



10/2/04

DEAR Sir / Madam

I was born in Darlinghurst, Sydney in Australia on 16th April 1942. My family migrated to Australia from Malta in 1963.

As a child I enjoyed dual citizenship. In the year 1944 when I was 2 years old my family moved back to Malta. Under Maltese law when I was 18 years old I was required to decide which citizenship to choose and so was deprived of dual citizenship. I opted to keep Maltese citizenship due to the fact that it would have been very difficult for me obtaining any housing subsidy or even ability to purchase any property in Malta.

At the time that I renounced my Australian citizenship I did so only because I felt compelled and had no choice under those circumstances which obviously left me very unhappy renouncing my Australian citizenship.

The Australian citizenship act 1948 contains a provision whereby those who lost their Australian citizenship as long as they are able to state an intention to return to Australia to live within 3 years.

I feel it is inequitable to deny those who lost their Australian citizenship under Section 18 the same resumption right when the 2002 report of section 18 signals that Australia as a country now accepts

dual citizenship as a sound policy for the 21st century.

Not only should the current resumption 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 18 victims acquired other citizenship before 24 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 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

Josephine Maria Cutajar