

# Australia's NZ migration reforms: Pacific implications

by Paul Hamer

13 June 2023



Anthony Albanese and Chris Hipkins at a citizenship ceremony in Brisbane, after announcing the new arrangements

*Photo Credit: Anthony Albanese/Facebook*

On 22 April 2023, the Australian federal government announced that, from 1 July 2023, New Zealand citizens would be able to apply directly for Australian citizenship after four years of residence. This represents a complete departure from the position prevailing since the Howard government imposed a requirement for New Zealanders arriving to live in Australia after 26 February 2001 to first apply for and obtain a permanent visa before being eligible to apply for citizenship. Applying for a permanent visa involves not only significant costs (over \$4,000 for a primary applicant and more than \$2,000 for any additional adult applicants, to say nothing of the cost of migration agents) but also the hurdle of meeting skill and age requirements. Alternatively, after 19 February 2016, New Zealanders who had arrived by that date and had earned above the Temporary Skilled Migration Income Threshold of \$53,900 for five successive years could also apply for a permanent visa, although they still had to pay the same fees.

Neither of these pathways have offered much hope for Pacific migrants from New Zealand, whose earning and qualification levels tend to be lower. Even if they have met the eligibility requirements, many “unprotected” (post-2001) New Zealanders have clearly not bothered to apply given the steep cost, reasoning that their access to the Australian labour market is all that they need. The cumulative result has been that the citizenship take-up rate of Pacific migrants to Australia from New Zealand has dropped away to almost negligible levels.

This has meant that Pasifika New Zealanders in Australia have faced significant vulnerabilities if they find themselves out of work or otherwise disadvantaged: without a permanent visa or citizenship they have been ineligible for unemployment or sickness benefits, the National Disability Insurance Scheme, public housing, student concessions on public transport, employment in the federal public service, and so on. Without access to citizenship they have also lacked political influence, being ineligible to vote, and have also been at a greater risk of deportation under

Australia's toughened rules in section 501 of the Migration Act. Student loans also became unavailable to non-citizens in 2005, and since 2016 have only been extended to those New Zealanders who arrived as dependent minors.

The new direct pathway solves most of these issues, albeit after four years of waiting. There remains a period of vulnerability, therefore. From 1 July the special category visa is to be a permanent visa for citizenship purposes only, and so New Zealanders remain excluded from benefits until they have actually obtained citizenship. When the Trans-Tasman Travel Arrangement was agreed in 1973, it was never contemplated that Australians or New Zealanders would need to take out the citizenship of the other country in order to enjoy such entitlements. By contrast, Australians migrating to New Zealand are eligible for social security after only two years (and student loans after three), and are permitted to vote in New Zealand elections after only a year.

In this moment, however, there seems little reason to dwell on such imperfections. The new arrangements mark an incredible reversal by Canberra. New Zealand rights lobbyists in Australia over the last two decades have hoped for a relaxation of Australia's rules, but few would have been so optimistic as to expect the Albanese government's announcement. [Former New Zealand Foreign Minister, Phil Goff, proposed](#) a five-year wait for the advantages of permanency in 2013, while [Australian migration researcher Peter Mares thought](#) in 2016 that eight years would be reasonable. A Queensland-resident New Zealand rights advocate told me in 2013 that she was so certain that Australia would never reverse its position that the protective solution (given the distress she had seen among unprotected New Zealand migrants) would be for New Zealanders to have to obtain an Australian permanent visa first before emigrating.

I suspect few would have predicted either that Australia would directly confer citizenship on applicants who had waited a set period. Rather, the expectation has generally been that permanent resident status might be automatically awarded after a certain number of years, leaving individuals to go on to apply for citizenship thereafter if they chose. The Albanese government is likely to have viewed this as offering it little in return, because the pre-2001 experience was that only a minority of New Zealanders took up citizenship when they had the opportunity. They were content instead to enjoy the benefits of a status that accorded them rights equivalent to those of permanent visa holders. Since one must (with rare exceptions) be a citizen to vote in Australia, and since voting is compulsory, the government may well be hoping that many newly enfranchised New Zealanders will cast a grateful ballot for the Labor Party. The number of New Zealanders living in places like Southeast Queensland will not have been lost on Treasurer Jim Chalmers, the MP for Rankin.

## DEVPOLICYBLOG

It is worth remembering that Pasifika New Zealanders have long been **an important factor in the politics of trans-Tasman migration**. When Australia federated in 1901, **M?ori were largely included in White Australia** but Pacific peoples explicitly were not. This inconsistency served to increase pressure on Canberra to change its stance in the late 1960s, but it was not until the Labor government of Gough Whitlam was elected in 1972 that Australia finally opened immigration rights to New Zealanders of Pacific (or Asian) origin via the Trans-Tasman Travel Arrangement. However, there is evidence that Australian disquiet about the “back door” migration of Pasifika via New Zealand contributed to a number of subsequent restrictions on New Zealanders’ entitlements, including the Howard government’s drastic action in 2001. Particular catalysts in 2000 seem to have been research showing the proportion of New Zealand migrants to Australia born in third countries, the announcement of New Zealand’s new Pacific Access Category migration scheme, and an amnesty for well-settled overstayers (many of whom had come to New Zealand from the Pacific Islands).

The hope now is that future Australian governments will continue to welcome New Zealand migrants on the basis announced by the Albanese government. It offers the opportunity for many within the Pasifika community in Australia to cast off the experience of being “second class” or “permanently temporary”, and at last feel confident that Australia is their permanent home. Moreover, the old concerns about New Zealand operating as a “back door” for Pasifika migrants seem much less relevant today now that Australia has introduced **its own version of the Pacific Access Category**.

### **Author/s:**

#### **Paul Hamer**

Paul Hamer is a research associate at the School of M?ori Studies, Victoria University of Wellington, with specialist knowledge about the migration of M?ori to Australia.

Link: <https://devpolicy.org/australias-nz-migration-reforms-pacific-implications-20230613/>