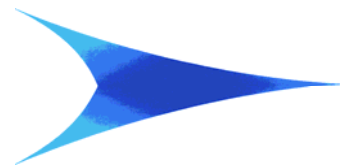


# The Southern Cross Group

*Promoting Mobility in the Global Community*



## MEDIA RELEASE

### Citizenship Changes Bittersweet for Sandra in Malta

This coming Sunday 1 July is a long-anticipated date for Melbourne-born Sandra Portelli who lives in Malta.

On the commencement of the *Australian Citizenship Act 2007*, Sandra will be eligible to apply to resume her Australian citizenship.

Sandra's parents were post-war Maltese migrants to Australia. Sandra was born in 1975, and when she was eight years old, in 1983, her parents decided to move back to Malta.

Like many children of Australian migrants, Sandra was able to benefit from dual citizenship. She was an Australian citizen by birth under Australian law, and a Maltese citizen by descent under Maltese law.

But in 1994 in Malta, just before her 19<sup>th</sup> birthday, Sandra was faced with the hardest decision of her life. Maltese law, until changes in February 2000, prohibited dual citizenship in adulthood. When she was 18, the company she worked for received a notification from the Maltese government. If Sandra didn't renounce her Australian citizenship by her 19<sup>th</sup> birthday under Section 18 of the *Australian Citizenship Act 1948*, the employer was given instructions to sack her.

Faced with unemployment, Sandra had no choice but to go to the Australian High Commission in Malta to make the required declaration of renunciation. She recalls the events with emotion.

"I walked into the High Commission, and I asked the guy behind the counter whether I could keep both citizenships", she says. "He said, no mate, you've got to decide. Either you're an Aussie or a wog, but you can't be both". She signed the form.



*Sandra Portelli with daughter Jamie Lee and husband James.*

Sandra was one of almost 2,000 Australian-born people in Malta who renounced Australian citizenship in similar circumstances over several decades.

Since her renunciation, Sandra has "bawled her eyes out" whenever she watches television documentaries about Australia. At the age of 21, she went back to Australia for a holiday and "nearly died" when she got there, "Just the smell of the place, and all the associations with my childhood", she says. Engagement to an Australian followed, and although she returned to Australia in 1998 on a fiancé visa, the wedding never took place.

While in Australia, though, she applied for resumption of her Australian citizenship. A long and very frustrating saga resulted in the Department of Immigration refusing her application, and the Australian Administrative Appeals Tribunal confirming the Department's assessment that the provision allowing resumption in the 1948 Act did not apply to those who had used Section 18 of the Act to formally renounce their citizenship when starting from a base of dual citizenship.

### **Daughter Jamie Lee Misses Out**

After living through what she calls "a legal and administrative nightmare", this Sunday will be somewhat of an anticlimax for Sandra. Her Maltese-born daughter Jamie Lee, nearly three, born after Sandra was forced to renounce her Australian citizenship, will not be eligible for Australian citizenship under the new Act. Despite several years of lobbying by the Southern Cross Group to have such children included within the ambit of the new legislation, and Opposition support for the required amendment, approximately 3,000 children in Malta like Jamie Lee with Australian-born parents have been left out. In contrast, children born abroad after their parents lost their Australian citizenship under Section 17, as opposed to Section 18, are being allowed citizenship.

"Of course I'm going to apply immediately to get my citizenship back", says Sandra. "James, my husband, has never been to Australia and we already have tickets booked for a trip in November. I want to enter Australia this time on an Australian passport".

"But I'm so sad for Jamie Lee. If I'd had my Australian citizenship back when she was born in 2004, she'd be Australian by descent now. I missed out on resumption in 1998 because of the silly technicality that I was a Section 18 victim and not a Section 17 victim. Now Jamie Lee is being discriminated against again on the same technicality. I'm really hoping that we'll be able to give Jamie Lee a little brother or sister next year. And if that child is born after I resume, he or she will be an Australian by descent, but Jamie Lee still won't."

#### Contacts:

Jacqueline Mowbray in Sydney, Australia, mobile +61 419 744 308, [jacqui@southern-cross-group.org](mailto:jacqui@southern-cross-group.org)

Anne MacGregor in Brussels, Belgium, mobile +32 474 950 131, [anne@southern-cross-group.org](mailto:anne@southern-cross-group.org)

#### Information for Citizenship Applicants in Malta

Special arrangements apply to citizenship resumption applicants in Malta. **The Australian High Commission in Malta is NOT accepting applications.** More information is available at:

<http://www.southern-cross-group.org/malta/overview.html>

### ***About the Southern Cross Group***

The Southern Cross Group is an international non-profit volunteer-run advocacy and support organisation for the Australian diaspora. Since its formation in early 2000, the SCG has established a consistent track record of intelligent and timely submissions to Government on a host of Australian expatriate issues. The Group is best known for its work in reforming Australian citizenship law. It has also been active on the issue of expatriate disenfranchisement in the Australian electoral process, and was the driving force behind the establishment of a broad-based dedicated Australian Senate Committee Inquiry into Australian expatriates held in 2003-2005.

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

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