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# HOUSE OF REPRESENTATIVES

Votes and Proceedings

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## **CORRECTIONS**

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**Monday, 18 February 2002**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

entific papers. He wrote more than 30 books and received almost every honour and award available to a scientist, including the Nobel Prize.

Mac Burnet, as he was known to all of his mates, was born in the Latrobe Valley. In fact, he was born in my home town of Traralgon. He was the second of seven children and a son of the local bank manager. He was active in public life. From about the mid-1950s, Mac Burnet increasingly accepted memberships, often as chairman, of scientific or public policy committees, including the World Health Organisation's Medical Research Advisory Committee, the Papua New Guinea Medical Research Advisory Committee and the Australian Academy of Science, of which he was president.

He was a man who spoke out against cigarette smoking and radiation, and he advocated the fluoridation of water. He strongly opposed the White Australia policy. Although he was internationally acclaimed, he turned down numerous overseas appointments throughout his career, preferring to work in our country—Australia—as a proud man of our country. Perhaps Mac Burnet's finest act of genius was to appoint Gustav Nossal as his successor at the Hall Institute. Gus Nossal said this about Sir Frank Macfarlane Burnet:

Burnet brought to his laboratory work and to his extensive writings the unique spectrum of his gifts: originality, imagination, honesty, breadth—(*Time expired*)

#### Veterans: Gold Card

**Mr CHARLES** (La Trobe) (1.49 p.m.)—I wish to read to the House a letter that I received from a constituent:

Dear Mr Charles,

My husband Walter Cantwell and I would like to thank you for his Birthday Card which you sent on the occasion of his 92nd Birthday, and for the interesting thoughts.

Walter is, at the moment, recovering from a fall on 27/2 when he broke his hip and he has had a complete hip replacement. All through, he has had every care, the ambulance arrived quickly and was very caring, he was operated on at Knox Private the next day (Monday) then had time at Vic Rehab in Springvale Road, and all through, Vet Affairs have covered the cost and we are so thankful. He has a Gold Card being 27 years in the Navy.

We were wondering if you could be so kind as to let the relevant people in Vet Affairs know how much we appreciated the wonderful care in every way Walter Cantwell VX154321 has received.

Thank you too for all you do for La Trobe.

Walter and June Cantwell.

Too frequently we cast aspersions on our public servants and we find fault and complaint about them. I simply wanted to bring this to the House's attention as an instance where a constituent of mine has congratulated a federal department. I would like to add my congratulations as well.

#### Media: Cross-Media Ownership Rules

**Mr MURPHY** (Lowe) (1.50 p.m.)—In last Friday's *News Limited* newspaper, the *Australian*, the media editor Matthew Doman wrote a piece suggesting that politicians should change their thinking

not to overhaul Australia's media laws. On the same day, I replied with a letter to the letters editor of the *Australian* which was not published. For the benefit of the House, I wrote in part:

... the public, overwhelmingly, still gets its news and information from traditional media sources—newspapers, radio stations and television stations—and it is these sources that influence the way the public thinks and votes.

*News Limited* has a stranglehold on the print media. In terms of its share of circulation within Australia, *News Limited* owns and controls some two thirds of the capital and national newspaper market, three quarters of the Sunday newspaper market, almost fifty percent of the suburban newspaper market and almost one quarter of the regional newspaper market. In addition, *News Limited* has a quarter stake in Foxtel's pay television and News Interactive online as well as additional media interests in AAP Information Services.

I ask, how can it be in the public interest to change Australia's cross-media ownership laws to allow *News Limited* to buy, in addition to its existing vast national and international media interests, a free-to-air television network, or radio network, or both, in Australia?

I am appalled that no one employed by *News Limited* is arguing about the grave dangers to our democracy of further concentrating media ownership in our country. To be fair to *News Limited*, neither is anyone in *Publishing and Broadcasting Limited*.

In terms of our democracy, this is an extremely serious issue for all Australians.

The Australian's reporting of this issue gives truth to the saying that "he who pays the piper calls the tune".

(*Time expired*)

#### British Pensions

**Mr BAIRD** (Cook) (1.52 p.m.)—Last week, I attended a rally at Customs House Square in Circular Quay, along with a number of expatriate Britons from my electorate. The rally was organised by the British Australian Pensioners Association to protest at the British government's continuing refusal to index the pensions they pay to the increasing cost of living. The refusal is particularly confusing when one keeps in mind the close relationship that our two countries have traditionally enjoyed, as well as the fact that British expatriates living in the United States, EU countries and even Turkey are benefiting from fully indexed pensions.

The obvious side effect of this discrimination is that Australia as a nation misses out also. For example, in Australia, an expat pensioner who had retired 10 years ago would receive only £52 per week from their government when, if their pension was indexed at the same level as expats retiring this year, it would be £72.60 per week, a cumulative underpayment of \$18,300 over the decade. When this figure is translated to the national level, it emerges that the Australian economy is missing out on an annual injection of \$450 million through the refusal of the British government to index these pensions.

There are over 6,000 British-born people in my electorate and a large proportion of these are of pensionable age. The majority of them have spent all or nearly all of their working lives earning and paying tax in Britain for the benefit of that country. Now that

they have left, they are being denied their rightful entitlements and are understandably aggrieved. I fully support their campaign. (*Time expired*)

#### **Oxley Electorate: Lack Of General Practitioners**

**Mr RIPOLL** (Oxley) (1.53 p.m.)—I rise today to raise the very important issue of the need for more general practitioners to be made available for my constituents in Ipswich and Brisbane and to make it known to the Howard government that the current health policies regarding general practitioners have created a disincentive for doctors to open their books to new patients in my area. The lack of available GPs and a decrease in the incentive for doctors to use bulk-billing are major issues that have been brewing in Ipswich for quite some time. Ipswich is a rapidly developing city, with new families moving into the area and taking advantage of the wonderful lifestyles we have there. However, families will be turned away if they are unable to access a local GP. It is of the utmost importance to create incentives for more GPs to move into the area and to make it easier for existing GPs—for now and for later population growth.

I believe that the Howard government's systematic destruction of the Australian health care system is now hitting ordinary people in the hip pocket and will be hitting new residents as they are forced now to pay up-front for GP services and to travel outside the area to get those services. All residents deserve to have a GP available in a suburb close by. Those who do not have to take either public or private transport and go outside their area at a cost to themselves.

The combination of the 80 patients maximum per day regulation, stricter doctor provider number issuing and a lack of government incentives for doctors to move out into the outer metropolitan and regional areas has seen new patients being turned away from outer suburban medical centres. The Australian Medical Association has found opinion to contradict the Australian Medical Work Force Advisory Committee's recent findings of a surplus of GPs in rural areas and has produced a GP work force survey that indicates doctors are worried about the serious risk of shortage of doctors. (*Time expired*)

#### **Petition: Closure of Kin Kora ANZ Bank Branch**

**Mr NEVILLE** (Hinkler) (1.55 p.m.)—I would like to draw the House's attention to the matter of a petition, recently compiled, regarding the closure of a branch of the ANZ Bank in Gladstone. The petition is supported by 597 signatories and its main clauses request you, Mr Speaker, and the assembled members of the House to consider the closure of the Kin Kora branch, located in one of the leading commercial areas of Gladstone. The branch has been open for 20 years and has literally grown up with the area. It has ample parking and customer access. Its closure would unquestionably inconvenience a large number of loyal customers, including the principal petitioner, Mr Frederick Blair Charles of 7 Roe Street, Gladstone.

It staggers me that the ANZ Bank would contemplate closing a branch within Gladstone, considering the recently commenced construction of Comalco's massive new plant and planning by a further four

international companies. This is a city which will need more infrastructure, whether it be roads, housing, civic facilities or financial services—and I stress financial services. Leaving such a dynamic part of Gladstone at this time shows a lack of understanding as to where the city and the region is heading, to say nothing of the inconvenience to business and customers in the Kin Kora area and the south-western suburbs of Gladstone.

I join my state parliamentary colleague Liz Cunningham in protesting this action. The closure of the Commonwealth Bank branch at Boyne Island was a mistake and I think the ANZ Bank would do well to reconsider its position before it goes down a similar path. Mr Speaker, this petition has been certified by the Clerk and I table it herewith.

#### *The petition read as follows—*

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain residents of the State of Queensland draws the attention of the House—

That the ANZ Bank reconsider the closure of The Kin Kora Branch as it will disadvantage the residents of this area, many of whom will be forced to change banks.

The branch has been opened for 20 years and serves the local business's and many consumer customers. The Kin Kora branch has ample parking facilities and easy access. This closure will cause much inconvenience to myself and many other customers.

The Gladstone region is presently undergoing a boom in local industry and ANZ appears not to have considered this.

Your petitioners therefore request the house to review this closure and that the branch remain open.

from 597 citizens. (*Time expired*)

#### **Education: Fruit Breaks in Schools**

**Ms HOARE** (Charlton) (1.57 p.m.)—A good friend of mine is a primary school teacher, and each morning, pupils are asked to bring their piece of fruit into the classroom. At 10.30 a.m., in most circumstances, the kids have their fruit break while going on with their work. His kids have named this time as 'fruit attack'. They do not make a big deal of it: things go on as usual while the kids munch on an apple or banana or whatever. The teacher, of course, joins in.

When this idea was first presented to his class, they had a simple chat and an explanation of how food is turned into sugar and how sugar is energy for your body and brain. The teacher explained that some food, like chocolate, is turned into fast sugar and, while fast sugar works quickly, it runs out sooner. Slow sugar is better sugar because it lasts longer and is better for you. Slow sugar comes from different types of food, including fruit. Slow sugar from fruit gives us energy for our brain so that we can think, learn and feel better.

So at 10.30 a.m. each day in class they have their fruit break, while just going on with their work. The kids in his class are really keen for 10.30 to arrive and let him know when it does. By joining in with the kids at this time, the teacher assures me that the fruit

from Brisbane. Let us just concentrate for the moment on the Lockyer Valley which is the subject of the Psi-Delta report. The Lockyer Valley comprises 40,000 hectares and five main valleys. It is one of the top three vegetable producing areas in Australia. For several reasons the potential for that to be realised in the future is coming under threat: several years of low rainfall and lack of rainfall, reduced yields and increasing salinity from bores, a reduction in allocations of water from the Department of Natural Resources and growers have reduced capacity to vary their levels of production because in many cases they are locking into longer term contracts and need to do so in order to remain competitive. The overall report of the Psi-Delta company into the potential for a re-used water pipeline in the Lockyer is that if a price of between \$100 and \$150 a megalitre is deliverable into the Lockyer Valley, this will be one of the largest schemes in Australia; in fact, if the price is \$100 a megalitre just to the Lockyer alone, this will be the largest scheme in Australia. That is the finding of Psi-Delta and it is something that is very significant for our region.

Let us go to the bottom line. In terms of employment, income and investment, by conducting the study, interviewing local farmers and projecting their future use, it was found that, provided the scheme goes ahead, the potential for the re-used water pipeline in the Lockyer—this is a very conservative estimate based on the producers who have come forward to be interviewed—would be to deliver 287 additional full-time jobs in the immediate Lockyer farm area. The negative side is that if the scheme does not go ahead—because of rising salinity and other issues—we are headed for a drop of 242 jobs. We are not going to be able to tread water if we stay as we are, to use a pretty vague sort of a pun, but we need to provide this additional water in order to continue the agricultural production that is already there. Currently, across the whole of the Lockyer Valley area, 19,610 megalitres of water is coming from bores and 3,686 megalitres is coming from other sources. We need to correct that.

**The DEPUTY SPEAKER (Mr Barresi)**—Order! The time for the grievance debate has expired. The debate is interrupted and I put the question:

That grievances be noted.

Question agreed to.

## AUSTRALIAN CITIZENSHIP LEGISLATION AMENDMENT BILL 2002

### Second Reading

Debate resumed from 21 February, on motion by **Mr Hardgrave**:

That this bill be now read a second time.

**Mr CADMAN (Mitchell)** (5.58 p.m.)—Mr Deputy Speaker Barresi, I am delighted to see you are in the chair because I know you have a long and well-established interest in these matters. The amendments the House is considering today to the Australian Citizenship Legislation Amendment Bill 2002 relate to the citizenship act. This legislation looks at the common bond that Australians share. There have been a

number of reports commissioned by the government. The first that I am aware of goes back to a report that was prepared on the process of national consultation on multiculturalism and citizenship. A more recent examination was done by the Australian Citizenship Council. It reported in February 2000 and the government's response was entitled *Australian citizenship ... a common bond*.

We are looking at things that really go to the essence of what it is to be an Australian. Something within us binds us to a country—there is an allegiance, a link. Most of us, I think, like to feel that we have a home, a place that we can go back to, a place where we belong, a place where we are comfortable. Perhaps it is a place where we grew up. It is mostly the place of our birth and where we spend most of our years.

There are two aspects of citizenship—the political aspect and the character aspect. The political or legal part of citizenship is the tie or allegiance a person has within a society. They have a place there. They have a legal entity and a political entity within that society. The character of a citizen is the extraneous things which do not relate to the political or legal aspects—that is, a person may identify with certain obligations, responsibilities or freedoms. That is the character of citizenship. Both aspects are really significant.

Some countries look at only one part of citizenship. For instance, the oaths or statements of allegiance of some countries may reflect little of the character and a lot of the legal responsibilities while other countries reflect both. I believe that by studying the oaths or statements of allegiance of countries one can examine what the requirements, the characters and the political and legal aspects are of their citizenship.

The legislation before us today has gone through a process of consultation. There has been the Australian Citizenship Council's report *Australian citizenship for a new century*, a government response and then legislation. There are a number of aspects to this legislation, and I will deal with all of them to some extent. The main ones are the government's intention to strengthen citizenship and to update aspects of Australian law. No changes are being made to the basic criteria for the grant of Australian citizenship. Of interest to most Australians in this day and age is the issue of an Australian citizen who would seek to destroy or diminish Australia by taking arms against their country. They of course lose their Australian citizenship. None of those things will be changed by this legislation; nevertheless, there are some significant changes.

The main amendments in this bill include repealing section 17 of the Australian Citizenship Act so that Australian citizens in future will be able to keep their Australian citizenship on acquiring another citizenship; extending the descent and resumption provisions to give young people more opportunities to acquire Australian citizenship; providing for children who acquire Australian citizenship with their responsible parent to be given then or at a later date their own certificates; strengthening aspects of the integ-

riety of the Australian citizenship process, and taking some strong action against people who are involved in people-smuggling.

There are some aspects of this legislation that need to be dealt with in detail. The first issue is the repeal of section 17 and the dual nationality concept. This issue has been alive and well for a long time. In fact, the *National consultations on multiculturalism and citizenship* report stated that the feeling in the Australian community was that it was highly repugnant for a person who has been granted Australian citizenship to retain allegiance to another country or power. I think that is still the case. Whilst this may provide certain freedoms and opportunities for Australians to work in other countries—a process which is being driven mainly by the tourist industry to allow people to work elsewhere in the world—I think it is still highly repugnant to most Australians that people should bear allegiance to more than one country. Australians expect people to have allegiance to this nation and to no other. In fact, our citizenship oath used to have a clause which said ‘renouncing all other allegiances’. That clause was thought to be offensive to some people because it was aimed at the character and not at the political aspect of citizenship. My view has always been that it was part of a legal process and that it could have been much better stated than it was in a previous oath of allegiance or citizenship.

I believe the commitment to Australia is alive and well. Our migrant groups in particular have a huge and very passionate commitment to Australia. A study by Hugh Mackay some years ago found that 96 per cent of our largest migrant groups were absolutely committed and proud of our nation. I think the figure for migrant groups was higher than for those people born here. I think that is still the case. I think people still feel that way. The commitment of southern European people, in particular, figured highly in that study. There is a sense of nationalism and regard for this country that is not engendered by any false jingoism or false patriotism; it is something that people genuinely feel. They understand the qualities of Australia compared with other countries. They understand that we have a long and well-tested democracy. They understand that we have freedom of the press and a court system that is equal to any in the world. They understand that the United Nations rates Australia as one of the top two or three countries as far as personal freedoms are concerned. People who come to be a part of this nation quickly state their value for it.

The values that we share run across political parties and backgrounds. The importance of our families, our homes and our individual freedoms and liberties are all values that Aussies, as a group, understand. When there is any thought that those values may be diminished, concerns can be detected in the community. Over a number of years it has been possible to see where tensions have started.

For people of Jewish background, the Law of Return automatically applies to people returning to Israel, something which many people of Jewish descent

are unaware of until they actually arrive in Israel. The same situation may apply to people returning to Greece, where, at the age of 18, a person may be required to give military service. They may be unaware of that law and the fact that, despite any renunciation they make in Australia, the laws of Greece very strongly say, ‘If you are of Greek parents and you return to Greece, we regard you as a Greek and we are going to put you in the army whether or not you think you are an Aussie.’

The laws of citizenship vary from country to country, and Australians may inadvertently have responsibilities which they have no intention of fulfilling or following through. In many instances, they may be aware of the laws of another country that place obligations on them because of the nature of their birth or their place of birth. There have been difficulties in those areas over the years, and the process of renunciation made it easier for some but harder for others to state that they were Australians and that they could not fulfil the legal obligations of what now had become a foreign country.

I have been told that the changes in this legislation bring us in line with our friends in the United States, and so there is not too much need to worry about these changes. I have checked out what dual nationality means to an American. The US State Department’s dual nationality leaflet states:

In order to lose U.S. citizenship, the law requires that the person must apply for the foreign citizenship voluntarily, by free choice, and with the intention to give up U.S. citizenship.

Intent can be shown by the person’s statements or conduct. The U.S. Government recognizes that dual nationality exists but does not encourage it as a matter of policy because of the problems it may cause. Claims of other countries on dual national U.S. citizens may conflict with U.S. law, and dual nationality may limit U.S. Government efforts to assist citizens abroad. The country where a dual national is located generally has a stronger claim to that person’s allegiance.

However, dual nationals owe allegiance to both the United States and the foreign country. They are required to obey the laws of both countries. Either country has the right to enforce its laws, particularly if the person later travels there. Most U.S. citizens, including dual nationals, must use a U.S. passport to enter and leave the United States.

So it is not quite as clear as it would first appear. There is difficulty in establishing allegiance where a person can take on the nationality of another country. I guess that aspect of it concerns me.

I think the other aspects and changes in this legislation are absolutely reasonable and excellent. The strengthening of the process, the people-smuggling and the certificates for youngsters are long overdue. They should have been available years ago. I am delighted that Mr Ruddock, the current Minister for Immigration and Multicultural and Indigenous Affairs, was instrumental in bringing these factors to the notice of the House and that they are now being followed through by Minister Hardgrave.

Dual nationality does create problems that not everybody has expected. I know the House will be interested in the impact that it may have on citizens from

Malta, for example. I know my colleague opposite will understand that there is an impact on people from Malta. When Australian citizens who are born in Australia return to Malta they are forced to renounce their Australian citizenship and become a citizen of Malta in order to gain access to a whole lot of services. If they have been living in Malta for some time, they have no access to the changes that are being made here. In fact, most of them say, 'Don't change the law.' That is the message I am getting from the people in Malta and from dear friends whom I have known for many years. They are saying that the largest number of people affected by this dual nationality decision are people of Maltese extraction. People who have been Australians, lived in Australia, grown up in Australia and made a contribution to Australia have felt compelled, without choice, to renounce Australian citizenship on return to Malta.

What are some of the reasons? One is study at university in order to get a job. Many jobs in Malta are limited to those with Maltese citizenship. Another is the purchase of property. A foreign passport holder is required to obtain a permit from the Maltese government in order to purchase property—which costs more than \$100—and must purchase properties above a minimum threshold. The banking system is another. External accounts are only available to foreigners in Malta. Another is social security benefits. There are a great number of reasons why the people of Malta, those who were born in Australia and whose families may have worked really hard in this nation, feel disadvantaged. I am not sure that such a process applies to any other group.

I refer the House—and I will show this piece to the member opposite, shortly—to a piece written by a friend of mine, Lawrence Dimech. It is called *Tough luck, mate, you're too old at 25 years*. The piece outlines pretty succinctly the difficulties that the Maltese community see with these changes. The limitation of 25 years is seen by Mr Dimech and a large number of people to cut out those born between 1964 and 2000. They miss out on the prospect of reclaiming their Australian citizenship unless they come back to Australia, live here for the required period and go through the process. That is the act as I understand it and as they understand it, and I hope that the minister in his reply will be able to bring some clarification, because I know that the people from Malta would like that. I have discussed this with the minister—he is aware of the situation—and I think that we need to get some clarification that we can show to people who are worried about the changes to the Australian Citizenship Act.

In general, I welcome the changes that are being made. I express some reservations about the decision to repeal section 17. I think that it will create some problems as to how we apply our laws and how we give diplomatic aid. Where a person is living in another country and commits some offence, and they are a citizen of that country and of Australia, they will appeal to our diplomatic representatives to support them in a country of which they are already a citizen.

The ultimate test of a person's commitment is where their allegiance is. I am one of those people who happen to believe that you cannot hold two allegiances equally at the same time, that to one you must have an allegiance which is prime, which is above the others; otherwise, it is very difficult to know what you stand for: whether you are committed to the future and the wonderful prospects of this country, whether you are prepared to join the 96 per cent of people from overseas that have strong allegiance to and pride in this country, or whether you want to dilute that process by having more than one allegiance. I think it is physically and mentally impossible.

In the character of citizenship—whether it be the political aspects or whether it be the cultural character of citizenship—I do not believe that you can divide citizenship into four parts instead of two parts. I do not believe you can have the same political feeling of belonging or of being part of a regime or an entity in two places. I do not believe you can feel part of the character of two countries equally at the same time.

I guess life is about choices, and I think so many people have chosen to make Australia their home and they want to maintain it as it is. They want to keep building it, and they do not want half-hearted participants. So I commend the bill to the House but I express reservations about the repeal of section 17.

**Mr ZAHRA** (McMillan) (6.18 p.m.)—I welcome the opportunity to make some remarks in relation to the Australian Citizenship Legislation Amendment Bill 2002. This is the first time that I have really been given the opportunity to contribute to debate in this parliament. I have not had my opportunity to speak in the address-in-reply yet. It is appropriate in some ways, Mr Acting Deputy Speaker Barresi, that I get the chance to speak on this particular bill because, as you would be aware with a surname like Barresi—and me with a surname like Zahra—my family are migrants. In fact, I was born overseas and came over to Australia when I was just three years old after my family had been back to Malta for a short time, my father having originally come to Australia in 1950.

I was pleased—and I am sure you recall this, Mr Acting Deputy Speaker—that in 1998, when I was elected, I became the first Maltese-born Australian to serve in this parliament. That was a source of some significance and, I think, celebration for the Maltese community in Australia. I think it is important that we recognise that migrants come to Australia and participate in all parts of cultural, civic and political life. That is just as people envisaged it when they came up with the idea of that massive migration push which took place in Australia after World War II.

Unquestionably, the post World War II migration programs have been an amazing success in Australia. They are programs which have enormously enriched the cultural life of our country. In places like the La-trobe Valley, which I represent, which our family grew up in and in which I still live, those programs made it possible for the important national infrastructure that we have to be built. Without the work that was put in by so many migrant workers through-

out the 1950s, 1960s and 1970s, Victoria would not have the electricity industry which it relies on for so much of its prosperity.

I know a lot of people talk with a great deal of celebration and a great deal of fondness about the achievements of the Snowy Mountains Hydro-Electric Scheme. What people do not always appreciate is the fact that probably second only to that scheme was the achievement of so many people in building the Latrobe Valley's power assets, which we take so much for granted in Victoria today. Without those assets it would have been impossible for Victoria to become the hub of Australia's manufacturing, which it unquestionably has been for the last 25 or 30 years. That great supply of electricity, sourced from the Latrobe Valley's massive brown coal deposits and produced by those electricity production assets built by migrant labour, has been so much a part of the prosperity not just of the Latrobe Valley but of the state of Victoria and our nation more generally. This is just one very small benefit which migration has brought to our region.

Migration was very much a part of the cultural renewal of the Latrobe Valley as well. For so many years the Latrobe Valley had been little more than a farming district with a very small population, characterised by a few landholders holding large amounts of capital, investing it in agriculture and employing people on that basis. With the post World War II migration programs and the development of Victoria's brown coal energy assets, we saw a cultural renewal in the Latrobe Valley.

I had cause to speak to a historian at a Trafalgar Australia Day ceremony a little while ago, and he told me that he had written a history of St Keiran's Catholic parish in Moe. He spoke to me about how amazing this exercise had been for him. He reflected on the fact that people had come from so many different parts of the world to St Keiran's parish in Moe—people from Italy and Ireland, the Maltese, the Dutch, so many different people from so many different areas. Some were hardly able to speak English but all wanted to contribute to the work of developing that parish and that community in Moe. He regarded it as a remarkable achievement that these people with so little formal education had so much determination to build that parish and to establish St Keiran's School, the Presentation Sisters Convent and St Keiran's church—all very important community assets in that district, assets which made an enormous contribution to the life of Moe.

It is one small example of how civic-minded and how prepared to work and contribute those migrants were. There was a great sense of acceptance of the need to get into Australian life and make your contribution in it. People were grateful for the chance, grateful for the opportunity to build a new life, where the only test of how successful they would be was how smart they were and how hard they worked. Coming to a new country like Australia was a great leveller. People wanted to get away from the old prejudices, the old ideas and the old class systems

that many had been trapped in in the countries that they had come from.

The people that came to the Latrobe Valley in particular—but Gippsland more generally—really did prove that they were prepared to work and contribute to the life of our community. There are so many examples now of people who came as part of that post World War II migration program and whose sons and daughters have made enormous contributions to our district. In the Latrobe Valley, we are very fond of saying that we were practising multiculturalism long before anyone ever coined the phrase. We had an accepting culture amongst the various ethnic groups that we had in the Latrobe Valley.

My father, who came to the Latrobe Valley in 1950, tells me of the preparedness of people from many different ethnic groups to all work together. Those groups had in common an understanding that there was a certain dignity in work and that you defined yourself by the work you did. When there is a lot of work to be done—and there was plenty of work to be done in the Latrobe Valley—the only way you can get it done is by everyone doing their bit. People were prepared to do their bit. They were prepared to do the work cheerfully and they were grateful for the opportunity which they had. One of the things which set apart the success of migration in the Latrobe Valley was, unquestionably, the fact that every migrant who came to the Latrobe Valley had work. We did not have a situation in the Latrobe Valley where migrants were arriving and not working; everyone was contributing.

An elderly gentleman from Traralgon, my home town, spoke to me about how Traralgon was when all these new migrants arrived. It had been what you might call an Anglo community up to that point, and people were quite confronted by quite a large number of Italians coming to our district. They did not quite know what to make of these people living in their streets. He told me a great story about the Italian family next-door to him: how much they became a part of his life and how he had attended every christening, every communion, every confession, every confirmation, every wedding and every graduation ceremony of all of the children of that Italian family—he never missed one of them. There was the great exchange which took place between those families in terms of cultural life as well—barbies in backyards, people over for a great Italian meal and that great sharing of experience.

It is something very special which we have really benefited from—and experienced perhaps better than a lot of other places—in the Latrobe Valley. That defining quality of why it was such a success for us was that everyone worked together, everyone had work and they came to the Latrobe Valley to work. We did not have any of that ill will that is sometimes bred by people perhaps not seeing migrants as active citizens. In the Latrobe Valley all of the migrants who came to our district were active citizens—active in work, active in community life—and, as I mentioned in the example of St Keiran's parish in Moe, were prepared to try very hard to build communities and some of the

assets which they did not have at the time but from which those areas are certainly benefiting now.

Earlier, I heard the member for Mitchell make some reference to the idea of dual citizenship being in some way repugnant. I take issue with that, because there are many people in Australia who hold dual citizenship, and I do not think we have any right at all to question their loyalty to Australia, their understanding of our way of life or their commitment to our way of life simply on the basis that they hold another citizenship. So I take issue with the member for Mitchell in relation to that. There is something quite cruel and quite cold in requiring that someone, by virtue of where they have been born, who their parents are and where their parents have been born—

**Sitting suspended from 6.30 p.m. to 8.00 p.m.**

**Mr ZAHRA**—I welcome the opportunity to continue my remarks on this citizenship legislation, having been interrupted at the rising of the House at 6.30 p.m.. I was in the process of saying—and I think it is an important point to make—that the member for Mitchell in his remarks on this bill had indicated his concern. I do not seek to question his right to make those comments, only to challenge the comments that he has made. He questioned whether it was okay for people to have more than one citizenship. I think there is something quite cruel and cold in a country or community saying to people who happen to be born overseas that they must go through the process of renouncing their citizenship in order to be citizens of our country, Australia. I think what we expect those citizens to do is far harsher than what we expect of other citizens who happen to be born in Australia. So I think the member for Mitchell is wrong when he says that every single Australian should either renounce the citizenship that they have to another country or else not really be full participants in our society, our civic life, our cultural life and our political life. I think he is wrong about that. I think it is important that people in this parliament make clear their opposition to that view which he has espoused.

As I mentioned before, I am very proud of the wonderful achievements of the Latrobe Valley when it comes to celebrating the different cultures that people in our region have come from. We are very proud of our multicultural history. We are very proud of the big contribution made by those people who came from eastern Europe. We are very proud of the contribution made by those people who came from southern Europe, particularly from Italy, Malta and Greece. We are very proud of all those migrants who have come to our region from the various parts of the United Kingdom. They have all been excellent migrants, but people did have a lot of fears then.

The community in the Gippsland region has gone through a revolution since those times when all of those migrants arrived after World War II. Back then there was not a great deal of understanding of what this great movement, this great push of migration, this great number of migrants arriving in our district, would mean. I think people had fears and there was a fair bit of trepidation. There was all of that concern that people had about people arriving in our country

and not mixing, not settling in and having cultures that would clash with the Australian way of life—all of those things which people held up as being dear to them being challenged. In our region we have been able to take the best of what all of those people have provided and celebrate it within a framework that is uniquely and proudly Australian. I think what we have in the Latrobe Valley really is a great practical working example of multiculturalism.

I am proud of it in particular because so many people associate country districts with a view of society which says that multiculturalism is not really something that we enjoy; multiculturalism is something that we are not really keen to be a part of. In our region, the Latrobe Valley, we are very much a part of Australia's great multicultural tradition. As I mentioned before, we like to think that we were practising multiculturalism long before anyone coined that phrase. We are proud of our achievement—so proud, in fact, that when I stood for the first time for the seat of McMillan in 1998 no-one even blinked an eyelid that the son of a migrant building worker and a migrant textile worker who was even born overseas would have the audacity to run for parliament, one of the highest political offices in our district. No-one batted an eyelid. It was no big deal and it is still no big deal because migrants are a part of our community.

We accept migrants in our community. We would like more of them; we would like more migrants. We have had that great renewal in our district associated with the post World War II migration push which our country benefited from enormously. But we in the Latrobe Valley, as in so many country districts, have not benefited from the more recent arrivals which places, particularly Melbourne and Sydney, have benefited from. We would like that; we would like to be a part of that great change which is taking place in Australia. We do not want to be left out of that; we do not want to be separate from that cultural change which is taking place right across our country.

We have plenty of room in the Latrobe Valley. We have plenty of understanding about the needs of newly arrived migrants. I had a great experience a little while ago when I met a couple of young people—people who are well into their teens and early twenties—who arrived in the Latrobe Valley as part of a group of Bosnian refugees. They came to us at a very difficult time in their country's history and in their own family's history.

I was very pleased and thrilled to be presenting Zelea Clico of Lowanna College in Moe with a number of awards, including an award which I started after I got elected, the Gippsland Public Leadership Award. Here is someone who came to us in difficult circumstances who has gone on to make an outstanding contribution. We are, of course, extremely proud of her and proud of her family. She is a very popular girl. If I recall correctly, that night she probably won one-third of all of the awards available for year 12 students at Lowanna College in Moe. We are very proud of her.

I was back at the college not that long ago. On my way out, after having spoken to some of the students about my work, her brother, who is serving in the Australian Defence Force, was coming in to give a presentation to the students at the school about what it was to be in Australia's defence forces. So there are two outstanding role models amongst newly arrived migrants. These are two great examples of people who have come to Australia as migrants and who have made an outstanding contribution over a very short period of time. We want more people like that in our district. We will welcome them in our district, as we always have, and celebrate their cultures and the richness of the diversity which they bring to us.

We in Australia are proud of our multicultural history—and we should be. We should celebrate it at every turn. We should not just hope to be tolerant of each other; we should celebrate and be proud of the diversity which we have. I know that I am and I know that the people of my electorate are very proud of it as well. (*Time expired*)

**Mrs MOYLAN** (Pearce) (8.08 p.m.)—It is always a great joy to come into this place and hear comments from members on the other side, in this case from the member for McMillan. I agree with him, because I grew up in a small town called Narrogin in the wheatbelt in Western Australia, and I now have the great privilege of representing that country town in my electorate. Narrogin and one of its sister regional centres, Northam, which is also now in my electorate and a place I visited a lot as a child, benefited greatly from migration in the fifties. In fact, Northam has very proudly for the last couple of years held a Back to Northam function for the migrants who arrived in Northam and lived in fairly difficult conditions in the migrant camps there, but made a tremendous contribution to the region. It is a great credit to the town and the leaders of Northam that they have had the foresight to introduce a Back to Northam weekend. Many hundreds of people have gone back there to remember those times and to celebrate the great diversity of the Australian country towns. Many of them benefited greatly from the migration in that time, so I agree with many of the comments my colleagues have made tonight.

But I am here tonight particularly to address the Australian Citizenship Legislation Amendment Bill 2002. This bill had its origin in a report by the Australian Citizenship Council titled *Australian Citizenship for a New Century*. This report was followed by a discussion paper released by the government. Public submissions were sought and strongly supported the government's proposal to repeal section 17 of the Migration Act 1958. The review led to the government response *Australian citizenship ... a common bond*. This is designed to encourage all Australians to value their citizenship. The report also reflects the changing nature of the Australian community. One of the most significant changes in the legislation is the repeal of section 17. And again I endorse the comments of my colleague the member for McMillan, because we live in a very mobile society and we need only examine the number of arrivals in and departures from Australia to fully appreciate that fact.

According to the discussion paper in relation to section 17, 85,000 Australian residents left for 12 months or more in 1999-2000, and almost half, 41,000 Australians, left permanently. Half of these were Australian born. This is the highest permanent emigration figure for 27 years. The paper pointed out that this reflects the increasing internationalisation of labour markets and greater overseas opportunities for Australians in fields such as business and education and, indeed, science and medicine. There are few of us who do not today have a close relative living and working abroad for a period of time. Many of our young people travel. They seek employment opportunities abroad, and they often marry a partner from another country and raise a family. This has given rise to the situation where many Australian-born citizens have been faced with the loss of their Australian citizenship on acquisition of another citizenship. I agree that is a totally unacceptable situation. Dual citizenship is available to citizens of the UK, the USA, New Zealand and many other countries. Under this bill, Australian-born people will now be able to lawfully possess dual citizenship.

Over four million Australians who have migrated to Australia have been able to possess dual citizenship since the law was changed in 1986, creating an anomaly for Australian-born citizens travelling for business or family reasons. In 1949, citizenship law was based on the old Hague rules that a person could have only one nationality. The world is a very different place in 2002, and people should not be placed in the situation where they must choose between their career and other opportunities and their Australian citizenship. This bill brings Australia into line with contemporary reality.

In my view, the arguments for repealing section 17 far outweighed the arguments against it, in particular the discriminatory nature of a law that allows some citizens to hold dual citizenship and others, through dint of birth, to be denied that right. It is fair to say that the arguments for maintaining section 17 were not, in my view, very compelling. In other countries, such as Ireland, which have allowed dual citizenship for 40 years, there have been no discernible problems as a result of that policy. Some of those opposing this change based their disagreement on this particular point: that problems could arise in terms of loyalty. It is interesting to examine some of the submissions to the council. One that I would like to quote said:

An increasing number of us function, by necessity, as world citizens. This does not reduce our loyalty or affection for our countries of origin, but it can create some very real personal difficulties ... It makes no sense to have barriers, whether psychological or financial, that make it less likely that Australia will gain from the contributions and the resources of people who have extensive international experience.

.....

Australians living overseas ... promote Australia ... create opportunities at home and abroad.

There are far more compelling reasons to bring about this change than there are of the opposite view. The bill addresses dual citizenship, along with other measures. These include extending the descent and

resumption provisions to give young adult Australians more opportunities to acquire Australian citizenship. The bill also ensures that children who acquire Australian citizenship with their parents or at a later date are given their own citizenship certificates, and it strengthens the integrity of the Australian citizenship process, especially in relation to good character. The four million Australians who already have dual citizenship will not be affected by the proposed amendments. The repeal of section 17 is not retrospective, and it will only affect those who apply for another citizenship after the amending act receives the royal assent.

The report released in 2000 by the Australian Citizenship Council, *Australian citizenship for a new Australia*, was followed by an issues paper, *Contemporary Australian citizenship*. The council strongly recommended the repeal of section 17, but they also made a lot of other important points in relation to citizenship. One of the proposals was that citizenship should help us to build common bonds and should be promoted as something of great value both to people born in Australia as well as to those adopting Australia as their home.

The airing of views by 200 respondents to the initial issues paper released by the council and the government's response provide us with a wonderful opportunity to continue to talk about the contemporary issues of what it is to be an Australian citizen and how we want to shape Australia and the Australian values in this new century. The Centenary of Federation year gave us an unprecedented opportunity to discuss and debate issues of future concern and to learn more about our history. This was certainly evident in the electorate of Pearce, where so many people took a great deal of time to explore, discover and rediscover some of the marvellous history and wonderful examples of people who struggled and fought to open up the land and to establish our cities and who established visionary projects—for example, the pipeline from Perth to Kalgoorlie in Western Australia, which is a project of amazing dimensions even by today's standards, and the struggles that took place to achieve that project. So we have had a wonderful opportunity to learn a lot more about our history and to hopefully strengthen those bonds and to understand more about what it is to be a citizen.

The settlement of Australia and the culture that it brought provide us with a dramatic chapter in the book of knowledge and wisdom that really first belongs to the ancient people of this land, and like all great dramas we must accept and learn from both its tragedies and its triumphs. Understanding more about the history of Australia and the place of migration in Australia is pivotal to moving forward into the future. Indeed, our history's most noble aspect is the promise it holds for the future: that is, that in this magnificent landscape—and it is a magnificent landscape—we may yet build the most inclusive and the most humane society in human history. That is the potential that we have and that is the potential which can only come from appreciating the past and taking it with us into the future and by recognising the great diversity of our country. We can create this type of society if

we continue to learn and if we teach our children and our children's children what it means to be truly inclusive.

In this respect, recommendations 10 and 12 of the report are particularly welcome. Recommendation 10 endorses the Discovering Democracy Program—a Commonwealth initiative to teach civics and citizenship in schools. It recommends that the program continue to be available to schools and that it be extended to years 11 and 12. The government allocated considerable funding to this program over four years until 2004 and is considering its extension to years 11 and 12. Our young people need to know that the hallmark of a civil society is one that is great for its learning, for its sense of justice, for its commitment to reasoned compassion and for its courage to defend itself against any totalitarian aggressor. Recommendation 12 recommends that affirmation ceremonies for Australian-born citizens be conducted as appropriate. The government authorised a number of affirmation ceremonies held during the Centenary of Federation and will continue to encourage these ceremonies where Australian-born citizens want to affirm their commitment to Australia, to its people and to its civic principles and institutions.

I thought the Australian compact suggested in recommendation 2 was worth a broader public discussion. The report listed seven basic principles of the compact:

- To respect and care for the land we share;
- To maintain the rule of law and the ideal of equality under the law of all Australians;
- To strengthen Australia as a representative liberal democracy based on universal adult suffrage and on freedom of opinion;
- To uphold the ideal of Australia as a tolerant and fair society;
- To recognise and celebrate Australia as an inclusive multicultural society which values its diversity;
- To continue to develop Australia as a society devoted to the wellbeing of its people;
- To value the unique status of the Aboriginal and Torres Strait Islander peoples.

These are great principles for us to promote. They are worthy of broader public discussion. We should consider adopting them as a compact.

In finishing tonight, I would like to congratulate the Australian Citizenship Council for an excellent report. There is a lot of good reading in the report and I commend it to those who have not had the opportunity to read it. We now have a minister for multicultural affairs, and I take the opportunity to wish the new minister well in implementing the recommendations of the report. I support the passage of this bill through the House in the interests of fairer rules for Australian citizenship and legislation that makes important changes.

**Mr MARTIN FERGUSON** (Batman) (8.24 p.m.)—It is with some pleasure that I rise this evening to support the Australian Citizenship Legislation Amendment Bill 2002. For some considerable years, both sides of the House have baulked at the intent of the bill being debated this evening—the intent to actually embrace the concept of dual citizenship. In that context, I would like to congratulate the Australian

Citizenship Council for the report it released in February 2000 entitled *Australian citizenship for a new century*. That report said, at page 65:

... the Council strongly recommends 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.

Finally this parliament has matured to the point at which we are prepared to debate this bill this evening and, hopefully, pass it in the very near future.

This bill embraces and recognises the importance of dual citizenship. Australia should not be fearful of that concept. We are doing no less than what a lot of other countries have already done. I refer in passing to a report of June 2001 entitled *Loss of Australian citizenship on acquisition of another citizenship*. On page 17 of that report, there is a list of countries that have already done what we intend doing through this bill—countries whose legislation already provides for acquisition of another citizenship. They include Canada, Cyprus, Greece, Ireland, Malta, Sweden, Switzerland, the United Kingdom, the United States of America, and Western Samoa. Many other countries detailed in that report also provide for dual citizenship.

I have said that I support the bill before the House this evening, but I would also like to make the point that I regard the debate about dual citizenship as unfinished business, because there are some outstanding issues that need to be faced up to by the parliament in the foreseeable future. Putting that aside, I want to say that I regard citizenship as exceptionally important. I regard it as a central element—a core element—of the debate about the importance of migration. With the passage of this bill—and I think we all expect it to pass both houses—we should not forget that the job with respect to dual citizenship is only half done. I encourage the government to go that one step further. As has already been stated by our shadow minister for citizenship and multicultural affairs, we are supportive of going further with respect to some of the changes that we believe should have been picked up by the bill before the House. We did not pursue those changes by way of amendment, because we thought it was more important to start the process and then encourage the government, having enacted this legislation, to review outstanding issues.

I refer, for example, to the requirements for resumption of citizenship as they currently stand, under which any person losing their citizenship must lodge a declaration that they wish to resume their citizenship. The declaration must be accompanied by a statement that the assumption of foreign citizenship was done in ignorance, to avoid significant hardship or detriment. The person, if overseas, must also commit to return to Australia within three years and resume residence. Unfortunately, this bill does nothing for people born and bred in Australia who have lost their Australian citizenship because of section 17. I regard that issue as unfinished business and something that the parliament should visit sooner rather than later. As we all appreciate, many Australians who have been working overseas for some years and have lost their citizenship need to be given an op-

portunity to resume their former status. Some—for example, those who have acted in order to secure an inheritance—may not be intending to reside in Australia during the next three years. Many work overseas in occupations where a claim of ignorance would not ring true, and also may not wish to return permanently for some time. Those people do not meet the requirements for resumption of citizenship as they currently stand. We are going part of the way with respect to our willingness to recognise dual citizenship this evening; let us finish the job by visiting some of those issues with respect to the capacity of people to resume citizenship that will remain outstanding after this bill is passed.

Having said that, I very much support the bill. I do so because I actually believe, as I have stated, that citizenship is exceptionally important to Australia. I believe it is intimately related to our debate about migration. As we all appreciate, Australia has a long tradition of immigration. Importantly, independent research clearly shows that a balanced migration program is good for our society, good for our economy and good for the budget bottom line. We should also not lose sight of the fact that, despite some criticism offered by those beyond Australian shores and within Australia at the moment, we are one of the few countries in the world that has operated a planned immigration program for over 50 years. We should never be ashamed of that; it has actually helped shape Australia. Some of the critics of Australia's immigration laws at this particular point in time should actually consider in an objective, constructive way our success on the immigration front, having operated a planned immigration program for over 50 years.

We should not also forget in that context that almost one in four Australians were born overseas, a ratio significantly higher than that of any other comparable country, including some countries that offer criticism of Australia's humanitarian program at this point in time. Take, for example, the United States: only one in 10 of the people of the United States were born overseas, compared with one in four Australians. Success on that front, so far as I am concerned, is not unrelated to the fact that for the last 50 years our support for immigration and multiculturalism has been underpinned by the essential core value of citizenship. It is about defining Australia, and the bill before us this evening further defines Australia where it says that both within Australia and internationally—to intending migrants to Australia or alternatively to Australians who want to go overseas—we are not ashamed of facing up to our responsibilities to also grant dual citizenship in the same way in which many other countries have fronted up to that challenge.

On that note we should also acknowledge that it only takes two years of permanent residence to become an Australian citizen, and that is one of the shortest waiting periods anywhere in the world. And some would dare to suggest at this point in time that we are unwelcoming to people from overseas! On the grant of permanent residence, it only takes two years to become an Australian citizen. But what about support in the Australian community for citizenship? On

Australia Day this year alone, 8,172 people pledged their commitment to Australia in 219 citizenship ceremonies around Australia. That was a record. What also flows from that fact is that all of those 8,172 made an individual decision that they actually wanted to become Australian citizens and, in doing so, to give the following commitment publicly to Australia as a nation:

From this time forward, under God, I pledge my loyalty to Australia and Its people, whose Democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey.

It is not an insignificant decision to take out Australian citizenship, to actually make that public declaration of support for Australia as a nation. I congratulate each and every one of those people and, in doing so, I encourage others who have not taken up the opportunity to become Australian citizens to do so in the foreseeable future. Since I was elected as the member for Batman in 1996, I have never missed a citizenship ceremony in the city of Darebin, the main municipal area that makes up my electorate of Batman, which is in the northern suburbs of Melbourne. That is despite the fact that in those six years in parliament I have always served on the frontbench of the opposition.

So far as I am concerned, if those people are prepared to make that public commitment to Australia, there is an obligation on their elected representative to also make the time available to attend those citizenship ceremonies. We should not lose sight of the individual decision each and every one of them makes in deciding to become an Australian citizen. So on that note I say that, contrary to the impression the casual news reader might have received of late, Australia is a nation that manages its immigration flows well and has a high tolerance for change and of acceptance of new people. That is because we treat each and every one of them as equals. My electorate of Batman is a prime example of that—one of the most multicultural electorates in Australia. Not only is it an example of the success of the people who came in the post-Second World War wave of immigration, but it is also an electorate that has to accept the responsibility of settling the new refugees by whatever means they are coming to Australia at this particular point in our history.

To actually travel around the electorate of Batman is not only to see the highest concentration of indigenous people in metropolitan Melbourne; it is also to see a clear example of the success of immigration, acceptance of multiculturalism and the issue of tolerance, and a willingness by those people to actually embrace citizenship because they want to support their new country. They understand that in doing so we do not require them to forget the country of origin from which they came or to forget their traditions and culture. That is why immigration in Australia has been so successful: we have not only welcomed people and encouraged them to embrace Australian citizenship; we have also clearly accepted publicly that we do not expect them to walk away from the tradition and culture of the country from which they came. Australia is not a closed, xenophobic nation. So far as

I am concerned, and I am sure it is the majority view of the members of the House of Representatives, we remain at the forefront of immigration and a truly diverse and successful nation.

Ironically, resistance to permanent migration is strongest in some of those countries whose press has recently been most critical of Australia's managed immigration program. It is a managed immigration program and so it ought to be, because it is about making sure that immigration is considered not only in a humanitarian way but also in the context of what is best for Australia.

I urge people to examine all aspects of Australia's immigration program. On the humanitarian front, we provide those people who are granted refugee status the most comprehensive assistance of any nation in the world. In per capita terms, we have the second highest refugee intake of all Western countries. But we are not only active on the humanitarian front; we are also active when it comes to skilled migration, family reunion and business migration. One of the challenges on the migration front in the foreseeable future is to work out how we might encourage some of those people to no longer just settle in our capital cities but to do as they did in the past—that is, to be more willing to settle in our vibrant regional communities. It is a challenge to both sides of the parliament. We must give serious consideration as to how, in the context of the debate about population, we might take a lead on that front.

I want to also acknowledge that, for those born in Australia, perhaps it is time we gave more serious thought to the value attached to Australian citizenship. It is very important that the government continues to promote the value of citizenship. It should be regarded as being of value not only by those who come to Australia and want to become Australian citizens but also by all of us who were fortunate enough to be born in the lucky country.

One of the reasons we require this bill is that, in the past, those of us who were born in Australia never actually thought about the importance of Australian citizenship until we had to face up to a decision about giving up Australian citizenship because we wanted to work overseas or whatever. This bill, in some ways, takes away that difficult decision and makes it easier for us. But, having said that, it should not take away our responsibility as a nation to promote the benefits and strengths of Australian citizenship. This is exceptionally important, because it goes to the very heart of our original Australian Citizenship Act 1948. I believe that that act applies not only to those who want to come to Australia to become Australian citizens but also equally to each and every one of us born in Australia. I urge people to examine the act, because it not only gives us rights as Australian citizens; it also requires us to accept obligations. Those obligations include, firstly, pledging loyalty to Australia and its people; secondly, sharing Australia's democratic beliefs—if you have any doubts about that this evening, just have a look at what is going on in Zimbabwe at this very point in time; one of the strengths of Australian society is our democratic way

of life, and it is one of the reasons Australia is so attractive to people seeking to come to Australia—thirdly, respecting the rights and liberties of Australians; and, finally, upholding and obeying the laws of Australia.

I am very proud to be an Australian and I am very proud of the fact that, for the last 50 years, we have put in place one of the most highly successful managed immigration programs in the world. The core of that success goes to the issue of citizenship and our willingness to grant citizenship to people seeking to come to Australia. But, in doing so, we must never forget the fact that citizenship gives us rights and it gives us obligations. When a person becomes an Australian citizen, they actually accept those obligations. That is why I am not fearful this evening about supporting dual citizenship, because each and every one of us in making that decision to become an Australian citizen has to accept those rights and obligations. There are no torn allegiances, because you have embraced those things that are respected and supported by the great majority of Australians. The reason for that is that not one of the many temporary and permanent newcomers to Australia is chosen on the basis of race, colour, ethnicity or religion. That is why we are successful on the immigration front, and that is why so many people want to become citizens of Australia.

It has not been easy for Australia to get to this point. Throughout the history of support for immigration, we have had our trials and our tribulations. As a nation, we were finally mature enough some years ago to dump the White Australia policy. Step by step we have also changed the composition of our new-settler arrivals. Originally, the great majority were from Europe; in more recent times, they have come from Asia, Africa and Oceania.

In conclusion, we have enormous diversity as a nation. We have people from all around the world that make up Australia and make it such a great nation. Australia is a place to which people want to come to have the opportunity of a better way of life. The key to that is to continue to promote Australian citizenship and to grant dual citizenship this evening. But it also means for us as a nation that we must defend that whatever the cost. We must make sure that we never underestimate the importance of citizenship and our rights and obligations. (*Time expired*)

**Mr HUNT** (Flinders) (8.44 p.m.)—It gives me great pleasure to rise to speak in support of the Australian Citizenship Legislation Amendment Bill 2002. It gives me great pleasure for a number of reasons. Firstly, this is about what we are as a nation—the sense of who we are, the sense of where we are coming from, and the direction we strike out from. It is about a generosity of spirit and, above all else, it is about the notion of dual citizenship. The simple, clear focus of this bill is dual citizenship. Secondly, it gives me great pleasure because it is a bill which is being debated with the support of both sides of the House. I am honoured to follow the member for Batman and his remarks, and I was delighted to hear his support

for the concept of obligation—and I assume that means mutual obligation.

**Mr Martin Ferguson**—I invented it, my friend.

**Mr HUNT**—It has developed since then, let me say.

**Mr Brough**—In a positive manner.

**Mr HUNT**—In the best way. Thirdly, it is about people. I remember back to my first Australia Day as a representative. I had the honour of being present at the Australian citizenship ceremony in the town of Rosebud on the Mornington Peninsula in the seat of Flinders. Approximately 40 people took the oath and made their commitment to Australia. Amongst them was a gentleman from Poland, Tadeusz. He had an extraordinary sense of pride at becoming part of Australia. He was proud because he saw what we were as a nation and it was part of his story, part of the development of his life. What this bill offers above all else is the opportunity for Australians to have that same chance to fulfil their own heritage, to maintain links with their own origins and to be part of a broader community. It links Australia to the broader world.

So we should speak in support of this bill on three bases: firstly, by describing what it does; secondly, by looking at the reasons why we should support it and why we are supporting it on both sides of the House and, thirdly, by looking at the how, at the way in which the bill operates and at the particular elements which encourage not just dual citizenship but a stronger understanding of what it is to be an Australian and to take Australian citizenship.

In looking at the nature of the bill, at the elements of it, there are four key amendments which this bill contains. The first amendment proposes to repeal section 17 of the Citizenship Act so that adult Australian citizens in the future will not lose their Australian citizenship on acquisition of another citizenship. Second, it will extend the descent and resumption provisions to give young people more opportunities to acquire Australian citizenship, so those who have a right but have not taken it up in time will be able to do that. Third, it will provide for children who acquire Australian citizenship with their responsible parent or at a later date to be given their own citizenship certificates. It might be a simple act but it is one with great meaning that will have great relevance for those who partake of the opportunity. Fourth, it will strengthen aspects of the integrity of the Australian citizenship process by closing anomalies. That is what the bill will do.

Why is it that we should be supporting the Australian Citizenship Legislation Amendment Bill 2002? First, there are existing current anomalies. There are 4.4 million Australians who currently maintain dual citizenship already, and they do that without threat to Australia, without derogating in any way from the sense of what we are as a nation, and in fact by being able to do so they add to our links with the world and our connections at an individual level with the cultures from which people have come. But the anomaly exists whereby it is not possible for a number of Australians to take up existing entitlements that they

maintain either through their country of birth, their country of descent through parental lineage, or their country of residency. So, given those anomalies, there is a very strong reason to support the provisions of the bill.

In particular, there are four compelling reasons. The first is to allow ethnic Australians and the children of Australians who are second generation in this country to re-link with their own heritage. In my own community of Flinders we have over 9,700 people who were born in the United Kingdom. We have over 1,000 people from the Italian, the Dutch and the New Zealand communities who were born abroad and who have moved to Australia. All in turn have children who may seek entitlements, if they so wish, to be citizens of both countries—that of their country of domicile, that of the country which is home to them, and that of the country which was home to their parents. In particular I want to talk about two of those communities, the Italian community and the Greek community. The Italian community is a very rich and vibrant community both on the Mornington Peninsula and around Westernport. Laurie D'Alia leads that community with an extraordinary sense of vigour. It shows the way in which that Italian community makes a commitment to Australia and at the same time reflects the heritage from which it comes. We also have the Greek community. Yesterday I was fortunate enough to attend, and to present a message of congratulations from the Prime Minister, the laying of the foundation stone for the Greek Orthodox Church in Red Hill. There were over 5,000 members of the Greek Orthodox Church or the Greek community present at the function, and they came not just from Flinders but from throughout Melbourne. His Eminence Archbishop Stylianos laid the foundation stone, and the leader of the local Greek community, Father Tatsis, a very generous and very wise man, presided over the event. What struck me was the extraordinary sense of commitment to the nation from that group, yet at the same time they were able to celebrate their culture. So, by allowing their children to re-link with their origins, to adopt the citizenship of their parents without losing their own citizenships, we strengthen our links as a nation because we do not force people to choose. We say, 'You can be us and of us, but you can be more than that: you can supplement who you are.'

A second very important reason why this bill should be supported is that it gives mobile Australians greater choice in the way in which they seek to work. The modern work environment is such that Australians do move abroad—borders are permeable and people flow. The nature of labour is that young Australians seek opportunity abroad. This bill allows them to make the most of that opportunity without having to forgo their Australian citizenship so they can work for extended periods in the European Union if it involves taking up EU citizenship, in the United States if it involves taking up American citizenship and in Asia or in other places where that is appropriate. It is not only a critical human thing that young Australians be able to maintain their roots, but it is also a smart, practical decision as a nation about the

way in which we operate in the world. It says to our young Australians, 'We offer you the chance to be a full part of a genuinely global community and those steps you have to take to participate to develop your potential and to develop the economic potential of Australia you can take without fear of losing your identity and your heritage.' That is something we should be very proud of.

The third reason to support the bill is that it represents the integration of modern Australia in a very tangible, practical way. It is about breaking down geographical and legal barriers which cut us out of blocs such as the European Union and North America. It helps break down the cultural groupings so as to present the view that we are not so much of an isolated island. That is a remarkable step. As was pointed out by the member for Batman, this country has a planned and successful immigration program and has had for 50 years. This takes it one step further because it gives people a choice and an opportunity. The fourth reason to support the bill is that it is consistent with international principles and practice. The United Kingdom and New Zealand have allowed dual citizenship for over 50 years, Ireland for 40 years, Canada and France for 20 years and the United States and Italy for over 10 years. So this bill closes the gap.

So we understand the situation in full detail, how does the bill close that gap? Firstly, and most importantly, it repeals section 17 of the Australian Citizenship Act of 1948 so that Australian citizens in future do not lose Australian citizenship if they acquire another citizenship. In essence, it allows dual citizenship for those who, first of all, have Australian citizenship. Secondly, it extends the age of application for citizenship by children born overseas to Australian parents from 18 to 25 so that in those critical years of decision making it allows an extra seven years for young Australians to make a choice about their own future and their heritage. Thirdly, it extends the age at which young Australians can choose to resume their citizenship from 18 to 25 as well. Fourthly, it allows for the provision of citizenship certificates to all children under 16 whose parents acquire citizenship. Finally, as I mentioned at the outset, it has an important provision in allowing children to identify and to own a tangible sense of that which they become and it does so within an environment that allows particular safeguards. It legislatively enshrines that good character is a prerequisite for entrance into Australia.

Very simply, I believe this bill should be commended to the House. It has the support of both sides of the House—it defines where we are going as a nation and it gives us that sense that we have the courage to be a part of a broader sense of the world without being afraid that our citizens can hold dual citizenship. There is one anomaly which I would like to bring up. It is for the long term; it is not for resolution now. Whether it is in 10 years, or 20 years, or earlier, it is the notion that we are saying that for all Australians the holding of another citizenship does not derogate from your capacity or your ability to participate in the state while at the same time section

44(i) of the Australian Constitution disqualifies anybody holding dual citizenship or allegiance to another state from membership of this House. It is the one job in the country which dual citizens are prevented from entering. I am not saying it is for resolution tonight, but it is something for the future which I believe we should address because it is an anomaly. To me it seems curious that those people who are good enough to hold Australian citizenship are not considered worthy of representing the nation within this House. But it is an excellent bill and I am delighted to support it. I commend this bill to the House and I urge that all members pass it at the earliest opportunity.

**Mrs IRWIN** (Fowler) (8.58 p.m.)—I am happy to stand in the House this evening and speak on the Australian Citizenship Legislation Amendment Bill 2002. The measures contained in this bill are welcome and they are definitely overdue. The repeal of section 17 of the Citizenship Act was recommended by the Joint Standing Committee on Migration back in 1994 but for some reason governments have failed to act on this commonsense reform. So here we are, more than seven years after the committee's recommendation, finally getting around to this long overdue amendment to the Citizenship Act.

The parts dealing with the raising of age limits for registration of persons born overseas to Australian parents are also welcomed. If we believe that taking citizenship of a country is an adult decision then requiring a person to register to do that before they become an adult at the age of 18 seems very ridiculous. Extending the age for registration to 25 years is a sensible measure. It allows individuals some years as an adult to consider their status and to make an informed decision on their citizenship. The changes to the act which allow the provision of citizenship certificates to eligible children under 16 is a practical step which will help many citizens to avoid problems when they need access to documents which prove their citizenship status.

As someone who has attended many citizenship ceremonies, I know the pride that people take in being presented with their certificates. I am sure a number of members of the House would understand what I am saying. On Australia Day this year I had the pleasure of being with Maxine McKew from the ABC, who was our Australia Day ambassador at the Fairfield City Farm. It was a fantastic day held for people in my electorate of Fowler. Over 4,000 people attended, and over 100 people became Australian citizens on that day. It was wonderful to see the pride on their faces when they received their Australian citizenship certificate. There were many photos taken. I actually went home quite blinded from all the flashing light bulbs. I am sure that on their lounge room walls or on their bedside tables in their homes they have a photo of themselves being presented with their Australian certificate of citizenship. I am sure that the taking of Australian citizenship will be a meaningful experience for children, especially when they receive their own certificate.

For some time the issue of loss of Australian citizenship under section 17 has been a cause of concern

for many Australian citizens who for personal, employment or business reasons have faced the decision of taking citizenship of another country or have lost citizenship of their former country. While many Western countries allow for dual citizenship, there is still a long list of countries with which Australians have links and which may require them to take citizenship to participate in employment, property ownership or business administration in that country. I know of several cases where Australians have come up against this problem. In most cases they had no choice. To inherit family property left to them in another country, to develop businesses overseas and even to protect their legal rights in other countries, they have had to forfeit their Australian citizenship. This was something they did not want to do. They still regard themselves as loyal Australians, but in many cases it was something they were forced to do. One thing this bill fails to do is to provide a remedy so that those people who for genuine reasons have given up Australian citizenship may be able to regain their status in the most convenient way.

We live in a changing world. Globalisation is an economic and social reality. The spread of free trade agreements means that goods and services are traded across national borders without restriction. International financial arrangements have led to finance and capital flowing between countries at the touch of a computer key. Information technology flows freely across networks around the world. But the movement and status of people has not caught up with these developments. To gain the benefits of globalisation we must allow our citizens, the citizens of Australia, to participate fully in the global economy. We must allow them to develop their knowledge and skills by working and studying overseas. We must also allow business leaders to expand businesses in other countries. We must make better use of the language skills and crosscultural knowledge that we have in our multicultural communities. But this means we must take a fresh look at the narrow view that we have had on Australian citizenship.

There are of course many critics of dual citizenship. There are those who believe that a citizen can only be loyal to one country. The experience of the European Union shows the benefit of cooperation between nations. It is worth pointing out that the United States of America allows dual citizenship. This is a country that we tend to think of as being very patriotic. I am sure we can all think of examples of hand-over-the-heart patriotism that is practised there. If, like me, you have watched any of the television coverage during the Winter Olympics, you would have seen just how far that patriotic fever is carried. I remember that John Cleese, in describing the self-centred patriotism of the United States, remarked that when they have a baseball world series they do not even invite other countries. But, as I said, the United States allows dual citizenship.

Even in Australia the concept of citizenship is becoming blurred. If you were to ask a person in the street to name a famous Australian actor, chances are they would name actors like Russell Crowe, Mel Gibson or Nicole Kidman. I do not know the exact

citizenship status of these actors, but I think it shows that individuals can claim more than one nationality, and countries can claim as honorary citizens people who may not have the legal status of a citizen.

The Australian Citizenship Act does not require persons taking citizenship to renounce their citizenship of another country. So we now have a situation where more than four million Australians hold some type of dual citizenship. As the minister himself said only the other day, of the one million permanent residents eligible to take Australian citizenship, 400,000 are from the United Kingdom and hold British citizenship. For many of that number, they have the same rights and privileges as Australian citizens, including the right to vote in Australian elections. There is a large group of Australians who may have held dual citizenship, but, as a result of changes in their country of origin, are now being denied dual citizenship. Australian citizens who came from parts of the former state of Yugoslavia now find that they would lose their Australian citizenship if they were to take citizenship of the state which now exists.

A common complaint has come from people from what is now the Republic of Croatia. I have a lot of these lovely people in my electorate. As members would be aware, there has been a change in the status of their country of origin. If the modern state of Croatia had existed at the time that they came to Australia, they may have been able to hold dual citizenship. But, with the passing of these changes to section 17, they will be able to take dual citizenship of Australia and Croatia. Other people from former Yugoslav republics may be able to do the same, and that may also apply to people from the old Soviet Union. I know that these changes will be welcomed by the many people affected. As the changes come into effect, I am sure we will see the benefits in increased trade, investment and tourism between Australia and Croatia. The same will apply with other countries.

The effects of globalisation and the experience of groups of nations such as the European Union may cause us to review our citizenship laws. The need for skilled labour and the emergence of a footloose global work force in the coming years may force us to rethink our citizenship laws. The interests of Australians working overseas and other nationals working in Australia will definitely need to be considered. Much has changed since our citizenship laws were framed 50 years ago. We will need to constantly review our citizenship laws to ensure that they keep pace with changes in the way citizenship is defined.

In my closing remarks, Madam Deputy Speaker Corcoran, I would like to congratulate you on being elected to the role of Deputy Speaker. I am sure you will do your constituents proud in the great seat of Isaacs that I know you love and admire dearly.

**Ms GAMBARO** (Petrie) (9.09 p.m.)—Madam Deputy Speaker Corcoran, I also wish to add my words of congratulations. Today, though, it is with great pleasure that I rise to speak to the Australian Citizenship Legislation Amendment Bill 2002. The bill principally seeks to not only repeal section 17 of

the Australian Citizenship Act of 1948 but also strengthen the value that we place on Australian citizens and the integrity of the Australian Citizenship Act.

As a result of the globalisation of the work force, many Australians successfully find work abroad for extended periods of time. They relocate and successfully establish their lives in other countries. Some even marry while abroad and remain there in much the same way as millions of people who come to Australia to work and establish new lives. However, they do not take out citizenship of another country, because to do so under the current legislation would mean that they would have to forfeit their Australian citizenship.

Several years ago, a young man from Everton Park in my electorate set out to do what many 20-year-old people do: to travel overseas and possibly find work in the United Kingdom. What started out as a working holiday arrangement soon turned into an extended stay. He established a very successful career in London, married a British girl and they presently live in London. Although he is eligible to take out British citizenship, he does not want to do so at the expense of his Australian citizenship. This has caused him some concern over the years, and in June last year his mother contacted my office to see what could be done.

The news of this bill and how the repeal of section 17 of the act would benefit her son has subsequently delighted her. And she is not alone. There are thousands of households across Australia which are feeling just like this. The repeal of section 17 of the Australian Citizenship Act of 1948 will ensure that in the future Australian citizens aged 18 years or over who acquire another citizenship do not automatically lose their Australian citizenship. This change ideally reflects the growing trend among Australians to travel abroad whilst still maintaining that connection to Australia. The proposed changes bring Australia into line with other countries such as France, New Zealand, Canada, Italy, the United Kingdom and the USA.

The government's decision to repeal section 17 is in response to the views held by many Australians. In the past few years, widespread community consultation, initially undertaken by the Australian Citizenship Council, and by the government through the release of a discussion paper in June 2001, has given strong support for this decision. Of all the submissions received by the Australian Citizenship Council, 75 per cent of the submissions addressed the loss of Australian citizenship upon the acquisition of another.

Earlier, the member for Batman spoke about provisions for resumption under our citizenship law, and they are already very generous. Ninety per cent of those who apply are allowed to resume Australian citizenship. The Australian Citizenship Council, chaired by Sir Ninian Stephen, examined submissions arguing for wider resumption provisions. On page 65 of their report, *Australian citizenship for a new century*, they concluded:

We consider existing resumption provisions are adequate for those who have already lost Australian citizenship under s.17.

Of this 75 per cent that I spoke about earlier, 86 per cent were in support of the repeal of section 17, while 14 per cent were opposed. Each year, some 600 people, of which 68 per cent are Australian born, are identified as having lost their Australian citizenship. If citizenship is lost while abroad then the person ceases to have any right of entry into Australia. To obtain re-entry into Australia, they therefore need to apply for a visa or to resume their Australian citizenship. Around 500 people a year apply to resume Australian citizenship, and the approval rate is around 95 per cent.

If this bill is passed then adult Australian citizens will no longer lose their Australian citizenship upon acquiring another citizenship. However, those who have lost their citizenship before the repeal will not be affected. They will therefore continue to have access to the existing provisions for the resumption of Australian citizenship as currently exist.

It is estimated that there will be a relatively small increase in the number of dual Australian citizens over the current number of 4.4 million. These people are most likely Australians who currently will not acquire the citizenship of another country in which they are working, because they are not willing to lose their Australian citizenship—much like the fellow from Everton Park that I spoke about earlier who now lives and resides in London. Given the mobility of Australians as an increasing force in the global labour market, the repeal of section 17 will bring us in line with a number of other countries that have permitted dual citizenship for some time.

New Zealand and the United Kingdom have permitted dual citizenship for over 50 years; Ireland, for over 40 years; and France and Canada, for 20 years. Italy and the US have made changes in the last 10 years to permit dual citizenship. From their experiences, there is no evidence to suggest that the value placed on these countries' citizenship has diminished.

There have been few government initiatives that have received the resounding community support that the repeal of section 17 of the Australian Citizenship Act has. The response to the government's discussion paper in June 2001 was overwhelming support for repeal. Of the 825 submissions, 813 strongly supported the decision to repeal section 17. In a country that is made up of so many cultures from a myriad of countries from all around the world, dual citizenship is a progressive step forward in formally acknowledging the ties that many Australians have to many other countries. It does not diminish the value that is placed on our own citizenship or dilute the identity of who we are as Australians. In one of the submissions to the Australian Citizenship Council on the repeal of section 17, the writer noted that to permit dual citizenship is a positive force for world peace. Another noted that failure to allow dual citizenship was inconsistent with the Australian notion of having a fair go, an ideal that we apply to sport and to the workplace.

In a submission opposed to repeal, the writer queried the impact that dual citizenship would have on our electoral system. Previously, the member for Flinders mentioned the fact that a person who holds public office or is an elected representative is not allowed at the moment to hold dual citizenship. However, the changes involved in this bill should not drastically affect the number of Australians who travel abroad and who are eligible to vote, because of the reality of the situation and the practical limitations of registration. For Australian citizens who reside offshore, there are controls that limit the number of voters. An Australian citizen already enrolled to vote can register as an overseas elector if they indicate that they will return to Australia within six years. There is also a provision for a one-year extension after the six-year registration. An Australian citizen is able to register as an overseas voter but is only permitted to do so up to two years after leaving Australia. Those who are not enrolled to vote can only do so within two years of leaving Australia and then they are subject to certain conditions.

Although this bill focuses on the repeal of section 17 of the act, there are a number of other features that help to strengthen the definition of what it means to be an Australian citizen. The bill does not change the basic criteria for the granting of Australian citizenship; however, it does alter requirements associated with the granting of that citizenship and invokes certain powers to ministers in the process.

As a direct consequence of the repeal of section 17 of the act, a new subsection has been created as an amendment to the current Australian Citizenship Act 1948. The new subsection will have an effect on the children of those parents who are no longer Australian citizens. If a child under the age of 18 ceases to be an Australian citizen as a consequence of their parents' losing, renouncing or being deprived of their citizenship, they may now be able to resume citizenship should they meet the requirements of citizenship as outlined in the amendments.

Under the current act, a person seeking to register as an Australian citizen by descent must do so before they turn 18 years of age. This bill extends that age limit up to 25 years of age. The decision reflects the fact that many people aged between 18 and 25 choose to re-examine their identity and, subsequently, their future. The change will give them greater flexibility when they are acquiring or resuming their citizenship.

For children under the age of 16, the bill also provides for them if they acquire citizenship by grant with their parents or at a later date through their own application. Currently, children under the age of 16 years have their names endorsed on the reverse of their parents' certificate. By granting these children their own citizenship certificates, we will recognise their individual citizenship status; and having appropriate citizenship documentation may assist them in the future.

Under the current system, children are not given their own identity at the time of citizenship. Being included on the back of their parents' certificate can also create logistical problems—you are using a sin-

gle piece of evidence of Australian citizenship—particularly when children reach adulthood. The changes contained in this bill will enable all children under the age of 16 years to be included in their parents' application for citizenship and to be granted their own Australian citizenship certificates at no additional cost. Where an application for a replacement certificate is made, the replacement will be identical to the original. Individual certificates will only be provided once this legislation is passed.

One of the changes to the act will strengthen the integrity of the citizenship program. It is the requirement that people of adult age seeking citizenship must be of good character. Not only does this requirement enforce a criterion for people seeking citizenship but it also demonstrates the value that all Australians should place on their own citizenship.

According to the Australian Citizenship Council, citizenship is about encompassing the ideals of civic life. These ideals can be seen as the public core values that traverse the different cultural and ethnic origins of our community. The requirement of a 10-year ban on the granting of citizenship to a serious repeat offender therefore underscores the importance we place on our public core values and indeed on our Australian citizenship.

The taking of Australian citizenship is not something that should be seen as a certificate of some sort of attendance in this country. It intones an understanding of who we are as a nation. To take out citizenship is to honour the value systems of the country and to oblige those value systems. Australia is a wonderful country, a country of many cultures. We pride ourselves on the belief that everyone in this country can have a fair go.

Part of the undertaking of Australian citizenship is the pledge that we honour our nation and its people. When sportspeople representing their country win medals, as they did at the Olympic events, they often cry when the flag is raised. We saw at Salt Lake City in the 2002 Winter Olympics last week the joy at the likes of Brisbane skater Steven Bradbury and aerial skier Alisa Camplin winning gold, and that makes us feel proud as a nation. Quite often we get those goose bumps and we join them in feeling pride when the national anthem is played. Why do we cry? We cry because we are proud, we cry because all of those things represent what being an Australian is all about. We come from a country that prides itself in giving people from all countries an opportunity to champion the causes and to demonstrate that they can challenge the odds to succeed. That is what the Australian spirit is all about and what being Australian is all about.

One of the changes proposed in this bill relates to the taking of the pledge of commitment, the demonstration that the candidate values what it means to be an Australian citizen. The bill will provide the minister with the power to revoke the grant of the certificate of Australian citizenship before the conferral of citizenship if a person fails to make the pledge of commitment within 12 months. The acquisition of Australian citizenship is a two-stage process: firstly, the approval of the granting of the certificate of Aus-

tralian citizenship is made and, secondly, the Australian citizenship is conferred at a ceremony. At the citizenship ceremony, the current act requires applicants to make a pledge of commitment, and by making that pledge they become Australian citizens. However, the current act does not impose a time limit between the approval of the granting of a certificate of Australian citizenship and the taking of that pledge.

The pledge of commitment is an important part of the citizenship process and an integral part of being an Australian citizen. For the 50th anniversary of Australian citizenship celebrations, the pledge was modified to give all Australians an opportunity to pledge their loyalty to their country and their peoples. The ideals contained in this pledge speak about our rights and our freedoms. We pledge to honour our democratic beliefs that we share and to uphold and obey our laws, being part of the political community of this country, whether as a voter or a politician. It is about understanding and obliging the values and principles of a democratic society and participating in that democratic process. In undertaking that pledge, we demonstrate being part of Australia and what it means to be Australian. It also seeks to update measures such as dual citizenship, which has the support of the community, and these changes are long overdue.

In concluding, I would like to say that Australia is a significant contributor to a rapidly growing global market. The very mobility of the labour force requires us to update our citizenship processes. This will be no threat to the integrity of the process or to the value that we place on citizenship. These changes will bring our citizenship process in line with the 21st century. I commend the bill to the House.

**Mr LATHAM** (Werriwa) (9.25 p.m.)—The Australian Citizenship Legislation Amendment Bill 2002 is quite an important piece of legislation. It seeks to modernise Australia's citizenship laws in response to the rise of globalisation. The bill makes a useful start in this regard, but in my assessment it does not go far enough. I welcome the provisions for dual citizenship through the abolition of section 17. In the past, Australian citizenship suffered from an unacceptable double standard: naturalised Australians could keep the citizenship of their country of origin, as an estimated 4.4 million Australians have done, while Australians by birth were not able to acquire the citizenship of other countries without losing their Australian citizenship. Under the provisions of this bill, all Australians can potentially take advantage of the benefits of dual citizenship.

Increasingly, we live in an internationally mobile society—a world with fewer borders and barriers for the movement of people, ideas and commodities. Australians should be able to access these opportunities and regard themselves as international citizens, without necessarily jeopardising their citizenship and affinity with this country. I also welcome the provisions of the bill that extend the age limit for the resumption of Australian citizenship from 18 to 25 years. As younger Australians sort out their identity

and residential arrangements, this new provision will give them much greater flexibility.

In a fast changing society, citizenship is becoming more important, not less. People are looking for values and shared aspirations that can unite us as a nation. They are looking for the politics of common purpose. Australian citizenship has a vital role to play in this process. In this country, it does not matter where you were born, the clothes you wear, the food you eat, the religion you practise or the culture you live in. What matters in our multicultural society is the commitment to Australia; the commitment to this nation is all-important.

Of course it must be a commitment beyond rhetoric. It is easy for politicians in this place to say these things. It is easy to celebrate diversity for diversity's sake. But our commitment to the country, our commitment to a solid society, must be more than just rhetorical. It must be practised in our values; it must be shared in our aspirations; it must indeed be a shared experience as an Australian people. Citizenship must have a unifying core. It must be able to accommodate difference and diversity, most certainly—that is the essence of a multicultural society—but if citizenship is to have meaning in the relationship between people, it must have a unifying core.

I try and make this point at citizenship ceremonies in my electorate. Citizenship is most certainly about rights. It gives new citizens the right to vote in our democratic system, it gives people certain freedoms in this country—the freedom of assembly, freedom of speech, freedom of movement—and of course it gives people the right to be protected under our laws when they travel overseas. But citizenship is not just about rights; it is about responsibilities. Increasingly these days it is about responsibilities. We all have a responsibility to be good citizens, to take an interest in our local communities, get involved in the local schools, local government programs, local initiatives in the neighbourhoods, that make a difference. People are looking for things in common—how we talk to our neighbours, how we communicate across social, cultural and ethnic boundaries. There are also important national responsibilities for the good of this country.

I take very much a communitarian approach: it is not just rights, it is also responsibilities. In fact, the rights of citizenship go together with the responsibilities of citizenship. For this reason, beyond the rhetoric, I believe we need a new concept of citizenship—a concept that meets the challenges of globalisation and the new politics of common purpose. One of the characteristics of the rights agenda is the way in which it subdivides society into a series of categories based on gender, ethnicity and culture. Most people, however, are quite uncomfortable with this process. They do not see themselves as fitting neatly into the various categories. For those excluded from single identity politics there is a strong feeling of resentment.

In an era of globalisation and mass information, citizenship has become more complex and challeng-

ing. It involves everything from local, national and international loyalties to a range of personal characteristics and identities. This is why citizenship needs to be as inclusive as possible. Modern citizenship needs to be a big tent within which the many identities of society can coexist rather than compete against each other. Identity politics was an invention of the 1960s. It was well-intentioned and even well suited to its time, but I would argue that by today's standards it has become divisive and out of touch. In a society facing constant change and uncertainty, people do not want the political system to create further fragmentation; they want the politics of common aspiration.

As a parliament we need to meet this demand. We need to conceptualise citizenship as a big tent, fostering the values of coexistence and commonality. The task for policy makers is to allow multiple identities to live together within individuals as well as between them. Governments need to find ways of lifting people across their cultural differences. We need to become a society of boundary crossers, moving easily across a range of geographic loyalties and personal identities. This is what I would term 'multiple identity citizenship'—citizenship that features and fosters many forms of identity; multiple identity citizenship, as opposed to the sorts of single identity politics that might have been practised in the 1960s and beyond.

I support Premier Bob Carr's decision to establish a department of citizenship in New South Wales to replace the ethnic affairs category. He has modernised the New South Wales government's approach to citizenship and multiculturalism. Carr has recognised the limited shelf life of identity politics, both politically and philosophically. In a complex society it is more likely to create divisions than to heal them. It must be replaced by a more inclusive and modern concept of citizenship. The modernisation task also applies to our national policy of multiculturalism. For all our diversity as a society, Australians still need a unifying idea of national identity. All countries need to define a sense of common purpose and belonging for their people. The objective is to strike the right balance. I think it is very much a question of balance between solidarity and diversity—that is, to accommodate cultural differences but not to be overwhelmed by them.

Multiculturalism has been a great success in our nation. We are one of the most tolerant and pluralistic societies in the world. But for all this success we need to be vigilant. We need to continually reinforce the strengths and successes of multiculturalism. We need to constantly update and explain our understanding of this policy to the Australian people. For those of us who have always supported multiculturalism we cannot take its legitimacy for granted. We need to strengthen its foundations. We need to further underpin its success and to explain, explain and continue to explain to the Australian people what we mean by multiculturalism and how it can be used as a unifying rather than a divisive force in our society.

The reason for vigilance is selfapparent in this parliament. There are some in this parliament who

oppose a multicultural citizenship. In the senior ranks of the government, for instance, the Prime Minister cannot bring himself to use the term publicly. For the Prime Minister of Australia multiculturalism is the policy that dare not speak its name. He cannot bring himself to use that term publicly. The Treasurer, who is often labelled as the leader of the moderates on the government side, has been a past opponent of multiculturalism. If you look at the recent biography by Shaun Carney, you will find the following extract:

Costello, in the mid-1980s, was also opposed to multiculturalism telling Gerard Henderson in an interview that the policy created an industry that was destabilising the social fabric. 'Multiculturalism was,' said Costello, 'part of the cultural cringe because it showed that Australia was embarrassed to ask migrants to embrace a distinct Australian culture.'

There is the member for Higgins in the mid-1980s declaring himself at the HR Nicholls Society to be a firm opponent of multiculturalism.

Further down the ranks of the Liberal Party we come to the member for Warringah. It should never be forgotten in this parliament that the One Nation Party was born in the office of the member for Warringah through the role of David Oldfield as his then chief of staff. Some time later, in July 1998, the member for Warringah, speaking of Oldfield, said, 'He has some aggressive and intimidatory views on the questions of migration, Aboriginal affairs and multiculturalism.' But these views of course never stopped the member for Warringah employing Mr Oldfield as his chief of staff. He was happy to have him as his chief of staff until he found out that these views were being used to establish the One Nation Party right there in his own office.

I fear, in an era of wedge politics, that this government may be planning to use multiculturalism as the next wedge. Once they have milked asylum seeker policy as a wedge they will inevitably turn to other issues, perhaps even a divisive national debate to try to undermine the credibility and legitimacy of multiculturalism.

But I believe that for those of us who support this policy it is important to modernise. As we modernise citizenship, we also need to modernise multiculturalism. This does not require a return to past practices and the politics of sameness; we need to develop a new approach to national identity beyond the crude conformity of assimilation and the empty celebration of diversity. This policy needs to acknowledge the human desire to share things in common with other people. This is what we call community. Multiculturalism in Australia has fostered many communities. It now needs to build bridges between them to create a community of communities.

In a diverse nation social cohesion is as important as respect for difference. It provides the foundations by which cultures can interact and learn from each other. This is the key to national progress: our capacity to absorb the best of the world's cultures and create a stronger Australia. It is a mistake to treat citizenship and culture as static forces. I maintain that our national unity relies on a certain set of values, values

that should be reflected in our national policy for citizenship: support for the universal rights and responsibilities of Western society, the traditional migrant values of hard work and educational achievement, the practical role of English in maximising contact and solidarity between cultures, and the need for national pride, civic engagement and social tolerance.

If people live by these values then the great traditions of Australian identity such as mateship and egalitarianism can easily coexist with new arrivals and new cultures. If people live their lives by these values, then multiculturalism in this country will always be a success. As a nation we must reject cultural practices that discriminate against people. The big tent of Australian citizenship should have no room for bigotry and exclusion. Citizenship has a vital role to play in this process—in the modernisation of multiculturalism, in the modernisation of Australian national identity. We really do need to value the role of citizenship as a unifying force, as a unifying element in our society. Citizenship is not something we should give away easily. I agree with the previous speaker, the member for Petrie, who pointed out that a citizenship certificate should not be like a certificate of attendance. It should not be a certificate that simply signifies that someone went to a ceremony to take out their Australian citizenship. We should value citizenship beyond the ceremony, beyond the piece of paper, beyond the certificate. If we are to value citizenship in this nation it must be something that is earned, not just something that is easily given away.

I am very much impressed by the American and Canadian models for citizenship. They really do require people to earn citizenship of their nations, and we should learn from these models. In the United States, citizen applicants must be able to demonstrate an understanding of American history and government through a 100-question short-answer test. In Canada, the applicants must pass a test that includes questions on the rights guaranteed to citizens, the responsibilities of a citizen and the history and geography of Canada. It is a test that has 180 general questions plus more regarding their political system, their culture and their history. So, in the United States in Canada, it is not just a question of people receiving their certificates of citizenship upon application; there is a requirement for civics—a basic understanding of the history, the culture and the political system of those nations. Some of the questions are quite simple, but I think they signify an element of commitment to and understanding of the nation which these citizens are joining. I will go through these for the benefit of the House. In the American test, the first question is:

What are the colors of our flag?

Other questions are:

What is the significance of 4 July?

Who is the President of the United States today?

What do we call a change to the Constitution?

What are the three branches of our government?

And on it goes for 100 questions about their political system, their history and their culture. In Canada, some of the questions are:

Who are the Aboriginal peoples of Canada?

In which parts of Canada did the Aboriginal peoples first live?

Where did the first European settlers in Canada come from?

In which type of industry did most early European settlers work?

When was the Canadian Pacific Railway finished?

If people do not produce a satisfactory result from these tests, they go away and do civics courses. They go and learn about the history of the nation of which they are seeking citizenship. They learn about the culture and the political system. They learn about democracy.

We all know in this place that Australian citizens, new and old, do not know enough about the democratic system. They do not know enough about Australian history. We want to deepen the knowledge and understanding of our great nation, its history, its politics and its culture, so I would have thought that we could replicate these citizenship tests and support them with civic education courses to ensure that people who do not succeed the first time learn more about our country. We can learn more about each other through this process and have a better understanding of each other as Australians.

In this country generally we have undervalued the role of adult and community education—we have undervalued the role of civics. I believe citizenship can be a means by which we improve that particular outcome. Our system of government relies heavily on all Australians being informed. Without information, our citizens can never develop the skills to ensure that our democratic institutions are protected. If citizens are deprived of knowledge about democracy and history, then this House and its processes empty out. The 1994 report of the Civics Expert Group highlighted the problem. A majority of Australians do not know the contents of our Constitution or the role of the High Court or the Governor-General. They do not know about the division of powers between tiers of government or who constitutes the cabinet. Only one-third of citizens understand the rights and responsibilities of citizenship. So, in Australia, citizens new and old have a lot of improvement to make. We have a lot of ground to make up. The civics report also identified a lack of understanding of civics in migrant groups, particularly those of non-English-speaking background. A person who does not understand basic civics cannot understand the significance of having a vote. A person who does not know our law, our history and our heritage cannot know the significance we attach to being Australians.

I am a very strong supporter of underpinning the foundations of citizenship through a civic education process. If we are to value citizenship, we should ask people to earn this particular right in our society. For the Labor Party, I say these things are doubly important. For our side of politics, it is doubly important to underpin the foundations of citizenship and multi-

culturalism. We invented these policies. The public know that we own them. In my own electorate of Werriwa, Gough Whitlam, who was one of the founding fathers of multiculturalism in this nation, always placed great store on the importance of rights and responsibilities; on getting the basics right as well as conferring citizenship upon new arrivals in this country. I have had the pleasure and privilege of reading dozens of Gough Whitlam's speeches at citizenship ceremonies in Werriwa, and I can assure the House that he always linked multiculturalism to the basics. His argument was that it would not be right and proper to bring large numbers of migrants to Australia unless we were providing the urban services and settlement patterns that gave them a decent quality of life in this country. It was important then to link citizenship to the basic services in our society.

I say it is important now also to link citizenship and multiculturalism to the basics. We need to get the basics right to build social cohesion rather than division, to build a social commitment to this nation among all of our citizens. For those of us who value multiculturalism it is absolutely critical that we strengthen it; that we never rest, that we never stop explaining this policy, that we never stop trying to find new ways of strengthening multiculturalism. I believe this bill assists in small but significant ways, but much more needs to be done in moving towards a concept of multiple identity citizenship. Much more needs to be done in building civics education and understanding into the process of citizenship itself.

**Mr RIPOLL** (Oxley) (9.44 p.m.)—It is a great pleasure to be speaking on the Australian Citizenship Legislation Amendment Bill 2002. It is a rare honour in this place to speak on a bill that has dramatic consequences and changes that will have a profound impact on a whole range of people. In this particular case, that profound impact will be a very strong and positive one. This bill is well supported in the parliament and has support obviously from both sides of the House. It has even much greater support from a whole range of people in the community, from all sorts of backgrounds, from all walks of life. I think it brings forward the maturity of Australia and brings forward our own sense of who we are, our culture and our nationhood.

This bill is extremely important. It is about our citizens, our citizenship and who we are as a people. Perhaps this bill in a sense should be a very controversial one, and just a few years ago it probably would have been and for some people it may still be. But there is no reason why this bill should be controversial at all, because tonight we have seen the finalisation of what has been in the making for over 100 years, since our Federation in 1901, and since the Australian Citizenship Act 1948—our own definition of what it means to be an Australian. Dual citizenship defines what it means to be an Australian not only in part but in whole. This country of ours is made up purely of immigrants, except of course our first Australians—our Aboriginal people. This country is made up of people who have come from some other country. This bill is an extremely significant part of

what is in definition our own past and what is in definition our own future.

Tonight I want to speak on a range of things, particularly about our great Australian history, how Australia was built, our democracy and our tolerance. Our past is not perfect, particularly, looking back on recent history, the White Australia policy, which today is inconceivable but in those days obviously was more widely accepted. There is certainly a great change from the Australia of 30 to 40 years ago to the Australia of today. I am very proud to be able to speak on this bill because, as I said, this bill defines our maturity. This whole issue of dual citizenship and the range of other things contained in the bill have been around for some time. A number of committees have looked at it and a number of recommendations have been made. I suppose the difficulty has always been a political one rather than a need for change. It is now good to see that that need for change has overtaken and surpassed the political difficulties, or maybe it just really is a case that the time is right for this to happen.

I have had great pleasure over many years in going to citizenship ceremonies. Many people have spoken tonight about what those citizenship ceremonies mean. I have retaken the oath many times with new Australians at those citizenship ceremonies, and every time I did it gave me a great sense of pride not only in my country but in who I am. It gave me a great sense that I was giving something back. I can understand how difficult a decision it is for new Australians to make that final commitment which is so important in this country. I think every person who decides to make Australia their home should become an Australian citizen. I have no doubt in my mind of that importance. At those ceremonies you see great joy, you see a lot of pride and you see people make commitments. They often do not speak English very well. Some have been here for 30 years and have finally taken that leap of faith, and others do it as soon as it is available to them under law. There is a great variety and our history is made up of that very fact.

When we look at our history and look at immigration in general, we see that this country has been built on the back of immigration, on the fluctuations in immigrants—be they Italian, Greek, Chinese, Vietnamese or Middle Eastern. No matter at what point in history, no matter what our immigration at that time, there has always been some great contribution. That contribution today makes up who we are and how we define ourselves. I have often pondered this question: who are we as Australians? How do we define ourselves as Australians? If you start analysing each section of what defines who we are, it never just comes down to one thing, be it flag waving or another aspect. It comes down to a range of things. It comes down to our food and to the many languages that we are aware of.

So many languages are spoken in Australia every day. I always have great joy in going to places like Carlton in Melbourne and hearing different sounds, different music and people talking other languages. To me that is a symbol of Australia. As funny as

hearing somebody talking a foreign language in your own country may sound, it actually strengthens our definition of what it means to be Australian. Because our definition of what we are as Australians is so strong, we do not fear that other people might talk another language. We do not fear that other people might celebrate their culture. We do not fear that other people might actually hold, for example, a Greek festival, an Italian festival or, as we have just celebrated in my electorate, a Vietnamese Tet festival. These things are Australian. This is the great thing about our country.

I recently attended the Tet festival in Darra in my electorate. It is a great multicultural festival where the Vietnamese community come together and invite the rest of the Australian community to come to celebrate with them a bit of their own past, a bit of their own culture. The Vietnamese in my electorate are very proud Australians and very happy to yell from the rooftops that they are Australian. They are also happy to be able to live in a country that not only accepts them as Vietnamese Australians but allows them to celebrate their past and to hang on to their culture, to their traditions and even to their language, because that is so important to so many people in this country.

All of these things are wrapped up together. You cannot unravel them. You cannot just define things by saying that somehow Australia, this lucky country, has some monolithic culture that runs down one thread of our convict past or some other thread. There are people who have migrated from Ireland, Britain, Europe, Asia—from every part of the world. All of those things coming together are what defines who we are as a people.

My electorate of Oxley was made infamous by a person whose name I will not mention, a former member for Oxley. There is a lot of irony in that when you think about it. In Oxley there are over 140 different cultures—people sharing and living together in harmony in one community. We do not see separation based on ethnicity, language or culture. What we see is, to use a cliché, a melting pot of all these people together. When I walk out in the streets and talk to people, I get a great sense of pride. When I look at Pacific Islanders or Vietnamese in my electorate—all these Australians—what I see is our Australian culture. That gives me a great sense of dignity and pride in our country, and it shows the strength of what we are about. To me, that strength defines in part why this bill is so safe, why it is not controversial and why it is so overdue and so necessary.

I will quickly go through the purposes of this bill. The bill proposes to repeal section 17 of the Australian Citizenship Act 1948 with the effect that adult Australian citizens do not lose their Australian citizenship on acquisition of another citizenship. It also extends the descent and resumption provisions to give young people more opportunities to acquire Australian citizenship; provides for children who acquire Australian citizenship with their responsible parent, or at a later date, to be given their own citizenship certificates; strengthens aspects of the integ-

rity of the Australian citizenship process; and provides a range of references to people-smuggling offences and a range of other things. While the bill extends the availability of dual citizenship, it also tightens up a few other areas.

The real point of what I want to say tonight concerns the whole issue of dual citizenship, of Australian citizens born in Australia having the ability to take up citizenship of another country and remain Australian. We have an anomaly where, if you come from another country and take up Australian citizenship, you are entitled to it and also to your original citizenship. No matter how many other citizenships you might have, that is fine. But somehow, up until now, the law dictated that, if you were born Australian—sixth generation, seventh, eighth, second, whatever—you could not take up the citizenship of another country because you would forgo your Australian-ness, you would forgo your Australian citizenship. I find that a ridiculous proposition, and that is why I am so glad it is going to change. It will strengthen our own cultural base and our own sense of who we are.

As an exercise, I thought I would have a look at what pillar of strength defines our country, our democracy and all those things. A lot of people would say that it is our parliament. I hope that is what most people would say is a central pillar of our democracy and our structure. I thought I would look at the make-up of our own members of parliament, elected by the citizens—by the constituents, the electors, all those people entitled to vote, all those Australian citizens. Who do they decide should be the people to govern, to rule, this country?

I will look briefly at the most recent make-up. I will not name anybody, although I am sure they would be very glad to be named, as would I, being a person who was not born in this country. Let me go through some of the countries where some members were born and some of their origins: Germany; Italy; Italy; father born in Italy; Italian parents; Holland; Italy; Greece; Dutch father, Australian mother; born in Hong Kong, Chinese mother, English father; Lebanese parents; Greek parents; Slovenian parents; Aboriginal background; France—I think that is me; Italy; Hungary; Croatian father; China, of Chinese parents; Greece; Malaysia; Malta. They relate just to the recent members, the ones who were born in another country before meeting all the requirements to be elected to this place here.

But in today's context of a more multicultural society, what is much more interesting is to go back and look at senators born overseas. From 1901 until the last parliament, 102 senators were born overseas—in places such as Germany, England, Ireland, India, the Channel Islands, India, Zimbabwe, Scotland, New Zealand, England, the United Kingdom, Canada, the United States of America, the UK again, Northern Ireland, Scotland, Slovenia, Yugoslavia, Ireland again, Scotland again. The list goes on and on. There is New Zealand. There is a variety, right through. There is China, Wiltshire in the UK and a whole range of places. People were born all over this world

and yet they were elected to this parliament. They made this country, through democracy, a great country.

Let us look at the members of the House of Representatives, this chamber, who were born overseas. Since Federation, the figure is 144. Again, the countries include the UK, Britain, Canada, the USA, New Zealand, Netherlands and Greece. You name it, there is somebody representing nearly every corner of the world. There is Egypt, Malta again, Chile, Cyprus, Germany. It amazed me when I was going through this list; I did not realise there were so many people who were born overseas and were then elected to this parliament. There are few countries in the world where that is possible. Maybe other countries fear that their own citizens, their own people, will not have loyalty. In this country we do not fear that possible lack of loyalty. We have nothing to fear: this country was built on a great base, and it is that great base that keeps us going so strongly.

What this bill does is fix an anomaly. As I explained before, if you are an Australian citizen born in Australia, you cannot take up the citizenship of another country, but if you come to this country you can take up Australian citizenship and retain your original citizenship. When you think about it, it is a bit ridiculous. There are living examples of this situation. Every year, this affects about 600 Australian citizens, for one reason or another. They may marry somebody in Australia from another country and move to that country for a number of years, perhaps have children there and then need, for whatever reason, to take up that citizenship. They would lose their right to be an Australian. It is preposterous to think that a person who was born here, whose family could have been here for X number of generations, with Australian parents and so forth and so on, would lose that right to be an Australian merely because they had taken up the citizenship of another country.

This bill strengthens Australia. It strengthens our cultural base. It strengthens our definition of who we are as a people. We have nothing to fear from this bill. What this bill will do is make this an even greater country and an even luckier country for the oh so many people who make Australia their home.

**Mr KERR** (Denison) (10.00 p.m.)—May I say at the outset that I too support the passage of this legislation, the Australian Citizenship Legislation Amendment Bill 2002. But I intend to direct my remarks to areas somewhat different from those of most of my colleagues, notwithstanding that I do not dissent from their proposition that Australia is, in broad, a country of great tolerance that has benefited immensely from the patterns of migration that have occurred since World War II. However, I want to say something that leads the House to reflect on some of the larger issues. The notion we are talking about, Australian citizenship, is not inherent in our Constitution. The notion of citizenship is mentioned only once, and it is not mentioned in the context of the acquisition of Australian citizenship. Australian citizenship as such is not a constitutional element; it is not a constitutional term at all. The expression 'citi-

zanship' is entirely a matter of Australian statutory law.

Where citizenship is mentioned in the Australian Constitution it is only to preclude members of this House holding citizenship of a foreign power, and I will return to that subject in a minute to discuss how that concept itself has changed dramatically over the 100 years or so that our nation has been in existence. What I want to do is to draw attention to the fact that we ought to recognise how fragile some of the things that we talk so glibly about are, because those who founded the Australian Constitution would have conceived of the rights of those resident in this country in entirely different ways than we do now. Remember that at the time Australia was founded there was a thoroughgoing belief that we should exclude from the Australian polity all of those whose skin was of a different colour. The White Australia Policy was the dominant ideology of the labour movement and accepted by those of a conservative disposition on the other side.

We also had an environment where those who were the original inhabitants of this country, the indigenous Aboriginal citizens, were not to be included in the voting power of the Australian parliament unless they were already registered in a state franchise. Although some were previously registered in a state franchise, if you look at the history of the first 40 or so years post Federation, you see that Australia's political history is actually darkened by various attempts to exclude those already on the rolls from the right to vote in federal elections and to ensure that no others ever obtained that right. So our starting point when we think about Australian citizenship is to recognise that in 1901, when the Australian federation came into existence, we were initially a British colony.

Those who formed the first parliament were of the view that, in using the language of the Constitution that still actually exists, when they spoke about 'people of the Commonwealth'—in section 24—or 'subjects of the Queen'—in sections 34 and 117—those words were not intended to be of an inclusive nature. They were words which applied indiscriminately to those who were members of the Australian community because of their birth here and those who came from what was then called 'the Mother Country', England, or from other countries of the empire. It was not a particularly unusual thing for persons who were aspiring to high political office to perhaps serve as a member of a colonial legislature in New South Wales or in the federal parliament and later to seek election to the imperial parliament, the British House of Commons. Indeed a number of such instances occurred probably in the lifetime of members of this House. So the initial foundation of this Australian Commonwealth was not, as we have heard it, in relation to the strength of the Australian polity but, rather, things that we now turn our backs on quite properly as things that would divide us.

What we discover is that as we have evolved constitutionally so too has the idea we hold of our citizenship or what is meant by being people of the

Commonwealth. One of the most significant turning points was the decision of the High Court in *Sue and Hill*. The court decided that those of us who hold seats in the parliament cannot equally hold British citizenship. That is not something that most would regard as unusual now. Once the decision was made, it seemed almost self-evident that an Australian who also held citizenship of the United Kingdom could be characterised as being a citizen of a foreign power as well as a citizen of Australia. But, of course, given the constitutional history of this country—we were first a colony of the imperial parliament or the imperial Crown and then over time we evolved to dominion status and only more recently, since the passage of the Australia Acts, have we claimed or asserted full independence—it was quite a surprise to many that that in fact was the case.

I might interpose, given that the previous speaker, my friend the member for Oxley, mentioned the antecedents of members of this House. I recall someone—I think he was thought to be a little obsessed—who claimed to be a silk writing to all members saying that he would challenge the legitimacy of anybody who was a dual holder of citizenship under section 44 of the Constitution. I remember at the time the great degree of concern held by many in this House who did actually hold dual citizenship as a result of descent. They were, predominantly, people who held citizenship by descent because of the fact that their father had been born in Britain and they automatically had inherited British citizenship, but in some instances it was citizenship of descent because of Greek ancestry or ancestry from other countries. Before the decision was made in *Sue and Hill*, people had to make some hard decisions whether or not to renounce those other citizenships that they might have held.

As a matter of individual reflection, before I entered this parliament, I had actually renounced citizenship I held, through my mother, of the United States of America. I knew that that was a foreign citizenship and, under the Australian Constitution, it had to be abandoned in order to hold a seat in this House. I was not aware that, because my father was born in Scotland, I actually held British citizenship as well. I, like a number of members of this House that found themselves in that situation, chose to renounce it before the 1990 or 1993 election—whichever it was—and fortunately was not caught up in the same circumstances as members who were found in breach of the Constitution. But I would be certain that many in this House—quite large numbers—would have been technically incompetent of holding their seat as a result of those constitutional provisions had those matters been tested.

So our constitutional framework and our legal environment where citizenship is such a large issue are constantly changing. Might I make the obvious point that we are, today, making quite a substantial change to the way in which Australian citizenship will apply. We have accepted for a long time that those who come to join us as new citizens do not necessarily have to renounce any former loyalties. They are expected, of course, to give proper acknowledgment to

the primacy of their responsibilities as new citizens to their new country—to Australia—but we do not expect them to abandon any connection with their former countries. That has been the case for many years. But we have in the past said that anyone who is already an Australian citizen and who takes the citizenship of a further country automatically loses their Australian citizenship.

We are making the step today of saying that that will no longer be the case. Logically, we should look further and amend the Australian Constitution so that we apply the same rules to the Australian parliament. It would seem that that is a logical and appropriate course. Indeed, it is a measure which has been passed by the last national conference of the Australian Labor Party as its policy framework to go forward into the future. But I believe it should command support across all who serve in this parliament, because it is a logical consequence of what we have undertaken today to say that Australian citizens are entitled to hold office in this parliament on the same terms as they hold citizenship in this country. If we give to those Australian citizens the right to take second citizenship without loss of their primary identification with Australia, there is no proper case to be had to retain the provisions of section 44(i) of the Constitution.

Can I say a couple of things about what we frequently omit in discussion about citizenship. We tend to enter these debates with the idea that an emotional connection to this country is going to see us through the difficult times ahead. We talk about the 'fair go' and 'those common threads that bind us together' as if they will be glue sufficient to ensure that we survive the ups and downs that may confront us as a nation in the future. One of the difficulties we do face is that the whole idea of national citizenship and nationalism is increasingly becoming unglued. If you look at what is occurring both within nation states and between nation states, we are seeing the increasing pressure between those who might claim in a sense to be global citizens—that is, they can take advantage of great travel opportunities and great enrichment opportunities, they are well educated, their skills are in high demand, international boundaries for them are of no moment as they can travel virtually at will and they are welcomed wherever they go, and they perhaps see themselves as having more in common with their cosmopolitan counterparts who are also part of the knowledge economy, part of the global success story of open market, than they have with their fellow citizens. This is exaggerated or exacerbated by the growth of global cities—the division between, say, Sydney and the rest of Australia. Global cities such as London and New York are resource-rich hubs in the world economy. They link economic and political elites through financial, informational and other commercial and institutional networks.

As a consequence, people living in such cities often experience different economic interests to those of their fellow citizens in the nation-state. I am particularly aware of this, of course, coming from Tasmania, which, unlike Sydney, has not benefited from the success of our integration with the global econ-

omy. If you look at, say, Tasmania's economy—despite what I believe to be a remarkably successful state administration working under extraordinarily adverse circumstances—the statistics do show that we live in almost a different country. Tasmanians' lives are on average about a year shorter than those of other Australians—except for those who live in the Northern Territory, the statistics for which of course are brought down by the high level of indigenous participation in that community. Tasmanians are more likely to suffer from cancer and heart disease. They are also subject to obesity and diabetes. They are less linked to the global information economy. They have much higher rates of unemployment—about two per cent higher, I believe, than the national average, and persistently so. We do find that, unlike many other parts of the world which have done extraordinarily well out of the open economy, some parts such as Tasmania and, I believe, South Australia have done quite poorly.

So, if we are serious about Australian citizenship, we also have to look at the distributional issues and at what holds us together as a nation. It is no good just patting ourselves on the back and saying, 'Aren't we wonderful, multicultural and tolerant.' What we are doing is forgetting that there are many people in Australia who are being left behind by this multicultural, wonderful and tolerant society. As part of what we are currently, we are privileging those who are exposed to the globally traded economy, we are privileging individualism and we are turning our backs on some of the things that were the foundational elements of Australian society. We have turned our backs properly on some of the worst elements, the White Australia Policy and a number of other aspects of what was called 'the Australian settlement', but we should not turn our backs on the fair go and the foundation of federalism, which was designed to ensure that there was proper accountability so that all Australians, wherever they lived, were not massively disadvantaged.

The problem is, of course, that that requires of those who are doing well a willingness to help those who are doing not so well. Increasingly, we are seeing less of that willingness being demonstrated. The other day I noticed the Committee for Sydney making statements that suggested that Sydney should not be asked to provide assistance to some regions of Australia—and I think they were identifying my own state of Tasmania and the state of South Australia—because they were sick of their economic advantage being used as the horsepower to draw up the rest of Australia. In talking about citizenship and about Australia, I have to say that, if we allow that kind of selfishness for those components of the federation which are doing well to turn their backs on those components of the federation which are not doing well, we are putting together a recipe for political division, for social division and for the long-term unravelling of those things that we assert that we hold in common.

There is no reason why we need to tolerate a two-tiered society. There is no need for this in a country that, despite our criticisms across the chamber from

time to time, is still essentially a wealthy and prosperous community and one which always will be. One crosses one's fingers when one says that, but I think at least the realistic prospect is that in relative terms Australia will always be a desirable place to live. But it is becoming a far less desirable place for many people who are the least well off in our society, as the benefits are going increasingly to those at the highest end of the income scale and to particular pockets such as Sydney and—to a lesser extent but still significantly—Melbourne, thus disadvantaging large sections of those who are being excluded from economic gain. This is just part of the globalisation that Mark Latham talked of. Yes, it has its advantages; yes, it has its importance. But if it is going to survive as a system it will only survive effectively if we recognise that in obtaining a common assent to its propositions there has to be a safety net to make certain that those who are not going to be its winners are properly accommodated and catered for. And that is not just within our nation; we also have to look beyond our nation to the international effects and the polarisation of wealth between rich and poor beyond our borders. But we have to look particularly within this country, where we are directly responsible as legislators. We would be irresponsible if we did not see that as our first priority. (*Time expired*)

**Mr LEO McLEAY** (Watson) (10.20 p.m.)—Tonight we are discussing the Australian Citizenship Legislation Amendment Bill 2002. This legislation seeks to amend the Citizenship Act 1948 in a number of areas. To summarise, the bill proposes to repeal section 17 of the principal act so that Australian citizens will not lose their Australian citizenship on the acquisition of another citizenship; to extend the descent and resumption provisions to give young people an increasing opportunity to acquire Australian citizenship; to provide for children whose parents acquire Australian citizenship to get their own citizenship certificates; to strengthen aspects of the integrity of the Australian citizenship process; and to insert a reference to people-smuggling offences in the existing provisions of the 1948 act.

During the latter half of the previous century in particular, we witnessed a change in attitude towards the concept of Australian citizenship. Indeed, I remember discussing amendments that the previous government—of which I was a member—made to the citizenship bill in 1984. That was a very lively debate—a lot livelier debate than this one. Michael Hodgman—the mad predecessor of my colleague the member for Denison, who has just spoken—alleged that we were leaving God out of the Constitution and that we were taking the Queen out of the citizenship oath, and the then Speaker suggested that somehow or other there were some problems with the Irish and all that. It was a much more interesting debate than this one. Even that suggests, I think, that we have probably moved to a saner approach to what we are as Australians than the approach we may have taken in 1984—if one listened to what members of the current government said at the time.

I think a lot of that had to do with the fact that even in the middle of the last century we were still

seeing ourselves as a part of the far-flung British Empire but later on, and I think more so today, we are definitely aware of the fact that we are a nation in our own right even though the Prime Minister still wants us to cling to the British Empire in various ways. We moved from being British subjects to being Australian citizens and part of our pride in our citizenship meant that when we changed we decided that people had to take on all the characteristics of Australian citizenship and that to be anything other than an Australian citizen meant somehow or other that you did not care for this country. It was considered to be an expression of loyalty. It was part of building a cohesive nation; a nation in its own right with its own identity. This attitude of course was understandable at the time when we were really making ourselves a country, but now we are more confident, more sure of ourselves and less insistent on sticking to what has become an almost outdated concept in the modern world. The world has changed and section 17 of the Australian Citizenship Act would provide that, except in relation to an act of marriage, a person who does anything the sole or dominant purpose of which is and the effect of which is to acquire the nationality or citizenship of a foreign country shall, upon that acquisition, cease to be an Australian citizen. That is what we said in the past, but I think we now realise that that is unjustly discriminatory and anachronistic.

Naturalised Australians are able to hold dual citizenship but those who have been Australian citizens from birth are prevented from acquiring the citizenship of another country without losing their Australian citizenship. There are some citizens who do not have citizenship of another country. For example, some Australians enjoy dual citizenship because their countries of origin or citizenship before they came to Australia not only allow them to have dual citizenship but also will not let them go. For instance, if you are person of Greek or Russian heritage they consider you to be a Greek or a Russian no matter how you want to let that citizenship go. The British are not all that keen on letting you go; you have to write them a letter and attempt to get out of British citizenship as well. So they are quite happy for people who live in Australia to be Australian citizens and hold citizenship of their country but we do not allow that ourselves.

The current system discriminates against those who are Australian born and who wish to move to another country to live or work—as the minister called them, the internationally mobile Australians. They may have to give up their Australian citizenship to take up a job in another country and I suppose the most famous of those was Rupert Murdoch. When he wanted to take over a lot of business in the US he had to become an American citizen but we said, 'Because you have become an American citizen you can no longer be an Australian citizen.' What Murdoch showed very publicly was something that also happens to a lot of Australians in a very private way if they want to go and work in another country. I think that this piece of legislation is fairly sensible. It allows those people who are going offshore to find work to acquire the citizenship of another country to

do that. It does not make them any less an Australian. It probably makes them a more well rounded person.

Particularly in the area of scientific research, where so many Australian born citizens travel overseas and can do excellent work, unless they take on the citizenship of another country—often of America—they lose their ability to work in their field of expertise. A lot of those people will come back to Australia after they have done some of their work overseas. By saying to them that they must give up their Australian citizenship we do both them and ourselves an injustice. I think that we cause Australians who have gone offshore to find work in their area of expertise to be unable to come back to Australia. We are saying to them under the current arrangements of the citizenship legislation, ‘You can make a choice; it is either us or them.’ I think in this modern world you can make the choice between being one of us and being one of them. I have a few other things I would like to say in this debate, Mr Speaker, but I have been told that you want to say something as well so I move that the debate be adjourned and I seek leave to continue my remarks later.

Leave granted; debate adjourned.

#### PRIVILEGE: *HANSARD* EXTRACTS

**The SPEAKER** (10.27 p.m.)—I thank the member for Watson for his accommodation and he will have opportunity to continue speaking when the debate is resumed. I wish to inform members that since the House last met I have considered a request from the Australian Government Solicitor for permission to produce an extract from *Hansard* in a court case concerning actions in the Timor Gap. Such requests have normally been put to the House for decision. However, when the House has not been sitting, Speakers have sometimes given permission and informed the House of their decision when it next met. In this case I was not aware of any reason why the request should not be agreed to and so the AGS was informed accordingly. The advice to the AGS noted the need for the substantive restrictions required by the law of parliamentary privilege to be observed. For the information of members I table a copy of the correspondence.

#### ADJOURNMENT

**Mr ROSS CAMERON** (Parramatta—Parliamentary Secretary to the Minister for Family and Community Services) (10.28 p.m.)—I move:

That the House do now adjourn.

#### Opening of Parliament: Procedures

**Mr MARTIN FERGUSON** (Batman) (10.29 p.m.)—Speaking on the adjournment debate this evening I desire to address a report on the procedures for the opening of parliament. The report I specifically refer to is the report of the procedure committee entitled *Balancing traditions and progress*. As a member of this House’s Standing Committee on Procedure in the last parliament I was fortunate enough to participate in a comprehensive review of the procedures of the opening of this place. The bipartisan standing committee on which the member for Parramatta also served made eight unanimous recommendations as a

result of that review. In endorsing those changes as to the procedures for the opening of parliament the desire of the committee, and it worked very hard to get a unanimous position, was that some of those recommendations may have been implemented in the opening of the current parliament.

Mr Speaker, as you and I both know, this parliament was the first new parliament since the Centenary of Federation, the centenary of the parliament of the Commonwealth of Australia. I would have thought that no better time existed to break with tradition and make reference to the Australian people than when opening this parliament. We all recognise that the opening ceremony for this place is steeped in tradition—a tradition that has evolved considerably over the century to its current form. Now is the time, without a doubt, to continue its evolution to incorporate a more modern, inclusive and Australian opening ceremony. However, as a result of the complete rejection and unwillingness of the government to consider the unanimous and practical reforms of the committee, one has to ask oneself from time to time what is the real value in serving on some of the committees of this parliament when you are treated with absolute contempt, despite an endeavour by both sides of the parliament to pursue practical reform.

In that context, people in this place need to be constantly reminded that we represent the people of Australia or, as Sir William Deane stated at the commemorative centenary sitting of the parliament in Melbourne on 9 May 2001:

... the ultimate source of all government power and authority in this land is the people—all the people—of our Commonwealth.

Surely, at this time, it is appropriate to continue the evolution of the opening of this place to enable greater recognition of Australian people. Surely it is time to consider the modernisation of the form of the oath and affirmation of allegiance taken by members and senators. It is without a doubt the government’s responsibility and moral obligation to take note of the committee’s recommendations and, in doing so, to develop a proposed new form of the oath and the affirmation to be put to the people of Australia in a referendum. Similarly, I trust that the government will develop a form of the address-in-reply with a view to including recognition of the Australian people.

I note in passing that on 16 October 2001 the new Northern Territory government made a significant break from tradition by making special recognition of indigenous culture and identity. The Northern Territory government is clearly intent on achieving reconciliation by reinforcing a message of inclusiveness and unity. This government could and should have taken a leaf out of their book to clearly demonstrate that this place exists to serve indigenous people too. If it was good enough for our Centenary of Federation celebration in Melbourne then it should also have been good enough for the opening of the current parliament. That is what the Council for Aboriginal Reconciliation recommended when it stated:

All Parliaments, governments and organisations observe protocols and negotiate with local Aboriginal and Torres