

## How to Apply for Australian Citizenship for Stateless Children

This fact sheet is for children who were born in Australia to stateless parents and wish to apply for Australian citizenship.

RACS is committed to assisting stateless children applying for citizenship through our Stateless Children Program. **If this applies to you, please contact RACS for guaranteed assistance with this process.**

To learn more about our Stateless Children Program please refer to the RACS [website](#). This program operates with and is supported by the *Peter McMullin Centre on Statelessness* and the *Melbourne Law School (MLS) Clinics at the University of Melbourne* who have partnered with RACS to support more children through a *Stateless Children Legal Clinic (SCLC)*.

This fact sheet explains how your child can become an Australian citizen and the steps to take to apply for citizenship. Australian citizens have the right to travel on an Australian passport, work in certain Australian Government jobs, and the right and the responsibility to vote in elections and serve on juries.

It is very important that the information you provide in a citizenship application is correct and the documents are genuine. If the documents you provide in a citizenship application have information that is different to information otherwise provided to the Department of Home Affairs (the Department), you should seek legal advice. Inconsistent information may lead to visa refusal or cancellation. You can request a copy of your previous immigration records under Freedom of Information (FOI) legislation. If you need help doing this, contact RACS.

### How to apply for Citizenship – Stateless Children Born in Australia

#### Step One: Check your child's eligibility

Your child must meet the following requirements:

- Be born in Australia on or after 1 July 2007; and
- Not be, have been or be entitled to become a national or citizen of any other country.
- If you or your child's other parent are, or were, a citizen or national of any other country, your child may be, or may have been or be entitled to become a national or citizen of that country. **If your child, you or your child's other parent were or could have been a citizen of another country, your child will not be eligible for Australian citizenship even if they were born in Australia and both their parents are stateless.**

#### Step Two: Gather your documents

You will need the following documents:

- Identity documents:
  - For your child:

- 3 documents that show your child's birth name, date of birth, gender and photograph
  - Full birth certificate showing parent's details
  - If your child has changed their name since birth, you will also need evidence of any change of name
  - Adoption documents or parenting orders (if applicable)
  - Identity declaration – This is a document generally signed by an Australian citizen who has known your child for over one year (unless your child is 6 or younger) and is qualified to sign the declaration. The application forms have information about who is qualified to sign the identity declaration. The identity declaration is at Question 35 on [Form 1290](#).
  - Passport-sized photograph signed by the same person who signs your identity declaration (see the identity declaration for photograph requirements)
- For you:
- Proof of identity documents that together show your signature, photograph and current address
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- Evidence that your child and/or you are stateless (for example: decisions by the Department or Administrative Appeals Tribunal finding that you and the child's other parent are stateless)

All documents you provide must:

- Be certified copies; and
- If not in English, translated by someone accredited by the [National Accreditation Authority for Translators and Interpreters \(NAATI\)](#). Provide both the original document and the translation.

### **Step Three: Apply for your child's citizenship**

There is no application fee.

You must submit a paper application.

**RACS can assist you to prepare the paper application to apply for citizenship for your stateless child. Once you have collated all the necessary documents outline above, please contact RACS if you would like assistance to make the application.**

Otherwise, please follow the steps below to lodge an application:

Complete [Form 1290](#).

- In Part A, provide your child's details
- In Part C, provide your and the child's other parent's details
- In Part L, Q49 (fee exemption), check 'Yes'

If you are in NSW, send your completed form and supporting documents to:

Department of Home Affairs  
GPO Box 9984  
Sydney NSW 2001



REFUGEE ADVICE & CASEWORK SERVICE

We recommend that you send your application by Registered Post or Express Post so that you can confirm that it has been delivered and keep a copy of your application for your records.

**Getting Help from RACS**

RACS is entirely independent of the Department of Home Affairs. All assistance is free.

If you would like advice or assistance, RACS offers the following service options:

Service	Day	Time	Address/Number
Telephone Advice	Monday to Friday	11 AM to 1 PM and 2 PM to 4 PM	(02) 8355 7227 or admin@racs.org.au
Auburn Drop-in	Wednesday	Register in person from 10 AM to 12 PM	Visit 44A Macquarie Road, Auburn

**Please note:** This fact sheet contains general information only. It does not constitute legal or migration advice. RACS is independent of the Department of Home Affairs. All assistance is free. This factsheet was prepared in October 2023.