



**Commonwealth of Australia**

*Australian Citizenship Act 2007*

**DETERMINATION FOR THE APPROVAL OF A CITIZENSHIP TEST  
(SECTION 23A)**

I, *CHRIS EVANS*, Minister for Immigration and Citizenship, acting under section 23A of the *Australian Citizenship Act 2007* ('the Act') hereby:

1. REVOKE Determination Number IMMI 09/126 signed on 9 November 2009 approving two citizenship tests: a Standard Test and an Assisted Test for the purposes of subsection 21(2A) of the Act; AND
2. APPROVE, as provided in the Attachments, three citizenship tests: a Standard Test, an Assisted Test, and a Course-Based Test, for the purposes of subsection 21(2A) of the Act.

This Determination includes Attachments 1, 2 and 3.

Attachment 1 sets out the eligibility criteria for sitting the Standard Test, the Assisted Test and the Course-Based Test, specifies what amounts to successful completion of each test, and other matters relating to the tests.

Attachment 2 sets out the questions (and the multiple choice answers to them) from which the questions for those sitting the Standard Test and the Assisted Test will be drawn.

Attachment 3 sets out the Course-Based Test assessment tasks and their correct answers.

This Determination, IMMI 10/006, takes effect upon signature.

Dated *14<sup>th</sup> May* 2010

A handwritten signature in black ink, appearing to read 'Chris Evans', written over a horizontal line.

Minister for Immigration and Citizenship

[NOTE: Section 23A of the Act provides that the Minister must, by written determination, approve a test for the purposes of subsection 21(2A) (about general eligibility for citizenship). A determination under section 23A must also specify what amounts to successful completion of the test and may also cover any other matter related to the test the Minister thinks appropriate.]

## ATTACHMENT 1

### Citizenship Test (Section 23A)

#### Definitions

For the purposes of the Standard Test, Assisted Test, and Course-Based Test, *test administrator* means:

- (i) an Australian Public Service (APS) employee, at an APS level 4 or above, of the Department of Immigration and Citizenship who has been given the responsibility of managing the conduct of a citizenship test or tests at one or more locations and is exercising that responsibility at the relevant time; OR
- (ii) a person who is an Australian citizen and has a security clearance of 'Protected' and is outside Australia and is employed at an Australian overseas mission and occupies Department of Foreign Affairs and Trade position number 10284, 10285, 10533, 10534, 10535 or 10536.

For the purposes of the Course-Based Test, *course convenor* means a teacher employed in an organisation that is contracted to provide services under the Adult Migrant English Program (AMEP), to run citizenship Course-Based Tests on behalf of the Department of Immigration and Citizenship, and to provide the results of those tests to the Department.

The *testable section of the resource book* refers to the testable part of the book on Australian Citizenship made available to all applicants for citizenship.

## **Part A. The Standard Test**

### **Eligibility Criteria for the Standard Test**

1. A person seeking to sit the Standard Test must:
  - (a) be a permanent resident of Australia;
  - (b) satisfy the Minister or Minister's delegate under subsection 23A(4) of the Act as to their identity by:
    - (i) allowing a photograph to be taken by the Minister or the Minister's delegate of their face and shoulders; or
    - (ii) providing to the Minister or the Minister's delegate, a photograph of themselves which meets the Department of Foreign Affairs and Trade's Passport Photograph Guidelines; and
    - (iii) providing such other documentary evidence of identity as is requested; and
  - (c) have lodged an application for Australian citizenship by conferral under section 21 of the Act, which must:
    - (i) be on the relevant form approved by the Minister;
    - (ii) contain the information required by the form;
    - (iii) be accompanied by any other information or documents prescribed by the regulations; and
    - (iv) be accompanied by the fee (if any) prescribed by the regulations.

### **Description of the Standard Test**

2. The Standard Test will be conducted using a computer program (the computer-based Standard Test) or a print-out of the computer-based Standard Test under the control of the Minister.
3. The computer program will randomly select a subset of 20 questions to be answered from one or more groups of approved questions and multiple choice answers set out at Attachment 2. All such questions will be derived from the content of the testable section of a resource book designed to help people prepare for Australian citizenship. Each test will include a spread of questions from different groups of questions focusing on different parts of the *testable section of the resource book*.
4. The Standard Test questions and multiple choice answers will be in English.
5. A print-out of the computer-based Standard Test described at paragraphs 2-4 will also be available in certain circumstances (for example, for people sitting the test outside of Australia or where the computer-based Standard Test is not available electronically).

### **Time limit to sit the Standard Test**

6. A maximum of 45 minutes will be provided to complete the Standard Test regardless of whether the person receives assistance with sitting the Standard Test. If the person sitting the test does not finish within 45 minutes the computer program will automatically submit their test for marking. No extensions of time will be granted.
7. Where paragraph 5 applies, a person who is eligible to sit the Standard Test will be allowed a maximum of 45 minutes to complete a print-out of the computer-based Standard Test described at paragraphs 2-4. If the person does not finish within 45 minutes the test administrator will require the person to stop writing. No extensions of time will be granted.

### **Assistance with Sitting the Standard Test**

8. Assistance by the test administrator may be provided to a person who has difficulty operating within a testing setting.
9. This assistance may be provided to people with poor or no computer or literacy skills who may have difficulty in sitting the Standard Test, and to people with a physical or cognitive impairment that prevents them from sitting the Standard Test independently.

### **Successful Completion of the Standard Test**

10. Subject to paragraph 13, to successfully complete the test, a person must answer correctly at least 75 per cent of the test questions.
11. The computer program will mark the completed tests and calculate whether a person has successfully completed the Standard Test, as provided in paragraph 8.
12. The answers provided by the person as a result of a print-out of the computer based test will be entered into the computer program for marking
13. Despite a calculation by the computer program that a person has successfully completed the Standard Test, the person will not be regarded as having successfully completed the Standard Test if the test administrator makes a determination in respect of the person under paragraphs 15 and 16.

### **Conduct While Sitting the Standard Test**

14. The Standard Test will be "closed book". A person sitting the Standard Test will not be able to refer to the resource book or other study aids, or communicate with another person, other than the test administrator, by telephone or otherwise when sitting the test.

**Failure to Comply with Rules of Conduct While Sitting the Standard Test**

15. If a person fails to comply with the conditions specified in paragraph 14, the test administrator may require the person to leave the citizenship test site, without allowing the person to complete the test, and may determine that the person has not successfully completed the test.
16. If the test administrator is satisfied that a person whose test has been submitted for marking did not comply with the conditions specified in paragraph 14 in a way that may compromise or defeat the purposes of the test, the test administrator may determine that the person has not successfully completed the test.

**No Limits to the Number of Standard Test Re-sits**

17. There is no limit to the number of times a person can sit a Standard Test in order to successfully complete the test unless the person has commenced a Course-Based Test.
18. If a person has commenced a Course-Based Test, the person may not be able to sit a Standard Test.

**Standard Test Result Valid Indefinitely**

19. A successful test result will be valid indefinitely.

**Part B. The Assisted Test**

**Eligibility Criteria for the Assisted Test**

20. A person seeking to sit the Assisted Test must:
- (a) satisfy the eligibility criteria for sitting the Standard Test at paragraph 1 of Part A; and
  - (b) have low literacy skills as measured by:
    - (i) completion of at least 400 hours of English language tuition under the Adult Migrant English Program (AMEP); and
    - (ii) assessment by the AMEP provider as having less than basic reading skills in English; or
  - (c) have a physical or cognitive impairment (whether permanent or temporary) that prevents them from sitting the Standard Test, even with the assistance from the test administrator mentioned in paragraph 6 above.

**Description of the Assisted Test**

21. The content of the Assisted Test will be the same as that of the Standard Test, as described at paragraphs 2-4 of Part A.
22. In the Assisted Test, the test administrator may talk the person through the computer-based test. The test administrator may read aloud the questions and possible multiple choice answers to the person, ask the person which answer they think is correct and select on the computer the answer that the person indicates.
23. A print-out of the Assisted Test will also be available in certain circumstances (for example, for people sitting the test outside of Australia or where the Assisted Test is not available electronically).

**Time limit to sit the Assisted Test**

24. A maximum of 90 minutes will be provided to complete the Assisted Test. If a person does not finish within 90 minutes the computer program will automatically submit their test for marking. No extensions of time will be granted.
25. Where paragraph 23 applies, a person who is eligible to sit the Assisted Test will be allowed a maximum of 90 minutes to complete a print-out of the Assisted Test described at paragraphs 21-22. If the person does not finish within 90 minutes the test administrator will require the person to stop writing. No extension of time will be granted.

**Successful Completion of the Assisted Test**

26. Subject to paragraph 29, to successfully complete the Assisted Test, a person must answer correctly at least 75 per cent of the test questions.
27. The computer program will mark the completed tests and calculate whether a person has successfully completed the Assisted Test, as provided in paragraph 26.

28. The answers provided by the person as a result of a print-out of the computer based test will be entered into the computer program for marking.
29. Paragraphs 15 and 16 of Part A also apply to a person sitting the Assisted Test. Despite a calculation by the computer program that a person has successfully completed the Assisted Test, the person will not be regarded as having successfully completed the Assisted Test if the test administrator makes a determination in respect of the person under paragraphs 15 and 16.

#### **Conduct While Sitting the Assisted Test**

30. The Assisted Test will be “closed book”. A person sitting the Assisted Test will not be able to refer to the resource book or other study aids, or communicate with another person, other than the test administrator, by telephone or otherwise when sitting the test.

#### **Failure to Comply with Rules of Conduct While Sitting the Assisted Test**

31. If a person fails to comply with the conditions specified in paragraph 30, the test administrator may require the person to leave the citizenship test site, without allowing the person to complete the test, and may determine that the person has not successfully completed the test.
32. If the test administrator is satisfied that a person whose test has been submitted for marking did not comply with the conditions specified in paragraph 30 in a way that may compromise or defeat the purposes of the test, the test administrator may determine that the person has not successfully completed the test.

#### **No Limits to the Number of Assisted Test Re-sits**

33. There is no limit to the number of times a person can sit an Assisted Test in order to successfully complete the test unless the person has commenced a Course-Based Test.
34. If a person has commenced a Course-Based Test, the person may not be able to sit an Assisted Test.

#### **Assisted Test Result Valid Indefinitely**

35. A successful test result will be valid indefinitely.

## **Part C. The Course-Based Test**

### **Eligibility Criteria for the Course-Based Test**

36. A person seeking to participate in the Course-Based Test must:
- (a) satisfy the eligibility criteria for sitting the Standard Test at paragraph 1 of Part A; and
  - (b) have failed the Standard Test or Assisted Test (or combination of both) three or more times, or have been assessed after one or two test failures by a test administrator based on consideration of their individual circumstances, as suitable for participation in the Course-Based Test.

NOTE: Persons may be eligible to undertake the Course-Based Test, but may choose to sit the Standard Test or Assisted Test (if eligible). Once they have commenced a Course-Based Test, they may not be able to return to attempt the Standard Test or Assisted Test.

### **Description**

37. The Course-Based Test will comprise a total of no more than 20 hours of tuition provided by an organisation that is contracted to provide services under the Adult Migrant English Program.
38. The Course-Based Test will comprise seven sessions including five sessions with assessable tasks.
39. The Course-Based Test will be delivered in English.
40. The Course-Based Test content and assessment tasks will be derived from the content of the testable section of a resource book designed to help people prepare for Australian citizenship. Each assessment task will include questions focusing on different parts of the *testable section of the resource book*.

### **Course-Based Test Locations**

41. The Course-Based Test may only be available in certain locations in Australia

### **Time Limit to Participate in the Citizenship Course-Based Test**

42. A person must be assessed as having successfully completed the Course-Based Test within the duration of one complete course only.

### **Successful Completion of the Course-Based Test**

43. In order to successfully complete the Course-Based Test, a person must:
- (i) attend all course sessions, unless they can provide a medical certificate to cover their non-attendance; and
  - (ii) participate in at least basic English in all course sessions and activities; and
  - (iii) complete all assessment tasks and correctly answer at least 75 per cent of each assessment task.
44. A person will have the opportunity to be re-assessed within the duration of the course if they do not correctly answer at least 75 per cent of an assessment task. If a person does not successfully complete an assessment task on their second attempt, they will not be permitted to continue in the course.
45. The course convenor will mark the completed assessment tasks; make an assessment as to a person's participation in course sessions and activities, and record course attendance in order that a test administrator may determine whether a person has successfully completed the Course-Based Test.

### **Conduct While Sitting the Course-Based Test**

46. A person undertaking an assessment task will not be able to communicate with another person (other than the course convenor) by telephone or otherwise while undertaking the assessment task. A person undertaking an assessment task will not refer to course resources or any other written information during the assessment task.

### **Failure to Comply with Rules of Conduct While Sitting the Course-Based Test**

47. If a person fails to comply with the conditions specified, the course convenor may require the person to leave the Course-Based Test, without allowing the person to complete the Course-Based Test and may record that the person has not successfully completed the course.

### **Limit to the Number of Course Re-sits**

48. Except in exceptional circumstances, a person may only undertake the Course-Based Test once per each application for citizenship. A claim of "exceptional circumstances" must be supported by evidence and will be decided by an officer of the Department.

### **Test Result Valid Indefinitely**

49. A successful Course-Based Test result will be valid indefinitely.