

Members' statements in relation to citizenship

Requirements of the House of Representatives

Resolution adopted 4 December 2017

Members' statements in relation to citizenship

- (1) By not later than 9 am on 5 December 2017 (and otherwise within 21 days of making and subscribing an oath or affirmation as a Member of the House of Representatives), each Member shall provide to the Registrar of Members' Interests a statement containing the following:
 - (a) a declaration by the Member that, at the time the Member nominated for election to the House of Representatives in this 45th Parliament, he or she was an Australian citizen;
 - (b) a declaration that the Member is not a citizen of any country other than Australia;
 - (c) a declaration stating:
 - the place and date of the Member's birth;
 - the citizenship that the Member held at the time of birth; and
 - if he or she did not obtain Australian citizenship at birth, the date he or she was naturalised as an Australian citizen;
 - (d) so far as the Member is aware the place and date of birth of the Member's parents, grandparents and spouse (if applicable);
 - (e) whether the Member has ever been a citizen of another country and, if so, which country or countries;
 - (f) what steps the Member has taken to assure him or herself that the Member has not acquired citizenship of another country by descent, marriage or other means;
 - (g) if the Member has answered the question in e) in the affirmative, details and evidence of the date and manner in which the Member's citizenship of that other country was renounced (if it was renounced) and/or the date and manner in which it came to an end in accordance with the laws of that other country;
 - (h) if the Member's citizenship of that other country had not come to an end at the date of his or her nomination for the House of Representatives, details and evidence of any steps the Member has taken to renounce the citizenship of that other country prior to the date of nomination; and
 - (i) if the Member has declared that he or she was at the time of nomination or is now a citizen of a country other than Australia, on what basis the Member contends that he or she is, nonetheless, not disqualified under section 44(i) of the Constitution.
- (2) If at any time the Member becomes aware that information provided in the statement is no longer accurate he or she shall update the statement as soon as practicable but by no later than 21 days of being so aware.

Committee of Privileges and Members' Interests

- (3) Statements shall be made in accordance with this resolution and in a form determined by the Committee of Privileges and Members' Interests. The Registrar shall, in accordance with procedures determined by the committee, maintain a Citizenship Register comprising statements provided under this resolution. Other than as specifically provided for in this resolution, the committee has the same powers and functions in relation to the citizenship register as it does in relation to the Register of Members' Interests.

Citizenship Register published on website

- (4) The Registrar shall, upon the expiry of the time for providing statements under this resolution, and at other times determined by the committee, publish the register and any alterations or additions to the register on the Parliament's website.

False statements or omissions regarded as contempt

- (5) Any Member who:
- (a) knowingly fails to provide the statement required by this resolution to the Registrar of Members' Interests by the due date; or
 - (b) knowingly fails to correct an inaccuracy in his or her statement within the required timeframe; or
 - (c) knowingly provides false or misleading information to the Registrar of Members' Interests;
- shall be guilty of a serious contempt of the House of Representatives and shall be dealt with by the House accordingly; a question of whether any Member has committed such a serious contempt shall first be referred to the Committee of Privileges and Members' Interests for inquiry and report.

Referral of any question

- (6) Notwithstanding anything contained in the standing orders or any other resolution, referral of a Member to the Court of Disputed Returns may be moved without notice by a Minister or the Manager of Opposition Business.