

Frequently Asked Questions

Q 1 What has changed?

A The Citizenship Act 1977 provides that a person born in New Zealand on or after 1 January 2006 will only acquire New Zealand citizenship if, at the time of their birth, at least one of the child's parents was a New Zealand citizen **or** had the right to reside in New Zealand indefinitely **or** had the right to reside indefinitely in the Cook Islands, Niue or Tokelau.

Q 2 How do I know if I can reside in New Zealand indefinitely?

A You will be able to reside here indefinitely if you are a New Zealand resident permit holder, a New Zealand Returning Resident Visa holder, an Australian citizen, or you hold a current Australian Resident Return Visa.

Q 3 Who will tell me if my child is a New Zealand citizen?

A The Department of Internal Affairs will be able to tell you if your child is a New Zealand citizen at the time that you register the child's birth. You can contact them in the following ways:

- By calling Freephone **0800 22 51 51**.
- By looking at their website: www.citizenship.govt.nz
- By writing to them at:
The Citizenship Office
Department of Internal Affairs
PO Box 10-526
Wellington
New Zealand

Q 4 The Department of Internal Affairs has told me my son is not a New Zealand citizen. Do I need to apply for a permit for him?

A No, you will not need to apply for a permit for your son; he will be deemed to have an immigration status at birth. However, it is recommended that you ask Immigration New Zealand for a statement of your son's immigration status. If you lodge an application for a temporary or permanent visa or permit in the future, you should include your son in that application.

Q 5 How can I request a statement of my son's immigration status?

A You will need to complete a *Request for statement of immigration status of child born in New Zealand on or after 1 January 2006* form (NZIS 1137) and provide your son's original birth certificate and evidence of your immigration status at the time of his birth. You should send the completed form and documents by secure mail or visit the nearest Immigration New Zealand branch to lodge the request.

Q 6 My daughter doesn't have a passport. Do I need to get her one before I request a statement of her immigration status?

A No, you will not have to get a passport for your daughter if she doesn't already have one. However, where a child already has a passport or travel document or an endorsement in their parent's passport, it is recommended that the passport is provided together with the request for a statement of their immigration status.

Q 7 Is there a charge for the request for statement of immigration status?

A No, a fee is not required for making such a request.

Q 8 How will Immigration New Zealand determine my child's immigration status?

A Your child's immigration status will be determined as per section 4A of the Immigration Act 1987. This says that a child born in New Zealand on or after 1 January 2006 (and determined not to be a New Zealand citizen) will be deemed to have the same immigration status as the most favourable immigration status of either of their parents at that time.

Q 9 Can you tell me what my daughter's immigration status is?

A I'm unable to tell you what her immigration status is without sighting her New Zealand birth certificate and evidence of the immigration status of her parents at the time of her birth.

Q10 What happens after my daughter's immigration status has been determined?

A Your daughter is subject to the provisions of the Immigration Act 1987. This means that the same immigration rules that apply to you also apply to her. She will need to hold a valid permit (or be exempt from the requirement to hold a permit) at all times while she remains in New Zealand. This may require a further application for a permit prior to the expiry of a permit that she has been deemed to hold at the time of her birth. If she leaves New Zealand while she holds a permit, it will expire upon her departure.