

Australian Citizenship

Key Requirements for Australian Citizenship

Citizenship Pathway	Key Requirements Summary
By descent	<ul style="list-style-type: none"> • You may be eligible to become an Australian citizen if you: <ul style="list-style-type: none"> – Were born outside Australia on or after 26 January 1949 and a parent of yours was an Australian citizen at the time of your birth; OR – Were born outside Australia or New Guinea before 26 January 1949 and a parent of yours was an Australian citizen on 26 January 1949
By adoption	<ul style="list-style-type: none"> • You may be eligible to become an Australian citizen if you: <ul style="list-style-type: none"> – Have been adopted outside Australia in accordance with the <i>Hague Convention on Intercountry Adoption</i> by at least one Australian citizen – Are a child and have been adopted in Australia/overseas with adoption finalised under Australian law and you are present in Australia as a permanent resident and one of the adoptive parents is a citizen
By conferral	<ul style="list-style-type: none"> • You may be eligible to become an Australian citizen if you: <ul style="list-style-type: none"> – Are aged 18 years of age or over – Have held Australian permanent residency for the last 12 months with no more than 90 days absence from Australia – Have been lawfully in Australia for the last 4 years with no more than 12 months absence from Australia – Have successfully sat the citizenship test, which shows you: <ul style="list-style-type: none"> — understand what it means to become a citizen of a country — have a basic understanding of Australia and the privileges and responsibilities involved in becoming an Australian citizen; and — have a basic knowledge of the English language. – Are likely to continue to reside in Australia, or maintain a close association with Australia, once you have become a citizen – Are of good character

Note: Underlined text and asterisk(*) indicate terms defined in our web site's migration dictionary please see: http://www.visalawyersaustralia.com.au/Content_Common/pg-Dictionary.seo

Australian Citizenship

Key Requirements for Australian Citizenship (Continued)

Citizenship Pathway	Key Requirements Summary	
<p>For those seeking citizenship by conferral, special residence requirements exist for the following people</p>	<p>Category of Person</p>	<p>Requirements</p>
	<ul style="list-style-type: none"> • Persons engaging in activities that are of benefit to Australia 	<ul style="list-style-type: none"> • You are engaged in an activity that requires citizenship and would be of benefit to Australia and there is insufficient time to satisfy the residence requirements • The activity is one of the following: <ul style="list-style-type: none"> • employment requiring high level security clearance • participation at the Olympics, Davis Cup or Fed Cup Competition • You obtain a letter of support from head of the organisation or similar authority stating you have reasonable prospects of participation • You were ordinarily resident in Australia for at least 180 days in the last 2 years and present for at least 90 days in the last 12 months • You were a permanent resident for the last 12 months • You were not present illegally in Australia in the last 2 years
<ul style="list-style-type: none"> • Persons engaged in particular kinds of work requiring regular travel outside Australia 	<ul style="list-style-type: none"> • You are required to regularly travel outside Australia and are employed as follows: <ul style="list-style-type: none"> • a member of the crew of a ship; or • a member of the crew of an aircraft; or • engaged in work on a resources installation or a sea installation • You were engaged in this work for at least 2 years in the last 4 years and regularly travelled outside Australia • You were present and ordinarily resident in Australia for at least 480 days in the 4 years before lodging the application and present in Australia for 120 days in the 12 months before lodging the application • You were a permanent resident for 12 months before lodging the application; • You were not present illegally in Australia in the last 4 years 	

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Key Requirements for Australian Citizenship (Continued)

Citizenship Pathway	Key Requirements Summary	
<p>For those seeking citizenship by conferral, ministerial discretion can apply in treating a period of time as satisfying the general residence requirements in the following cases</p>	Cases	Requirements
	<ul style="list-style-type: none"> • Administrative error 	<ul style="list-style-type: none"> • There was an administrative error that resulted in your becoming unlawful. If so, the Minister may treat the illegal residence as a period of lawful residence
	<ul style="list-style-type: none"> • Confinement in prison or psychiatric institution 	<ul style="list-style-type: none"> • Minister is satisfied that it would be unreasonable to consider period of residence you were confined in prison or psychiatric institution
	<ul style="list-style-type: none"> • Person in Australia would suffer significant hardship or disadvantage 	<ul style="list-style-type: none"> • You cannot show that you have been in Australia as a permanent resident for 12 months • Minister is satisfied that you will suffer significant hardship or disadvantage
	<ul style="list-style-type: none"> • Applicant is a spouse, de facto partner or surviving spouse of Australian citizen at time of application 	<ul style="list-style-type: none"> • You cannot show that you have been in Australia as a permanent resident for 12 months • You are a permanent resident • You have a close and continuing association with Australia
	<ul style="list-style-type: none"> • Applicant is in an interdependent relationship 	<ul style="list-style-type: none"> • You cannot show that you have been in Australia as a permanent resident for 12 months • You held a permanent visa on account of being in an interdependent relationship • You have a close and continuing association with Australia

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Key Requirements for Australian Citizenship (Continued)

Citizenship Pathway	Exception to Key Requirements Summary	
<p>For those seeking citizenship by conferral, exceptions to the Key Requirements exist for the following people</p>	<p>Category of Person</p>	<p>Exception</p>
	<ul style="list-style-type: none"> Those suffering from a permanent physical or mental incapacity 	<ul style="list-style-type: none"> Not required to sit the citizenship test but must satisfy all other criteria
	<ul style="list-style-type: none"> Those over 60 years of age or who have a hearing, speech or sight impairment 	<ul style="list-style-type: none"> Not required to sit the citizenship test but must understand what it means to become a citizen of a country and must satisfy all other criteria
	<ul style="list-style-type: none"> Those aged under 18 years 	<ul style="list-style-type: none"> Not required to satisfy any of the criteria except that you are a permanent resident
	<ul style="list-style-type: none"> Those born to a parent who was once an Australia citizen but who was not an Australian citizen by the time they were born 	<ul style="list-style-type: none"> Only required to satisfy the good character requirement, but must also satisfy the Minister that: <ul style="list-style-type: none"> Your were born outside Australia Your parent was not an Australia citizen when you were born Your parent had ceased to be an Australian citizen before you were born
	<ul style="list-style-type: none"> Stateless people 	<ul style="list-style-type: none"> Not required to satisfy any of the criteria but must satisfy the Minister that: <ul style="list-style-type: none"> You were born in Australia You are not a national or citizen of any country and have never been one You do not have, and never had, reasonable prospects of obtaining nationality or citizenship of any country
<ul style="list-style-type: none"> Persons born in Papua New Guinea 	<ul style="list-style-type: none"> Must satisfy the Minister that: <ul style="list-style-type: none"> You are of good character You were born before 16/09/1975 One of your parents was born in Australia One of your parents was an Australian citizen at the time of their birth 	

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Key Requirements for Australian Citizenship (Continued)

Citizenship Pathway	Key Requirements Summary
By resuming citizenship	<ul style="list-style-type: none">• You may be eligible to resume your Australian citizenship if you meet the following criteria. You:<ul style="list-style-type: none">– were once an Australian citizen but have now ceased to be an Australian citizen– ceased to hold Australian citizenship in one of the following circumstances. You:<ul style="list-style-type: none">— gave up your Australian citizenship to retain nationality or citizenship of a foreign country;— gave up your Australian citizenship to avoid suffering significant hardship or detriment;— lost your Australian citizenship because you were no longer resident in Australia; or— lost your Australian citizenship because you were the dependent child of someone who ceased to hold Australian citizenship.– are of good character– are aged 18 years or over

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