



Mark Anthony Asted

Dear Sir / Madam,

DATE 21st. Jan 2004.

I was born in Australia in
Detmoy N.S.W. on 5th May 1968. My mother and
father have emigrated to Australia and they met
there and got married in Australia to St.
Mary's Cathedral N.S.W. They emigrated in the 1940's.
As a child I enjoyed dual citizenship. I was
born in Australia under Australian law and
Maltese by descent under Maltese law. In 1976,
when I was 8 yrs old my family moved back
to Malta.

Under Maltese citizenship law I was required to
decide between Maltese and Australian citizenship
between my 18th birthday. Prior to amendments
which took effect on 10 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 19th birthday.

I opted to keep Maltese Citizenship in order due to the fact that life in Malta for me with out Maltese Citizenship would have been extremely difficult. In Particular I had no money and just started working. wages were very low it was impossible to save or make anything.

At the time that I renounced my Australian Citizenship I did so only because I get 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 my self 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 in the following ways. I have all my Aunt's and Uncles there. and all my

Cousins there. We phone units every month. I had emigrated to Australia on 1988 but after a year I had to come back because of family problems. You can't imagine after seeing my family there how hard it is to let it go again. I wasn't a lucky one. My Sister lives there to. Its such a hard thing we were there together and now we are apart.

The Australian Citizenship Act 1948 Contains a provision whereby those who lost their citizenship under now the repealed section 17 may resume their lost citizenship, as long as they are able to state an intention of return to Australia to live within three yrs. I feel it is inequitable to deny those who lost their Australian Citizenship under section 19 the same resumption right when the 2002 repeal of section 17 signals that Australia as a country now accept dual citizenship as sound policy for the 21st century.

Not only 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 3 yrs. It is submitted that living in Australia should not be ~~the~~ one of the tests of worthiness to resume Australian

Citizenship. Overseas Australians make valuable contribution in a multitude of ways to Australia. Many Section 17 citizens acquired other citizenships before April 4 2002 because they felt compelled to do so that the time for financial or practical reasons affecting life in their country of residence. Australian born matters are being discriminated against under Australian law simply because Maltese law at the time required a Section 18 renunciation to 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 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. Many thanks for the opportunity to contribute to the work of your Committee in this Inquiry.

Yours faithfully

Mark Attard.