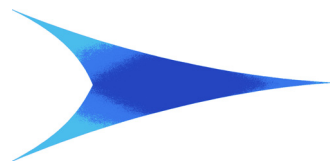


# The Southern Cross Group

Promoting Mobility in the Global Community



## Proposed New Citizenship Law for Australia Have Your Say

Many Australian expats and their families will be impacted by draft legislation introduced into Parliament in Canberra on 9 November 2005: the *Australian Citizenship Bill 2005*.

The Senate has referred this important draft legislation to an Inquiry. Submissions are invited by **Monday 16 January 2006**.

It's quick and easy to have your say through the Southern Cross Group website and an online submission will take you just five minutes. You can choose which paragraphs you want to include in your submission and also write a personal message at the end if desired:

[http://www.southern-cross-group.org/citizenship\\_bill/make\\_submission.html](http://www.southern-cross-group.org/citizenship_bill/make_submission.html)

Following the April 2002 repeal of Section 17 of the *Australian Citizenship Act 1948* (automatic loss of Australian citizenship on the voluntary acquisition of another citizenship), this Bill will completely replace the current Act and will introduce a host of further citizenship "fixes" that will greatly benefit the Australian expat community.

For example, resumption of citizenship lost under Section 17 before it was repealed in April 2002 will become significantly easier for those residing abroad. The only requirement once the law changes will be that the person is of good character. At the moment, people have to make a declaration that they intend to return to reside in Australia within three years. This is currently preventing many former Australians from resuming their lost citizenship.

In addition, many people who missed out on Australian citizenship by descent for various reasons (i.e. people born to an Australian parent overseas) will have access to citizenship for the first time.

Provision has also been made in the new Bill to provide improved access to Australian citizenship for the non-Australian spouses of Australian citizens where the couple resides abroad and the non-Australian spouse is an Australian permanent resident. The non-Australian spouse will not have to fulfil the normal requirements for presence in Australia prior to applying for citizenship.

Those who formally renounced their Australian citizenship under Section 18 will also be able to resume their citizenship. This is not presently possible for those over 25.

The greatest outstanding issue, not in the Bill at this stage, is children of Section 18 victims, i.e. children born overseas to Australian-born people after they formally renounced their Australian citizenship. These children cannot currently be registered as Australian citizens by descent because they did not have an Australian-citizen parent at the time of their birth. This is the so-called "Maltese children" issue, because approx. 3,000 children in Malta are impacted (although there are also children born to former Australians who renounced in other countries who are affected – e.g. Germany, Denmark.)

Everyone who makes a submission on any aspect of the Bill is urged to lend their support to the inclusion of Section 18 children. The ALP has given an undertaking to introduce an Opposition amendment to have these Section 18 children included, but this amendment may not become part of the law as finally adopted because the Government presently controls both the House and the Senate. Section 17 children are being provided with access to Australian citizenship, so it would seem inequitable not to include Section 18 children.

Those who do not wish to make an e-mail submission through the SCG website can send their submission via post, fax or e-mail to the Senate Committee at the following address:

Inquiry into Australian Citizenship Bill  
Committee Secretary  
Senate Legal and Constitutional Committee  
Department of the Senate  
Parliament House  
Canberra ACT 2600  
AUSTRALIA

Tel: +61 6277 3560 Fax: + 61 2 7277 5794

E-mail: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Further information at [www.southern-cross-group.org](http://www.southern-cross-group.org)

E-mail: [info@southern-cross-group.org](mailto:info@southern-cross-group.org)