

2022-2023

The Parliament of the
Commonwealth of Australia

THE SENATE

Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023

(Amendments to be moved by Senator Thorpe, in committee of the whole)

- (1) Schedule 1, item 4, page 4 (lines 26 to 29), omit “3 years” (wherever occurring), substitute “5 years”.

[5 years imprisonment]

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Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023

(Amendments to be moved by Senator Thorpe, in committee of the whole)

- (1) Schedule 1, item 4, page 7 (lines 8 and 9), omit “the whole of each period is to be counted”, substitute “the periods of imprisonment, to the extent that those periods are to be served concurrently, are to be counted only once”.

[concurrent sentences]

- (2) Schedule 1, item 4, page 7 (lines 10 to 13), omit the example, substitute:

Example: A person is convicted of 2 serious offences and a court has decided to impose on the person in respect of the convictions 2 periods of 8 years imprisonment to be served concurrently. For the purposes of subsection (1), the total period of imprisonment is 8 years.

[concurrent sentences]

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Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023

(Amendment to be moved by Senator David Pocock, in committee of the whole)

- (1) Schedule 1, item 4, page 6 (line 4), omit paragraph 36C(4)(b), substitute:
- (b) the person is an Australian citizen, but did not become an Australian citizen:
 - (i) upon the person's birth or under section 12; or
 - (ii) under Subdivision B of Division 2 of this Part because the person was eligible under subsection 21(8);
- [certain persons born in Australia]***

- (2) Schedule 1, item 4, page 8 (lines 25 to 29), omit subsection 36D(8), substitute:

Australian citizens to which this section applies

- (8) This section applies in relation to a person who is an Australian citizen, other than a person who became an Australian citizen:
- (a) upon the person's birth or under section 12; or
 - (b) under Subdivision B of Division 2 of this Part because the person was eligible under subsection 21(8).

[certain persons born in Australia]

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Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023

(Amendment to be moved by Senator David Pocock, in committee of the whole)

- (1) Schedule 1, item 4, page 6 (after line 3), after paragraph 36C(4)(a), insert:
 - (aa) the person is not an Aboriginal or Torres Strait Islander person;
[Aboriginal or Torres Strait Islander persons]

- (2) Schedule 1, item 4, page 8 (line 12), at the end of subsection 36D(4), add:
 - ; (d) information about whether the person is an Aboriginal or Torres Strait Islander person.
[Aboriginal or Torres Strait Islander persons]

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(Amendments to be moved by Senator David Pocock, in committee of the whole)

(1) Schedule 1, item 4, page 6 (line 3), omit paragraph 36C(4)(a), substitute:

(a) the person is aged 18 or over;

[persons aged under 18]

(2) Schedule 1, item 4, page 6 (lines 27 and 28), omit paragraph 36C(6)(a).

[persons aged under 18]

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THE SENATE

Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023

(Amendments to be moved by Senator Cash, on behalf of the Opposition, in committee of the whole)

- (1) Schedule 1, item 4, page 5 (after line 22), after paragraph 36C(3)(b), insert:
 - (ba) a provision of Subdivision C of Division 80 of the *Criminal Code* (urging violence and advocating terrorism or genocide);

[serious offence]
- (2) Schedule 1, item 4, page 5 (line 23), omit paragraph 36C(3)(c), substitute:
 - (c) a provision of Division 83 of the *Criminal Code* (other threats to security);

[serious offence]
- (3) Schedule 1, item 4, page 5 (line 33), omit subparagraph 36C(3)(f)(v).

[serious offence]
- (4) Schedule 1, item 4, page 5 (after line 33), after paragraph 36C(3)(f), insert:
 - (fa) a provision of Part 5.4 of the *Criminal Code* (harming Australians);

[serious offence]
- (5) Schedule 1, item 4, page 5 (line 35), at the end of subsection 36C(3), add:
 - ; (h) a provision of Division 270 of the *Criminal Code* (slavery and slavery-like offences);
 - (i) a provision of Division 272 of the *Criminal Code* (child sex offences outside Australia);
 - (j) a provision of Division 274 of the *Criminal Code* (torture);
 - (k) a provision of Part 9.4 of the *Criminal Code* (dangerous weapons);
 - (l) a provision of Subdivision D of Division 474 of the *Criminal Code* (use of carriage service for child abuse material);
 - (m) a provision of Subdivision F of Division 474 of the *Criminal Code* (use of carriage service involving sexual activity with, or causing harm to, person under 16).

[serious offence]