

MEMORANDUM FOR THE CABINET BY THE
HON. PRIME MINISTER

Malta Passport after Independence

After Independence, a new form of passport will have to be issued. An amended version of the current Malta passport has been checked by the Attorney General and found to be legally in order. This specimen passport will be available at the meeting.

2. Before drafting the necessary legislation to authorize the issue of the new passport, it is necessary to decide on the form the new passport should have. In this connection, the following points have to be decided.

3. Cover. It is to be decided whether the cover should carry either the words:

- i) "British Passport"; or simply the word
- ii) "Passport".

Australia still uses the words "British Passport" on the front cover; whereas Canada and New Zealand have dropped the word "British". This appears to depend to some extent on whether the word "British" will be included in the description of the new national status of citizens of Malta to be shown on page 1 of the new passport.

4. Cover. It is also to be decided whether the country of issue should be described either as:

- i) "Island of Malta and its Dependencies"; or as
- ii) "The Island of Malta, the Island of Gozo and the other islands of the Maltese Archipelago"; or simply as
- iii) "Malta".

The version at (i) is the version which has been used until now on passports issued in Malta. The version at (ii) is the version which has been used in the proposed Constitution for Independence.

5. Page 1. Another point which has to be decided is in respect of the words which should be used in the description of the new national status of citizens of Malta. It is to be decided whether the new citizen of Malta should be described as:

/ (i)

- i) "British Subject: Citizen of Malta"; or as
- ii) "Citizen of Malta and a British Subject"; or as
- iii) "Commonwealth Citizen: Citizen of Malta"; or as
- iv) "Citizen of Malta and a Commonwealth Citizen"

The expressions "British Subject" and "Commonwealth Citizen" are synonymous. This is derived from sub-sections 1 and 3 of Section 1 of the British Nationality Act, 1948, which lay down that "Citizens of the United Kingdom and Colonies" and "Citizens of Independent countries within the Commonwealth" enjoy the status of British Subjects. An extract of Section 1 of the Act is herewith annexed for easy reference. Canada, New Zealand and Australia still use the words "British Subject". The newer Commonwealth independent countries have adopted the words "Commonwealth Citizen" together with "Citizen of".

27th April, 1964.

British
nationality
by virtue
of citizen-
ship.

BRITISH NATIONALITY

1. (1) Every person who under this Act is a citizen of the United Kingdom and Colonies or who under any enactment for the time being in force in any country mentioned in subsection (3) of this section is a citizen of that country shall by virtue of that citizenship have the status of a British subject.

(2) Any person having the status aforesaid may be known either as a British subject or as a Commonwealth citizen; and accordingly in this Act and in any other enactment or instrument whatever, whether passed or made before or after the commencement of this Act, the expression "British Subject" and the expression "Commonwealth citizen" shall have the same meaning.

(3) The following are the countries hereinbefore referred to, that is to say, Canada, Australia, New Zealand, India, Pakistan, Ceylon, Ghana, Malaysia, the Federation of Nigeria, the Republic of Cyprus, Sierra Leone, the Federation of Rhodesia and Nyasaland, Tanganyika, Jamaica, Trinidad and Tobago, Uganda and Kenya.