Citizenship and permanent residence

There are some important advantages to citizenship in law. These legal differences between New Zealand citizenship and permanent residence may not be as great for many people as the public demonstration of a personal and emotional commitment to a new nation. This sense of belonging is shown by many of the citizens’ comments in this book.

Here are the key differences between permanent residence: “being allowed to be here” and citizenship: “having an enduring right to be here”.

A citizen is a person who is recognised by law as a member of a state or country and who has the full rights and responsibilities of that status. Other people may be allowed to be in a country but not have full legal rights and responsibilities (for example, tourists or people on student visas).

In New Zealand, a permanent resident is a person who the government has granted the right to remain indefinitely in New Zealand, but who does not have the full rights and responsibilities of a citizen. Permanent residents who want to travel outside New Zealand need a ‘returning resident’s visa’ to come back. A permanent resident can lose their residence status if they leave New Zealand without a returning resident’s visa or the visa expires while they are overseas. Permanent residents may also lose their resident status if they commit a criminal offence and are removed from New Zealand.

For many, the most important right on obtaining New Zealand citizenship is a New Zealand passport, which is one of the most respected and secure travel documents in the world. But there are other significant differences between permanent residents and citizens.

Only citizens have the right to stand for parliament or local councils, and to represent New Zealand in some other ways such as in the Olympic Games. A citizen’s right to vote and stand for parliament is specifically stated in the New Zealand Bill of Rights Act 1990.

A citizen cannot be deprived of citizenship if they have been honest when making their application except in most unusual circumstances involving acting against the interests of New Zealand. This is set out in law, and citizens have extensive legal rights to be informed about, and challenge, any action to deprive them of citizenship.

Australians are entitled to live in New Zealand indefinitely and do not need to apply to become a permanent resident (just as New Zealanders are entitled to live in Australia permanently).