Who grants citizenship?

Citizenship is granted by the Minister of Internal Affairs. Before considering any application the Minister considers advice from the Department of Internal Affairs. The Minister must make up their mind under the criteria set out in the law.

New Zealand has the proud status of being one of the least corrupt countries in the world. There are procedures in place to make sure that people making citizenship applications are treated fairly under the law. All those taking part in the process, including public servants and the Minister, must abide by the law. They cannot use their roles for personal or political advantage and it is against the law to ask them to do so.

If the Minister decides not to grant citizenship, this may be challenged in the courts. The court will review whether the right legal steps were taken and may also consider whether the Minister's actions were reasonable. But the court is not able to make a decision on citizenship. If a Minister's decision is overturned by the court, a further Ministerial decision will have to be made. Normally, if this happens, the Minister will ask another Minister to make the second decision.

In citizenship, we can see the three branches of government in New Zealand in action. The three branches are Parliament, the Executive (mainly Ministers) and the Judiciary (courts). We have only a single chamber of parliament, and all Ministers are drawn from among the members of parliament elected by the people. Judges are appointed by the government, but cannot be removed, criticised or penalised by the government after their appointment (except in extreme and unusual cases). The Judiciary is therefore independent of Ministers and members of parliament. In summary, Parliament passes the citizenship law, and grants to a Minister the right and responsibility to make decisions. The Minister's decision can in turn be challenged in the courts.