



16 August 2021

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Dear Kay

OIA request 2122-0049

Thank you for your Official Information Act (OIA) request received by the Department of Internal Affairs (Department) on 18 July 2021.

In your initial request, following a response to a previous OIA request reference 2021-0733, you asked for -

Could you please provide following information?

From Jan 2021 to May 2021- information you have provided stating that quite a few applications has been processed during each and every month already. Please advise the total number of Applications already processed under citizenship by Grant, also how many applications were processed for Citizenship by descendant

After email correspondence with the Department, your initial request changed, and you were advised on 22 July 2021 that the Department would respond to your following request for information –

Please tell me why the department is fast tracking these applications when you have thousands of applications from last year to be processed. Why double standards?

For clarity of this response, you are referring to citizenship by descent applications, which are processed faster than citizenship by grant applications.

I would like to provide you with additional information about New Zealand citizenship to give context to your specific inquiry.

New Zealand citizenship

New Zealand citizenship is governed by the Citizenship Act 1977 (Act) and the Citizenship (Western Samoa) Act 1982.

The Department of Internal Affairs is responsible for the administration of these Acts.

As part of the administration of these Acts, the Department determines whether someone is a New Zealand citizen by birth or descent and considers applications for the grant of citizenship.

These are some of the ways a person is eligible for, or able to apply for New Zealand citizenship:

- **Automatically by birth in NZ** – before 2006 regardless of the residency or citizenship status of the parents. After 2006, at least one parent needs to hold residency or be a New Zealand citizen. A child’s citizenship status is confirmed by the Department when their birth is registered.
- **Automatically by descent from a NZ citizen** - the first generation born outside New Zealand are New Zealand citizens automatically and can have their citizenship confirmed by completing a form, providing the required documentation and paying the fee of NZD\$204.40.
- **Citizenship by grant** - A person may be eligible to apply for citizenship by grant under sections 8,9, or 10 of the Citizenship Act 1977 or under section 7 of the Citizenship (Western Samoa) Act. A person may apply by completing the relevant application form, providing the required documentation and paying the fee of \$470.20 for adults and \$235.10 for children aged 15 years and under.

Registration of New Zealand citizenship by descent in more detail

Any person born outside New Zealand on or after 1 January 1978, and whose mother or father was a New Zealand citizen (otherwise than by descent) at the time of their birth or adoption can apply to register their New Zealand citizenship by descent.

The applicant’s mother or father will have either been born in New Zealand or will have received a grant of New Zealand citizenship before the applicant was born.

A person can also be eligible if they meet these requirements but were born before 1 January 1978.

A person who meets the above criteria is already a citizen of New Zealand, however their status needs to be registered officially.

Before their status can be registered, the following checks are made –

- Verification of the applicants claim to citizenship by descent
- Verification of the applicants Identity
- Where applicable verification of adoption
- Verification of travel movements
- Where applicable external agency check with the Ministry of Business, Innovation and Employment

As the applicant’s eligibility is subject to their parents’ New Zealand citizenship status at the time of their birth, the Department can undertake most of the above checks internally. For example, against the New Zealand birth or citizenship registers of which the Department is responsible for.

Once the above checks have been completed, their claim to citizenship by descent is determined and if the right to New Zealand citizenship is confirmed, a New Zealand citizenship record is created. A citizen by descent does not need to attend a citizenship ceremony.

The standard processing timeframe for a citizenship by descent application is up to 20 working days, provided the application is correct and complete. Please note in some cases where additional information is required, in rare complex cases or the applicant was born before 1978, the process may be longer.

Application for citizenship by grant in more detail

To be eligible for the grant of New Zealand citizenship, a person must meet the following criteria:

- They are entitled to reside indefinitely in New Zealand and have been present in New Zealand for at least 1,350 days with New Zealand residence during the five years immediately before an application is made
- Have been present for at least 240 days with New Zealand residence in each of those five years
- Meet any conditions imposed by Immigration New Zealand (INZ) in regard to their residence status
- Is of good character
- Understands the responsibilities and privileges of New Zealand citizenship
- Is able to understand and speak English
- Intends to continue to reside in New Zealand if granted citizenship

Each individual requirement above must be checked and assessed by a citizenship case officer.

As part of the citizenship application process, case officers must also be able to verify an applicant's identity with a high level of confidence, and ensure evidence supplied by an applicant, or agency which supports the applicant's identity, can be bound to a genuine person.

In addition, external agency checks are undertaken to determine whether the agency may hold any information detrimental to an applicant's character.

These agencies include, but are not limited to:

- New Zealand Police (some convictions are assessed under section 9A of the Citizenship Act)
- New Zealand Security Intelligence Service
- Ministry of Social Development
- Ministry of Justice
- Inland Revenue Department
- Ministry of Business, Innovation and Employment

Some applicants may be required to supply police reports from overseas agencies or to provide other information. If the Department receives information after these checks that is potentially detrimental to their character, additional character references may be required.

Dependant on the requirements that may or may not be met, a submission to the Minister of Internal Affairs (Minister) may be required. If this is the case, case officers must collate the relevant information and write a submission to the Minister for her consideration.

Once an application is approved or declined the grant of citizenship by a delegated Departmental official, or the Minister herself, applicants must wait to be allocated to a ceremony.

Citizenship by grant applications are unique to the applicant's individual circumstance, and an applicant is not a considered a New Zealand citizen until their application has been approved, and they have cited the oath or affirmation of allegiance at a citizenship ceremony.

As you are aware, currently applicants for the grant of citizenship will be advised of the outcome from their application within approximately seven to 12 months of submitting a correct and complete application. This timeframe does not include the two to five months it can take for an applicant to be allocated to, and attend, a citizenship ceremony in their area of residence.

As outlined above, the requirements for, and the assessment of citizenship by grant and citizenship by descent applications are very different, and it is for this reason that the processing timeframes are different. These applications are currently processed by different teams and no one application is prioritised or fast tracked over the other.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



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Service Delivery and Operations