

Parliament House, Canberra ACT 2600

02 6277 3398 | sena ors.interests@apn.gov.au

REGISTRY OF

3 0 NOV 2017 7.14 PM SENATORS' INTERESTS

To the Registrar of Senators' Interests,

Statement in relation to citizenship - 45th Parliament

I declare that at the time I nominated for election in this 45th Parliament I was an Australian citizen.

Section 1—S	enator's details		
Surname: Dastyari			
Other Names: Sam			State: NSW
Section 2—S	enator's birth and citizen	ship details	
Place of birth: Iran		Citizenship held at birt	h:
Date of birth:		Date of Australian natur	ralisation:
28 Day	/ 7 / 1983 Month Year	24 / 6 Day Month	/ 1996 Year
ection 3(a)	Senator's parents' birth	details	
	Mother	F	ather
Place of birth:	Iran	Iran	
Date of birth:	1 / 9 / 195	7 11 / 1	12 / 1956

Notes

⁽¹⁾ The information which you are required to provide is contained in a resolution agreed to by the Senate on 13 November 2017

⁽²⁾ If there is insufficient space on this form for the information you are required to provide, you may attach additional pages for that purpose. An electronic file of this form is available on www.aph.gov.au/senators interests.

⁽³⁾ Forward the original, signed copy of all pages of this statement to the Registrar of Senators' Interests, SG.39 Parliament House, Canberra ACT 2600

Section 3(b)—Senator's grandparents' birth details

	Maternal grandmother				Maternal grandfather							
Place of birth:	Iran			×			Iran					
					Л							
Date of birth:	21 Day	1	3 Month	1	1920 Year		21 Day	1	3 Month	/	1925 Year	

,	Pa	tern	al grai	ndm	other	P	ater	nal grar	ndfather	
Place of birth:	Iran					Iran				
Date of birth:	25 Day	1	12 Month	1	1921 Year	21 Day	1	3 Month	/ 1906 Year	

Section 3(c)—Other factors that may be relevant eg: adoption, IVF, or assumption of citizenship through marriage.

My wife marriag	is an Austi e.	ralian-boi	rn Australia	n citizen.	I did not	acquire a	ny toreign citizen	ship thro	ough
									· · · · · · · · · · · · · · · · · · ·

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		27			
	34-				
					24
ction 4(a)	—Foreign citi	zenship			
ve you eve	o — Proceed List the the date and	of any country of	ou have been a	citizen of, and	evidence o
/e you eve	o — Proceed ES — List the the date and otherwise common term.	of any country of to Section 6 countries that you display manner in which ame to an end.	ou have been a ich your citizen manner in which	citizen of, and ship was renou	Inced or
ve you eve	r been a citizen O — Proceed ES — List the otherwise common of renutation citizen.	of any country of to Section 6 countries that you demander in which ame to an end.	ou have been a ich your citizen manner in which	citizen of, and ship was renou	Evidence attached
ve you eve	o — Proceed ES — List the the date an otherwise c Manner of renuthe foreign citiz	of any country of to Section 6 countries that you display manner in which ame to an end.	ou have been a ich your citizen manner in which in end ince Iranian	citizen of, and ship was renou	Evidence attached Statutory Declaration
ve you eve	r been a citizen O — Proceed ES — List the otherwise contherwise contherwise control of the foreign citizenship which 2013. Lawyers working documentation was a citizen was a citizen was a citizen working documentation was a citizen was a c	of any country of to Section 6 countries that you demander in which ame to an end.	manner in which ince Iranian on 19 July an confirmed my e Refugee and	citizen of, and ship was renound Date	Evidence attached

Confirmation of application submission (English translation)

The attached statutory declaration declared on 12 August 2013 outlines the exhaustive steps I have taken to renounce my Iranian citizenship.

			T
Country	Manner of renunciation or other manner in which	Date	Evidence attached
	the foreign citizenship came to an end When I travelled to Iran earlier this year, I travelled on		Iranian
	an Australian passport, was recognised by the Iranian		Tourist visa
	Government as an Australian citizen and was admitted		TOUTION VIOL
	to Iran on a tourist visa. This is an implicit		
	acknowledgment by the Iranian Government that I have		
	ceased to be an Iranian citizen.		
	the date and manner in which your citizenship was renounced or ed to this form. Please date and initial each page of any attachm		o an end
ection 4(b)-	-Foreign citizenship at time of nomination		
	u nominated for election in this 45th Parliament wo nan Australia?	ere you a citiz	en of any
⊠ NO	— Proceed to Section 4(c)		
□ ve	S — Provide evidence of any steps you have tal	can to renoun	re the
	• • •		ce trie
	citizenship of the country prior to the date of n	omination:	
Country	Action	Date	Evidence
Country			attached
			•
NB: Evidence of	the steps taken to renounce foreign citizenship prior to the date	of nomination sho	uld be attache
to this form. Plea	se date and initial each page of any attachment.		Kanada kanad
<u>, , , , , , , , , , , , , , , , , , , </u>	<u>and the property of the second of the secon</u>		
0.			
ection 4(c)	-Are you now a citizen of any country other than	Australia?	
0041011 1(0)	, no you not a one of only country or and		
⊠ No	Proceed to Section 5		8
L YE	S — Provide evidence and details of steps taker	n to renounce	
	citizenship:		
	and a second control of the control		

Country	Action	Date	Evidence attached
	he steps taken to renounce foreign citizenship prior to the date of		

Section 5—Senator with foreign citizenship at nomination or now

Complete this section if you answered YES in section 4(b) or 4(c)

1.5 (1.5)			- 1(-)	
Basis on which th	ie Member contends sh	e or he is not disqualif	ied under s 44(i)	Evidence attached
			or W	
			В.	

Section 6—General declaration

I declare that I have completed this statement to the best of my knowledge and have attached all evidence relevant to my declarations.

Signed	Date		
	30 Day	/ [(/ 2017 Year

STATUTORY DECLARATION

I, Sam Dastyari, of General Secretary of the Australian Labor Party (NSW Branch), hereby make the following declaration according to the Statutory Declarations Act 1959:

- 1. I was born on 28 July 1983 in Sari, Iran. My name at birth was Sahand Dastyari.
- 2. My family relocated to Australia in 1988 when I was five years old and I have resided in Australia since that time.
- I became an Australian citizen on 24 June 1996 when I was 12 years old. I
 formally changed my given name from Sahand to Sam on 8 August 2000 by
 Deed Poll with the NSW Registry of Births, Deaths and Marriages.
- 4. I have no intention of residing in Iran in the future nor do I have any affinity or allegiance to the Islamic Republic of Iran whatsoever. I will not obey any order that the Government of Iran may issue in regards to its citizens including any orders in relation to military service. I also have no intention of accessing any privileges or entitlements that may be available to Iranian citizens.
- 5. I consider Australia to be my home and where my affinity and allegiance lies.
- I became interested in politics at a young age and officially joined the Australian Labor Party (ALP) in 1999.
- I have been employed by the ALP for the past seven years and have held the
 position of General Secretary of the Australian Labor Party (NSW Branch) since
 August 2010.
- 8. When I decided to pursue my political career in the Australian Federal Parliament, I requested the advice of Counsel on behalf of the ALP (NSW Branch). The ALP (NSW Branch) instructed Mr Gerald Ng, of Selborne Chambers in Sydney to provide advice in relation to the procedures the ALP may take to ensure candidates for a Federal election would not be disqualified from sitting in the House of Representatives or the Senate. Mr Ng's advice was to the effect that a person who holds dual Australian and foreign citizenship should take reasonable steps to renounce their foreign citizenship.
- 9. As I had no affinity and allegiance to Iran I decided to renounce my Iranian Citizenship.
- 10. Mr Ng emailed me a copy of his Memorandum of Advice on 11 March 2013 and referred me to Ron Kessels of Fragomen to obtain advice regarding the process to renounce my Iranian citizenship.

G:D

- 11. I contacted Mr Kessels on 12 March 2013 to explain my situation and seek his advice. I also forwarded him a copy of Mr Ng's Memorandum of Advice on 13 March 2013.
- 12. Mr Kessels emailed his professional services agreement to me on 21 March 2013 along with an outline of the steps that would need to be taken to formally renounce my Iranian citizenship and a list of the documentation I would need to gather.
- 13. I engaged Fragomen to assist me in this respect on 27 March 2013 and I immediately started to gather the requested documents. I also asked Mr Kessels to also arrange translation of the relevant application forms as I cannot read or write Farsi. This would also assist Mr Kessels in understanding my answers as I understand he also does not understand Farsi.
- 14. On 4 April 2013 Mr Kessels sent me an email to let me know that he expected the English translations of the application forms that day or the next and would send them on to me. I replied via email to advise that I had also located my Iranian ID card and Birth Certificate.
- 15. On 5 April 2013 Mr Kessels emailed me the relevant translated application forms for renouncing my citizenship as well as for applying for an exemption from Iranian military service. He advised that it was also a requirement that my wife complete these forms as well. The relevant forms were:
 - a. Application to Renounce Iranian Nationality
 - b. Questionnaire to Renounce Nationality
 - c. Table of Exits and Entries to the country
 - d. Recognisance Letter
 - e. Form for Purchase of Military Service Exemption.
- 16. Mr Kessels also advised that he would need my original documents to arrange certification and translation.
- 17. On 15 April 2013 I delivered the following documents to Mr Kessels office:
 - a. Iranian Birth Certificate
 - b. Iranian ID Card
 - c. Iranian Passport
 - d. Australian Passport
 - e. Document for Travel to Australia
 - f. Change of Name Certificate
 - g. Australian Citizenship Certificate
- 18. On 23 April 2013 I emailed Mr Kessels the completed English versions of the Recognisance Letter, Application to Renounce Citizenship and Questionnaire for Applicants for myself only.
- 19. On 29 April 2013 Mr Kessels and I spoke over the telephone. We agreed that one of my family members would translate my completed application forms

back to Farsi so we could lodge the application with the versions in both English and Farsi.

- 20. On 30 April 2013 Mr Kessels emailed a confirmation of our conversation and listed the outstanding documents I still needed to gather.
- 21. I responded to Mr Kessels email on 1 May 2013 confirming I would work on gathering the outstanding information.
- 22. On 14 May 2013 I emailed Mr Kessels to advise that I had gathered all of the documents. I attended his office on 27 May 2013 to sign the application forms in his presence and provide all of the documents I had gathered so far for the application to be prepared. There was some further documentation I needed to gather and prepare regarding right to ownership of property in Iran.
- 23. I again attended Mr Kessels office on 3 June 2013 to sign a Declaration regarding my rights to property in Iran in front of Jane Goddard who is a Notary Public.
- 24. On 6 June 2013 Mr Kessels emailed me a copy of the draft renunciation letter addressed to the Islamic Republic of Iran which would accompany my application for my consideration and comment. Following our conversations Mr Kessels emailed me a copy of the finalised version of the renunciation letter for my consideration on 23 June 2013.
- 25. My application was then completed with all application forms and supporting documentation. I attended Mr Kessels office on 18 July 2013 to sign the renunciation letter that accompanied my application. I then arranged to courier the application via DHL to my lawyer in Iran, Mr Tavakol Abdollahi Avanaki from the Fragomen office. The package was couriered to Mr Avanaki on 19 July 2013 after I signed the DHL Sanctions Warranty and Indemnity Letter.
- 26. I understand that the package was delivered to Mr Avanaki on 23 July 2013. Annexed hereto is a copy of the DHL tracking summary from their website.
- 27. On 7 August 2013 I received a letter from Mr Avanki confirming that the documents that had been sent to him had been submitted to the Refugee and Citizenship Office of the Iranian Foreign Affairs Ministry but that he had not yet he received a response. He confirmed that he would continue to follow up on my behalf.
- 28. On the basis of the above steps, I believe that I have taken all reasonable steps to renounce my citizenship of Iran as required by the High Court in Sykes v Cleary (1992).
- 29. In addition to my extensive efforts to complete the Iranian Citizenship renunciation process, I hereby, with immediate effect, formally renounce my Iranian citizenship, including all rights and privileges that may be possessed as a citizen of Iran.

I understand that a person who intentionally makes a false statement in statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act* 1959 and I believe that the statements in this declaration are true in every particular.

Date: 12 August 2013)

Before me:)



Sam Dastyari

Solicitor



Felicidade Lay
Level 26, 500 Collins Street, Melbourne 3000
An Australian Legal Practitioner
Within the meaning of the
Legal Profession Act 2004

(Sample No 12)

Date:

Attach Photo Here

Application to Renounce Citizenship

The person signed underneath, is an Iranian citizen who has declared his/her identity to the Ministry of Foreign Affairs of the Islamic Republic of Iran:

Name:

Sahand (Sam)

Surname:

Dastyari

Date of Birth:

28/07/1983

1362/5/6

(Gregorian/Western calendar) (Persian calendar)

Place of Birth:

Sari, Iran

Details of Identification Document: ID No, Date and Place of Issue:

Name: N/A

Surname: N/A

Date of Birth: N/A

Place of Birth: N/A

Details of Identification Document: ID No, Date and Place of Issue:

N/A

Name:

Surname:

Date of Birth:

Place of Birth

Details of Identification Document: ID No, Date and Place of Issue:

Name and Surname of spouse:

Spouse and children are not Iranian citizens.

Details of Children:

1 -Name National ID No:

Date of Birth

Name 2 -

National ID No:

Date of Birth

3 -Name National ID No:

Date of Birth

Reasons and Causes for the application to renounce citizenship:

Lack of affinity with Iran. Identify as an Australian and am currently an Australian Citizen.

Certificate of Completion of Military Service:

N/A

The citizenship of the country that he/she wants to accept;

Australian Citizen. Copy of citizenship enclosed.

Occupation and current place of residence:

General Secretary Australian Labor Party (NSW Branch)

He/she has applied for permission to renouncehis/her citizenship from the government of the Islamic Republic of Iran. He/she is also obliged that within one year from the date of approval of his/her application to renounce his/her citizenship from the government of the Islamic Republic of Iran, to transfer all his/her rights to the possession of any real estatethat he/she owns in Iran or he/she might be inheriting, to Iranian citizens by any possible means, even though the law permits their possession by a foreign citizen. He/she also undertakes to leave the Iranian territory within 3 months.

Signature:

SAM DASTYARI (27 MAMY 2013)

Representative/office...... Certifies the authenticity of above writings, and the signature of the applicant Signature and seal

THIS FORM WAS SIGNED IN

Place for stamp and its annulment

MY PRESENCE

ROW KESSELS 27.05.13

DECLARATION

THIS DECLARATION is made on this 3rd day of June 2013, by Mr SAHAND DASTYARI (also known as SAM DASTYARI), date of birth 28 July 1983 (1362/5/6), Iranian identification number 1148.

- 1. I am seeking to renounce my Iranian nationality.
- I own no landed properties in Iran and hereby agree to transfer all the rights to any landed properties that I may acquire by inheritance to my sister, AZADEH DASTYARI, a Citizen of Australia.
- This declaration applies to all and any rights to landed properties and supersedes all prior agreements and undertakings.

SIGNED SEALED AND DELIVERED BY
SAHAND DASTYARI



in the presence of:

Signature of witness and date

3 dune 2013

Jane Goddard. Solicitor and Notary Public

Name of witness

Fragomen Level 19, 201 Elizabeth Street SYDNEY NSW 2000 Australia Certified as a true and accurate
copy of the original
Signed
Sarah Kay Brady
Solicitor Supreme Court of NSW
Date



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RECOGNISANCE LETTER

Taxation - Customs - Bank

1.

Name: Sahand (Sam)

Surname: Dastyari

Father's name:

ID Document No:

Date of issue:



Place of issue:
Occupation:

Current place of residence:



My last address in Iran was:

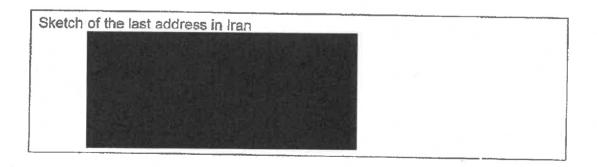


Request for renouncing my citizenship from the government of the Islamic Republic of Iran for the reason of:

As someone who has been raised and is currently living in Australia, I do not feel affinity with Iran.

I hereby declare that I have no Taxation, Customs Duty and Bank Debt and or Liability in Iran.

I also undertake that if any records are discovered indicating that I have any liability and or debt of the kind mentioned above, in Iran; I will be liable for their payment.



SAM OASTMARI

21 MAN 2013

Signature

Representative / Office	RON	Kess	sces ,	, SOLI	CITCL
Certifies the Signature of Mr /.Ms		THIS	Form	WAS	SIGNED
Date		IN	MP F	REBEN	CE.
Signature and seal					
			SHEET SERVICE	27.05	- (3

Place for stamp and its annulment

Date: 27 MAY 2013

Attach Photo Here

Special Questionnaire for Applicants
To Renounce their citizenship from
The Government of the Islamic Republic of Iran

Please answer all of the flowing questions accurately and in legible writing.

Details of the Applicant:						
Name: Sahand (Sam) Surname: Dastyari						
Father's name: Naser						
National ID No: Place of issue: Date of issue: (Western calender) (Persian calender)						
Date of Birth: 28/07/1983 (Gregorian/Western calendar) 1362/5/6 (Persian calendar)						
Place of Birth: Sari, Iran						
Marital status: Single MarriedDi ced De of Spouse						
If the marriage is annulled, explain the reason:						
Educational Status:						
Level of education: Bachelor Field of Study:Arts (Politics)						
Place you obtained your last educational qualifications: Country						
Sydney, Australia City						
Date Qualifications received:						
2011						
If you have received your educational qualifications outside of Iran:						

Date of Departure from Iran:

12 January 1988

Period of Residency overseas:

Continuously since 12 January 1988

Name of Educational Institution:

University of Macquarie

Did you receive scholarship or education allowance?

N/A

If Yes, answer the following: Amount of monthly education allowance; Organisation granted the scholarship:

Besidesstudying overseas, did you have any other occupation?

General Secretary Australian Labor Party (NSW Branch)

(Sample No 14 - SecondPage)

If Yes, Answer the following:								
Occupa Amoun	ation: t of income:	General N/A	General Secretary (Australian Labor Party) N/A					
Dateof	Return to Irar		N/A Hive in Australia					
Military	Military Service Status:							
Comple	etion of service	⇒ □	Exem	pt from Se	rvice			
If exem	pted, explain	the type of Exe	emption					
N/A								
Employ	ment Status	-						
Do you	Do you or did you have any record of Public Service employment?							
No employment in Iran.								
How many years:								
Current Employment: Australian Labor Party Years of Employment: 7 years Amount of Monthly income: N/A								
If you were previously employed, complete the following table:								
Date	Type of Job	Years of Employment	Monthly Income	Name of Employer	Place of Employment	Reason for Leaving		
N/A	N/A	N/A	N/A	N/A	N/A	N/A		
			İ					

Do you have any other income besides your income from your job?

No

What type of Income?N/A Amount of Income:N/A

Accommodation Situation:	
Own the property	Renting Leasing
Leasing & renting	Property belongs to relatives
Address:	
If you own your house, do you ha	ave monthly mortgage instalments?
N/A	
Monthly instalment: Amount of loan left to pay: Mortgage Lender:	N/A N/A N/A

Details of Family (Father, Mother, Brother, Sister)

<u> </u>					
Relationship to	Father	Mother	Sister		
the Applicant	1				
Name	NASER	ELAHE			
Surname	DASTYARI	DASTYARI			
National ID No					- balar
Date of issue	MAN PER PER PER			-> persa-	O Buges
Place of Issue					
Date of Birth	11/12/56	1/9/57	STATISTICS.		
	(WESTERN)	(WESTERN)			
		(, , , , , , , , , , , , , , , , , , ,			
	20/08/35	10/6/36			
	(IRANIAN)	(IRANIAN)	No. 19 47 St. 48 58		
			· 供表 [88] 中		
Place of Birth	TEHRAN	SARI			
Citizenship	THE PERSON NAMED IN	PER ALIVERIA	The State of the	N .	
Occupation					
, i				MI .	
Level of					
income				9	
Level of			IS IN MISSELF		
Education					
Place of				N .	
Residence					
Notes					
155 41					

If any of the above mentioned persons have already renounced their citizenship, enter the date of their renouncement and the country of their citizenship in the "Notes" row.

Details of Spouse and all of the Children

Spouse and child are not Iranian citizens and have never travelled to Iran.

Relationship to the Applicant	Spouse	Child
Name		
Surname		
Gender	世界的人	
Date of Birth		
Place of Birth		
ID No		
Date of Issue		
Level of		
Education		
Occupation		
Level of		EUSE 17公司
Income		
Marital Status		
Military		
Service Status		
Notes		
		Acceptance of the second

(Sample No 14 - FourthPage)

Mark those of your children who renounce their citizenship with you, with a Tick in the "Notes" row.

Do any of your children have educational scholarship?

No

If the answer is positive, answer the following:

Amount of monthly scholarship:

Organisation granted the scholarship:

Duration of scholarship:

Place of Education:

Educational Qualification receiving:

Field of Study:

If in addition to your spouse and children, there are other dependent persons that you support, entre their details in the table below:

Name	Surname	Age	Relationship with you	Income	Citizenship	Place of Residence

If your renouncement of citizenship is approved, who will be supporting those mentioned above as your dependents?

Name and Surname:

Occupation:

Monthly Income:

His/her relationship with you:

Details of Real Estate of the applicant, spouse and children:

Type of Real Estate	Address	Approximate value	Name of the Owner
HOUSE	The state of the s		
	以上是有其		
			17 4100 至 40 但有

(Sample No 14 - FourthPage)

Have you ever travelled overseas?YES

How many times?

Which Countries?



Date of First Departure:

12/1/88 (Date of leaving Iran)

Date of Last Departure:

23/1/1988

(Western calendar)

1/11/76

(Persian calendar)

Date of Last Entry to Iran:

Rough estimation.

XX/ 12/1987 (Western calendar)

XX/09/76

(Persian calendar)

Passport No: Date of Issue:

Place of Issue:



Give a complete and detailed explanation for your reasons to renounce the Iranian Citizenship:

As an Australian citizen living in Australia, I do not feel any affinity with Iran.

Have you ever held the citizenship of another country? Yes Which Country? Australia Which Year did you renounce the citizenship of that country? Still currently an Australian Citizen. What was the reason? N/A If your application to renounce the Iranian citizenship is approved, the citizenship of which country will you accept? I will remain an Australian citizen. What is the reason for your inclination for obtaining the citizenship of that country? Living and growing up in Australia, I sought and received Australian citizenship in 1996. Have you ever travelled to the said country? I live in Australia. Are you aware of your future living conditions in that country? Yes Address of your current residence: Telephone:

Address of your place of employment:

Level 9, 377 Sussex Street Sydney

Telephone:

SAM (SAHAND)

I. DASTIACE an applicant for renouncing my citizenship from the government of the Islamic Republic of Iran, have decided to renounce my citizenship with complete awareness. I confirm that I have truthfully answered all of the questions in this Questionnaire. Undertake the responsibility of any relevant breach, if it is proven.

SAM DASTYARZ 27 MAY 2013

The Questionnaire was completed and signed at my presence.

Name and surname: Fow KESSELS

Position: Soucitor

Signature, seal and date

27 MAY 2013 .

((The completion of this Questionnaire does not warrant any undertaking by the government of the Islamic Republic of Iran to approve the applicant's application to renounce his/her citizenship.))

Shipper's copy/Receipt 100 Optional Sendens (notice charges may apply)

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SEYEDMAHMOOD EBADIMEHR; Professional NAATI Accredited Translator & Interpreter in Persian Language NAATI Number: 62096

In the Name of GOD

Tavakol ABDOLLAHI AVANAKI Senior Solicitor & Legal Advisor

Date: 07.Aug.2013 Document No: BLANK Attachments: BLANK

Dear Mr. Sahand DASTYARI;

In regards to your request for renouncing Islamic Republic of Iran Citizenship, [please be informed that] the documents sent to us by you have been submitted to the Refugee and Citizenship Office of Iranian Foreign Affairs Ministry on your behalf and my request has not been responded yet. If I receive any response, you will be notified. Obviously I will be following on this matter as far as my duties and authority as a lawyer are concerned.

Signed & Sealed

Saweh, Felestin Sq, Kargar Ave, West 7-Tir Ave, Narges St, Laleh St,

"True Translation of the Document Copy, Original Not Seen Certified Translation By: SEYEDMAHMOOD EBADIMEHR.NAATI No: 62096"



New South Wales, Sydney. Phone:

email

