

Verification of consent for grant applicants not yet 16 years of age

Introduction The Minister can only authorise the grant of citizenship to individuals who have applied in the prescribed manner. To apply in the prescribed manner one of the requirements is that an applicant must use the form provided by the Secretary of Internal Affairs.

The form provided by the Secretary requires that the consent of both parents be obtained for applicants applying for New Zealand citizenship, who are not yet 16 years of age.

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Consent for applicants not yet 16 years of age

Consent from only one parent

Consent is sought from both parents if possible. The table below contains policy information for situations where consent of only one parent can be obtained.

If one parent...	then...
cannot be contacted to provide consent for the following reasons: location of the absent parent is unknown the parent has failed to keep in contact with the custodial parent or child for a period of at least three continuous years immediately preceding the date of application the custodial parent has not attempted to evade the absent parent throughout the three years the custodial parent knows of no other avenue to pursue to locate the absent parent.	the custodial parent must make a statutory declaration confirming the following in writing: consent of the absent parent is unavailable reason why it is unavailable the last known address of the absent parent when last contact was made with the absent parent they have not avoided contact with the absent parent and have no other avenue to pursue or establish contact.
is deceased and evidence has been received (such as a death certificate)	the requirement for consent is not applicable.
is the sole legal guardian, and evidence has been received (such as a sole guardianship order) or a person other than the biological parent has been awarded legal guardianship of the child (such as a guardianship order)	providing the sole guardian has provided consent, the requirement for both parents' consent is not applicable.

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Consent for applicants not yet 16 years of age, Continued

Consent from only one parent,
Continued

If one parent...	then...
refuses to provide consent	<p>the decision about whether or not to proceed with the application must take into account:</p> <ul style="list-style-type: none"> whether becoming a New Zealand citizen will affect the applicant's present citizenship or known entitlements the applicant's age and whether they have attained 14 years of age the reasons why the consenting parent wants the applicant to become a New Zealand citizen whether the applicant wants to become, and understands becoming, a New Zealand citizen.

Additionally

If the applicant...	then the...
is not yet 14 years of age	parent giving consent should confirm in writing that they are aware that the grant of New Zealand citizenship may affect the applicant's present citizenship and future entitlements.
has attained 14 years of age	applicant should make a written statement explaining: why they want to become a New Zealand citizen, and that they are aware that becoming a New Zealand citizen may affect their present citizenship and future entitlements.

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Consent for applicants not yet 16 years of age, Continued

Consent given by guardian

A person who is a legal guardian of a child applicant may give consent as per consent policies for other applicants not yet 16 years of age. Evidence of legal guardianship must be sighted.

A person becomes the guardian of another person by:
being appointed guardian by a Court, or
being nominated as a testamentary guardian in the will of a child's parent. This form of guardianship only takes effect upon the death of the parent.

If a person believes that they have become a legal guardian by some other means, they should provide evidence to support their claim. Any decision to accept a person's status as a legal guardian, in a manner other than as described above, must be made on a case-by-case basis.

Legal custody

A person who has legal custody, but who is not the parent or legal guardian of a child applicant, may not complete the consent section of the application form.

Step-parents

Step-parents are not permitted to provide consent unless they are legal guardians.

Consent, schedules and submissions

The following table outlines policy regarding whether an applicant can be placed on a schedule or should be referred to the Minister as a submission.

If only one consent provided due to...	then the applicant...
inability to contact other parent or guardian, and the consenting parent has made a statutory declaration to explain the circumstances	can be placed on a schedule.
parent or guardian refusal	must be referred to the Minister as a submission.

Legislation links

[Citizenship Act 1977](#)

[Citizenship Regulations 2002](#)
