

EXPLANATORY STATEMENT
STATUTORY RULES NO. 140 OF 1989
Australian Citizenship Regulations (Amendment)
Issued by the authority of the
Minister for Immigration
Local Government and Ethnic Affairs

Subject - Australian Citizenship Act 1948
Australian Citizenship Regulations (Amendment)

Section 53 of the Australian Citizenship Act 1948 (the Act), so far as is relevant, provides that the Governor-General may make regulations, not inconsistent with the Act prescribing matters which are necessary to give effect to the Act and in particular the remission, refund, waiver of or exemption from fees imposed by the Act.

The purpose of the amendments is to amend the Australian Citizenship Regulations (the Regulations) to exempt a person from the payment of the fee imposed by regulation 9, where that person has lodged an application for the grant of a certificate of Australian citizenship pursuant to section 13 of the Act, that application has been refused solely on the basis that the person does not satisfy the residential requirements in paragraph 13(1)(d) and (e) of the Act and that person lodges a further application within three months of meeting the residential requirements.

The details of the regulations are as follows:

Regulation 1 provides that the regulations shall commence on 1 July 1989;

Regulation 2 amended regulation 9 of the Regulations by inserting subregulation (2). Subregulation (2) provides that the fee in subregulation (1) is not payable where a person who has lodged an application for the grant of Australian citizenship pursuant to section 13 has previously lodged an application which was refused solely on the grounds that the person did not meet the residential requirements in paragraphs 13(1)(d) or (e) or both and the authorised officer with whom the further application is lodged has reasonable grounds to believe that the further application is lodged within three months of meeting those residential requirements.