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Your full name, Joe Azzopardi

Country, Malta

To: The Secretary
Senate Legal and Constitutional References Committee
Parlament House
Canberra ACT 2600
AUSTRALIA
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Date 17th January 2004

Submission to Inquiry into Australia Expatriates

Dear Sir/Madam

I was born in Melbourne / Footscray in Australia on 6th Febuary 1962
My mother and father migrated to Australia from Malta in the year March 1959 and
they arrived in Australia on the 22ND of April of the same year.

As a child I enjoyed dual citizenship.
I was Australian birth under Australian law and Maltese by decent under Maltese law.

In the year December 1968 when I was six years old my family moved back to Malta,
Under Maltese citizenship law I was required to decide between Maltese and
Australian citizenship between my 18th and 19th birthday, Prior to amendments, which
took effect on 10th 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 adult hood due to the fact that life in Malta for
me without Maltese citizenship would have been extremely difficult.

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In particular, freedom of movement was difficult for a foreigner, for example I couldn't attend university, I couldn't work in Malta being an Australian citizen therefore there was now way of building a future for me. I had now other choice then against my wishes renounced to my Australian citizenship.

At the time that I renounced my Australian citizenship I did so only because I felt compelled and essentially had now choice in the circumstances. I was extremely un happy about forfeiting my Australian citizenship, because I was born in Australia, spent my formative years there ad still consider my self to be Australian today, even if I am not legally Australian citizen.

I still think of my homeland, the time I went to school the photos that I had with my schoolmates and the parks and cities I used to visit with my parents.

Australian citizenship is my birthright because I was born in Australia; I still maintain close ties with Australia, in the following ways. I still keep close contact with my cousins and uncle who lives in Melbourne. My cousins send me information and details of my birth land and I send them information about Malta.

The Australian citizenship act 1948 contains a provision whereby those who lost there 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 inequitably to deny those who lost there 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 to section 18 victims such as myself, but it should be broadened so that former Australians overseas are not required to make a 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 effecting life in their country of residence. Australian - born Maltese are being discriminated against under Australian law simple because Maltese law at the time required a section 18 renunciations 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 other citizenship to apply to

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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.

I still considerate myself as an Australian because nobody can take my birthplace away from me. When anybody asks me where I was born its always Australia for me, and im quite proud of it.

Regardless of the fact in not formally Australian citizen, I consider my self to be one and an integral part of Australians now significant Diaspora. Many thanks for the opportunity to contribute to the work of your committee in this enquiry

Yours Faithfully



Department of Immigration and Ethnic Affairs

Declaration of Renunciation of Australian Citizenship

Australian Citizenship Act 1948

Joe AZZOPARDI D.O.B. **6 February 1962**

Julie House, St. Peter Street, Kirkop, MALTA

of

being an Australian citizen, do hereby declare that I renounce my Australian citizenship under the provisions of sub-section [(1), (2), (3), (3a)] of section 18 of the Australian Citizenship Act 1948.

Joseph Azzopardi
(Signature)

Declared at **Sliema, MALTA** this **seventh** day of **August** 19 **80**, before me:-

[Signature]
(Signature)

(Justice of the High Court, Judge, Magistrate, Commissioner for Declarations, Justice of the Peace, Notary Public or authorised officer, as the case may be.)

Registered in the Department of Immigration and Ethnic Affairs, Canberra, A.C.T., in

Register number **5** page **134** this **fifteenth** day of **September** 19 **80**

[Signature]

(By authority of the Minister for Immigration and Ethnic Affairs)

VICTORIA AUSTRALIA BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT 1996

REGISTRATION NUMBER 11537/1962

BIRTH CERTIFICATE

Table with 8 rows: 1 CHILD (Azzopardi Joe, Male, 06 February 1962, Footscray), 2 MOTHER (Azzopardi Aguis Polly, 30 years, Malta), 3 FATHER (Azzopardi Nazzen Labourer, 29 years, Malta), 4 MARRIAGE OF PARENTS (09 November 1958, Malta), 5 PREVIOUS CHILDREN OF RELATIONSHIP (Mary 2 years), 6 INFORMANT(S) (N. Azzopardi, 21 Ford Ave, North Sunshine, Father), 7 REGISTRATION OFFICER (V. A. Staples, 05 March 1962), 8 ENDORSEMENT(S) (Not any)

Before accepting copies, sight unaltered original. The original has a coloured background. The back of this document contains an artificial watermark. Hold at an angle to view.



REGISTRY OF BIRTHS DEATHS AND MARRIAGES MELBOURNE

I hereby certify that this is a true copy of particulars recorded in a Register in the State of Victoria, in the Commonwealth of Australia.

Registrar

03 Dec 1998

RECEIVED TIME 18. JAN. 0:12

PRINT TIME 18. JAN. 0:20