



Australian Citizenship Amendment (Refund of Fees) Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 26 October 2023

David Hurley
Governor-General

By His Excellency's Command

Andrew Giles
Minister for Immigration, Citizenship and Multicultural Affairs

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Amendments		2
Part 1—Amendments		2
<i>Australian Citizenship Regulation 2016</i>		2
Part 2—Application of amendments		3
<i>Australian Citizenship Regulation 2016</i>		3

1 Name

This instrument is the *Australian Citizenship Amendment (Refund of Fees) Regulations 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	28 October 2023

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

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

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

1 Subsection 17(4)

Omit all the words after “the Minister may refund”, substitute:

an amount equal to the difference between:

- (e) the amount specified in that item; and
- (f) the amount specified in item 10 or 17 of Schedule 3, whichever is applicable.

2 Subsection 17(5)

Repeal the subsection, substitute:

(5) If:

- (a) the Minister refunds an amount in relation to a fee under subsection (4);
and

(b) the fee included a credit card surcharge or PayPal surcharge;
the Minister must also refund the proportion of the surcharge that is equal to the proportion that the refunded amount is of the fee specified in item 13 of Schedule 3.

3 Subsection 17(6)

Omit all the words after “the Minister may refund”, substitute:

an amount equal to the difference between:

- (e) the amount specified in that item; and
- (f) the amount specified in item 16 or 18 of Schedule 3, whichever is applicable.

4 Subsection 17(7)

Repeal the subsection, substitute:

(7) If:

- (a) the Minister refunds an amount in relation to a fee under subsection (6);
and

(b) the fee included a credit card surcharge or PayPal surcharge;
the Minister must also refund the proportion of the surcharge that is equal to the proportion that the refunded amount is of the amount specified in item 14 of Schedule 3.

Part 2—Application of amendments

Australian Citizenship Regulation 2016

5 At the end of Part 4

Add:

34 Application of amendments made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Refund of Fees) Regulations 2023*

The amendments of this instrument made by Part 1 of Schedule 1 to the *Australian Citizenship Amendment (Refund of Fees) Regulations 2023* apply in relation to an application made on or after 1 July 2023.