

Citizenship by reason of statelessness

Introduction This chapter outlines the relevant legislation and policy relating to the stateless requirement of the Citizenship Act 1977.

Table of Contents

Citizenship by reason of statelessness	1
Introduction.....	1
Policy and legislation requirements.....	1
Citizenship Act 1977 Section 9(1)(d).....	1
Citizenship by grant requirements.....	1
Citizenship by grant requirements, continued.	2
Legislation links.....	2

Policy and legislation requirements

Citizenship Act 1977 Section 9(1)(d) Under section 9(1)(d) of the Citizenship Act 1977, the Minister may authorise the grant of citizenship: 'if the person would otherwise be stateless'.

Citizenship by grant requirements **Applicants that can be considered under section 9(1)(d)**
An applicant should only be considered under section 9(1)(d) if the applicant is unable to clearly fulfil the requirements for the grant of citizenship under the following sections of the Citizenship Act 1977.

Section	Requirements
Section 8 Citizenship by grant	<ul style="list-style-type: none"> • 16 years of age • full capacity, and other general requirements
Section 9(1)(a) Grant of citizenship in special cases	Applicant has not attained the age of 16 years.

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Policy and legislation requirements, Continued

Citizenship by grant requirements, continued.	<p>Fulfilment of requirement for grant of citizenship under:</p> <p>Section 9(1)(d) For the Minister to consider authorising the grant of citizenship under section 9(1)(d), the Minister must be satisfied that the applicant is stateless. The applicant may be able to establish that they are stateless by showing that they are not recognised as being a citizen of any country.</p> <p>Sections 9A and 9(2) When considering an applicant under new section 9(1)(d), the Minister may have regard to such of the requirements of section 8(2), subject to section 8(3) to (9), as the Minister thinks fit, and must have regard to the requirements of section 9A(1), subject to the Minister's discretion under section 9A(2) and (3).</p> <p>Section 9(2) of the Citizenship Act 1977 allows the Minister to have regard to section 8(2) requirements when considering an application under section 9(2). Sections 8(4), 8(5), 8(6), 8(7) and 8(8) provide alternative means of fulfilling certain section 8(2) requirements.</p>
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Legislation links

[Citizenship Act 1977](#)
