Australian Citizenship Amendment (Intercountry Adoption) Act 2015

No. 7, 2015

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

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No. 7, 2015

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*.

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 Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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.

[*Minister’s second reading speech made in—*

*House of Representatives on 29 May 2014*

*Senate on 25 September 2014*]

(108/14)