

Accelerated Citizenship for Families of Defence Overseas Lateral Recruits

Overseas lateral recruits are serving or immediately ex-serving foreign military personnel, who can directly transfer their job and life skills to whichever Service they join, with limited training and preparation. In order to qualify as an overseas lateral recruit, the recruit must be sponsored by the gaining Service.

Family members of **overseas lateral recruits** to the ADF are eligible for conferral of Australian citizenship at the same time as the lateral recruit.

From 1 January 2013, amendments to the *Australian Citizenship Act 2007* (the Act) allow for exemption of the usual residence requirements for certain family members of overseas lateral recruits.

An overseas lateral recruit will be exempt from the general residence requirement of the Act if they have completed the relevant defence service, that is if they:

- were appointed, enlisted or transferred into any of the Permanent Forces or Reserves of the ADF, and
- have served a total of at least 90 days service in the Permanent Forces or a total of at least 90 days paid service days in the Navy, Army or Air Force Reserves, or
- were discharged from ADF service as medically unfit for service as a result of that service.

Family members of an overseas lateral recruit will be exempt from the usual residence requirements of the Act if:

- the family members were granted a visa of the same type as the lateral recruit on the basis that they were 'members of the family unit' and were included as applicants in the lateral recruit's visa application, and
- the lateral recruit has completed relevant defence service, or the lateral recruit dies while undertaking that service.

Family members of an overseas lateral recruit will **not** be exempt from the residence requirement if:

- the recruit was granted a visa and travelled unaccompanied to Australia, and their family members subsequently came to Australia on a different visa type ; or
- the lateral recruit migrates or migrated to Australia for another purpose and subsequently decides to join the ADF; or
- the lateral recruit acquired Australian citizenship automatically (for example because the lateral recruit was born in Australia) or is an Australia citizen by registration.

The amendments to the Act will **not** apply to non-Australian citizens who become family members of existing ADF personnel (e.g. a non-citizen who marries a person who is already serving with the ADF).

Also, family members must still meet all other relevant eligibility criteria to acquire Australian citizenship, such as identity, good character, national security, passing the citizenship test (if aged 18 years and over and under 60) and making the Pledge of Commitment.

Further information is available at www.citizenship.gov.au.