

The Southern Cross Group

Promoting mobility in the global community



POSITION PAPER

DUAL NATIONALITY UNDER AUSTRALIAN CITIZENSHIP LAW

The Southern Cross Group fully supports the Australian Citizenship Council's recommendation that Section 17 of the *Australian Citizenship Act 1948* be repealed, so that Australian Citizens over the age of 18 do not lose their Australian Citizenship on acquisition of another Citizenship.

We call upon the Government to introduce legislation to amend the *Australian Citizenship Act 1948* to this effect without delay. Such amendments would be a fitting way for our nation to celebrate a century of Federation in 2001.

At present discrimination exists in Section 17 of the *Australian Citizenship Act 1948*. Although around 4.4 million Australians legally have dual nationality, those who start from the base of having Australian Citizenship and acquire another Citizenship lose their Australian Citizenship. This denies many Australians equal protection under the law and is unfair.

This situation is inappropriate in an age of global mobility. Many Australians choose to live abroad for various reasons. Australians overseas represent a valuable network and resource for Australia. Furthermore, their commitment to Australia in no way diminishes due to the fact that they are not resident in Australia.

Allowing Australians to take on a second nationality without giving up their Australian Citizenship would make life considerably easier for many individuals and benefit Australian trade and investment internationally.

The Southern Cross Group also agrees with the Council's recommendation that the current provision of the *Act* which specifies that children born overseas must be registered as Australian Citizens by descent before they turn 18 years of age be extended to enable registration before a child turns 25 years of age. Young people should have an adequate period after reaching their majority to be able to decide for themselves whether they wish to apply for Australian Citizenship by descent.

The Southern Cross Group urges prompt action to effect the recommended amendments to the *Citizenship Act*. Our members are directly affected and useful partners for dialogue in promoting Australia's international economic orientation. We remain ready to assist constructively in promoting this modernisation of Australian citizenship law.

The Southern Cross Group is a non-profit organisation founded in Brussels, Belgium in January 2000 by a group of primarily Australians and New Zealanders, in response to a growing realisation that there are a number of issues which impact negatively on individuals who are seeking to work effectively within the professions, multinational companies and organisations outside of their country of nationality. The aim of the Group is to work towards the removal of legal and practical barriers which presently impede mobility in the global community. Membership is free and the Group has members all over the world.