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Campaign for Maltese emigrants to re-gain their Australian citizenship

written by Martin Debattista - 18 Sep, 2002

An Australian non-profit organisation is working to help solve the plight of former Australian citizens of Maltese descent who were forced to renounce their Australian citizenship in the past and now cannot resume it.



The **Southern Cross Group**, an independent international non-profit advocacy organisation for the Australian diaspora, which successfully led a long campaign to have Section 17 of the Australian Citizenship Act 1948 recently repealed, says that there is still an urgent need for further citizenship reforms. Although it is now possible for Australian citizens to acquire dual citizenship, dual citizenship is still not legally possible for many thousands of individuals.

A particular anomaly exists with regard to people who have had to formally renounce their Australian citizenship in the past. Some countries require or used to require young people who held two citizenships to choose one on their coming of age (at age 18 or 21).

The renunciation problem is nowhere more acute than in the Maltese Australian community. Although both Australia and Malta have recently modernised their domestic laws to allow dual citizenship, several thousand "historical victims" remain. Many Maltese migrated to Australia after the Second World War. Children born to Maltese parents in Australia were automatically Australian by birth. They also enjoyed Maltese citizenship by descent, making them dual citizens.

The Group says however, until Maltese law was changed with effect from 10 February 2000, on reaching the age of 18, young Maltese Australians were required under Maltese law to decide whether they wished to be Australian or Maltese citizens in adulthood. They had until their nineteenth birthdays to renounce their Australian citizenship if they wanted to remain Maltese.

Many Maltese Australians born in Australia returned to Malta before they were 18 with their parents. On reaching the age of 18, they were faced with a heart wrenching choice. The decision to renounce Australian citizenship was usually made because there was no real practical or financial alternative if one wanted to make a life in Malta with one's immediate family. Tertiary education in Malta is free only for Maltese citizens. Many jobs in Malta require Maltese citizenship, and work permits for non-citizens for other jobs are difficult to obtain. Ownership of property for non-Maltese in Malta was also restricted.

These young people, who were born, went to school and grew up in Australia, were usually not fully informed of the long-term consequences of the decision they were forced to make at the time. Several thousand former Australian citizens in Malta today still feel that they belong in two places and should be allowed to rightfully hold two citizenships.



But Australian law at present does not permit them to resume their lost Australian citizenship. Although the Australian Citizenship Act was recently amended to allow a person to resume a renounced citizenship up until age 25, this is of no use to the vast majority of the Maltese victims as they are over 25.

At present the only way for these Maltese citizens who renounced their Australian citizenship to regain their Australian citizenship is to apply to "migrate" back to Australia. If they successfully gain a migration visa, after being a permanent resident in Australia for one year they can then apply to become naturalised Australian citizens. Due to recent changes under Maltese law they will not lose their Maltese citizenship.

John MacGregor, the Australian Coordinator of the SCG in Canberra, said that it was ironic that the Government should be so vigorously encouraging Australia's 900,000 permanent residents to become Australian citizens, while at the same time turning its back on a significant group of people who are "Australian" in everything but the legal sense.

"It's high time to broaden the resumption provisions in the Citizenship Act", he said.

The SCG is calling on all Australian citizens, permanent residents and former Australian citizens to send their views directly to the Australian Citizenship Minister, Gary Hardgrave MP from the SCG website, affirming their commitment to Australia and at the same time urging the Government to rethink the law on citizenship resumption:

Fore more details about Dual citizenship to Maltese citizens visit the [MaltaMedia Feature on Dual Citizenship](#).

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