



**Australian Government**  
**Department of Immigration and Citizenship**

Dr Kate Bagnall  
PO Box 7160  
WATSON ACT 2602

Dear Dr Bagnall,

Thank you for your letter of 12 July 2012 to the Minister for Immigration and Citizenship, the Hon Chris Bowen MP, concerning Chinese Australians affected by Australia's early 20<sup>th</sup> century immigration policies. The Minister has asked me to reply on his behalf. I apologise for the delay in responding.

Australia's citizenship and migration legislation has been amended numerous times since federation, as immigration policies, immigrant source countries, settlement philosophies and notions of national identity have changed. These amendments have been enacted to remove past anomalies and discrimination.

It is difficult to comment about the legal position of people entering Australia using assumed identities before 1950 and their descendents as each person's situation/circumstance can differ. Despite this, it is likely that these people are either Australian citizens or permanent residents under 'absorbed persons' provisions in the *Migration Act 1958*. As it has been more than 60 years since these events and given the likelihood that these people are Australian citizens or permanent residents, it would not appear to be in the public interest to actively pursue these people regarding their immigration status.

Should any members of the community require specific immigration advice, I encourage them seek the services of a registered migration agent. For further information please refer to the Office of the Migration Agents Registration Authority: [www.mara.gov.au](http://www.mara.gov.au). If they consider that they may be an Australian citizen and wish to seek confirmation, they may apply for evidence of Australian citizenship. For information on how to apply for evidence of Australian citizenship please refer to [www.citizenship.gov.au](http://www.citizenship.gov.au).

Thank you for bringing this matter to the Minister's attention.

A handwritten signature in black ink, appearing to read 'Miranda Lauman'.

Miranda Lauman  
Acting Assistant Secretary  
Legal Framework Branch  
Governance and Legal Division

04 October 2012

**people** our business