



REGISTRAR OF
30 NOV 2017
5.16 PM
SENATORS' INTERESTS

To the Registrar of Senators' Interests,

Statement in relation to citizenship – 45th Parliament

I declare that at the time I nominated for election in this 45th Parliament I was an Australian citizen.

Section 1—Senator's details

Surname: Canavan	
Other Names: Matthew James	State: QLD

Section 2—Senator's birth and citizenship details

Place of birth: Southport, Queensland	Citizenship held at birth: Australian
Date of birth: 17 / 12 / 1980 Day Month Year	Date of Australian naturalisation: <i>(if not an Australian citizen by birth)</i> / / Day Month Year

Section 3(a)—Senator's parents' birth details

	Mother	Father
Place of birth:	Ayr, Queensland	Toowoomba, Queensland
Date of birth:	22 / 10 / 1955 Day Month Year	5 / 8 / 1959 Day Month Year

Notes

- (1) The information which you are required to provide is contained in a resolution agreed to by the Senate on 13 November 2017
- (2) If there is insufficient space on this form for the information you are required to provide, you may attach additional pages for that purpose. An electronic file of this form is available on www.aph.gov.au/senators_interests.
- (3) Forward the original, signed copy of all pages of this statement to the Registrar of Senators' Interests, SG.39 Parliament House, Canberra ACT 2600

Section 3(b)—Senator’s grandparents’ birth details

	Maternal grandmother	Maternal grandfather
Place of birth:	Lozzo di Cadore, Belluno, Italy	Lozzo di Cadore, Belluno, Italy
Date of birth:	6 / 12 / 1920 Day Month Year	1 / 8 / 1915 Day Month Year

	Paternal grandmother	Paternal grandfather
Place of birth:	Murgon, Queensland	Warwick, Queensland
Date of birth:	30 / 12 / 1934 Day Month Year	28 / 2 / 1932 Day Month Year

Section 3(c)—Other factors that may be relevant eg: adoption, IVF, or assumption of citizenship through marriage.

Section 3(d)—Please list the steps you have taken to assure yourself you have not inherited citizenship of another country from a parent or grandparent.

In July 2017, I was made aware that I had been placed on a "Register of Italians Resident Abroad - A.I.R.E." I subsequently resigned from the Ministry and the Senate referred the matter to the High Court sitting as the Court of Disputed Returns on 9 August 2017.

As an abundance of caution, I took the steps to renounce any possible foreign citizenship, or entitlement to foreign citizenship in August 2017.

The court found that:

"The evidence of Italian citizenship law is contained in the joint report of Maurizio Delfino and Professor Beniamino Caravita di Toritto ("the joint report"), both of whom are practising Italian lawyers. From the joint report it emerges that Senator Canavan's status, if any, as an Italian citizen does not arise from any step taken by his mother in 2006 but rather from the circumstance that his maternal grandmother had not renounced her Italian citizenship at the date of his mother's birth.

"Registration with A.I.R.E. is distinguished in the joint report from a request for the declaration of Italian citizenship, which is required to follow the steps set out in a circular issued by the Italian Ministry of Foreign Affairs in 1991 ("the circolare"). The authors of the joint report state that "[o]nly after the request made by the individual for the recognition iure sanguinis of the Italian citizenship has been ascertained to be well grounded, may the consulate issue the relevant certificate of citizenship". They observe that it is not known if "the investigation and controls" referred to in the circolare have been carried out. They state that the A.I.R.E. certificate issued by the Mayor of the Municipality of Lozzo di Cadore "should not per se be considered a recognition of Italian citizenship": under the circolare only the interested party, who must be of age, can apply for citizenship.

"They conclude that the more reasonable interpretation of Italian law, in line with the adoption of the "subjective conception of citizenship" under the Italian Constitution, is that the administrative steps described in the circolare (which are expressed to apply to applicants for Italian citizenship arising from events before the commencement of the law of 1992) are matters of substance, amounting to a prerequisite to the "potential" citizenship right being activated.

"Senator Canavan has not applied for a declaration of Italian citizenship. On the evidence before the Court, one cannot be satisfied that Senator Canavan was a citizen of Italy. The concluding section of the joint report suggests that he was not. Given the potential for Italian citizenship by descent to extend indefinitely – generation after generation – into the public life of an adopted home, one can readily accept that the reasonable view of Italian law is that it requires the taking of the positive steps referred to in the joint report as conditions precedent to citizenship."

Section 4(a)—Foreign citizenship

Have you ever been a citizen of any country other than Australia?

- NO** — Proceed to Section 6
- YES** — List the countries that you have been a citizen of, and evidence of

the date and manner in which your citizenship was renounced or otherwise came to an end.

Country	Manner of renunciation or other manner in which the foreign citizenship came to an end	Date	Evidence attached

NB: Evidence of the date and manner in which your citizenship was renounced or otherwise came to an end **should** be attached to this form. Please date and initial each page of any attachment.

Section 4(b)—Foreign citizenship at time of nomination

On the date you nominated for election in this 45th Parliament were you a citizen of any country other than Australia?

- NO** — Proceed to Section 4(c)
- YES** — Provide evidence of any steps you have taken to renounce the citizenship of the country prior to the date of nomination:

Country	Action	Date	Evidence attached

NB: Evidence of the steps taken to renounce foreign citizenship prior to the date of nomination **should** be attached to this form. Please date and initial each page of any attachment.

Section 4(c)—Are you now a citizen of any country other than Australia?

- NO** — Proceed to Section 5
- YES** — Provide evidence and details of steps taken to renounce

citizenship:

Country	Action	Date	Evidence attached

NB: Evidence of the steps taken to renounce foreign citizenship prior to the date of nomination **should be attached to this form. Please date and initial each page of any attachment.**

Section 5—Senator with foreign citizenship at nomination or now

Complete this section if you answered YES in section 4(b) or 4(c)


Basis on which the Member contends she or he is not disqualified under s 44(i)	Evidence attached

Section 6—General declaration

I declare that I have completed this statement to the best of my knowledge and have attached all evidence relevant to my declarations.

Signed

Date

	30 1 11 2017 Day Month Year
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