



## **MEDIA RELEASE**

### **Expats Welcome Citizenship Bill But Call on Government not to Exclude Certain Overseas-born Children of Australian Heritage**

On 9 November 2005, the Hon. John Cobb MP, Minister for Citizenship and Multicultural Affairs, introduced a bill into the Australian House of Representatives, which, once it becomes law, will substantially modernise Australia's citizenship law by replacing the current *Australian Citizenship Act 1948*.

The bill incorporates almost all of the changes lobbied for by the SCG over the last few years on behalf of Australian expats, many of which were promised by the Government in its 7 July 2004 reform announcement prior to the last Federal Election. Details of the proposed changes in the bill are set out on the Government's citizenship website:

[http://www.citizenship.gov.au/citz\\_bill\\_2005/index.htm](http://www.citizenship.gov.au/citz_bill_2005/index.htm)

Key changes for those in the Australian community overseas concern a simplified route to the resumption of citizenship lost on the acquisition of another citizenship under the old Section 17 prior to 4 April 2002, or renounced under Section 18 of the current Act. The key requirement for resumption when the bill is enacted will be that the person be of good character.

Further, certain people born overseas to Australian citizen parents who do not presently qualify to be Australian citizens by descent will be given access to Australian citizenship. Many Australian war brides who married US servicemen during and just after World War II and their US-born children will be positively affected by these forthcoming changes.

The SCG is very disappointed that the Government has decided to exclude from the Australian family children born overseas to individuals born in Australia, where the birth of the child occurred after the Australian-born parent's renunciation of Australian citizenship under the current Section 18. In particular, this affects the children of some 2000 Australian-born people in Malta.

The reason that the Government has given for not including these children in its reforms is untenable. Its claim that the Australian-born parents renounced their citizenship in full knowledge of their actions, and that their subsequent children, therefore, can have had no reasonable expectation of Australian citizenship, is no different to the situation of the children of Section 17 victims, many of whom lost their Australian citizenship under the old Section 17 on the acquisition of another citizenship in full knowledge that their new citizenship would result in loss of Australian citizenship. It is simply discriminatory to distinguish between children born to Section 17 and Section 18 victims in this way. The Government's action on this point is contrary to a specific recommendation by the Senate's Legal and Constitutional References Committee in its Report as part of the Inquiry into Australian Expatriates, released in March 2005. For further details see the dedicated pages on this special subject on the SCG website.

<http://www.southern-cross-group.org/malta/overview.html>

To receive updates on the progress of this bill as it is discussed and debated in Parliament over the coming weeks, and to keep abreast of the entry into force and commencement dates of this new legislation once it has been passed by both Houses, make sure you sign up to our free e-bulletin list if you did not receive this message directly from the SCG:

<http://lb.bcentral.com/ex/manage/subscriberprefs.aspx?customerid=11167>

The text of the *Australian Citizenship Bill 2005* is available at:

<http://parlinfoweb.aph.gov.au/piweb/Repository/Legis/Bills/Linked/09110503.pdf>

and its explanatory memorandum can be accessed at:

<http://parlinfoweb.aph.gov.au/piweb/Repository/Legis/ems/Linked/09110503.pdf>

An accompanying bill covering transitional and consequential aspects and its explanatory memorandum are also available on the Australian Parliament House website:

<http://parlinfoweb.aph.gov.au/piweb/Repository/Legis/Bills/Linked/09110504.pdf>

<http://parlinfoweb.aph.gov.au/piweb/Repository/Legis/ems/Linked/09110505.pdf>

Minister Cobb's Second Reading speech given on the introduction of the bill can be read in the House Hansard for 9 November 2005 at:

<http://www.aph.gov.au/hansard/hansreps.htm>

or

<http://www.aph.gov.au/hansard/reps/dailys/dr091105.pdf>

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