

00356 21335477

Jonathan Louis DeBon**MALTA**28th January 2004

To: The Secretary
Senate Legal and Constitutional references Committee
Parliament House
Canberra ACT 2600
AUSTRALIA

Dear Sirs,

I, the undersigned Jonathan Louis DeBon, residing at the above address, was born in Melbourne Australia, on the 4th of July, 1975. I was brought over to Malta by my parents, on the 7th March, 1979. After finishing my studies at Stella Maris College, (June 1991), I went for Two years of study, at the Prevocational School (Health Care). From here I proceeded to the Institute of Health Care, (under the University of Malta), when in October 1993 I entered this institute to follow the three years course of Pharmacy Technician.

When I was at the Institute of HealthCare, Maltese students had STIPEND, (a financial allowance given as help for the study expenses), while I did not classify to receive it, as I was considered as a foreign student. My parents also had to pay my expenses, bus fares, books, photocopies of notes, stationary equipment, and apart from all this, being a foreign student, I had to pay an expensive fee to be able to attend university lectures.

After I had took up the course, I was also told that, I could not work in Malta, once I successfully completed my course of studies, since I then needed a warrant / license issued by the President of the Republic of Malta, in order to be able to practice. And this warrant is only granted on condition, that the candidate is a citizen of Malta. So under all these conditions, I was left with no other alternative, but to renounce my Australian Citizenship and apply for a Maltese nationality, as at that Maltese law did not allow dual Citizenship, like it is the case today.

Since I had no money to return to Australia, and my parents could not afford to pay, I had no option, but to renounce my Australian at Birth nationality. After finishing my course at University, I embarked on other small courses related with the subject, and also took Occupational Health & Safety, where I am still in the final year.

00356 21335477

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.

Australian citizenship is my birth - right, because I was born in Australia. I still maintain close ties with Australia since both my father and sister still hold their Australian nationality, and I also have many relatives in Australia, Uncles, Auntie's, plentiful of cousins and second cousins. I have on different occasions imported items from Australia to sell in Malta and I intend of doing so on completion of my course of studies. My father has a sailing yacht registered under the Australian flag and he also receives a state pension from Australia.

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 signifies that Australia as a country now accepts dual citizenship as sound policy for the 21st 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 declaration that they intend to return to Australia to live within three years. It is submitted that 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 April 2002 because they felt compelled to do so at the time for financial or practical reasons affecting 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 renunciation when the citizenship laws of other countries did not.

I note that Australian law changed with effect from 1 July 2002 to allow people who renounced their Australian citizenship in order to retain another 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 July 2002.

Regardless of the fact that I am not formally an Australian citizen, I consider myself to be an integral part of Australia's now significant Diaspora. I thank you for the opportunity to contribute to the work of your committee in this Inquiry.

Yours faithfully,


Jonathan L. DeBon