



Senate Inquiry into Australian Expatriates
Ideas for Your Submission and Other Useful Information

A. Practicalities

1 What's this Inquiry About?

The terms of reference for the Senate's Inquiry into Australian Expatriates are very broad. They should allow individuals and organisations ample scope to cover the issues that they believe are important on a personal level or more widely for Australia and its diaspora as a whole.

Terms of Reference

- (a) the extent of the Australian diaspora;
- (b) the variety of factors driving more Australians to live overseas;
- (c) the costs, benefits and opportunities presented by the phenomenon;
- (d) the needs and concerns of overseas Australians;
- (e) the measures taken by other comparable countries to respond to the needs of their expatriates; and
- (f) ways in which Australia could better use its expatriates to promote our economic, social and cultural interests.

2 Who Should Contribute to the Inquiry?

Any individual or organisation that has something to say on any of the above terms of reference should contribute to this inquiry. Contributors can be in Australia or overseas. They might be Australians citizens, people who have lost their Australian citizenship, people who have never been Australian citizens but have a link with Australia or Australian heritage, or other individuals or organisations with a connection or interest in Australia. We also encourage Australians who have lived overseas and the moved back to Australia to contribute their perspective on "repatriation" or "re-entry" and issues associated with "going home". Migrants to Australia who have become Australian citizens or spent many years in Australia and now live outside Australia again will also have an important perspective to offer.

3 What's Not Relevant for this Inquiry?

If what you have to say can be related to one of the above terms of reference, then it will be relevant. On the other hand, if you wished to make general comments directed towards aspects of Australia's foreign policy, for example, without somehow relating this to diaspora issues, this would probably be considered as falling outside the terms of reference for this inquiry. The Legal and Constitutional References Committee may reject a submission that is not relevant to the inquiry.

Remember that at any point in time there are a number of parliamentary inquiries into various subjects underway. You may have something to contribute to another inquiry. For a full list of current inquiries, see:

http://www.aph.gov.au/committee/inquiries_subject.htm

4 Privacy Issues and Confidentiality

All submissions made, unless otherwise stipulated, will become part of the public record that anyone may have access to.

It is a requirement of making a submission to a Parliamentary inquiry that you sign the submission. If it is an e-mail submission, and you can't physically sign it, you are nevertheless required to supply your name, phone number and postal address so that your submission can be verified by the Committee if need be.

During the inquiry, the Legal and Constitutional References Committee will meet regularly and at each meeting will take note of the submissions it has recently received, accept them and approve them for publication on the Committee's website page. After each submission has been approved in this way, it is normal for them to appear on the Australian Parliament House website on the special page for the particular inquiry. Until your submission is released by the Committee (i.e. published on the APH website) you must not disclose it to others. If you disclose your submission to others before it is released, it will not be protected by Parliamentary Privilege.¹

Your submission will be published in whole, i.e. including your personal contact details, unless you communicate clearly to the Committee that you do not want certain details published. If you want your personal contact details kept confidential, or if you want the content of your submission to be kept confidential in whole or in part, you must say so clearly at the top or in a covering note. You should also state why you want it to be kept confidential. If you only want a part of your submission to be kept confidential, put that part on a separate page(s). If you have concerns about privacy or confidentiality, please take up contact directly with the Committee Secretariat, contact details below, before you make your submission.

If you do wish to request confidentiality for some or all of your submission, then it is probably wise to make your submission as a Word or pdf document with clear stipulations on each page as to whether the contents of that particular page is confidential or not. Your document can be then attached to an e-mail, and/or sent by post or fax.

You may also wish to read the document "How to make a submission to a Senate Inquiry" at:

http://www.aph.gov.au/senate/committee/wit_sub/bro_one.pdf

5 How, Where and When Should I Send My Submission?

The deadline is **27 February 2004**. If you have no privacy or confidentiality concerns, then the body of the text of your submission can simply be sent in an e-mail. You may wish to use the e-mail submission template on the Southern Cross Group website to do this:

<http://www.southern-cross-group.org/submission.php>

¹ Making a submission is protected by Parliamentary Privilege. Under Australian law, it is an offence for anyone to try to stop you from making a submission by threats or intimidation. It is an offence for anyone to harass you or discriminate against you because you have made a submission. The content of the submission is also protected but only after the committee has accepted it. This means that what you say in the submission, once the Committee has accepted it, cannot be used in court against you or anyone else.

Or you can send an e-mail directly to legcon.sen@aph.gov.au, either with the body of your submission in the e-mail itself, or attaching a Word or pdf document.

If you don't have access to a computer, or if you have confidentiality concerns then you might want to send a hard copy. Submissions can be typed or clearly hand written in black ink. The Committee prefers to receive electronic versions of submissions on disk or by e-mail accompanying hard copies. But if you can't get this organised, it's fine to simply send a hard copy by itself by post or fax:

The Secretariat, Senate Legal and Constitutional Committee
Room S1.61, Parliament House
Canberra ACT 2600, AUSTRALIA
Telephone: +61 (02) 6277 3560 Fax: +61 (02) 6277 5794

6 Format and Length of Submissions

A submission may be as short or as long as you like. It doesn't matter if you only have a few words to say - it's still important for your voice to be heard.

A submission may contain facts, opinions, arguments or recommendations. It may cover all the points in the terms of reference or only some of them, depending on what interests you. Supporting documents may be attached.

There is no prescribed format. But if your submission is a longer document, it might be helpful to structure it with headings, perhaps based on the terms of reference, or to provide a summary at the front.

7 Members of the Senate's Legal and Constitutional References Committee

Members

Senator Bolkus (Chair), Senator Payne (Deputy Chair), Senators Greig, Kirk, Scullion and Stephens.

Participating Members

Senators Abetz, Bishop, Brandis, Brown, Buckland, Carr, Chapman, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Harris, Humphries, Knowles, Lees, Lightfoot, Ludwig, Mackay, Mason, McGauran, Murphy, Nettle, Sherry, Stott Despoja, Tchen, Tierney and Watson. Senator Bartlett for matters relating to the Immigration and Multicultural Affairs portfolio.

8 Committee and Inquiry Website Addresses

http://www.aph.gov.au/senate/committee/legcon_ctte/index.htm

http://www.aph.gov.au/senate/committee/legcon_ctte/expats03/index.htm

Deadline for Submissions: 27 February 2004

B. Content of Submissions

The SCG believes that the broad outcome of this inquiry should be that overseas Australians and others in the Australian diaspora:

- are recognized and accepted as an integral part of the Australian nation;
- are acknowledged as constituting a significant national asset that should be fostered and developed at both the Government and private sector levels.

Within that broad objective there are many sub-themes that can be put to the Committee. Based on the Southern Cross Group's work over several years, some of the issues you might want to include in your submission are mentioned below.

1 Start with a Personal Perspective

We cannot emphasise enough the need to provide the Committee with submissions from a broad range of individuals and organisations outlining their various experiences and concerns. The SCG will be making its own submission to the inquiry, but of necessity it will be cast in terms of broad policy recommendations directed at the inquiry's terms of reference. It is crucial for other organisations and individuals to put forward their unique perspectives as well.

If you are an individual, we suggest that you might start your submission with personal information of interest to the Committee such as:

- When and why you left Australia (if you are still overseas or if you have lived overseas in the past and are now living back in Australia).
- The quality of advice available to you from Government and non-Government sources, either in Australia or overseas, prior to departure about what to expect in your planned movements and/or your rights and responsibilities in Australia after departure.
- If you are still away from Australia, whether your initial objectives have changed since you left Australia and, if so, why.
- Your current country of residence and whether you have moved between overseas countries while living outside Australia.
- If you have returned to live in Australia, details of other countries in which you lived.
- Your family situation.
- Your and your immediate family's nationalities of birth, other citizenships held and/or lost.
- Your reasons for, and experience in gaining, citizenships other than Australian.
- Loss of Australian citizenship as a result of Section 18 (formal renunciation) or the now repealed Section 17 of the Australian Citizenship Act 1948 and the impact this had on you and your family.
- The resumption or lack of resumption of lost Australian citizenship.
- The advantages or disadvantages of dual or multiple citizenship.
- The challenges of synthesizing the culture and laws of Australia with the culture and laws of the country in which you now live, or have lived.
- Your thoughts on the most and least rewarding aspects of this synthesizing process.

Deadline for Submissions: 27 February 2004

- Your thoughts on the concept of belonging in more than one country, transnationalism or bi-culturalism and issues of identity. With which of Australia, your birth country, or your country of adoption or residence do you most identify and, in each case, how do you identify with those countries?
- Difficulties in acquiring residency visas, work permits and/or another citizenship for yourself or members of your family in your overseas country.
- For those living in a country within the European Union, any problems with mobility, residence, or working entitlements when moving within the EU block of countries.
- Access to and involvement in non-governmental expatriate support and business groups, particularly those which concentrate on an Australian connection, and the value that you place on those organisations as well as your views on whether some of these groups should receive Australian government funding for the work they are doing to advance Australian interests abroad.
- Specific ways in which you feel you are contributing to Australia from abroad, e.g.: involvement in an Australian Chamber of Commerce; provision of tourist information about Australia to overseas friends; local support to visiting Australians, etc.
- Your personal experience of contact with Australian missions overseas and comments as to how that interface might be improved.
- Your assessment of educational arrangements and accessibility for yourself and/or your family in your country of residence at all levels and how this compares with education programs in Australia.
- Recognition in your overseas country/ies of residence of professional and educational qualifications gained in Australia.
- If you are presently living outside Australia, your current thoughts on whether you expect to return to live in Australia, when, and why this is so.
- How Australia might better take advantage of its diaspora.
- How Australia might be able to make members of its diaspora feel more connected to Australia.
- Measures which your overseas country of residence might have in place for its expats, by way of example, that you might be aware of.

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2 Re-entry and Repatriation Issues

We suggest that a significant set of concerns applies to former expatriates who have recently returned to live in Australia and those contemplating return to Australia in the near future. As many of those concerns will not be readily apparent to most Australians currently living overseas, we encourage those who have recently re-entered Australia to put their comments and experiences to the Committee.

While some of those concerns will relate specifically to the topics in the next section, repats might like to comment on such issues as:

- Difficulties experienced in obtaining visas for Australia for those members of the family group who are not Australian citizens.
- Reverse culture shock and issues of “fitting-in” again.
- Acceptance of you back into Australia by those in the Australian community and any tall poppy issues.
- Impact on family members who have lived the greater part of their life overseas.
- Networks of family and friends.
- Housing arrangements.
- Education arrangements.
- Recognition in Australia of professional and educational qualifications gained while overseas.
- Employment difficulties faced on return.
- Changed income levels as a result of moving back to Australia.
- Repatriation of capital and repatriation and portability of pensions or superannuation credits.
- Establishment of credit ratings and new relationships with financial institutions in Australia.
- Support available from Government and non-Government groups to assist with repatriation.
- Registration and qualification for various Government health, social security, and support programs.
- Electoral re-enrolment.
- Reciprocal arrangements for driving licences.
- Reinstatement within the Medicare system.
- Insurance.
- Transfer of health records.
- Local government issues.

3 Specific Barriers Encountered by Expatriates

While some of the following may have been covered in the points above, you might like to put comments to the Committee in relation to:

- Voting from overseas in Australian elections and referenda – see:
<http://www.southern-cross-group.org/overseasvoting/overseasvoting.html>
- The exclusion of overseas Australians from the Australian census.
- The existence, or absence, of a bilateral social security agreement between Australia and your country of residence – see:
<http://www.southern-cross-group.org/socialsecurity/bilateral.html>
- The existence, or absence, of a bilateral working holiday agreement between Australia and your country of residence – see:
<http://www.southern-cross-group.org/visas/workingvisa.html>
- The existence, or absence, of trade and/or cooperation agreements between Australia and your country of residence.
- Any difficulties experienced with banks and financial institutions in Australia or your country of residence.
- Development of an Australia Day award for Expatriate Australian of the Year – see:
<http://www.southern-cross-group.org/expataustralian/intro.html>
- The existence or absence of a double taxation agreement between Australia and your country of residence.
- Australian taxation law as applicable to you while overseas and any negative impact of tax laws due to your expatriate status, including the adequacy of information available from the Australian Taxation Office.
- Superannuation credits and pensions and their portability and the adequacy of available information.
- Health insurance and the narrow coverage in Australia's few bilateral reciprocal health agreements to cover only Australian "travellers" rather than Australians "living" in a country.
- Gender specific issues, e.g. perhaps arising from the different treatment or status of women in other cultures.
- Education.
- Difficulties in dealing with Australian Federal, State and Local government agencies from overseas.
- Return fellowships – see
http://www.aph.gov.au/Senate/committee/FADT_CTTE/white_paper/submissions/sub02.pdf

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