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The deadline for submissions is Monday 16 January 2006

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To: Committee Secretary

Senate Legal and Constitutional Committee
Department of the Senate
Parliament House
Canberra ACT 2600

Inquiry into the *Australian Citizenship Bill 2005* - Maltese Children

Dear Sir,

Thank you for providing me with the opportunity to comment on the *Australian Citizenship Bill 2005* (the Bill). I believe that on the whole, this is an excellent piece of legislation.

However, I was very disappointed to learn that the Government is excluding approximately 3,000 children in Malta from access to Australian citizenship under the Bill.

The children concerned have Australian-born parents. Normally, children born overseas to Australian-born parents are entitled to be Australian citizens by descent.

Due to unfortunate historical circumstance, their parents were forced to renounce their Australian citizenship some years ago under Section 18 of the *Australian Citizenship Act 1948*, before their children were born, in order to keep their Maltese citizenship as adults. I am pleased that the Government is now allowing these Australian-born people to resume their Australian citizenship under the proposed legislation.

But I do not understand why their children cannot now also be provided with access to Australian citizenship. Their exclusion seems to me to be unjustified.

I note that thousands of Australians automatically forfeited their Australian citizenship on the voluntary acquisition of another citizenship under the now-repealed Section 17 of the *Australian Citizenship Act 1948* until April 2002. Many of those people also had children overseas after their loss of Australian citizenship. The Government has seen fit to allow their children access to Australian citizenship.

I ask the Committee to seriously consider whether it is appropriate to discriminate against 3,000 Maltese children, simply because their parents gave up their Australian citizenship under Section 18 and not Section 17. Surely both groups of innocent children should be treated equally.

Children are the future of our nation, and Australia has a falling birth rate. The 3,000 children in Malta excluded from the Bill have an average age of 10½. I have no doubt that with their Australian heritage, as Australian citizens, they would make an extremely valuable and enriching contribution to our country in the future, in the same way that thousands of Maltese migrants to Australia and their descendants have already helped make Australia great.

Yours faithfully,

(Your signature)