



Mr.Simon John Mangion

To: The Secretary  
Senate Legal and Constitutional References Committee  
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Date: 27 th January , 2004

Dear Sir,

I was born at St.James Hospital Wentworthville Sydney in Australia on the 24 th June 1975. My father migrated to Australia from Malta in 1961 and my mother migrated to Australia in 1974.

As a child I enjoyed dual citizenship: I was Australian by Birth under Australian law and Maltese by descent under Maltese law. In 1976 when I was 18 months old, my family moved back to Malta.

Under Maltese citizenship law I was required to decide between Maltese and Australian citizenship between my 18 th and 19 th birthdays. Prior to amendments which took effect on 10 th 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 th 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 to continue my studies at the University, if I did not renounce my Australian citizenship instead of getting Lm 70 each month from the Government as pocket money I would have paid a sum of around Lm 2,000 each year .

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 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 because I have 4 aunts and 2 uncles and 12 cousins living in Australia and every two or three years they come to visit my family.

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Australian Citizenship Act 1948 contains a provision whereby those who lost their Australian citizenship under the now repealed Section 17 may resume their lost citizenship, as long as they are able to state an intention to return to Australia to live within three years.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 21st century.

Not only should the current resumption provision apply 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 4th 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 1st 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 27 years and seven days old on 1st July 2002.

N.B. When the Maltese citizenship law changed on the 10th February 2000 I was 24 years old.

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. Many thanks for the opportunity to contribute to the work of your Committee in this Inquiry.

Yours Sincerely



Simon Mangion