



Australian Government
Department of Home Affairs

Submission

For decision
PDMS Ref. Number: MS22-001376
Date of Clearance: 04/08/2022

To Minister for Immigration, Citizenship and Multicultural Affairs
Subject City of Yarra and Darebin City councils – reinstatement of the authority to hold citizenship ceremonies
Timing At your convenience

Recommendations

That you:

- 1. note the City of Yarra and Darebin City councils’ (the councils) authority to hold citizenship ceremonies was revoked by the then Minister due to non-compliance with the *Australian Citizenship Ceremonies Code* (the Code) for ceremonies to be “*non-commercial, apolitical, bipartisan and secular*” by refusing to hold a ceremony on Australia Day; noted / please discuss
- 2. note, unless the councils have changed their position about celebrating Australia Day on 26 January, reinstating their authority to hold citizenship ceremonies would signal that all councils are no longer required to hold citizenship ceremonies on Australia Day, and corresponding changes to the Code would be required; noted / please discuss
- 3. noted / please discuss
- 4. agreed / not agreed

Minister for Immigration, Citizenship and Multicultural Affairs

Signature.....

Date:...../...../2022

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Minister's Comments				
Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

Key Issues

1. The Australian Citizenship Ceremonies Code (the Code) follows the *Australian Citizenship Act 2007* (the Act) and is ministerially endorsed. The Code sets out the legal and other requirements for conducting citizenship ceremonies as well as the roles and responsibilities for those involved in citizenship ceremonies. The Code provides guidance to organisations to help plan and conduct citizenship ceremonies and is publicly available on the Department's website (see Attachment A).
2. The authority to hold citizenship ceremonies was withdrawn for the City of Yarra and Darebin City Council (Yarra and Darebin, the councils) by then Assistant Minister for Immigration and Border Protection, the Hon Alex Hawke MP on 19 August and 24 August 2017, respectively. The withdrawal of authorisation followed decisions by the councils to no longer hold citizenship ceremonies on 26 January as part of their support for the *#changethedate* campaign, and on the basis of non-compliance with the *Australian Citizenship Ceremonies Code* (the Code) (councils must hold a citizenship ceremony on Australia Day and ceremonies should be "non-commercial, apolitical, bipartisan and secular"). Open source information shows that the positions of both Yarra and Darebin councils have not changed in regards to the celebrating of Australia Day on 26 January.
3. Under the Code it states that "Local government councils must hold a citizenship ceremony on 26 January as part of their Australia Day celebrations" unless exempt (pg.20 Attachment A). The Department works closely with councils to ensure they will host a citizenship ceremony on Australia Day, on which more people traditionally become Australian citizens than any other day. If the councils have their authority to preside reinstated but refuse to hold a citizenship ceremony on Australia Day, they would be non-compliant with the Code. ^{s. 47C(1)}

s. 47C(1)

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4.

S. 47C (1)

5. Planning for Australia Day 2023, including managing which councils are exempt from holding a citizenship ceremony, will commence shortly and we have already received queries from councils about whether councils are still required to host ceremonies on 26 January. To date we have responded to queries in accordance with the Code, which states councils must host a ceremony unless exempt.

Background

Authority to preside over citizenship ceremonies and requirements under the Code

6. The Code provides guidance for local government councils and other organisations hosting citizenship ceremonies, and outlines the legal requirements and best practices for hosting citizenship ceremonies. A key update to the Code in 2019 was that councils were now required to hold a citizenship ceremony on Australia Day, unless they had conferred citizenship on less than 20 people in the previous year.
7. Where a council deems that they are unable to meet the requirements as set out in the Code, they are able to apply - in exceptional circumstances- for an exemption. These requests are facilitated by the Department and provided to you for your consideration. To-date, since the implementation of the 2019 Code, only five councils (for Australia Day 2020) have formally submitted requests for exemptions. These requests were made citing costs and availability of appropriate venues for the day. All requests were denied by the then Minister.

City of Yarra and Darebin City councils – withdrawal of authorisation

8. On 15 August 2017, the City of Yarra Council voted unanimously to change the way it marks 26 January, from 2018 onwards. A council media release stated that the change had been informed by in-depth conversations with the local Aboriginal community, as well as feedback from the broader Yarra community. The council confirmed that in line with their changes, Australian citizenship ceremonies would no longer be held on 26 January, that the council would officially support the *#changethedate* campaign, and that they would consider opportunities to lobby the Australian Government to change the date of Australia Day.

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9. On 21 August 2017, the Darebin City Council voted 6-2 to change the way it marks 26 January from 2018 onwards. The Council agreed to remove reference to Australia Day in all council communications, to support the *#changethedate* campaign and to hold citizenship ceremonies on dates other than 26 January. Since the withdrawal of their authorisation, the Department has been holding ceremonies for approved applicants who would otherwise have attended a ceremony held by Yarra or Darebin. The Department is not resourced or funded to hold citizenship ceremonies on behalf of councils who have their authority to hold ceremonies withdrawn. Where departmental ceremonies are required, staff may be drawn from the citizenship processing network. Under current arrangements, departmental ceremonies are generally reserved for special occasions or key dates such as Australian Citizenship Day. Since August 2017, over 5,500 conferees from the Yarra and Darebin areas have attended both in-person and online ceremonies held by the Department.

Consultation – internal/external

10. National Indigenous Australians Agency (CEO, Recognition and Empowerment Branch and Culture and Heritage Branch), Department of the Prime Minister and Cabinet (Deputy Secretary), First Assistant Secretary Social Cohesion and Multicultural Division, and Assistant Secretary Legislation Branch have been consulted on this submission.

Consultation – Secretary

11. The Secretary was consulted on the approach in this submission.

Client service implications

12. Client service implications for approved applicants in Yarra and Darebin City council areas have been limited as the Department has stepped in to preside over citizenship ceremonies as required.

Sensitivities

13. 

Financial/systems/legislation/deregulation/media implications

14. There will be media coverage and commentary around the date of Australia Day in the lead up to 26 January, including citizenship ceremonies.

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Attachments

Attachment A *Australian Citizenship Ceremonies Code (the Code)*

Authorising Officer
Cleared by: Andrew Kefford PSM Deputy Secretary Social Cohesion and Citizenship Date: 4 August 2022 Mob: S. 22(1)(a)(ii)

Contact Officer Angus Kirkwood, First Assistant Secretary, Citizenship Division, Ph: S. 22(1)(a)(ii)

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Australian Government

Australian Citizenship Ceremonies Code

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PART 1

Australian Citizenship Ceremonies Code

The Australian Citizenship Ceremonies Code (the Code) follows the *Australian Citizenship Act 2007* (the Citizenship Act) and sets out the legal and other requirements for conducting citizenship ceremonies as well as the roles and responsibilities for those involved in citizenship ceremonies.

The Code provides guidance to organisations to help plan and conduct citizenship ceremonies.

The Code is structured in four parts, providing relevant responsibilities and advice for before, during and after the ceremony. This is prefaced with a quick guide, outlining the key ceremony information and background.

The resources in the Code are reviewed regularly to ensure that information is up to date. This version of the Code was published in August 2019.

Legal requirements

There are three legal requirements under the Citizenship Act that must be strictly adhered to when conducting citizenship ceremonies:

1. an authorised presiding officer
2. reading the preamble
3. the pledge of commitment

Authorised presiding officer

It is a legal requirement that the presiding officer is authorised by the Australian Government minister responsible for citizenship matters. Authorisation is given to Australian citizens only and is specific to a position or person.

Further information on the role of the presiding officer is at page 12.

Reading the preamble

It is a legal requirement that the presiding officer must read aloud to the conferees the preamble for citizenship ceremonies (found at Schedule 1 of the *Australian Citizenship Regulation 2016*).

The pledge of commitment

It is a legal requirement that most conferees 16 years of age and over (at the time of application) make the pledge aloud before an authorised presiding officer.

The presiding officer generally reads the pledge aloud line by line for the conferees to repeat. This is referred to as 'administering' the pledge.

Further information on the pledge of commitment is at page 10.

The importance of Australian citizenship

Australian citizenship is an important common bond for all Australians, whether Australians by birth or by choice, and lies at the heart of a unified, cohesive and inclusive Australia.

It is a unique symbol of formally identifying with Australia, acknowledging responsibilities and conferring significant privileges that allow people to participate fully in the community.

Responsibilities

As an Australian citizen you must:

- obey the laws and fulfil your duties as an Australian citizen
- vote in federal and state or territory government elections, and in a referendum
- serve on a jury if called to do so
- defend Australia should the need arise.

Privileges

As an Australian citizen you have the right to:

- vote in federal, state or territory, and local government elections, and in a referendum
- apply for work in the Australian Public Service or in the Australian Defence Force
- seek election to parliament
- apply for an Australian passport
- receive help from Australian officials while overseas
- register children born to you overseas, after you become an Australian citizen, as Australian citizens by descent

What is a citizenship ceremony?

The final legal step in the acquisition of Australian citizenship, for most people, is to make the pledge of commitment at an Australian citizenship ceremony.

At the citizenship ceremony, conferees pledge that they share Australia's democratic beliefs and respect the rights and liberties of the people of Australia.

Our democratic beliefs:

- parliamentary democracy
- the rule of law
- living peacefully
- respect for all individuals regardless of background
- compassion for those in need.

Our freedoms:

- freedom of thought, speech and expression
- freedom of association
- freedom of religion and secular government.

Our equality standing:

- equality before the law
- equality of genders
- equality of opportunity.

Citizenship ceremonies are public, ceremonial occasions, which fulfil legal requirements prescribed by the Citizenship Act and the [Australian Citizenship Regulation 2016](#).

Citizenship ceremonies also provide an important opportunity to formally welcome new citizens as full members of the Australian community. Since the early 1950s, local government councils have conducted the majority of citizenship ceremonies on behalf of the Department responsible for citizenship. Local government councils are well placed for this welcoming role as the arm of government closest to new citizens and the communities to which they belong.

Representatives of all three levels of government (federal, state or territory and local), community leaders, Aboriginal and Torres Strait Islander leaders, and guests of the conferees are invited to attend.

After the conferral, citizenship ceremonies often include the Australian Citizenship Affirmation, giving everyone present an opportunity to publicly affirm their loyalty to Australia in a similar way to the new citizens.



The nature of the ceremony

To reflect the significance of the occasion, citizenship ceremonies should be formal and meaningful occasions conducted with dignity, respect and ceremony. They should be designed to impress upon conferees the responsibilities and privileges of Australian citizenship.

They should warmly welcome new citizens as full members of the community. Conferees are the most important people at the ceremony and the focus of attention should be on them.

Citizenship ceremonies must be non-commercial, apolitical, bipartisan and secular. They must not be used as forums for political, partisan or religious expression, for the distribution of political material or the sale of souvenirs.

As conferees come from diverse cultures, it is important to be aware and respectful of cultural differences.

What is the pledge of commitment?

The pledge of commitment made by conferees under Section 32AB of the Citizenship Act is the last step in becoming Australian citizens. It is a legal requirement for most conferees to make the pledge.

The pledge allows conferees to publicly state their loyalty to Australia and its values.

Conferees can choose between two versions of the pledge; one that refers to God and one that does not.

Pledge 1

From this time forward, under God,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect,
and whose laws I will uphold and
obey.

Pledge 2

From this time forward,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect,
and whose laws I will uphold and
obey.

Roles and responsibilities

This section outlines the roles and responsibilities for those involved in Australian citizenship ceremonies.

Minister

The Australian Government Minister(s) responsible for citizenship matters has precedence to preside at any ceremony they choose to attend. The Minister is provided a report on ceremonies occurring nationally and does not require individual event invitations from organisers.

When attending a ceremony, the Minister should be invited to speak immediately after the opening address and Welcome to Country/Acknowledgement of Country, before any other official speeches.

Where the Minister is not attending, the local Federal Member of Parliament (MP) or Senator should read the Minister's message (regardless of political party). Where both the MP and Senator are in attendance, precedence goes to the MP. When no Federal representative is present, the presiding officer should read the Minister's message.

A copy of the Minister's message is available on the Department of Home Affairs website.

The Department of Home Affairs

The Department of Home Affairs manages the citizenship program including the policy around Australian citizenship ceremonies, and the list of conferees who have been approved for citizenship and are ready to attend a ceremony.

Generally, officers of the Department of Home Affairs will:

- liaise with local government councils or other community organisations undertaking ceremonies to ensure organisers are aware of, and abide by, the requirements set out in the Australian Citizenship Ceremonies Code
- provide advice on the authorised officer
- provide regular reports to councils on the number of people waiting for a ceremony in their local government area
- work with organisers to ensure that ceremonies are held regularly to facilitate timely conferral of prospective citizens
- ensure that pledge verification lists (PVL) are provided to ceremony organisers in a timely manner
- distribute citizenship certificates to the councils prior to the ceremony and ensure any unused certificates are returned to the Department of Home Affairs
- ensure citizenship certificates are treated as accountable documents and stored correctly
- provide advice and assistance on ceremonies for council staff.

Attendance by departmental staff to assist with the conduct of ceremonies may occur at the discretion of the Department of Home Affairs.

Where arrangements have been made for departmental officers to assist at a ceremony, this may include:

- assisting with registration and verification of the identity of candidates on arrival
- ensuring the legal and other requirements of the Code are adhered to, and/or
- assisting with enquiries and other issues as they arise.

The Department of Home Affairs may also provide assistance such as sending invitation letters to conferees and, if required, providing a presiding officer for ceremonies.

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Presiding officer

The presiding officer has the lead role in a citizenship ceremony. Their legal responsibilities involve:

- reading out the *Preamble for citizenship ceremonies* (Schedule 1 of the [Australian Citizenship Regulation 2016](#))
- administering the pledge.

Additionally, the presiding officer:

- reads the Minister's message in the Minister's absence where no Federal parliamentary representative is present
- signs the pledge verification list immediately at the completion of the citizenship ceremony after ensuring that it is accurate and any conferees who have attempted to present fraudulent identification documents or no identification have been immediately referred to the Department of Home Affairs.

It is a legal requirement that the presiding officer is authorised by the Australian Government Minister responsible for citizenship matters. Authorisation is given to Australian citizens only and is specific to a position or person. These are outlined in the [Instrument of Authorisation](#).

It is possible to apply for one-off authorisation to preside at a citizenship ceremony by writing to the Minister.

Presiding officers have no power to appoint a proxy. However, a person may perform the duties of the presiding officer when they are acting in place of an authorised person for a period of time.

To avoid the appearance of conflict of interest, presiding officers must not confer Australian citizenship on family members or close friends. Contact the Department of Home Affairs to manage potential conflict of interest matters in public ceremonies.

Official guests

The presence of official guests serves to introduce new citizens to Australia's three-tiered, democratic system of government, as well as to formally welcome them into the local community.

As well as the Minister, organisers should also invite all elected officials of the locality, at all levels of government, including:

- Local Federal MP and a Senator (of a different political party)
- Local state or territory MP
- A local government representative.

Invitations are to be extended to elected representatives. Invited elected representatives cannot send a delegate to act in an official capacity on their behalf. Delegates may attend in a private capacity. There will not be an opportunity for delegates to speak, nor will VIP seating be provided.

While an MP or Senator cannot be prevented from asking an individual to attend on their behalf, the nominated person should not be included in the official guest party and under no circumstances should that person be invited to speak.

Candidates for election, who currently do not hold elected office, may attend the ceremony in a private capacity, however they should not receive an official invitation and should not be included as an official guest.

It is particularly important that the above guidelines are adhered to in the period leading up to an election. The emphasis remains on elected representatives welcoming new citizens to the local community.

Official guests can also include:

- community leaders
- representatives of community organisations
- Aboriginal and Torres Strait Islander elders or leaders.

Federal Members of Parliament

Ceremony hosts are required to invite all elected officials of the locality, at all levels of government. This is to allow local representatives to introduce themselves and welcome new citizens as full members of the community.

Where there are multiple MPs across local government boundaries, organisers should work with the MPs to arrange a rotation of responsibility.

Where a Federal MP or Senator attends a ceremony, they should read the Minister's message. MPs and Senators are reminded that, if invited to speak by the ceremony hosts, it must be in accordance with the nature of citizenship ceremonies which are apolitical, bipartisan and secular. For this reason, material which could be perceived to be political, commercial or religious must not be distributed.

All Federal MPs and Senators have standing authorisation to preside at Australian citizenship ceremonies. This allows ceremony hosts to approach their local MP or Senator if they wish to hold a ceremony and require a presiding officer. This usually happens on nationally significant days such as Australia Day and Australian Citizenship Day. MPs and Senators should not assume that an invitation to attend a ceremony is an invitation to preside. This will be specified in the invitation.

MPs and Senators make occasional requests to conduct citizenship ceremonies that may be accommodated on an exceptional basis. The Department of Home Affairs can provide advice regarding all aspects and requirements of a ceremony.

It is important that MPs and Senators do not seek to fulfil ceremony requests from constituents as the Department of Home Affairs manages ceremony attendance to ensure fair and equal treatment for all conferees. Additionally, to avoid the appearance of conflict of interest, citizenship should not be conferred on family members, close friends or members of staff at private ceremonies.

State and Territory Members of Parliament

If invited to a ceremony as an official guest, the same guidelines apply to State and Territory MPs as for Federal representatives. However, state and territory parliamentarians do not have standing authorisation to preside at citizenship ceremonies.

If invited to preside at a ceremony, requests may be made in writing to the Minister for one-off authorisation on each occasion they wish to preside. State and territory parliamentarians should include a signed letter of agreement with their request, indicating they will abide by the requirements for the conduct of citizenship ceremonies set out in the Code. A copy of this letter can be provided by the Department of Home Affairs.

Mayors

Mayors play an important role in formally welcoming our nation's newest citizens into the Australian community by hosting the majority of Australian citizenship ceremonies. It is usual for them to fulfil the role of presiding officer. Unless specifically excluded, mayors have standing authorisation to preside.

Other positions authorised to preside over citizenship ceremonies are detailed in the [Instrument of Authorisation](#).

Organisers

Organisers are usually staff from local government councils or other approved organisations whose role it is to organise the ceremony. An organiser is responsible for ensuring a citizenship ceremony is conducted in accordance with the Code.

Most citizenship ceremonies are conducted by local government councils. Community organisations may also conduct citizenship ceremonies, particularly on significant national days such as Australia Day or Australian Citizenship Day.

Community organisations that wish to conduct a citizenship ceremony should approach their local office of the Department of Home Affairs to discuss the possibility of hosting such a ceremony and securing a presiding officer. Community organisations may be asked to sign an agreement with the Department of Home Affairs on how ceremonies are to be conducted.

Responsibilities for organisers are to:

- ensure that ceremonies are conducted in accordance with the Australian Citizenship Ceremonies Code
- provide advice to those who have a role in the ceremony
- ensure that the ceremony is conducted in a meaningful, dignified, orderly and memorable way with proceedings designed to impress upon candidates the significance of the occasion
- ensure all candidates are informed about appropriate protocols for the citizenship ceremony
- include a Welcome to Country/Acknowledgement of Country in the proceedings
- conduct identity verification of conferees.

Generally an officer of the Department of Home Affairs will attend ceremonies conducted by community organisations to assist with the ceremony.

Checklists are available for organisers for [Before the ceremony](#), [At the ceremony](#) and [After the ceremony](#).

Conferees

A conferee is a person who has made an application for Australian citizenship which has been approved and whose details have been provided by the Department of Home Affairs to an organiser for attendance at a ceremony. The final legal step for the applicant to acquire citizenship is to make the Australian citizenship pledge of commitment before the presiding officer at the citizenship ceremony.



Australian Electoral Commission

All organisations conducting citizenship ceremonies should notify the Australian Electoral Commission (the AEC) of forthcoming citizenship ceremonies to facilitate electoral enrolment of new citizens. Wherever possible, staff from AEC will attend ceremonies to assist the electoral enrolment process and to collect completed enrolment forms. See page 42 for further information about electoral enrolments.

If AEC representatives are not in attendance, conferees should be reminded to complete the AEC form and return it to the AEC according to information on the form, at their earliest convenience.

Organisers may choose to collect the forms at the ceremony and send to the AEC as a group.

Contact the AEC.

Guests of conferees

Guests may include invited friends and relatives of the conferee. The number of guests may be limited according to the practicalities of organising a ceremony, for example, size of the venue, and should be outlined in the invitation to the ceremony.

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Citizenship ceremonies during election periods

At the Federal level, the caretaker period begins at the time the House of Representatives is dissolved and continues until the election result is clear or, if there is a change of government, until the new government is appointed.

Ceremonies can continue as usual during the caretaker period. Election periods should not cause unnecessary delays in conferees attending their ceremonies.

Citizenship ceremonies are apolitical and must not be used for political or partisan expression or for the distribution of political or election material.

Local council elections

Citizenship ceremonies should not be held by local government councils after the election date until the results of the election become known.

State and Federal elections

MPs should not be invited to ceremonies held after the election date until the results of the election are known.

An MP's status does not depend on the meeting of the parliament, nor on the MP taking their seat or making the oath or affirmation of allegiance before the Governor-General. An MP is technically regarded as an MP from the day of election—that is, when they are, in the words of the Constitution, 'chosen by the people'. A new MP is entitled to use the title MP once this status is officially confirmed by the declaration of the poll.

Candidates for election should not be included as part of the official party. The emphasis remains on elected representatives welcoming new citizens to the local community.

Federal elections

The Minister's message can be read at ceremonies after the election date until it has been announced that there is a new minister. If there is a new minister, the new Minister's message will be provided.

Citizenship certificates with the incumbent Minister's signature can be issued up until a new minister is sworn

in. In the event there is a change of minister, there will be a period of time where certificates are not available.

Once printing of certificates resumes, the Department of Home Affairs will commence distribution. Conferees who attended their ceremonies during this period will receive their certificate by registered mail.

In the event that official citizenship certificates cannot be provided on the day of ceremony, councils have the option of giving the client a commemorative citizenship certificate at the ceremony. The commemorative certificate has no legal standing but is purely for marking the occasion. This should be made clear at the ceremony.

Commemorative citizenship certificates can be ordered through the Department of Home Affairs website by using the orderform.



Overseas Australian citizenship ceremonies

All applicants are expected, as far as possible, to attend a citizenship ceremony in Australia. In limited circumstances, however, it may be possible to attend a ceremony at an agreed departmental post overseas. An application must be made to the Department of Home Affairs for consideration.

Organisers must ensure that the person who is to preside at the ceremony is listed in the Instrument of Authorisation, or request a one-off authorisation for the ceremony. Written requests for authorisation should be sent to the Minister.

Contact the Department of Home Affairs

For all enquiries relating to Australian citizenship ceremonies, your first point of contact should be to email the departmental team for the relevant state or territory.

Enquiries from applicants relating to their citizenship application, including their ceremony, should be referred to the Department of Home Affairs website.

Glossary

- **The Citizenship Act:** *The Australian Citizenship Act 2007* is the legal basis for all citizenship provisions.
- **Administrative officer:** A local government official or other person who assists the presiding officer in arranging and conducting citizenship ceremonies.
- **Australian Citizenship Affirmation:** The Australian Citizenship Affirmation offers an opportunity to those who wish to express their pride in being an Australian citizen and affirm their loyalty and commitment to Australia and its people.
- **Australian citizenship ceremony:** Fulfils the legal requirements prescribed by the *Australian Citizenship Act 2007* and the *Australian Citizenship Regulation 2016* that a person must make a pledge of commitment to become an Australian citizen.
- **Australian citizenship certificate:** Evidentiary notice given to a person stating that the person is an Australian citizen at a particular time.
- **Commemorative certificate:** A memento given to conferees when the official citizenship certificate is not available for the ceremony. The commemorative certificate has no legal status and cannot be used as evidence of Australian citizenship. Commemorative certificates can be ordered free of charge from the Department of Home Affairs.
- **Community organisation:** An organisation that is not-for-profit, whose activities are intended to benefit its members and the wider Australian community. Examples include Lions and Rotary Clubs, Scouts and Guides Associations and Surf Life Saving Associations.
- **Conferee:** A person who has applied for Australian citizenship by conferral whose final step to becoming a citizen is to attend a ceremony.
- **The Department of Home Affairs:** Australian Government department responsible for citizenship matters.
- **Minister:** Australian Government minister responsible for citizenship matters.
- **Non-attende:** A conferee who has been invited to a particular ceremony but did not attend the ceremony to make the pledge of commitment.
- **Presiding officer:** A person who has been approved in writing by the Australian Government minister responsible for citizenship matters to confer Australian citizenship.
- **Pledge:** Most people are required to make the pledge of commitment at a citizenship ceremony. In doing so they are making a public commitment to Australia and accepting the responsibilities and privileges of citizenship.
- **PVL – Pledge verification list:** This is provided by the Department of Home Affairs to ceremony hosts and lists the details of people who are to attend a particular ceremony, their Australian citizenship certificate numbers, whether they are part of a family group and their pledge preference.
- **The Regulation:** The *Australian Citizenship Regulation 2016* is the subordinate legislation that sets out detailed requirements for some matters as provided for by the Citizenship Act.

PART 2

Before the ceremony

Scheduling ceremonies

In keeping with government policy that ceremonies be held at regular intervals, most local government councils should arrange for ceremonies to be held at least every two to three months, regardless of the number of conferees available to attend, and more frequently if necessary. There is no maximum or minimum number of conferees prescribed for citizenship ceremonies.

Local government councils must provide their local office of the Department of Home Affairs with a schedule of their planned ceremony dates. This allows for the Department of Home Affairs to allocate conferees to particular ceremonies. In localities which confer more than 100 conferees per year the council should provide the ceremony schedule for the calendar year. Any changes to the schedule should be advised to the Department of Home Affairs as soon as possible.

Councils may schedule extra ceremonies throughout the year, in liaison with the Department of Home Affairs, if the numbers of people waiting to attend a ceremony have increased.

Community organisations holding approved/special ceremonies must give their local office of the Department of Home Affairs at least three months' notice before the proposed date of the ceremony. Community organisations should also work in partnership with local government councils to ensure a coordinated approach.

Community organisations should consider the availability of authorised presiding officers such as the local Federal MP or mayor when scheduling citizenship ceremonies.

Events

The Government expects ceremony organisers to schedule citizenship ceremonies on days of significance, for example in the context of annual celebrations to mark Australia Day (26 January) and Australian Citizenship Day (17 September).

Organisations may also wish to hold citizenship ceremonies in conjunction with other community events or activities, such as Harmony Day or Refugee Week. Citizenship ceremonies may, for example, be incorporated into annual festivals or activities of community service organisations however these ceremonies must remain non-commercial, apolitical, bipartisan and secular.

It is important that ceremonies remain apolitical and that special event ceremonies not be used to promote a political or ideological agenda.

Australia Day—26 January

Australia Day provides an opportunity for all Australians to celebrate our national day. Australia Day is marked by events across Australia, including special citizenship ceremonies.

Local government councils must hold a citizenship ceremony on 26 January as part of their Australia Day celebrations. Councils that conferred citizenship on less than 20 people in the previous year are exempt from this requirement.

More information about Australia Day celebrations can be found at australiaday.org.au.

Australian Citizenship Day—17 September

Introduced in 2001, Australian Citizenship Day is a day for everyone in the community to reflect on and celebrate the meaning and importance of Australian citizenship and the role Australian citizens have played in shaping our nation.

It is an opportunity for all Australians, by birth or by pledge, to reflect on the common bond of citizenship in our diverse society. It is an opportunity to celebrate our democratic values, equality and respect for each other, and think about what unites us as Australians.

Local government councils should hold a citizenship ceremony on or around 17 September. Australian Citizenship Day is celebrated with special citizenship ceremonies, affirmations and other events around Australia.

Local government councils, community organisations, schools and others in the community are encouraged to participate in Australian Citizenship Day.

For ideas on events and activities for celebrating Australian Citizenship Day visit the [Department of Home Affairs website](http://www.dhca.gov.au).

Note: Australian Citizenship Day is an exception to the expectation that citizenship ceremonies be held outside of parliamentary sitting days, as 17 September generally falls on a federal sitting day.



Parliamentary sitting days

It is important and appropriate that elected representatives have the opportunity to welcome new citizens as formal members of the Australian community.

When scheduling citizenship ceremonies organisers should:

- not schedule ceremonies on federal, or the relevant state or territory sitting days, unless impracticable
- engage with relevant federal and state or territory elected members to ascertain availability
- provide the schedule of ceremony dates to the offices of elected representatives along with the Department of Home Affairs.

Where a citizenship ceremony is scheduled on the same day as a local government council meeting, the citizenship ceremony may proceed but must be conducted with due ceremony and importance.

A sitting calendar for Federal parliamentary sittings can be obtained from the [Australian Parliament House website](#). The next parliamentary sitting calendar is generally released in the late months of the year.

Released by Department of Home Affairs
under the *Freedom of Information Act 1982*

Planning report

The Department of Home Affairs will provide local government councils with a list of approved conferees, referred to as the planning report, who are waiting to attend a citizenship ceremony in their local area approximately four weeks before the scheduled date. Councils must use this list as the basis for planning the ceremony.

This list should not be provided to any official guests before the ceremony.

If a person approaches the council or other authorised presiding officer for a private ceremony, or inclusion in a planned public ceremony, refer the person to the Department of Home Affairs. Do not include additional people in the ceremony unless advised to do so by the Department of Home Affairs. Until a person has attended a ceremony, the Department of Home Affairs may still be assessing the person's application.

If the council sends an invitation to conferees, they should advise conferees of the date of the ceremony for which they are scheduled as soon as possible when they receive the planning report. The Department of Home Affairs will assist community organisations in inviting conferees.

Rescheduling ceremonies

Conferee request

A conferee who wishes to change the date of their allocated ceremony must contact the Department of Home Affairs. If a conferee approaches the council, organisers may refer the person to the Department of Home Affairs.

Council request

The council must contact the Department of Home Affairs at the earliest possible opportunity if a ceremony is to be rescheduled. Rescheduling a ceremony may affect Australian citizenship certificates, the pledge verification list and invited conferees.

Special purpose ceremonies

The majority of citizenship ceremonies are public occasions and conferees are encouraged to participate in a public citizenship ceremony wherever possible.

Special purpose ceremonies, or private ceremonies, may only be arranged in exceptional circumstances, for example, where a conferee has a significant disability preventing them from attending a public ceremony, or where the Department of Home Affairs has asked the organiser to provide urgent conferral for an applicant. All special purpose ceremony requests are to be referred to the Department of Home Affairs for assessment.

Organising the ceremony

Venue

Citizenship ceremonies are significant occasions and care should be taken to ensure that the venue reflects the importance of the occasion.

In choosing a location for the ceremony, the council or organisation conducting the citizenship ceremony should ensure they undertake the necessary event planning and/or a risk assessment in line with their policies and procedures. Consideration should be given to accessibility such as ramps or elevators.

It is important to select a venue that is appropriate to the size of the ceremony. In the case of local government councils, the most suitable venue may be the town hall or council chambers. Many community organisations also have appropriate sized function rooms on their premises. If this is not the case, an appropriate venue could be hired for the occasion.

Citizenship ceremonies may be held outdoors, for example, in a park or in the same locality as a relevant community event (should there be no security concerns). An alternative venue in case of inclement weather should be considered. Organisers should also ensure an outdoor venue is conducive to conferees being present throughout the ceremony to make the pledge and receive their Australian citizenship certificate.

As citizenship ceremonies are apolitical and secular, they should not be held in a place of worship or in a venue which has political affiliation. A community hall adjacent to a place of worship is acceptable where there are no religious symbols in view.

It is not appropriate for a citizenship ceremony to be held at a venue for the purpose of promoting a commercial enterprise. Consideration should be given to avoid exposing conferees and guests to potentially inappropriate areas such as drinking and gaming areas. Conferees should not have to pay entry in order to attend the ceremony.

Products

Free products and pledge cards which can be used at the ceremony may be ordered from the Department of Home Affairs website using the [order form](#).



Symbols

Citizenship ceremonies are conducted under the authority of the Australian Government Minister responsible for citizenship matters. In keeping with other Commonwealth official occasions, the following national symbols should be present in a citizenship ceremony:

- the Australian national flag
- the Aboriginal and Torres Strait Islander flags
- the Commonwealth Coat of Arms
- an official portrait or photograph of The Queen of Australia, Her Majesty Queen Elizabeth II
- the Australian national anthem (*Advance Australia Fair*) should be played.

These national symbols and the Australian national anthem are available free of charge through the local Federal MP under the Constituents Request Program.

Further guidance on displaying national symbols and [flag protocols](#) is available on the Department of Prime Minister and Cabinet website at [Information on Australian Flags and Symbols](#).

Portrait of the Queen

The portrait should be placed behind the presiding officer or in another prominent position at the same level and to the left (when facing) of the Commonwealth Coat of Arms.

Commonwealth Coat of Arms

The Commonwealth Coat of Arms is to be displayed. The Commonwealth Coat of Arms is the formal symbol of the Commonwealth of Australia that signifies Commonwealth authority and ownership.

The Australian national flag

The Australian national flag is to be displayed:

- flat against a surface, whether horizontally or vertically, with the top left (first) quarter placed uppermost on the observers' left as viewed from the front
- on a staff, with the top left quarter placed in the position nearest the top of the staff. When carried, the flag should be aloft and free, or
- on a flag rope (halyard) with the top left quarter placed uppermost, raised as close as possible to the top and the flag rope tight.

Other Australian flags

Aboriginal and Torres Strait Islander flags should also be displayed at citizenship ceremonies. State flags or local government flags may also be displayed.

The Australian national flag should always have precedence over all flags.

Australian national anthem

The Australian national anthem (*Advance Australia Fair*) should be played at the ceremony. This may be played as a live performance or a recording, and it is at the discretion of organisers whether only the first verse or both verses are played though verse two is appropriate to new citizens. All attendees at the ceremony should be invited to join in singing the Australian national anthem. The words of the Australian national anthem should be provided to all attendees.

Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion. A Dress Code is to be set by individual councils.

Councils must provide a current copy of their Dress Code to the Department of Home Affairs.

Seating plan

Prior to the ceremony, the Department of Home Affairs will provide a Ceremony Planning Report which lists the people waiting to attend a ceremony. This report has a Linking Group section which can be used to identify groups or families who are having Australian citizenship conferred upon them and who wish to attend the same ceremony. This can be used to arrange seating so that the conferees remain with their group/family.

The PVL also provides the group detail to aid seating arrangements.

Gifts and entertainment

In addition to observing the legal requirements and important elements of the ceremony, those conducting citizenship ceremonies may wish to consider incorporating other features which would significantly enhance the occasion.

The provision of gifts, entertainment and refreshments is entirely voluntary and at the discretion of organisations conducting ceremonies.

Gifts

Local government councils and community organisations conducting citizenship ceremonies may choose to present gifts to new citizens to mark the acquisition of Australian citizenship.

Any gifts are to be appropriate to the occasion and cannot be of a political, commercial or religious nature. Examples of appropriate gifts include:

- a native plant that could grow well in the local area (consider size)
- a genuine item reflecting Aboriginal and Torres Strait Islander cultures
- a book about the local region
- a commemorative coin or pin
- a free copy of a professional photograph of the occasion.

Additionally, information could be provided to conferees on local community services including volunteering opportunities and multicultural services.

Entertainment

Entertainment befitting the occasion may be incorporated into a ceremony.

If music is being played organisers should ensure that the appropriate music licence is obtained by contacting [APRA AMCOS](#) (Australasian Performing Right Association Limited Australasian and Mechanical Copyright Owners Society Limited).

Catering

Citizenship ceremonies may be followed by a social gathering that includes refreshments. The gathering provides an opportunity for officials and new citizens to become acquainted and enhances the welcoming atmosphere of the occasion.

The form of the gathering and the choice of refreshments are matters for local government councils and community organisations conducting citizenship ceremonies.

In making these arrangements, it is important to take into account any special dietary or religious requirements which people may have.

Incorporating Aboriginal and Torres Strait Islander elements

There is great value in incorporating appropriate Aboriginal and Torres Strait Islander elements into citizenship ceremonies and the Department of Home Affairs encourages all organisations conducting citizenship ceremonies to do so.

Incorporating Aboriginal and Torres Strait Islander elements into citizenship ceremonies enhances awareness and understanding by new citizens, as well as the wider community, of their histories and cultures and their status as the First Australians and traditional custodians of the land.

The presiding officer or other appropriate person should publicly acknowledge the Traditional Owners of the land where the citizenship ceremony is taking place. An example of an acknowledgment could be as follows:

General

I'd like to begin by acknowledging the traditional owners of the land on which we meet today. I would also like to pay my respects to Elders past, present and emerging.

Specific

I'd like to begin by acknowledging the traditional owners of the land on which we meet today, the [people] of the [nation] and pay my respects to Elders past, present and emerging.

The following are a range of ideas for incorporating Aboriginal and Torres Strait Islander elements into or within citizenship ceremonies:

- Invite a local Aboriginal or Torres Strait Islander leader or leaders to Acknowledge Country and/or perform a Welcome to Country ceremony
- Invite members of local Aboriginal and Torres Strait Islander communities to perform other traditional ceremonies, for example a smoking ceremony
- Invite Aboriginal and Torres Strait Islander artists to perform or a local leader or personality to address the citizenship ceremony.

Incorporating Aboriginal or Torres Strait Islander cultural considerations into a citizenship ceremony should be done in consultation with representatives of the local traditional peoples.

Further information is available at the [Reconciliation Australia website](#).

Invitations

Only approved conferees as advised by the Department of Home Affairs may be invited to take the pledge at a ceremony. Conferees are invited to attend their ceremony by letter. Depending on local arrangements, invitation letters are sent to conferees either by the local government council or by an office of the Department of Home Affairs. For ceremonies conducted by community organisations, the Department of Home Affairs will generally send out invitations.

Invitation letters to conferees from the Department of Home Affairs include the following advice:

- Date, time and venue for the ceremony and expected arrival time
- Conferees 16 years of age and over should bring photographic identification to the ceremony such as driver license or passport, and letter of invitation
- Children under 16 years are not required to make a pledge of commitment or attend a ceremony although they are welcome and encouraged to do so if they wish
- Conferees who wish to make the pledge of commitment on a holy book or scripture of their choice should bring it to the ceremony.

Organisers may wish to add the following information as appropriate:

- Process for RSVPs (if relevant)
- Dress Code (attendee attire should reflect the significance of the occasion and venue, including national or cultural dress)
- A voluntary Australian Citizenship Affirmation (if included in the program) will take place after the citizenship ceremony
- Any special arrangements concerning seating and the taking of photographs or video during the ceremony
- The number of relatives and friends each conferee may invite to attend the ceremony and subsequent social gathering
- Conferees may be asked to sign a form giving their consent for photographs, video or film taken during the ceremony to be used for future citizenship promotional purposes
- Advice on venue accessibility or parking.

Additionally, information for conferees about attending ceremonies is available on the [Department of Home Affairs website](#).



Children

Children under 16 years of age

Children under the age of 16 years are not required to make the pledge of commitment or attend a citizenship ceremony although they are welcome and encouraged to do so with their parent(s) if they wish. Children who were under 16 on application, but have since turned 16 are not required to make the pledge. Children do not have to present identification at citizenship ceremonies.

Australia has a welcoming and inclusive citizenship policy. Encouraging dependents to attend the citizenship ceremony is in keeping with this policy. It is also important for children, particularly older children, to witness the occasion as part of their introduction to, and understanding of, civic life in Australia.

Children aged 16 years or over

Most children aged 16 years or over must make the pledge of commitment and provide identity documents at the ceremony.

Pledge verification list

The PVL is provided by the Department of Home Affairs to ceremony hosts and lists the people who are to attend a particular ceremony, their pledge preferences, Australian citizenship certificate numbers and groups who wish to sit together (e.g. families).

The signed PVL must be returned to the Department of Home Affairs immediately after the ceremony so the conferee's record can be updated to reflect their Australian citizenship. The PVL may be scanned and sent digitally, but any hard copies may be returned along with unused certificates.

Media, photos and consent forms

Media

Every effort should be made by organisers to publicise forthcoming ceremonies and to encourage local and even national media to attend and report on the event. Publicising citizenship ceremonies promotes to the wider community the contribution of new citizens to Australia.

Media coverage can be enhanced by providing local media, for example, newspapers, newsletters and magazines, with details of the ceremony as far in advance as possible. Details provided should include a list of speakers and important guests. Local community organisations could similarly be informed. Details of conferees should not be provided to media without their consent.

Where a ceremony could be of interest beyond the local district, consideration could be given to alerting the national media. Examples of such situations include:

- an unusually large ceremony
- where the ceremony is planned to coincide with a local or national event such as Australia Day or Australian Citizenship Day
- where conferees include prominent figures in local affairs, the arts, sport or other fields
- where there are particularly interesting features planned for the ceremony.

Conferees should be informed in advance that ceremonies may attract media attention and that departmental officers or representatives of the media may attend ceremonies to film, photograph or interview conferees for promotional purposes or for social media. While some new citizens may welcome publicity, others may not.

Local government councils and community organisations should be aware of privacy obligations. For more information, refer to the [Privacy Act 1988](#).

When the Minister responsible for citizenship matters is in attendance, liaison with their media adviser is required for any press releases or media coverage. Public affairs officers of the Department of Home Affairs will liaise with the Minister's media adviser and can also assist with publicity arrangements.



Photographs

There is no requirement to hire a professional photographer to take photos of the citizenship ceremony but having photographs is a great way of recording the occasion. The photos can also be used to present as a gift to the conferees as a memento of the ceremony.

It is important to be aware that images of individuals or Australian citizenship certificates in photographs or video (images) are treated as personal information under the *Privacy Act 1988* where the person's identity is clear or can reasonably be worked out from that image.

Consent forms

If the picture is to be used for something that the conferee is unaware of, the conferee will likely be required to give consent, unless they would reasonably expect their image to be used for this other purpose.

If images are to be used in a publication, website or social media platform that your organisation puts out, consent forms must be signed and collected from the subjects. Personal details in these images (such as names on certificates) must not be visible.

It may be applicable to include information on media and promotional image use in the invitation.

Suggested program for ceremony

The names of the presiding officer, administrative officer and official guests should be inserted.

- 1:30 pm Conferees arrive, are registered and identity verified then are seated
- 1:55 pm Official party enters (List names and titles of official guests)
- 2:00 pm (*Administrative officer*) Welcomes all present
- 2:02 pm Welcome to Country or Acknowledgment of Country
- 2:05 pm (*Presiding officer*) welcomes all present, introduces official guests, delivers the opening address, and foreshadows the Australian Citizenship Affirmation
- 2:15 pm (*Presiding or administrative officer*) introduces each speaker in the following order:
- Minister or Minister's representative
 - If the Minister/Minister's representative is not in attendance, the presiding officer reads the Minister's message
 - Other speakers
- 2:30 pm (*Presiding officer*) reads the preamble for a citizenship ceremony to the conferees
- 2:32 pm (*Presiding officer*) administers the pledge to conferees
- 2:35 pm (*Presiding Officer, administrative officer or official guest*) presents Australian citizenship certificates to new citizens and congratulates them. Each conferee who has made the pledge is called forward to receive their Australian citizenship certificate
- A gift may also be presented at this time
- 2:50 pm (*Presiding officer or administrative officer*) advises that new citizens may enrol to vote by completing the electoral enrolment form given to them. If staff from the AEC are present, advise that those officers are available to assist
- 2:52 pm (*Presiding officer*) introduces dignitary to conduct affirmation ceremony
- 2:54 pm (*Presiding officer or other appropriate Australian citizen*) conducts affirmation ceremony
- 2:57 pm (*Presiding officer*) asks all present to stand for the Australian national anthem
- 3:00 pm (*Presiding officer*) concludes the ceremony; invites new citizens, official guests and all present to join him/her for light refreshments.

Before the ceremony checklist

These checklists can be used to assist your organisation of the ceremony.

Before the ceremony

Annually (for councils with >100 conferees per annum)

Provide the Department of Home Affairs with an annual schedule of planned ceremonies

3 6 months before

Check Federal and State/Territory parliamentary sitting days

Ensure scheduled ceremonies avoid parliamentary sitting days

Advise Department of Home Affairs of date of ceremony to allow provision of certificates and pledge verification list

1 2 months before

Check venues for suitability (access, size, power, secular, wet weather contingencies)

Prepare invitations for conferees with relevant ceremony details

4 weeks before

Invite conferees from list of approved applicants provided by the Department of Home Affairs (if applicable)

Invite the Minister, elected government members and other official representatives. Include which officials are to present a speech.

Advise the AEC of the time, date and venue of the ceremony

Prepare a ceremony program

Order products such as pledge cards and affirmation cards

1 week before

Confirm the Master of Ceremonies, and arrange lectern and sound system

Ensure receipt of Australian citizenship certificates, PVL and Australian electoral enrolment forms

Ensure portrait of The Queen, Commonwealth Coat of Arms and Australian flag are available for display

Arrange for the Australian national anthem to be played/performed

Arrange for Welcome to Country and/or Acknowledgement of Country

Arrange who will deliver the Australian Citizenship Affirmation

Arrange seating plan for VIPs, conferee guests, AEC staff, departmental staff

Arrange seating plan for conferees with families/groups together

Ensure certificate of currency for insurance purposes (if applicable)

Additional considerations

Arrange gifts and entertainment

Arrange catering

Arrange photography

Notify media of ceremony

Print media consent forms if images to be used on social media or publications

Arrange speaking notes for the presiding officer

PART 3

At the ceremony

Registration

The Department of Home Affairs provides a copy of the Australian citizenship PVL for each citizenship ceremony. The PVL lists invited conferees and includes personal details to assist ceremony organisers to verify their identities.

It is a requirement that each conferee making the pledge be formally registered at the ceremony. Use the PVL to mark non-attendance or failure to make the Pledge by marking a single line through the person's name.

Registration areas should be well lit to allow proper verification of conferee identity.

Identity verification

The Minister cannot approve a person becoming an Australian citizen unless satisfied of a person's identity. All conferees aged 16 and over at the time of application must have their identity verified prior to making the pledge of commitment and receiving their Australian citizenship certificate.

Identity documents and verification are not required for children under the age of 16. The identity of the responsible parent on their application will need to be verified.

A form of photographic identification is preferred for each person aged 16 and over, which will allow facial comparison between the person and their identification. A driver's licence, passport or other official document with a photograph is acceptable. For candidates who cannot produce any form of photographic identification, at least three documents bearing their name, address and signature, for example, bank statements, credit cards or bills are required. ID documents should be current and original documents (not photographs or photocopies).

Unofficial documents with a photo such as student cards are not acceptable. Conferees may bring their invitation letter to the ceremony to assist with registration but the letter is not an identity document.

If the conferee has attended without any identity documents they cannot proceed to the ceremony. Refer the person to the Department of Home Affairs.

Guidance on face-to-photo identification is available from the Department of Home Affairs.

If there are doubts about the identity of the person, or the person does not have sufficient identity documentation, they cannot proceed with the ceremony. Refer the person to the Department of Home Affairs.

Officers of the Department of Home Affairs will usually attend to assist in identifying the conferees for citizenship ceremonies arranged by community organisations.

Welcome to Country/ Acknowledgement of Country

A Welcome to Country is a ceremony performed by Aboriginal or Torres Strait Islander people to welcome visitors to their traditional land. It can take many forms, depending on the particular culture of the traditional owners. It can include singing, dancing, smoking ceremonies or a speech in traditional language or English.

An Acknowledgement of Country is a way of showing awareness of and respect for the traditional Aboriginal or Torres Strait Islander owners of the land on which a meeting or event is being held, and of recognising the continuing connection of Aboriginal and Torres Strait Islander peoples to their Country.

An Acknowledgment of Country can be informal or formal and involves visitors acknowledging the Aboriginal or Torres Strait Islander owners of the land as well as the long and continuing relationship between First Nations and their Country.

Further information is available on Welcome to and Acknowledgement of Country at the [Reconciliation Australia website](#).

Organisers should consult with their local Aboriginal or Torres Strait Islander elders or leaders about the most appropriate way to recognise their communities.

If the Minister attends

If in attendance, the Minister will have precedence to assume the role of presiding officer, conduct the citizenship ceremony and confer Australian citizenship on conferees.

The Department of Home Affairs will advise organisers if the Minister is interested in attending a citizenship ceremony.

Speeches

The Minister/Minister's Representative

The Minister will be given the opportunity to speak at the citizenship ceremony. The Minister is not required to read their own message verbatim, as they may wish to deliver a speech specific to the event.

If the Minister does not attend, the local Federal MP or Senator (if present) should read the Minister's message. This must be read in its entirety and without amendment.

When neither the Minister nor a federal representative attends, the Minister's message must be read by the presiding officer in its entirety and without amendment.

Inviting official guests to speak

Speeches by other official guests must immediately follow the Minister's speech/message.

All elected local representatives, at the federal, state/territory and local government level, should over time have an opportunity to provide a welcoming speech to citizenship conferees. It is preferable, however, that not all elected representatives speak at every ceremony. This will ensure that the number of speeches remains manageable, particularly where local areas cross a number of electorates.

Appropriate arrangements should be reached at the local level to meet the requirements of all concerned. For example, ceremony organisers may wish to reach early agreement with elected representatives on appropriate dates in the year for each representative to speak, for example in the context of setting up or reviewing the annual ceremony schedule.

The emphasis remains on elected representatives welcoming new citizens to the local community. Candidates for election must not be invited to speak. The apolitical nature of the ceremony must be maintained. People attending on behalf of elected representatives must not be included in the official party.

Other official guests do not have to be invited to speak, however, subject to the number of speeches by elected representatives, a few brief messages of welcome from any local community leaders and/or local clubs and associations may contribute to a feeling of welcome.



Suggested length and content of speeches

Local government councils and community organisations conducting citizenship ceremonies should give speakers an idea of how long they are expected to speak. To manage the length of the ceremony, each speech would ideally be less than five minutes long.

Speeches must be relevant and appropriate to the occasion and must avoid issues that may be contentious from a political, racial or sectarian point of view. Speeches that have particular political or denominational overtones, for example, would not be appropriate. It is essential that the dignity and significance of citizenship ceremonies be maintained at all times.

Citizenship ceremonies must not be used as forums for political or partisan expression or for the distribution of political material.

Organisers should draw these matters to the attention of all speakers in their invitations.

Speakers may welcome conferees as new citizens and refer to the economic, social and cultural contribution that new citizens make to Australia. Speakers could refer, for example, to the development of their local district, emphasising the role of new citizens in industry, civic or cultural affairs, or sport. Speakers could also refer to the many benefits, such as the democratic way of life and economic opportunities, which Australia has to offer its new citizens.

Conferees come from a variety of circumstances and backgrounds. It is advisable to avoid assumptions and generalisations about their background and their reasons for coming to Australia.

Preamble

It is a legal requirement under section 10 of the *Australian Citizenship Regulation 2016* that the presiding officer read aloud to the conferees the preamble for citizenship ceremonies. The words of the Preamble are found in Schedule 1 of the Regulation.

The Pledge of Commitment

It is a legal requirement that most conferees 16 years of age and over make the pledge of commitment before the presiding officer.

The pledge must be made in English. It comes in two versions:

Pledge 1

From this time forward, under God,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect,
and whose laws I will uphold and
obey.

Pledge 2

From this time forward
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect,
and whose laws I will uphold and
obey.

The version of the pledge which each conferee has indicated they wish to make is specified on the Australian citizenship pledge verification list forwarded to local government councils by the Department of Home Affairs. Pledge cards may be placed on the conferees' seats or handed to conferees on arrival.

A person may elect to switch pledge group on the day or make one pledge with the other pledge group in order to stand with their family group. As long as one form of the pledge is made, their citizenship is conferred.

Only conferees on the PVL can take the pledge. A person who attends a ceremony but was not invited and is not on the PVL cannot be allowed to make the pledge before the presiding officer as their application may still be under review.

As a matter of practice, and to facilitate the making of the pledge, the presiding officer 'administers' (i.e. reads out and the conferees repeat) the pledge. The presiding officer, with the support of organising staff, should observe that each conferee makes the pledge.

If it is observed that a conferee has not said the pledge, they are considered not to have acquired citizenship and must not be presented with their citizenship certificate. The conferee should be taken aside respectfully at the end of the ceremony and given another opportunity to say the pledge before the presiding officer.

Should they refuse, they should not be presented with their citizenship certificate and the Department of Home Affairs should be contacted immediately.

Generally conferees who have a permanent or enduring physical or mental incapacity will not be allocated to attend a ceremony. Councils will be made aware of conferees with other needs (e.g. an Auslan interpreter) to allow enough time to prepare the necessary support.

Children

Children under 16 years of age are welcome to make the pledge if they wish. The conferral of their citizenship is dependent on the responsible parent making the pledge before the presiding officer.

If the responsible parent does not attend the ceremony or fails to make the pledge then the child does not receive their Australian citizenship, even if they are present at the ceremony. Contact the Department of Home Affairs if this occurs.

Holy books and scriptures

It is not a requirement for conferees to use a holy book or scripture or hold up their hand/s when making the pledge however, conferees are permitted to do so if they wish.

Conferees who wish to use a holy book or scripture when making the pledge, should be invited to bring the holy book or scripture of their choice to the citizenship ceremony in the invitation to ceremony letter.

Organisations who wish to provide holy books are not permitted to place the books on the conferees' chairs. They should be placed in an area where conferees may choose to use one during the ceremony, but it must not be made to look like a requirement. For example, a small table at the back of the room may be appropriate.

Holy books must not be provided as gifts to conferees.

Australian citizenship certificates

Presenting Australian citizenship certificates to conferees

It is not a legal requirement that:

- Australian citizenship certificates be presented to conferees attending a ceremony
- Australian citizenship certificates be presented by the presiding officer or other authorised person.

However, both of these are common practices.

Usually, the Department of Home Affairs will provide Australian citizenship certificates to organisations in advance of citizenship ceremonies for distribution to conferees at the ceremony. On the rare occasion that certificates are not available, the ceremony should continue as scheduled. The certificates will be sent to the new citizens at a later date by the Department of Home Affairs.

It is recommended that ceremony organisers hold a quantity of commemorative certificates to present to conferees in this situation. Commemorative certificates are of no legal standing and are not official evidence of Australian citizenship.

It is the making of the pledge of commitment before an authorised person that is the final legal requirement for acquiring Australian citizenship by conferral. The citizenship certificate does not make a person an Australian citizen however it is legal evidence of Australian citizenship and should be treated as an accountable document. Citizenship certificates should be stored in a safe when not being used for the purpose of arranging the ceremony.

When family members are conferred Australian citizenship at the same ceremony, each family member should be presented with their own certificate. If children are not part of the ceremony, children's certificates may be handed to the parent.

Altering citizenship certificates

The presiding officer may, if they wish, sign each certificate at the dotted line on the bottom right corner of the certificate. However, this is not compulsory. An ink stamp bearing the presiding officer's title is also appropriate for this purpose. No other amendments, additions, deletions or marks may be made to the certificate.

Altering Australian citizenship certificates is an offence under the Citizenship Act and carries serious penalties.

The person who signs the certificates prior to the ceremony must then be the presiding officer on the day of the ceremony for those certificates to be valid.

Australian citizenship certificates are only valid if the conferee makes the pledge before the presiding officer on the date printed on them.

Where conferees fail to attend a scheduled ceremony or do not make the pledge, their certificates must be returned by registered mail immediately following the ceremony to the office of the Department of Home Affairs that provided the certificates. The dates on the certificate must not be amended if the conferee attends a ceremony at another date. A new certificate will be provided by the Department of Home Affairs.

If details are incorrect on Australian citizenship certificates

If a conferee claims that information on their Australian citizenship certificate is incorrect, they should still be allowed to make the pledge and be presented with the certificate. They should be advised to contact an office of the Department of Home Affairs as soon as possible. This should also be indicated by the presiding officer on the PVL returned to the Department of Home Affairs.

The Australian Citizenship Affirmation

To further enhance the meaning and symbolism of citizenship ceremonies, local government councils and organisations are encouraged to conduct the Australian Citizenship Affirmation at the conclusion of the citizenship ceremony.

The Australian Citizenship Affirmation (the Affirmation) is a statement affirming loyalty and commitment to Australia and its people. It is based on the pledge made by conferees at citizenship ceremonies in order to become Australian citizens.

The Affirmation increases awareness of the responsibilities and privileges of Australian citizenship, promotes community involvement and participation, and helps people feel that they belong. It also helps to build pride in Australians about their citizenship.

Unlike the pledge, the Affirmation is entirely voluntary, has no status in law and has no legal effect.

The Affirmation may be incorporated at the end of the Australian citizenship ceremony and allows all present to join with the new citizens to publicly affirm their loyalty and commitment to Australia and its people. Non-citizens are able to participate by joining in at the second line.

The Affirmation reads:

As an Australian citizen
I affirm my loyalty to Australia and its
people, whose democratic beliefs I share,
whose rights and liberties I
respect, and whose laws I uphold
and obey.

If the Affirmation is to be included, affirmation cards may either be placed on all seats at the venue, or handed to all members of the audience as they arrive. Affirmation cards are available from the Department of Home Affairs.

The Affirmation must be led by an Australian citizen.

They may be a person of some standing in the community, such as an official guest, a leader within the community, a federal or state/territory parliamentarian or other appropriate person.



Australian electoral enrolment

Local government councils and community organisations conducting citizenship ceremonies are asked to facilitate electoral enrolment of new citizens, including through access to the citizenship ceremony for staff of the [Australian Electoral Commission](#).

The Department of Home Affairs provides pre-printed, personalised electoral enrolment forms containing the personal details of each conferee over the age of 16 to those conducting citizenship ceremonies.

As enrolment and voting is compulsory for Australian citizens, new citizens should be encouraged to complete their enrolment forms once they have made the pledge and been presented with their Australian citizenship certificate.

Conferees should:

- check that their pre-printed details on the electoral enrolment form are correct and, if needed, correct any errors
- complete the evidence of identity section of the form
- sign the form (in some states this must be witnessed)
- hand the completed forms to staff from the AEC if present, or post to the AEC as soon as possible.

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At the ceremony checklist

On the day

- Arrange table for registration and identity verification
- Verify identity of conferees against photographic identity document provided.
- Mark attendance or non-attendance on the PVL
- Collect written consent of conferees to use images if they are to be used for promotional purposes
- Arrange flags, Commonwealth Coat of Arms and official portrait/photo of Her Majesty Queen Elizabeth II, according to protocols
- Issue pledge cards, program, electoral enrolment forms and affirmation cards to the conferees
- Ensure no political, commercial or religious material is available for distribution
- Assist with electoral roll form completion

During the ceremony

- Welcome to Country and/or Acknowledgement of Country
- Reading the Minister's message
- Reading the Preamble
- Observe conferees making the pledge of commitment (Pledge 1 or Pledge 2)
- Present Australian citizenship certificates to conferees who have made the pledge
- Play the Australian National Anthem
- Conduct the Australian Citizenship Affirmation

PART 4

After the ceremony

Returning the pledge verification list

The PVL is considered official evidence that an applicant has fulfilled the final legal obligation of making the pledge of commitment before a person authorised to receive the pledge (the presiding officer).

The Department of Home Affairs is required to retain completed PVLs as a record documenting acquisition of Australian citizenship on behalf of the National Archives of Australia. It is therefore important to return the signed PVL to the Department of Home Affairs as soon as possible after the ceremony.

The presiding officer must sign the PVL immediately after the conclusion of a ceremony, certifying that each person on the list has attended and been observed making the pledge.

The names of people who did not attend the ceremony, whose identity has not been verified or who have not made the pledge of commitment, must have a line ruled through them on the PVL. The PVL should not be altered in any other way.

A copy of the completed and signed PVL must immediately be forwarded to the Department of Home Affairs, typically by electronic means. Hard copies can be returned with any unused citizenship certificates.

PVLs should be returned to the Department of Home Affairs within two working days following a ceremony.

The Department of Home Affairs relies on ceremony organisers returning signed PVLs promptly. Delays can result in significant problems being encountered by new citizens, for example, when applying for an Australian passport.

A copy of the PVL should be given to staff of the AEC (if attending the ceremony) or forwarded to them by mail or email.

Ensure that any non-attendee names have been similarly marked.

Privacy

The names and addresses of conferees on the PVL must be used by organisations only for the purpose of conducting citizenship ceremonies, for example, to identify the conferees, manage invitations and RSVPs.

Improper use or disclosure of personal information provided for the purpose of citizenship ceremonies may be in breach of the *Privacy Act 1988*. Inappropriate use of personal information could lead to revocation of authorisation to conduct citizenship ceremonies.

Authorised secondary use of conferees' personal details includes providing a PVL to the AEC and providing names and addresses to elected representatives for the purpose of a welcome.

Disclosing names and addresses of new citizens

Whether local federal, state and territory MPs attend the ceremony or not, it is important and appropriate that they have the opportunity to welcome new citizens as formal members of the Australian community.

Where requested, local government councils should forward the names and addresses of new citizens to local federal, state and territory MPs and local government councillors.

New citizens are informed through the application form for conferral of Australian citizenship that their information may be disclosed to MPs and local government councillors for the purpose of welcoming new citizens as constituents.

Only names and addresses are forwarded to MPs, unless a justifiable reason for other information is provided. Copies of pledge verification lists containing other identity and personal information must not be sent to MPs.

Conferee details must not be provided before the ceremony. They will be provided only after the ceremony is completed and only upon request. This is to ensure that only conferees who attend the ceremony and become citizens receive a welcoming letter.

The information must be sent with advice that clearly states the names and addresses of new citizens are disclosed to local MPs solely for the purpose of welcoming new citizens into the community. This advice must be provided to be consistent with privacy legislation.

Advice to MPs should also clearly state that the names and addresses of new citizens should not be forwarded to other persons or organisations, or used by local MPs for any other purpose.

The PVL must not be used by local government councils for any purpose other than administering a ceremony. The list must not be shared with candidates for election.

Ensure that any conferee who did not attend the ceremony, whose identity was not verified, or who did not make the pledge is removed from the list provided to MPs.

Returning Australian citizenship certificates

Australian citizenship certificates are only valid for the date printed on them and under the condition that the conferee makes the pledge on that same date.

Where conferees fail to attend a scheduled ceremony, their identity was not verified or they did not make the pledge, their certificates must be returned by hand or by registered mail immediately following the ceremony to the office of the Department of Home Affairs that provided the certificates.

After the ceremony checklist

After the ceremony

- Non-attendees have been ruled out on the PVL
- Any issues regarding identity or the pledge have been referred to the Department of Home Affairs
- The presiding officer has signed the PVL
- Completed PVL has been returned to the Department of Home Affairs (within two working days)
- All unused or void citizenship certificates have been returned to the Department of Home Affairs
- PVL given or forwarded to AEC
- Names and addresses forwarded to MPs (on request)

Exemptions to the Code

In exceptional circumstances councils may apply for an exemption to the requirements of the Australian Citizenship Ceremonies Code by writing to the Department of Home Affairs.



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under the Freedom of Information Act 1982



Australian Government
Department of Home Affairs


Submission

For decision
PDMS Ref. Number: MS22-001933
Date of Clearance: 12/09/2022

To Minister for Immigration, Citizenship and Multicultural Affairs
Subject Requests for exemption to the Australian Citizenship Ceremonies Code (Australia Day citizenship ceremonies)
Timing At your convenience.

Recommendations

That you:

- 1. note under the *Australian Citizenship Ceremonies Code* councils are required to host citizenship ceremonies on Australia Day unless exempt; noted / please discuss
- 2.  agreed / not agreed
- 3. note the Department of Home Affairs (the Department) will work with your office in regards to an agreed approach should the Department receive any further requests for exemption. sign / not sign

Minister for Immigration, Citizenship and Multicultural Affairs

Signature.....

Date:...../...../2022

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Minister's Comments				
Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

Key Issues

1. Since the launch of the updated *Australian Citizenship Ceremonies Code* (the Code) on 17 September 2019, all local government councils are required to hold a citizenship ceremony on Australia Day, unless they had conferred citizenship on less than 20 people in the previous year. Where a council deems that they are unable to meet the requirements as set out in the Code, they are able to apply - in exceptional circumstances - for an exemption. These requests are facilitated by the Department and provided to the Minister for consideration. To date, only five councils (for Australia Day 2020) have formally submitted requests for exemptions. These requests were made citing costs and availability of appropriate venues for the day. All requests were denied by the then Assistant Minister for Immigration and Border Protection.
2. To date, two councils have requested an exemption for holding a ceremony on 26 January 2023.
 - a. **Hepburn Shire Council (Victoria)** proposes to hold a ceremony on 25 January 2023 in line with previous years' plans around Australia Day, citing an increased capacity for the community, local councillors and Members of Parliament to attend on this date, as well as financial concerns.
 - b. **Clarence Valley Council (New South Wales)** propose to hold a ceremony on 25 January 2023, citing a council event already being planned for this date and the increased capacity for community involvement, along with competing community events across the community on 26 January 2023 and financial concerns.

3.

s. 47C(1)

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4. As outlined in MS22-001376, two councils (City of Yarra and Darebin City councils) have had their authority to hold citizenship ceremonies revoked by the then Minister due to non-compliance with the Code for ceremonies to be “*non-commercial, apolitical, bipartisan and secular*” by refusing to hold a ceremony on Australia Day. If you grant an exemption the councils would remain compliant with the Code, however, it will likely lead to further requests for exemptions. Conversely, if you do not grant an exemption and the council refuses to host a citizenship ceremony, that would be in breach of the Code and you may wish to consider revoking their authority to preside.

5.

S. 47C(1)

6. The Department will work with your office on an agreed approach should any further councils who are not exempt under the Code wish to seek an exemption or indicate that they do not plan to host a ceremony on 26 January 2023.

Background

7. The Department supports citizenship ceremony organisers, including local government councils and community organisations in hosting ceremonies across the nation. Planning for Australia Day 2023, including the managing of councils that are not exempt from holding a citizenship ceremony, will commence shortly.

Consultation – Secretary

8. The Secretary was not consulted on the approach in the submission.

Client service implications

9. If you decide to grant the exemptions, the Department will work closely with those councils to emphasise that the exemptions should not impact client wait times.

Risks and Sensitivities

10.

S. 47C(1)

Financial/systems/legislation/deregulation/media implications

11. There will be media coverage and commentary around the date of Australia Day in the lead up to 26 January, including citizenship ceremonies.
12. Citizenship Division in consultation with Media and Communications Branch will develop media talking points in consultation with your office where a council is granted an exemption, or as necessary.

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Attachments

Attachment A s. 47C(1)

Attachment B Requests for exemption – Further information

Authorising Officer

Cleared by:

Brett White
Acting First Assistant Secretary
Citizenship Division

Date: 12 /09/2022

Mob: s. 22(1)(a)(ii)

Contact Officer Rita Lee, Acting Assistant Secretary, Citizenship Policy Branch: s. 22(1)(a)(ii)

CC Minister for Home Affairs, Minister for Cyber Security
Secretary
Deputy Secretary, Social Cohesion and Citizenship

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s. 47C(1)

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Council	State	Numbers conferred in 2021/22	Date held during Australia Day week in 2022 and numbers conferred	Date proposed to be held during Australia Day week in 2023	Council reason for seeking an exemption	Representation type and reference
Hepburn Shire Council	VIC	28	25 January 2022 – 8 conferred	25 January 2023	<ul style="list-style-type: none"> • Council has held their Australian citizenship ceremony and civic events for Australia Day on 25 January for the last 15 years. • Council has previously been exempt from hosting ceremonies on 26 January as they have not met the requirements of the Australian Citizenship Ceremonies Code of conferring citizenship on 20 or more conferees in a year. • Holding council's event on 25 January allows for community members and members of State and Federal Parliament to attend. • High operational cost can be reduced if the ceremony is held on 25 January. • Local government councillors attend community celebrations in their own wards on 26 January. • Council provides funding to volunteers in the local community to support local events on 26 January. • As at 26 August 2022, the council has less than 5 people awaiting ceremony. 	<p>MC22-034513</p> <p>Representation made from Chief Executive officer</p>
Clarence Valley Council	NSW	57	26 January 2022 – 7 conferred	25 January 2023	<ul style="list-style-type: none"> • Council is hosting their Citizens of the Year awards on 25 January and wish to host their ceremony along this event. • Holding the ceremony on the eve of Australia Day will increase community participation. In previous years, the council has stated that indigenous members of the community have been reluctant to participate. By hosting on 25 January, they are confident that they can include a welcome/acknowledgement from an Elder and a cultural performance. • A large community-led celebration is held on 26 January where new citizens will be invited and celebrated. • High costs are associated with holding an event on a public holiday. The council prefers to host ceremonies for around 20 people. As at 26 August 2022, the council has less than 5 people awaiting ceremony. 	<p>Email</p> <p>Representation made from Corporate Support Officer</p>



Our Ref: DOC/22/38090

25 July 2022

The Honourable Andrew Giles MP
Minister for Immigration, Citizenship and Multicultural Affairs
PO Box 167
Mill Park LPO, VIC, 3082
andrew.giles.mp@aph.gov.au

Dear Minister,

Re: Citizenship Ceremony on Australia Day Eve 2023

For at least the last 15 years Hepburn Shire Council has held a civic event on 25 January, which includes a citizenship ceremony and the announcement of the Hepburn Shire Community awards.

In 2021, Council conferred citizenship on 21 people and, for the first time, is not eligible for an automatic exemption from holding a ceremony on 26 January. We are seeking an exemption from you to continue our practice of many years and hold our Civic Event on 25 January in 2022. The event on the 25th has been very well attending by new citizens, community members and members of State and Federal Parliament, including our Federal Member Catherine King.

As a small Council, holding the civic event on 25 January significantly reduces operational costs, while also giving Councillors the opportunity to attend community celebrations within their own wards on 26 January.

Council also provides funding to volunteers in Glenlyon, Trentham, Creswick and Clunes to support local events on 26 January, which are also attended by Councillors and local politicians.

We have a very strong preference to continue with the event and tradition in our community.

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hepburn.vic.gov.au

► DAYLESFORD
76 Vincent Street
Daylesford
03 5348 2306
Corner Duke
& Albert Streets
Daylesford
03 5348 1577

► CRESWICK
68 Albert Street
Creswick
03 5345 8399

► CLUNES
The Warehouse
36 Fraser Street
Clunes
03 5345 3359

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Our Ref: DOC/22/38090



We hope that you will consider an exemption, and I am happy to discuss in greater detail on s. 47F(1)

Yours sincerely

s. 47F(1)

s. 47F(1)

Chief Executive Officer

► HEPBURN SHIRE COUNCIL
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► CRESWICK
68 Albert Street
Creswick
03 5345 8399

► CLUNES
The Warehouse
36 Fraser Street
Clunes
03 5345 3359

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MS22-001933 Attachment B

From: s:47F(1)
Sent: Tuesday, 16 August 2022 11:33 AM
To: Ceremony NSW <ceremony.nsw@homeaffairs.gov.au>
Subject: Requesting acceptance to change the date of a ceremony - outside of the code
Importance: High

Good morning s:22(1)(a)(i)

Thank you so much for your time this morning.

As discussed it would be greatly appreciated if you could please pass on the following request from Clarence Valley Council to the appropriate person.

We are requesting acceptance to host a Citizenship Ceremony in conjunction with our 2023 Clarence Valley Citizens of the Year awards. The date of this event is Wednesday, 25 January 2023 and the reason for this request is because we understand this is outside of the current Australian Citizenship Code.

Reasons we request this event be combined and held on Australia Day eve are:

- More community participation. Previous years have seen our indigenous community reluctant to participate, CVC officers are confident that the 2023 event will be more inclusive and perceived in a different light with hopes to include a welcome or acknowledgement to country from an Elder and a cultural performance.
- We think it is more special and exciting for our citizens to be welcomed with a larger group, our LGA doesn't host ceremonies great than 20 people at a time and currently we only have 1 conferee on the list waiting to make their ceremony. We believe it would be more exciting to be recognised and congratulated/welcome in a bigger community event.
- There is a huge community event being held on the day Australia Day (not a council ran event, this is a community ran event). The organisers of this event would like to not only invite and congratulate the Citizens of the Year but also the new CV Citizens. This cannot be done if an Australia Day ceremony must be held as the timing and locations do not align.
- Budget: To host a Citizenship Ceremony on Thursday, 26 January it would incur additional overtime staff costs due to the public holiday.

We hope to hear from you soon.

Kind Regards, s:47F(1)

s. 47F(1)
Corporate Support Officer
s. 47F(1)
www.clarence.nsw.gov.au



We acknowledge the Bundjalung, Gumbaynggirr and Yaaq people as the Traditional Owners of the land on which we live and work. We honour the First Nations peoples' culture and connection to land, sea and community. We pay our respects to their Elders past, present and emerging.



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Australian Government
Department of Home Affairs

Submission

For information
PDMS Ref. Number: MS22-002452
Date of Clearance: 16/09/2022

To Minister for Immigration, Citizenship and Multicultural Affairs
Subject Changes to the Australian Citizenship Ceremonies Code
Timing At your convenience as discussed with s. 47F(1)s. 22(1)(a)(ii)

Recommendation

That you:

1. note the associated considerations around amending the requirement of local government councils to hold a citizenship ceremony on 26 January, as currently outlined in the *Australian Citizenship Ceremonies Code* (the Code).
2. s. 47C(1)

noted / please discuss

noted / please discuss

Minister for Immigration, Citizenship and Multicultural Affairs

s. 22(1)(a)(ii)

Signature

Date: 21/9/2022

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Minister's Comments

Key Issues

1. **s. 47C(1)**
2. The premise of holding citizenship ceremonies on 26 January is to celebrate our national day by welcoming new citizens through a milestone event in their lives. **s. 47C(1)**

s. 47C(1)

3. The Department has previously provided you with a submission for your consideration around reinstating the authority of the City of Yarra (VIC) and Darebin City (VIC) Councils to hold citizenship ceremonies (MS22-001376). The withdrawal of authorisation followed decisions by the councils to cease holding citizenship ceremonies on 26 January as part of their support for the *#changethedate* campaign and on the basis of non-compliance with the Code. In addition, on 12 September 2022 the Department provided you with a submission with an exemption request from Hepburn Shire Council (VIC) and Clarence Valley Council (NSW) from holding a citizenship ceremony on Australia Day 2023 (MS22-001933). Both councils proposed holding a ceremony on 25 January 2023, citing competing events and attendance as well as financial concerns.

4. **s. 47C(1)**

5. **s. 47C(1)**

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Background

- 6. The Code sets out the legal requirements under the *Australian Citizenship Act 2007* (the Act) for conducting citizenship ceremonies, as well as the roles and responsibilities for those involved in citizenship ceremonies. It provides guidance to organisations around planning and conducting citizenship ceremonies and is publicly available on the Department’s website. Any changes to the Code must be briefed to local councils and community organisations.
- 7. The current Code was launched on 17 September 2019 and states that “Local government councils must hold a citizenship ceremony on 26 January as part of their Australia Day celebrations” unless exempt. Councils which are exempt from this requirement are councils which have conferred citizenship on less than 20 people in the preceding year. The Department works closely with councils to ensure that they host a citizenship ceremony on Australia Day. As a result, more people traditionally become Australian citizens on Australia Day than any other day during the year.

Consultation – Secretary

- 8. The Secretary was not consulted on the approach in the submission.

Client service implications

- 9. Client service implications for approved applicants in Yarra and Darebin City council areas have been limited as the Department has stepped in to preside over citizenship ceremonies as required.

Risks and Sensitivities

- 10. s. 47C(1)

Financial/systems/legislation/deregulation/media implications

- 11. s. 47C(1)

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Attachment

Attachment A s. 47C(1)

Authorising Officer
Cleared by: Brett White Acting First Assistant Secretary Citizenship Division Date: 16/09/2022 Mob: s. 22(1)(a)(ii)

Contact Officer Rita Lee, Acting Assistant Secretary, Citizenship Policy Branch: s. 22(1)(a)(ii)

Through Deputy Secretary, Social Cohesion and Citizenship

CC Minister for Home Affairs, Minister for Cyber Security
Secretary

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S. 47C(1)

S. 47C(1)