

MEMORANDUM TO CABINET BY THE PRIME MINISTER

Amendment to the Maltese Citizenship Act, 1965

The attention of Ministers is drawn to a case that has arisen where a person, through no fault of his own, lost his citizenship of Malta because his renunciation of another citizenship held by him, although made in the time prescribed by law and accepted at the time by the competent authorities, was later declared null and void by the Government concerned.

2. A case in point is that of Mr Angelo Raitano, a resident of the United Kingdom. Both he and his mother were born in Malta whilst his father was born in Sicily. He, therefore, became a citizen of Malta on the 21st September, 1964. As Mr Raitano is the son of an Italian national, he had to renounce his Italian citizenship by the 20th September, 1967. To this end, he made a declaration of renunciation of his Italian citizenship on the 24th August, 1967. Some time later, Mr Raitano was informed by the Italian Embassy in London that the Ministry of Foreign Affairs in Rome had not accepted Mr Raitano's renunciation since this was not made in the country where he was born and he was, therefore, still considered an Italian national.

3. The Crown Advocate General confirms that Mr Raitano ceased to be a citizen of Malta, but he recommends that, since similar cases are bound to occur more frequently, a new section ought to be inserted in the Maltese Citizenship Act, 1965, on the following lines:-

"Where a person ceases to be a citizen of Malta because it is found that his renunciation of the citizenship of another country, although made within the time established by law, was not validly made according to the law of the country whose citizenship he has renounced and the Minister is satisfied that such renunciation was made in circumstances in which the said person was justified to believe that it was validly made, the Minister may, on the application of the same person, cause him to be registered, or grant him a certificate of naturalisation, as the case may be, as a citizen of Malta with effect from the date on which he ceased to be such citizen for the reason stated above."

4. Ministers may wish to agree that the amendment suggested by the Crown Advocate General be incorporated in the Maltese Citizenship Act, 1965.

19th July, 1969.