



Mary Axiacq

Malta

The Secretary  
Senate Legal & Constitutional References Committee  
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### **Submission to Inquiry into Australia Expatriates**

Dear Sir/Madam

I was born in Melbourne/Footscray in Australia on the 11<sup>th</sup> August 1959. My mother and father migrated to Australia from Malta in March 1959 and they arrived in Australia on the 22<sup>nd</sup> of April of the same year.

As a child I enjoyed dual citizenship. I was Australian by birth under Australian law and Maltese by descent under Maltese law. In the year December 1968 when I was nine years old my family moved back to Malta. Under Maltese citizenship law I was required to decide between Maltese and Australian citizenship between my 18<sup>th</sup> and 19<sup>th</sup> birthday. Prior to amendments, which took effect on 10<sup>th</sup> February 2000, Maltese citizenship law did not allow dual citizenship in adulthood.

I was required by the Maltese citizenship authorities to present documentary evidence that I had formally renounced my Australian citizenship under Australian law using section 18 of the Australian citizenship act 1948, in order to keep my Maltese citizenship beyond my 19<sup>th</sup> birthday.

I opted to keep Maltese citizenship in adulthood due to the fact that life in Malta for me without Maltese citizenship would have been extremely difficult. In particular, freedom of movement was difficult for a foreigner, for example I couldn't attend university, I couldn't work in Malta being an Australian citizen and therefore there was no way of building a future for me, considering that I was already engaged to a Maltese citizen. I had no other choice, then against my wishes renounced to my Australian citizenship. At the time that I renounced my Australian citizenship I did so only because I felt compelled and essentially had no choice in the circumstances.

I was extremely unhappy about forfeiting my Australian citizenship because I was born in Australia, spent my formative years there and still consider myself to be Australian today, even if I am not legally an Australian citizen. I still think of my homeland; the time I went to school, the photos that I had with my schoolmates and the parks and cities I used to visit with my parents.

Australian citizenship is my birthright because I was born in Australia; I still maintain close ties with Australia. I keep close contact with my cousin who lives in Queensland, and other cousins that are still living in Melbourne. My cousin sends me information and details of my birth land and I send her information about Malta.

The Australian citizenship act 1948 contains a provision whereby those who lost their Australian citizenship under the now repealed section 17 may resume their lost citizenship as long as they are able to state an intention to return to Australia to live within three years.

I feel it is inequitable to deny those who lost their Australian citizenship under section 18 the same resumption right, when the 2002 repeal of section 17 signals that Australia as a country now accepts dual citizenship as sound policy for the 21<sup>st</sup> century.

Not only should the current resumption provision apply to section 18 victims such as myself, but it should be broadened so that former Australians overseas are not required to make a living in Australia should not be one of the tests of worthiness to resume Australian citizenship. Overseas Australians make valuable contributions in a multitude of ways to Australia.

Many section 17 victims acquired other citizenships before 4<sup>th</sup> April 2002 because they felt compelled to do so at the time for financial or practical reasons effecting life in their country of residence. Australian-born Maltese are being discriminated against under Australian law simply because Maltese law at the time required a section 18 renunciations when the citizenship laws of other countries did not.

I note that Australian law changed with effect from 1<sup>st</sup> July 2002 to allow people who renounced their Australian citizenship in order to retain other citizenship to apply to resume their Australian citizenship up to the age of 25 years. However, this provision does not assist me because I was over the age of 25 on 1<sup>st</sup> July 2002.

I still consider myself an Australian because nobody can take my birthplace away from me. When somebody asks me where I was born I always say that I was born in Australia and I'm very proud of it. Regardless of the fact I am not formally an Australian citizen, I consider myself to be an integral part of Australians now significant Diaspora.

Many thanks for the opportunity to contribute to the work of your committee in this inquiry.

Yours faithfully,



Mary Axiaq

# VICTORIA

AUSTRALIA

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT 1996

REGISTRATION NUMBER

22407/1959

## BIRTH CERTIFICATE

1 CHILD	Surname Christian or Given Name(s) Sex Date of Birth Place of Birth	<b>AZZOPARDI</b> <b>Mary</b> <b>Female</b> <b>11 August 1959</b> <b>Footscray</b>
2 MOTHER	Surname Maiden Surname Christian or Given Name(s) Occupation Age Place of Birth	<b>AZZOPARDI</b> <b>AGIUS</b> <b>Polly</b>  <b>28 years</b> <b>Malta</b>
3 FATHER	Surname Christian or Given Name(s) Occupation Age Place of Birth	<b>AZZOPARDI</b> <b>Nazarenu</b> <b>Moulder</b> <b>26 years</b> <b>Malta</b>
4 MARRIAGE OF PARENTS	Date of Marriage Place of Marriage	<b>09 November 1958</b> <b>Malta</b>
5 PREVIOUS CHILDREN OF RELATIONSHIP		<b>Not any</b>
6 INFORMANT(S)	Name Address	<b>N. AZZOPARDI</b> <b>1 Charles St</b> <b>North Sunshine</b> <b>Father</b>
7 REGISTRATION OFFICER	Name Date	<b>R. Craig</b> <b>21 August 1959</b>
8 ENDORSEMENT(S)		<b>Not any</b>

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The back of this document contains an artificial watermark. Hold at an angle to view.



REGISTRY OF BIRTHS  
DEATHS AND MARRIAGES

MELBOURNE

03 Dec 1998

I hereby certify that this is a true copy of particulars recorded in a Register in the State of Victoria, in the Commonwealth of Australia.

Registrar

## SECOND SCHEDULE

BIRTHS in the District of MELBOURNE, in Victoria,  
Registered by *Michael S. King*

1 No.	No 22107
Child— 2 When and where born ..	11th August, 1959, Fitzroy and District Hospital, Baker Street, Fitzroy, City of Melbourne, County of Derby, Vic., 1 Charles Street, North Sunshine, City of Sunshine.
3 Name, and whether present or not ..	None, not present.
4 Sex ..	Female.
Parents— FATHER— 5 (1) Name and Surname, and occu- pation of the father .. (2) Age .. and .. (3) Birthplace ..	Assarini Azzopardi, Builder, 26 years, Malta.
6 (1) When and where married .. (2) Previous issue— Living and Deceased	5th November, 1958, Malta. Not any.
MOTHER— 7 (1) Name and maiden surname of the mother .. (2) Age .. and .. (3) Birthplace ..	Polly Azzopardi, Formerly Agius, 28 years, Malta.
Informant— 8 Signature, description, and residence of Informant ..	<i>Assarini Azzopardi</i>  Father, 1 Charles Street, North Sunshine.
Witnesses— 9 (1) Accoucher .. (2) Name by whom certified .. and .. (3) Names of occupiers or other witnesses ..	Dr. Gibb, Sister Thompson.
Registrar— 10 When Registered, and where ..	21st August, 1959 Melbourne
11 Signature of Registrar ..	<i>Michael S. King</i>
12 Name, if added after registration of	

8 Signature, description, and residence of Informant .. ..

*V. J. O'Sullivan*

Father,  
1 Charles Street, North Melbourne.

Witnesses—

- 9 (1) Accoucher .. ..
- (2) Nurse by whom certified .. ..
- and
- (3) Names of occupiers or other witnesses .. ..

Dr. Gibb,  
Sister Thompson.

Registrar—

10 When registered, and where .. ..

21st August, 1959 Melbourne

11 Signature of Registrar .. ..

*[Signature]*

12 Name, if added after registration of birth .. ..

I, Patrick James Bernard McLOUGHLIN a Registration Officer of the State of Victoria, in the Commonwealth of Australia, do hereby certify that the above is a true copy of an Entry in a Register of Births kept in this Office.

*[Signature]*

OFFICE OF THE GOVERNMENT STATIST,  
MELBOURNE 2 1977



Department of ~~XXXXXX~~ Immigration and Ethnic Affairs

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# Declaration of Renunciation of Australian Citizenship

Australian Citizenship Act 1948-1973

Miss Mary Azzopardi ( D.O.B. 11 August 1959 )

Julie House, Valletta Road, Kirkos, MALTA.

being an Australian citizen, do hereby declare that I renounce my Australian citizenship under the provisions of sub-section (1), (2), (3), (3a) of section 18 of the Australian Citizenship Act 1948-1973.

Mary Azzopardi  
(Signature)

Declared at MALTA this twelfth day of

February 1970, before me:

*[Signature]*

(Signature)

*Justice of the High Court, Judge, Magistrate, Commissioner for Declarations, Justice of the Peace, Notary Public or authorized officer, as the case may be.*

and Ethnic Affairs

Registered in the Department of ~~XXXXXX~~ Immigration, Canberra, A.C.T., in

Register number 4 page 72 this thirteenth

day of April 19 78

*[Signature]*

(By authority of the Minister for ~~XXXX~~ Immigration) and  
Ethnic Affairs