

**Government Response to the report of the Petitions Committee:
Petition of Laura Ancell: *Allow children of parents born out of
wedlock to apply for citizenship***

**Presented to the House of Representatives
In accordance with Standing Order 252**

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Introduction

1. The Government has considered the Petitions Committee's (the Committee's) report on the Petition of Laura Ancell: Allow children of parents born out of wedlock to apply for citizenship (the Petition).
2. The Committee requested that Government amend section 9(1)(b) of the Citizenship Act 1977 (the Act) for children whose parents were born out of wedlock to be eligible for citizenship.
3. The Government welcomes the Committee's report and thanks it for considering and compiling the report and recommendations. The Government also thanks Ms Ancell (the Petitioner) for raising their concerns around amendments to section 9(1)(b) of the Act.
4. The Government responds to the report in accordance with Standing Order 252.

Recommendations and Government response

5. The Committee recommended that the Government: when reviewing citizenship policy, it amend section 9 of the Citizenship Act 1977. The amendments would be to make those born overseas before 1977 to unmarried parents, and where one of their parents was a New Zealand citizen by descent, eligible to apply for citizenship under section 9(1)(b).
6. Any amendments to the Act would need to progress through the Parliamentary legislative process. The Department of Internal Affairs does not have information on how many people would be impacted by the recommended amendments.
7. Currently, children who are born out of wedlock and overseas before 1977 to New Zealand citizens, like the Petitioner's father, are not eligible to apply for New Zealand citizenship by descent under section 7(1)(a)(ii) of the Act. Additionally, the descendants of the above children, like the Petitioner, therefore, are not eligible to apply for New Zealand citizenship under section 9(1)(b).
8. An alternative pathway is available for people like the Petitioner's father, who want to become citizens, through section 9(1)(b) of the Act, while an alternative pathway for people like the Petitioner, who want to become citizens, is through section 9(1)(c) of the Act.
9. The Citizenship Act 1977 allows children born overseas to unmarried New Zealand citizens after 1977 to be automatically citizens under section 7 of the Citizenship Act.

Conclusion

10. While the Government notes the Committee's findings that historically, citizenship only passed to people whose parents are married, it is satisfied there are pathways through sections 9(1)(b) and 9(1)(c) of the Act. The Government is also satisfied that the current legislation does not create restrictions to citizenship based on the marital status of the parents.
11. The Government response to the Committee's recommendation to amend the Act is to not progress the recommendation at this time. However, we will note the recommendations of the Petitions Committee for any future reviews of the Act.