

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

Candidate's name

Malcolm Roberts

Please fill out this checklist.

Be aware that completing this checklist does not guarantee that you are eligible to be elected under section 44 of the Australian Constitution or under the *Commonwealth Electoral Act 1918*.

If you have any doubts about your eligibility, you should seek independent legal advice.

If you provide information in this checklist that you know is false or misleading, you may commit an offence against the *Criminal Code* with a maximum penalty of imprisonment for 12 months, \$12,600 or both.

You must answer every question in the checklist that has check boxes by marking one, and only one, of the boxes provided. Your nomination will be rejected if you do not mark any of the boxes, or if you mark more than one of the boxes, provided for any of these questions.

Please provide supporting documentation as appropriate. You may provide additional documents if you are unable to fit all your responses in this checklist.

Note: If you answer 'yes' in question 10 then you **must provide at least one document** in response to question 10a.

You should not include information in this checklist, or in any additional documents you provide, that is inappropriate in any way. If you do, the information may be redacted by the Electoral Commissioner and not published on the Australian Electoral Commission's website.

You may choose to redact information (for example, your own or another person's personal information) from additional documents before providing them. Redactions must be in accordance with any directions of the Electoral Commissioner.

The candidate statement and declaration that you have made elsewhere in this nomination also relate to your eligibility to be elected. In that statement and declaration:

(a) you have declared that you are qualified under the Constitution and the laws of the Commonwealth to be elected as a Senator or member of the House of Representatives; and

(b) you have stated that you are an Australian citizen.

Questions marked with an asterisk (*) are mandatory

1. Do you know the place of birth of each of your parents and grandparents (whether biological or adoptive)?*

YES
 NO

1a. Please provide any relevant details (for example, why you do not know the place of birth of a parent or grandparent):

Other relevant details relating to your knowledge of your parents' and grandparents' places of birth

Father: Ieuan Roberts, Bedlinog, Wales, UK Britain as per accompanying death certificate

Mother: Ethel Jago (Roberts), Kidston, Queensland, Australia as per accompanying birth certificate

Paternal grandparents as per accompanying family tree compiled in 1994 by father's nephew in Wales:

Joshua William Roberts, Bedlinog, Wales, UK

Leah Lewis (Roberts), Bedlinog, Wales, UK

Maternal grandparents as per mother's accompanying birth certificate :

Alfred Jago, Cornwall, England, UK

Annie Parry (Jago), Ravenswood, Queensland, Australia

[Please provide particulars of, or documents related to, any details provided in response to question 1a. These will be published with this checklist on the Australian Electoral Commission's website.]

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Relating to your eligibility under Section 44 of the Australian Constitution

2. Do you have a parent or grandparent that you know was born in another country? This may be a biological or adoptive parent or grandparent. *
 (If you do not know any of your parents' or grandparents' places of birth, please mark the 'N/A' box.)

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO
<input type="checkbox"/>	N/A

2a. If 'yes', please provide the following details, to the extent known:

Relationship to you (e.g. mother or adoptive father)	Father	Relationship to you (e.g. mother or adoptive father)	
Place of Birth	Bedlinog, Wales, UK	Place of Birth	
Date of Birth	20 / 10 / 1923	Date of Birth	/ /
Relationship to you (e.g. mother or adoptive father)	Paternal Grandfather	Relationship to you (e.g. mother or adoptive father)	Paternal Grandmother
Place of Birth	Bedlinog, Wales, UK	Place of Birth	Bedlinog, Wales, UK
Date of Birth	22 / 04 / 1893	Date of Birth	29 / 05 / 1898
Relationship to you (e.g. mother or adoptive father)	Maternal Grandfather	Relationship to you (e.g. mother or adoptive father)	
Place of Birth	Wayland, Cornwall, UK	Place of Birth	
Date of Birth	23 / 01 / 1873	Date of Birth	/ /

2b. Please provide any other relevant details:

Other relevant details relating to your parents' and grandparents' places and dates of birth

We have no official documents of my paternal and maternal grandparents' birth dates. Both parents and all 4 grandparents are deceased and no official documents are available other than those specified in question 1a.

Grandparental birth dates and paternal grandparental birth places have been obtained from the accompanying family tree cited in question 1a and various ancestry websites.

[Please provide particulars of, or documents related to, any details provided in response to questions 2a and 2b. These will be published with this checklist on the Australian Electoral Commission's website.]

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Relating to your eligibility under Section 44 of the Australian Constitution

3. Have you provided details in question 2a in relation to each parent and grandparent that you know was born in another country? *

(If you do not know any of your parents' or grandparents' places of birth, please mark the 'N/A' box.)

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO
<input type="checkbox"/>	N/A

3a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each parent and grandparent that you know was born in another country

4. Do you know which citizenships have been held by each of your parents and grandparents (whether biological or adoptive)? *

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO

4a. Please provide any relevant details (for example, why you do not know the citizenships held at a particular time by a particular parent or grandparent):

Other relevant details relating to your knowledge of your parents' and grandparents' citizenships

My father was a British citizen and a naturalised Australian citizen.

My mother was born in Australia and an Australian citizen. Under Australian legislation she had been recognised as a British subject.

My mother and father both held and traveled under Australian passports.

Three of my grandparents had British citizenship.

The fourth, my maternal grandmother, was born in Australia, and we do not know where her parents were born.

[Please provide particulars of, or documents related to, any details provided in response to question 4a. These will be published with this checklist on the Australian Electoral Commission's website.]

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Relating to your eligibility under Section 44 of the Australian Constitution

5. Do you have a parent or grandparent that you know acquired citizenship of another country by descent, naturalisation or other means? This may be a biological or adoptive parent or grandparent.*

YES
 NO
 N/A

(If you do not know any of your parents' or grandparents' citizenship, please mark the 'N/A' box.)

5a. If 'yes', please provide the following details, to the extent known:

Relationship to you (e.g. mother or adoptive father)	Mother	Relationship to you (e.g. mother or adoptive father)
Country of foreign citizenship	Possibly UK	Country of foreign citizenship
Period foreign citizenship held		Period foreign citizenship held
Relationship to you (e.g. mother or adoptive father)		Relationship to you (e.g. mother or adoptive father)
Country of foreign citizenship		Country of foreign citizenship
Period foreign citizenship held		Period foreign citizenship held
Relationship to you (e.g. mother or adoptive father)		Relationship to you (e.g. mother or adoptive father)
Country of foreign citizenship		Country of foreign citizenship
Period foreign citizenship held		Period foreign citizenship held

5b. Please provide any other relevant details:

Other relevant details relating to your parents' and grandparents' foreign citizenships

My parents and grandparents had UK and/or Australian citizenship.

We do not know the ancestry of my maternal grandmother who was born in Australia.

Please refer to information in and accompanying question 1a.

(Please provide particulars of, or documents related to, any details provided in response to questions 5a and 5b. These will be published with this checklist on the Australian Electoral Commission's website.)

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6. **Have you provided details in question 5a in relation to each parent and grandparent that you know acquired citizenship of another country by descent, naturalisation or other means?***
(If you do not know any of your parents' or grandparents' citizenship, please mark the 'N/A' box.)

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO
<input type="checkbox"/>	N/A

- 6a. **If 'no', please explain why you have not provided those details:**

Explanation of why you have not provided details relating to each parent and grandparent that you know acquired citizenship of another country

7. **Do you know which citizenships have been held by each of your current and former spouses and similar partners?***
(If you do not have a current or former spouse or similar partner, please mark the 'N/A' box.)

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO
<input type="checkbox"/>	N/A

- 7a. **Please provide any relevant details (for example, why you do not know the particular citizenships held at a particular time by a current or former spouse or similar partner):**

Other relevant details relating to your knowledge of the citizenships of your current and former spouses and similar partners

I have been and remain married to only one woman, my wife Christine Burk Roberts.

She has dual citizenship, being a naturalised citizen of Australia and remaining a citizen of her birth country, the USA.

Accompanying copy of my wife's passport shows her American citizenship.

[Please provide particulars of, or documents related to, any details provided in response to question 7a. These will be published with this checklist on the Australian Electoral Commission's website.]

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8. Do you have a current or former spouse or similar partner who you know is or was a citizen of another country?*
- (If you do not have a current or former spouse or similar partner, or you do not know the citizenship of any of your current or former spouses or similar partners, please mark the 'N/A' box.)
- YES
 NO
 N/A

8a. If 'yes', please provide the following details, to the extent known:

Relationship to you
(e.g. wife or former de facto partner) **Wife**

Country of foreign citizenship **United States of America**

Was foreign citizenship held at the time of marriage (if applicable)? **Yes**

Relationship to you
(e.g. wife or former de facto partner)

Country of foreign citizenship

Was foreign citizenship held at the time of marriage (if applicable)?

8b. Please provide any other relevant details (for example, whether you acquired foreign citizenship because of a spouse's foreign citizenship):

Other relevant details relating to your current or former spouse's or similar partner's foreign citizenship

I did not acquire citizenship of America due to my marriage to my wife who has American citizenship. I have no entitlement to American citizenship.

I am not an American citizen and have never applied for citizenship of America, nor of any country except Australia.

[Please provide particulars of, or documents related to, any details provided in response to questions 8a and 8b. These will be published with this checklist on the Australian Electoral Commission's website.]

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9. Have you provided details in question 8a in relation to each current or former spouse or similar partner that you know is or was a citizen of another country? *

(If you do not have a current or former spouse or similar partner, or you do not know the citizenship of any of your current or former spouses or similar partners, please mark the 'N/A' box.)

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO
<input type="checkbox"/>	N/A

9a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each current or former spouse or similar partner that you know is or was a citizen of another country

10. Have you ever been a subject or citizen of any country other than Australia? *

<input checked="" type="checkbox"/>	YES
<input type="checkbox"/>	NO
<input type="checkbox"/>	UNKNOWN

10a. If 'yes', please provide the following details, to the extent known:

Country of foreign citizenship	United Kingdom
Manner in which foreign citizenship was lost (if applicable)	Renounced
Date of losing foreign citizenship (if applicable)	05 / 12 / 2016

* [If you contend that you have renounced or lost your foreign citizenship, you **must provide at least one document** that you are satisfied supports your contention. (The document may be an official document, or if you have no official document, a statutory declaration.) This will be published with this checklist on the Australian Electoral Commission's website.]

10b. Please provide any other relevant details (for example, how you lost your foreign citizenship, or why the response to question 10 is unknown):

Other relevant details relating to the loss of your foreign citizenship

I formally renounced UK citizenship as stated above in 10a. A copy of the registration of my formal renunciation of UK citizenship accompanies this qualification checklist.
 A copy of the Indian High Commissioner's letter dated 26 July 2017 confirms that I do not have Indian citizenship because of my naturalisation as an Australian citizen at the age of 19 years. It confirms my own prior conclusion as a result of the process required of me as a non-Indian to obtain a temporary work visa enabling me to work in India during 2014.
 Copies of the Indian High Commissioner's letter & my Australian naturalisation certificate accompany.

[In addition to the requirement to provide at least one document mentioned under question 10a, please provide particulars of, or documents related to, any other details provided in response to questions 10a and 10b. These will be published with this checklist on the Australian Electoral Commission's website.]

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11. Are you now a subject or citizen of any country other than Australia? *

- YES
- NO
- UNKNOWN

11a. If 'yes', please provide the following details, to the extent known:

Country of foreign citizenship
 Date of acquiring foreign citizenship / /

Country of foreign citizenship
 Date of acquiring foreign citizenship / /

11b. Please provide any other relevant details (for example, why you are prevented from renouncing your foreign citizenship, or why the response to question 11 is unknown):

Other relevant details relating to possible disqualification by reason of section 44(i) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to questions 11a and 11b. These will be published with this checklist on the Australian Electoral Commission's website.]

12. Are you under sentence or subject to be sentenced, for an offence for which you have been convicted, which is punishable by imprisonment for one year or longer? *

- YES
- NO

NOTE: A person convicted of an offence with a maximum penalty of imprisonment for one year or longer may be disqualified even if the sentence imposed on the person for the offence is less than the maximum penalty.

12a. If 'yes', please provide any relevant details:

Relevant details relating to possible disqualification by reason of section 44(i) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 12a. These will be published with this checklist on the Australian Electoral Commission's website.]

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13. Are you an undischarged bankrupt or insolvent?*

YES
 NO

13a. If 'yes', please provide any relevant details:

Relevant details relating to possible disqualification by reason of section 44(iii) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 13a. These will be published with this checklist on the Australian Electoral Commission's website.]

14. Do you hold an office of profit under the Crown, other than an office expressly exempt from section 44(iv) of the Australian Constitution? *

(Offices of profit under the Crown include, for example, many public sector jobs in Australia.)

YES
 NO
 UNKNOWN

14a. Please provide any relevant details, to the extent known (for example, the relevant body in which you hold the office of profit and your role, or why the response to question 14 is unknown):

Relevant details relating to possible disqualification by reason of section 44(iv) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 14a. These will be published with this checklist on the Australian Electoral Commission's website.]

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15. Do you have a direct or indirect financial interest in any contract or other agreement with the Commonwealth public service?*

Do not count an interest that is expressly excluded from section 44(v) of the Australian Constitution, such as a shareholding in a company that has 25 or more other shareholders.

NOTE: Section 44(v) may disqualify you even if you are not a party to the relevant contract or agreement. A disqualifying financial interest may arise, for example, from an agreement between the Commonwealth public service and a trustee of a family trust of which you are a beneficiary.

- YES
 NO
 UNKNOWN

- 15a. Please provide any relevant details, to the extent known (for example, your direct or indirect financial interests, or why the response to question 15 is unknown):

Relevant details relating to possible disqualification by reason of section 44(v) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 15a. These will be published with this checklist on the Australian Electoral Commission's website.]

16. Please provide any additional details relating to your qualification under the Australian Constitution or the *Commonwealth Electoral Act 1918*:

I am qualified to be nominated for election to the Australian senate and if elected qualified to take up a position as senator in the Australian parliament.

[Please provide particulars of, and documents related to, any details provided in your response to question 16. These will be published with this checklist on the Australian Electoral Commission's website.]

I confirm the information in the checklist provided above, and any additional information provided in support of my statements, to be true and correct, to the best of my knowledge.

Signature of candidate



Date

15/04/19

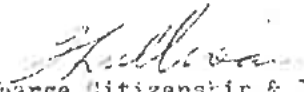
EVIDENTIARY CERTIFICATE OF AUSTRALIAN CITIZENSHIP

This is to certify that **Malcolm Ieuan ROBERTS**

whose particulars appear hereunder, is an Australian citizen from the seventeenth

day of **May**, 1974, by virtue of the provisions of section 11c of the Citizenship
Act 1948-1973.

Dated at **Brisbane** this **thirtyfirst** day of
May, 1974.


Officer-in-Charge Citizenship & Travel Branch.
(Signature and description of authorised
officer issuing Certificate)

PARTICULARS OF GRANTEE

Full name **Malcolm Ieuan ROBERTS.**

Date and place of birth **3rd May, 1955. Diserparh.**

Height **5 feet 5 inches.**

Colour of eyes **Blue.**

Colour of hair **Light Brown.**

Specimen signature 



Home Office

UK Visas and Immigration

The Capital Building

Liverpool

L3 9PP

Tel 0300 123 2241

Fax

Email

Web www.gov.uk/uk-visas-immigration

Our Ref R1272382

Your Ref Your Ref

Date 05 December 2016

Mr M. I. Roberts



Queensland,
4069 Australia

Do not address to a minor if application made by their parent/guardian etc



Dear Mr Roberts

Renunciation of British Citizenship

I am writing to inform you that the above named is now registered as having renounced British Citizenship.

Enclosed is the Declaration of renunciation bearing a stamp of registration. This confirms the date on which the applicant ceased to be a British Citizen, under Section 12(1) of the British Nationality Act 1981.

Any British travel documents that you may still hold should be returned to:

Her Majesty's Passport Office
Globe House
89 Eccleston Square
London, SW1V 1PN

Renunciation of British nationality affects a person's right to live in the UK. If you live in the UK, you should contact us as soon as possible for information on how you are affected by your renunciation of British nationality and what steps you must take to confirm your immigration status. Details of how to contact us can be found on our website at www.gov.uk/uk-visas-immigration

Yours sincerely,

Andrew Kee
CT3
UK Visas and Immigration

Encl:

You can find details of how to contact us on our website at <https://www.gov.uk/contact-ukvi>.
When contacting us via email, please ensure the subject field contains your Home Office reference number, your surname and the name of the person dealing with your application.

RENUNCIATION Ref.



Home Office

3395437.
R1272382
5/12/16
C73

Form RN

xxx 2016

Applicant's Copy

Declaration of Renunciation of British Citizenship, British Overseas
Citizenship, British Overseas Territories Citizenship, British National
(Overseas) or British Subject Status

This declaration, if signed and stamped below, is formal evidence of renunciation.

1. I (full name)

MALCOLM IREAN ROBERTS

of (full address)

[REDACTED],
QLD, 4069 AUSTRALIA

Postcode:

4069

was born on (date of birth)

03 05 1955

at (place and country of birth)

DISERGARH, WEST BENGAL, INDIA

2. I am a: (please tick)

British citizen *May be*

No British overseas citizen

No British overseas territories citizen

British national (overseas) *May be*

British subject *May be*

I wish to renounce: (please tick)

British citizenship

British overseas citizenship

British overseas territories citizen

British national (overseas) status

British subject status

3. I hold the following citizenship or nationality other than the citizenship or status I wish to renounce:

Australian

4. I am about to acquire the following citizenship or nationality after making this declaration

NA

1

5. I, (full name in BLOCK LETTERS) MALCOLM IEWAN ROBERTS
declare that to the best of my knowledge and belief the details given on this form are true

Signature



Date

Tu. 01.11.2016

Official confirmation of renunciation:

Signature



Home Office



Home Office
North West Region
Nationality Team
PO Box 306
Liverpool
L2 0QN

Our Ref NFE1334825

Your Ref N/A

Date 17/11/2016

Mr M J Roberts

Queensland
4069 Australia

This is to acknowledge receipt of your application(s) and the following document(s):

Our Ref: Type of Application - RN	No. of Applications - 1
Application Forms - 1	Photo-copied Documents
Supporting Document - 1	

We also acknowledge receipt of direct credit payment(s) totalling **£272.00**.
A total of £272.00 has been received.

The fee has been paid in full.

We will decide your application within six months from the date you submitted it unless we are prevented from doing so for reasons beyond our control. This could include where:

- Where relevant to your application; you do not enrol your biometric information (scanned fingerprints and photograph) within the given timeframe or there is a problem with your biometric enrolment.
- You have not included with your application all the evidence we have asked for on the application form or in the guidance.
- We write to you asking for additional evidence or to clarify something and you do not reply by the date given.
- It is necessary to interview you in connection with your application.
- You have a criminal conviction or an outstanding criminal prosecution.
- You have provided us with information or documents which we need to verify with another government department or agency.
- A similar case is being considered by the courts or there are changes we need to make to our rules or policies which could affect the outcome of your case.
- The facts of your case are exceptionally complex and we require further time to consider your case thoroughly and reach a decision.

We will notify you by letter if we are not able to decide your application within six months from the date you submitted it and will advise you of the new timeframe for deciding your application.



Home Office
North West Region
Nationality Team
PO Box 306
Liverpool
L2 0QN

For British Citizenship, Right of Abode and Balance of Fee enquiries please refer to the Home Office website or email nationalityenquiries@homeoffice.gsi.gov.uk.

Thank you

High Commissioner

Tel: +61 (0) 2 6261 1234
Fax: +61 (0) 2 6261 1235
E-mail: hc@indiainc.gov.au



भारत का उच्चायोग, कैनबरा
HIGH COMMISSION OF INDIA
AUSTRALIA

No.CAN/HC/2017

26 July 2017

Excellency,

It was a pleasure meeting you and discuss ways and means for increasing bilateral cooperation between India and Australia

It would be an honour if you could participate in our 70th Anniversary of Independence Day to be held on Tuesday, 15 August at 1230 – 1400 hrs at the Albert Hall, Constitution Avenue, Canberra

As discussed, India does not have provision in the Citizenship Act 1955 of dual citizenship. As soon as an Indian citizen obtains citizenship of another country, the person ceases to be an Indian citizen. There is no basis for Indian citizenship in your case even though you were born in Disergarh, West Bengal, India.

Assuring you, Excellency, the assurances of my highest considerations.

(A M Gondane)

Senator Malcolm Roberts
Parliament House
Canberra
(sean.black@aph.gov.au)

Queensland BIRTH CERTIFICATE

REGISTERED BIRTHS
1918-1919
1961

NOTE: A person who is not an Australian citizen is not eligible for registration of birth in Queensland unless he or she is a child of a Queensland citizen or a child of a Queensland citizen and a foreign citizen.

CHILD Name Sex Date of Birth Place of Birth	Isabel Female 25 April 1918 Kidston
FATHER Name and surname Occupation Age and birthplace	Alfred Jago Workkeeper 45 years Weyland, Cornwall, England
MOTHER Name and maiden surname Age and birthplace	Annie formerly Parry 29 years Ravenswood, Queensland
PREVIOUS CHILDREN OF RELATIONSHIP Names and ages	Mabel 8 years Maud 7 years 1 female deceased
INFORMANT Name, description of relationship, and residence	Alfred Jago, Father, Kidston
REGISTRAR Name Date of registration Place of registration	J. J. Donovan 14 June 1918 Georgetown
NOTES (if any)	



I, Helen Elizabeth Lucas, Registrar General, certify that the above is a true copy of particulars recorded in a Register kept in the General Registry at Brisbane.

Dated 25 June 2009

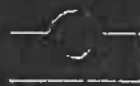
H. E. Lucas
Registrar General

N.B.

PASSPORT



*United States
of America*





Senators' qualifications – Attestation

In accordance with paragraph (5) of the resolution of the Senate of 3 April 2019 regarding senators qualifications in relation to sections 44 and 45 of the Constitution,

I attest to the accuracy and completeness of the material that I provided to the Australian Electoral Commission in respect of my last nomination for election in accordance with Part XIV of the *Commonwealth Electoral Act 1918*.

Senator's name:

Malcolm Ieuan Roberts

Signature of senator

Th. 25.07.19

Date

Supplementary material attached

YES

NO

NOTES

- (1) In making this attestation, a senator may provide supplementary material. Supplementary material may augment, explain, or correct earlier information, but will not result in removal from the Register of Senators' Qualifications material that was previously entered on the Register. Supplementary material can be provided using the [Supplementary material form](#).
- (2) Email a signed copy of this statement to the Registrar of Senators' Interests: senators.interests@aph.gov.au.