

Annex 14

Suggested Information for New Australian Citizens Overseas

The Southern Cross Group has outlined for the JSCEM on pages 67-68 of its Primary Submission document the fact that a number of former Australian citizens and others will be able to apply for Australian citizenship while living abroad under the provisions of the *Australian Citizenship Bill 2005* once that Bill is enacted and in force. These people will in the main not be subject to the naturalisation procedures and formalities that migrants in Australia experience.

The SCG believes that it is nevertheless important to reach out to these individuals on the occasion of them becoming Australian citizens and formal members of the Australian community. It suggests that the information provided as hard copy to new Australian citizens who become citizens while living overseas might be along the following lines:

Congratulations on becoming an Australian citizen.

As an Australian citizen, you will enjoy the same rights as all other Australian citizens:

- Subject to the provisions of the *Commonwealth Electoral Act 1918*, the right to enrol and vote to help elect Australia's governments at the federal, state and local level;
- The right to apply to nominate for election to Parliament (subject to s44 (i) of the Australian Constitution which prohibits dual citizens from standing for the Australian Parliament);
- The right to apply for an Australian passport and to leave and re-enter the country without a resident return visa;
- The right to seek assistance from Australian diplomatic representatives while overseas;
- The right to apply to enlist in the defence forces and for government jobs requiring Australian citizenship; and

- Subject to the provisions of Australia's citizenship laws, the right to register your children born abroad as Australian citizens by descent.

With citizenship, there are also certain responsibilities expected of all Australians. You will, for example, be required to:

- Obey the laws and fulfill your duties as an Australian citizen;
- Provided you live in Australia, enrol on the Electoral Roll and vote at Federal and State/Territory elections and referenda;
- Serve on a jury, if called on;
- Defend Australia, should the need arise.

These privileges and responsibilities are subject to the same rights and exemptions as Australian-born citizens.

To fully understand your rights and privileges as an Australian citizen resident abroad relating to electoral matters, we suggest you refer to the following online information about the Australian systems of government and democracy at both the federal and state levels:

[List of relevant websites. These should in advance be amended to expressly address the position of citizens living abroad.]

Australian citizens living abroad do not always have the same rights and responsibilities as Australians living in Australia. Enrolment and voting are not compulsory for Australian citizens overseas, but you are encouraged to participate from abroad within the limitations provided by law.

You should note the following limitations which apply to you while you remain resident abroad:

- You have no entitlement to enrol to vote in Australian federal elections while living abroad unless you previously resided in Australia, and you ceased to reside in Australia less than three years ago.

- If you are or become eligible to enrol, and you then live abroad, you may apply for Eligible Overseas Elector (EOE) status and will be able to vote from abroad, if you have an intention to return to reside in Australia within 6 years, and as long as you make the application within three years of moving abroad to live. Once you are an EOE, you can renew your EOE status at the end of the initial six-year period on an annual basis.
- If you become an EOE, although voting is not compulsory from abroad, if you do not vote in an election, your enrolment may be cancelled. Once you have been removed from the electoral roll, you will only be able to re-enrol from abroad if it is less than three years since you ceased to reside in Australia.

If You Move to Australia to Live...

If you are not presently entitled to enrol to vote, you will become eligible to enrol to vote if/when you reside at an address within Australia for one month or more. Enrolment and voting is compulsory for adult Australian citizens resident in Australia. Once enrolled and living in Australia, if you leave Australia on a holiday or trip abroad for a short-term period, you should let the AEC know of your absence, and if an election occurs you can vote by post or at an Australian mission overseas, but it is not compulsory to vote while outside Australia.

Website Portal to Government Information

The Australian Government maintains a website portal *www.australia.gov.au* which will lead you to information pages maintained by the various government agencies. For an up-to-date coverage of the issues with which you may be concerned from time to time, you should consult the website on a regular basis.

Adult Civics and Electoral Education Courses

New overseas citizens should be given details of where to find information on adult civics and electoral education courses running in Australia, so that if they visit or move to Australia, they can take part in a class on a voluntary basis.

Distance-learning civics and electoral education materials should also be made available online and by post free or at minimal cost for these new Australian citizens overseas on a voluntary basis.