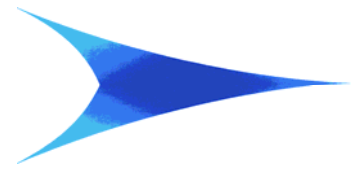


The Southern Cross Group

Promoting Mobility in the Global Community
www.southern-cross-group.org



MEDIA RELEASE

***Australian Citizenship Act 2007* Receives Royal Assent**

The Southern Cross Group (SCG) today welcomed the news that the *Australian Citizenship Act 2007* received Royal Assent on 15 March 2007. The Act was passed by Parliament in Canberra on 1 March, and the provisions impacting those in the Australian diaspora are expected to come into force on 1 July this year.

SCG Australian Coordinator John MacGregor said, "Thousands of people in the Australian expatriate community around the globe have been waiting for this legislation for a very long time. We are very pleased that at long last the changes that the SCG has lobbied so hard for over such a long period are finally law, and that people will be able to apply for Australian citizenship under the new provisions from 1 July 2007. This legislation represents a more inclusive approach to Australian citizenship towards the Australian diaspora than anytime previously in Australia's history."

Resumption of Citizenship Automatically Forfeited before 4 April 2002

A key aspect of the new *Citizenship Act* is the introduction of a simplified resumption provision for those who voluntarily acquired another citizenship before 4 April 2002 (the date of repeal of Section 17 of the current 1948 Act), thereby automatically forfeiting their Australian citizenship. While resumption for this group is already possible under present law, applicants must currently make a declaration that they intend to return to reside in Australia within three years. Many long-term expatriate former Australians residing outside Australia for family and professional reasons do not feel that they can make this declaration in good faith. From 1 July, however, the only requirement for resumption will be that the person is of good character, with applicants having to provide police clearance certificates with their applications.

Several thousand elderly Australian war brides who married US servicemen during and after World War II and have lived in the USA since their marriages, acquiring US citizenship in decades past, will benefit from this change. Globally, the SCG estimates that approximately 25,000 individuals forfeited their Australian citizenship under the old Section 17 prior to 4 April 2002. Those still living who have not already resumed under the more restrictive current resumption provisions will all be able to apply for simplified resumption from 1 July this year.

Many children automatically forfeited their Australian citizenship as minors when their parents voluntarily acquired another citizenship, in the period 1949 - 2002. They will also be able to resume their Australian citizenship from 1 July, regardless of their age now. Those who are 18 or over will have to show good character. The SCG estimates that there are approximately 19,000 such individuals globally.

Resumption of Citizenship Formally Renounced

The new Act introduces a resumption mechanism for the first time for individuals who previously had to formally renounce their Australian citizenship under Section 18 of the present law. Approximately 2000 Australian-born people now living in Malta, among others, will be the beneficiaries of this reform. The average age of this group of persons is 39. Born in Australia post-war to Maltese migrants, they were Australian by birth and Maltese by descent, and returned to live in Malta with their parents while they were still minors. Until early 2000, Maltese law did not allow dual citizenship for adults, and required that these young people formally renounce their Australian citizenship in order to retain their Maltese citizenship in adulthood. Again, good character will be a requirement for resumption of Australian citizenship and applications will be able to be lodged from 1 July.

Persons Born Abroad to Former Australian Citizens

From 1 July, a person born outside Australia will be entitled to apply for Australian citizenship by conferral/grant if one of their parents was not an Australian citizen at the time of their birth, but that parent had previously been an Australian citizen who had forfeited their citizenship under now-repealed Section 17 on the voluntary acquisition of another citizenship. Again, applicants must show good character.

Despite extensive and protracted lobbying by the SCG, sadly this reform does not extend to the overseas-born children of those who formally renounced their Australian citizenship under Section 18 of the present law. The SCG estimates that some 3000 children born and living in Malta, with an average age of 11, who have parents born in Australia, are the main group excluded under this omission. The ALP sought to have the new legislation amended during its passage to include this group, without success.

More Equitable Citizenship by Descent Entitlements

From 1 July, the law as to those born overseas who may be registered as Australian citizens by descent will be fairer, and will encompass groups in the Australian expatriate family who have hitherto been excluded due to historical sex discrimination in the law and other loopholes.

Anyone born outside Australia on or after 26 January 1949 will be eligible to become an Australian citizen if one or both of their natural parents was an Australian citizen at the time of their birth. If the parent was not themselves born in Australia, then the parent must have been present in Australia for at least 2 years prior to the application. If aged 18 or over, applicants must show good character.

Those born outside Australia or New Guinea before 26 January 1949 will be eligible for Australian citizenship by descent if one of their parents became an Australian citizen on the advent of Australian citizenship on 26 January 1949 and the parent was born in Australia or New Guinea or was naturalised in Australia before the person's birth. Again, applicants will have to show good character.

Several thousand US-born children of Australian war brides will qualify to apply for Australian citizenship by descent for the first time under these new provisions.

Preparing Citizenship Applications in Advance of 1 July 2007

In due course over the next few weeks, the SCG will be providing information on its website to guide beneficiaries under the new legislation as to how they can prepare their applications for Australian citizenship in advance of 1 July, so that applications can be made promptly from the first possible lodgement date.

If you or a member of your family will become eligible to apply for Australian citizenship under the changes, or if you are not sure how this new legislation might impact you, please get in touch with the SCG at info@southern-cross-group.org.

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About the Southern Cross Group

The Southern Cross Group is an international non-profit volunteer-run and independently-funded advocacy and support organisation for the Australian diaspora. The SCG takes an inclusive approach in defining the Australian overseas community and works on behalf of everyone in that community, regardless of their age, educational background, occupation, professional status or income. Those who are not technically Australian citizens but who are former citizens or future citizens or otherwise have a very close family connection with Australia are also within the SCG's constituency. Since its formation in early 2000, the SCG has established a consistent track record of intelligent and timely submissions to Government on a host of Australian expatriate issues, taking the lead in establishing "the Australian diaspora" firmly in Australian domestic consciousness. The Group is best known for its work in reforming Australian citizenship law. It has also been active on the issue of expatriate disenfranchisement in the Australian electoral process, and was the driving force behind the establishment of a broad-based dedicated Federal Senate Committee Inquiry into Australian expatriates held in 2003-2005. The SCG is run by 100 volunteers in 30 countries. It has no formal members or membership fees. People interested in keeping abreast of the SCG's activities are invited to [sign up to its occasional free e-bulletins](#).

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