



# **Australian Citizenship Act 1973**

## **Act No. 99 of 1973 as amended**

This compilation was prepared on 17 October 2005  
taking into account amendments up to Act No. 216 of 1973

The text of any of those amendments not in force  
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be  
affected by application provisions that are set out in the Notes section

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# **An Act to amend the *Citizenship Act 1948-1969*.**

## **1 Short title and citation** [see Note 1]

- (1) This Act may be cited as the *Australian Citizenship Act 1973*.
- (2) The *Citizenship Act 1948-1969* is in this Act referred to as the Principal Act.

## **2 Commencement** [see Note 1]

- (1) Sections 1, 2 and 22 shall come into operation on the day on which this Act receives the Royal Assent.
- (2) Subsection (1) of section 3, sections 7 and 14, subsection (2) of section 15 and section 17 shall come into operation six months after the date fixed under subsection (3).
- (3) The remaining provisions of this Act shall come into operation on a date to be fixed by Proclamation.

## **3–20** [see Note 2]

## **21 Transitional Provisions**

- (1) A person who, immediately before the commencement of this section, was an Australian citizen by virtue of a provision of the Principal Act repealed by this Act, does not cease to be an Australian citizen by reason of the repeal of that provision.
- (2) For the purposes of the Principal Act as amended by this Act:
  - (a) an application for the grant of a certificate of Australian citizenship that had been made under subsection 12(1) or (2), or subsection 14(2), of the Principal Act, and had not been granted or refused, before the commencement of this section shall be deemed to have been made under section 13 of the Principal Act as amended by this Act;
  - (b) an application to include the name of a child in a certificate of Australian citizenship that had been made under subsection 12(3) or subsection 15(6) of the Principal Act, and had not been granted or refused, before the commencement

- of this section shall be deemed to have been made under subsection 14(9) of the Principal Act as amended by this Act;
- (c) an application for the grant of a certificate of Australian citizenship that had been made under subsection 15(3) of the Principal Act, and had not been granted or refused, before the commencement of this section shall be deemed to have been made under subsection 14(8) of the Principal Act as amended by this Act;
  - (d) a declaration of intention to apply for the grant of a certificate of Australian citizenship made under subsection 14(1) of the Principal Act before the commencement of this section shall be deemed to have been made under subsection 13(1) of the Principal Act as amended by this Act; and
  - (e) an approval given by the Minister, before the date of commencement of this section, under paragraph 16(1A)(a) of the Principal Act, being an approval that was in force immediately before that date, continues in force on and after that date as if it had been given under paragraph 15(2)(a) of the Principal Act as amended by this Act.
- (3) Subject to subsection (4), the provisions of subsections 15(2), (2A) and (2B) of the Principal Act apply, notwithstanding the amendments effected by this Act, to a person who makes application under subsection 13(2) of the Principal Act as amended by this Act within two years after the date of commencement of this section.
- (4) The provisions of subsections 15(2), (2A) and (2B) of the Principal Act do not apply by virtue of subsection (3) of this section to a person in relation to the grant of a certificate of Australian citizenship to him under subsection 14(1) of the Principal Act as amended by this Act after the expiration of two years after the date of commencement of this section unless the person resided, or would, if the provisions of subsection 15(2A) of the Principal Act were to apply to him, be taken to have resided, continuously in Australia or New Guinea, or partly in Australia or partly in New Guinea, throughout the period of one year immediately preceding the expiration of that period.
- (5) In the application of the provisions of subsections 15(2), (2A) and (2B) of the Principal Act by virtue of subsection (3) of this section:

- (a) expressions used in those sub-sections have the same respective meanings as they had in the Principal Act;
- (b) the reference in subsection 15(2) of the Principal Act to paragraph 15(1)(c) of the Principal Act shall be read as a reference to paragraph 14(1)(d) of the Principal Act as amended by this Act; and
- (c) the reference in subsection 15(2B) of the Principal Act to section 7 of the Principal Act shall be read as a reference to section 7 of the Principal Act as amended by this Act.

## **22 Regulations**

Regulations for the purposes of a provision of the Principal Act as amended by this Act may be made at any time after this Act receives the Royal Assent but regulations so made do not come into operation before the date on which that provision comes into operation.

**Schedule** [see Note 2]



**Table of Acts****Notes to the *Australian Citizenship Act 1973*****Note 1**

The *Australian Citizenship Act 1973* as shown in this compilation comprises Act No. 99, 1973 amended as indicated in the Tables below.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Australian Citizenship Act 1973</i>	99, 1973	17 Sept 1973	Ss. 3(2), 4–6, 8–13, 15(1), 16 and 18–21: 1 Dec 1973 (see <i>Gazette</i> 1973, No. 140, p. 1) Ss. 3(1), 7, 14, 15(2) and 17: 1 June 1974 Remainder: Royal Assent	
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	—

## **Table of Amendments**

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### **Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

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Provision affected	How affected
S. 1 .....	am. No. 216, 1973

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**Note 2**

**Note 2**

The amendments made by sections 3 to 20 of, and the Schedule to, the *Australian Citizenship Act 1973* have been incorporated in the print of the *Australian Citizenship Act 1948-1973*.