

## Australian Citizenship – How Lost By Renunciation

Section 18 of the Australian Citizenship Act 1948<sup>1</sup> provides for the renunciation of Australian Citizenship:

### Renunciation of citizenship

(1) Where a person is an Australian citizen and:

- (a) has attained the age of 18 years and is a national or citizen of a foreign country; or
- (b) was born, or is ordinarily resident, in a foreign country and is not entitled, under the law of that country, to acquire the nationality or citizenship of that country by reason that the person is an Australian citizen;

the person may lodge with the Minister a declaration in the prescribed form renouncing the person's Australian citizenship.

(4) Subject to subsections (5), (5A) and (6), the Minister shall register a declaration made under this section and thereupon the person making the declaration shall cease to be an Australian citizen.

(5) Where, during a war in which Australia is engaged, a declaration is made under this section by a person who is a national or citizen of a foreign country, the Minister may refuse to register the declaration.

(5A) The Minister shall not register a declaration made under this section if the Minister considers that it would not be in the interests of Australia to do so.

(6) The Minister shall not register a declaration made under this section unless the Minister is satisfied that the person who made the declaration:

- (a) is a national or citizen of a foreign country; or
- (b) will, if the declaration is registered, become a national or citizen of such a country immediately after the registration.

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<sup>1</sup> The Section of the Australian Citizenship Act 1948 quoted here has been extracted from the copy of the Act as made available via the Australian Attorney-General's Department SCALEplus website - <http://scaleplus.law.gov.au/home.htm> - as at 10 January 2004.