

EXPLANATORY STATEMENT
STATUTORY RULES NO. 324 of 1988
Australian Citizenship Regulations (Amendment)
Issued by the authority of the
Minister for Immigration,
Local Government and Ethnic Affairs

Section 53 of the Australian Citizenship Act 1948 (the Principal Act), so far as is relevant, provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed for carrying out or giving effect to the Act.

The amendments made to the Regulations include the following provisions

- . a person aggrieved by a refusal to issue either a further extract from the Register evidencing possession of Australian citizenship or a declaratory certificate may apply to a senior officer for a reconsideration of the refusal.
- . formal amendments to refer to the Department of Immigration, Local Government and Ethnic Affairs.

Details of the regulations are as follows:

Regulation 1 defined 'Principal Regulations' as the Australian Citizenship Regulations

Regulation 2 amended regulation 7D by inserting after subregulation (3), subregulations (3A), (3B), (3C) and (5). The subregulations ensure that a person who has been refused the issue of a further extract from the Register or a declaratory certificate evidencing possession of Australian citizenship on the grounds that an authorised officer is not satisfied that any copy or extract previously given to the person has been lost or destroyed, will be given the reasons for the decision and advised that an application for review of the decision can be made within 60 days. The review will be conducted by a Senior Executive Service officer of the Department who will notify the person of the outcome and provide reasons for the decision. Where the outcome is favourable the person will be supplied with an extract.

Regulation 3 similarly to Regulation 2 above amended regulation 8 in relation to declaratory certificates evidencing the possession of Australian citizenship by adding subregulations (9), (10), (11) and (12).

Regulation 4 made formal amendments by way of a Schedule to Regulation 3 of the Citizenship Regulations, Form 6 including the notes and Form 8 to refer to the Department of Immigration, Local Government and Ethnic Affairs.

