 |
| 14  | Citizenship by conferral – general eligibility 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  | $560 | $575 |
| 16  | Citizenship by conferral – other than general eligibility - citizenship test not required An application under section 21 of the Act, other than an application mentioned in items 5 to 15 or items 17 and 18  | $345 | $350 |
| 18  | Citizenship by conferral – general eligibility – applicant previously passed citizenship test in association with a previous application An application (the ***new application***) 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 ***old application***) 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  | $345 | $350 |
| 20  | Resumption of Australian citizenship An application under section 29 of the Act, other than an application mentioned in item 19  | $240 | $245 |
| 21  | Renunciation of Australian citizenship An application under section 33 of the Act  | $300 | $310 |
| 24  | Evidence of Australian citizenship An application under section 37 of the Act, other than an application mentioned in item 21A, 22 or 23  | $275 | $280 |

**Part 2 – Application of amendments**

***Australian Citizenship Regulation 2016***

**Item [11] at the end of Part 4**

This item inserts new section 36 into Part 4 of the Citizenship Regulation. Section 36 provides that amendments made by Part 1 of Schedule 1 to the Regulations apply in relation to an application made on or after 1 July 2025.