

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

Candidate's name

Please fill out this checklist.

You may provide additional documents if you are unable to fit all your responses in 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, 60 penalty units, or both.

You must respond to all of the items in the checklist, except when a response is not required because the item is not applicable to you or the item is marked "[OPTIONAL]". You must also sign the checklist in the space provided at the end of the checklist. Your nomination will be rejected if these things are not done.

Please provide supporting documentation as appropriate.

Note: If you respond "YES" in item 5a.3 then you **must provide at least one document** in response to item 5a.

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.

1. Provide the following details about yourself. Provide as many details as you know and "DON'T KNOW" for any details you do not know.

Date of birth (DD/MM/YYYY)

 / /

Place of birth (town/city and country)

Citizenship at time of birth

1a. If you were not an Australian citizen at time of birth, provide your date of Australian naturalisation or enter "DON'T KNOW" if you do not know.

Date of Australian naturalisation

1b. If you responded "DON'T KNOW" for any details at item 1 or 1a, explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

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2. Provide the following details about each of your parents and grandparents (whether biological or adoptive and whether or not still living). Provide as many details as you know and enter "DON'T KNOW" for any details you do not know.

Tables 1-6 refer to biological parents and grandparents. If table 7 is applicable to you, you may reproduce that table as many times as is needed to provide the details about each person who is relevant in your personal circumstances.

Table 1: Mother

2.1 Date of birth (DD/MM/YYYY) / /

2.2 Place of birth (town/city and country)

2.3 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.4 If "YES" to item 2.3 – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.5 If "YES" to item 2.3 – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.6 If "YES" to item 2.5– list the dates this person ceased to be a citizen of the other country or countries

2.7 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

Table 2: Father

2.1 Date of birth (DD/MM/YYYY) / /

2.2 Place of birth (town/city and country)

2.3 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.4 If "YES" to item 2.3 – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.5 If "YES" to item 2.3 – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.6 If "YES" to item 2.5– list the dates this person ceased to be a citizen of the other country or countries

2.7 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

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Table 3: Maternal grandmother

2.1 Date of birth (DD/MM/YYYY) / /

2.2 Place of birth (town/city and country)

2.3 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.4 If "YES" to item **2.3** – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.5 If "YES" to item **2.3** – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.6 If "YES" to item **2.5**– list the dates this person ceased to be a citizen of the other country or countries

2.7 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

Table 4: Maternal grandfather

2.1 Date of birth (DD/MM/YYYY) / /

2.2 Place of birth (town/city and country)

2.3 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.4 If "YES" to item **2.3** – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.5 If "YES" to item **2.3** – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.6 If "YES" to item **2.5**– list the dates this person ceased to be a citizen of the other country or countries

2.7 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

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Table 5: Paternal grandmother

2.1 Date of birth (DD/MM/YYYY) / /

2.2 Place of birth (town/city and country)

2.3 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.4 If "YES" to item **2.3** – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.5 If "YES" to item **2.3** – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.6 If "YES" to item **2.5**– list the dates this person ceased to be a citizen of the other country or countries

2.7 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

Table 6: Paternal grandfather

2.1 Date of birth (DD/MM/YYYY) / /

2.2 Place of birth (town/city and country)

2.3 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.4 If "YES" to item **2.3** – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.5 If "YES" to item **2.3** – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.6 If "YES" to item **2.5**– list the dates this person ceased to be a citizen of the other country or countries

2.7 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

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Table 7: Parent/grandparent not covered by tables 1 to 6, such as adoptive parents (if any)

2.1 This person's relationship to you (eg. mother, adoptive father)

2.2 Date of birth (DD/MM/YYYY) / /

2.3 Place of birth (town/city and country)

2.4 To your knowledge, is this person, or was this person ever, a citizen of a country other than Australia? YES NO

2.5 If "YES" to item 2.4 – list each country other than Australia of which this person is or has been a citizen and the dates this person became a citizen of each country

2.6 If "YES" to item 2.4 – has this person ceased to be a citizen of any country other than Australia? YES NO DON'T KNOW

2.7 If "YES" to item 2.6– list the dates this person ceased to be a citizen of the other country or countries

2.8 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, do so in this space.

SAMPLE

2a. If you responded "DON'T KNOW" for any details in a table at item 2, explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

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3. Do you have a current spouse or similar partner? YES NO

3a. If you responded "YES" to item 3, provide the following details for your current spouse or similar partner. Provide as many details as you know and enter "DON'T KNOW" for any details you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

Current spouse or similar partner

3a.1 This person's relationship to you (eg. spouse, current similar partner)

3a.2 Is this person, or has this person been at any time during your relationship, a citizen of a country other than Australia? YES NO DON'T KNOW

3a.3 If "YES" to item 3a.2 and you are married to this person—was this person a citizen of a country other than Australia at the time of marriage? YES NO DON'T KNOW N/A

3a.4 If "YES" to item 3a.3, what was the date of the marriage?

3a.5 If "YES" to item 3a.2 – list each country other than Australia of which this person is a citizen or has been a citizen at any time during your relationship and the dates the person became a citizen of each country

3a.6 If "YES" to item 3a.2 – has the person ceased to be a citizen of any of the countries specified in your response to item 3a.5? YES NO DON'T KNOW

3a.7 If "YES" to item 3a.6– list the dates this person ceased to be a citizen of the other country or countries

3a.8 Did you become a citizen of a country other than Australia as a result of the relationship? YES NO DON'T KNOW

3a.9 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, please do so in this space

3b. If you responded "DON'T KNOW" for any details in item 3a, explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

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4. Do you have a former spouse or similar partner who was a foreign citizen at any time during your relationship? YES NO DON'T KNOW

4a. If you responded "DON'T KNOW" to item 4, explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

Explanation

4b. If you responded "YES" to item 4, provide the following details for each of your former spouses and similar partners who was a foreign citizen at any time during your relationship. Provide as many details as you know and enter "DON'T KNOW" for any details you don't know. You may reproduce the table as many times as is needed to provide the details about each person who is relevant in your personal circumstances.

4b.1 This person's relationship to you (eg. former spouse or former similar partner)

4b.2 If you were married to this person—was this person a citizen of a country other than Australia at the time of marriage?

YES NO DON'T KNOW N/A

4b.3 If "YES" to item 4b.2, what was the date of the marriage?

4b.4 List each country other than Australia of which this person was a citizen at any time during your relationship

4b.5 Did you become a citizen of a country other than Australia as a result of the relationship?

YES NO DON'T KNOW

4b.6 [OPTIONAL] If you would like to provide further details about this person that are relevant to your qualification, please do so in this space.

4c. If you responded "DON'T KNOW" for any details in the table at item 4b, explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

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5. Are you now, or have you ever been a subject or citizen of any country other than Australia? YES NO DON'T KNOW

5a. If you responded "YES" to item 5, provide the following details. Provide as many details as you know and enter "DON'T KNOW" for any details you don't know. You may reproduce the following table as many times as is needed to provide the details about each country that is relevant in your personal circumstances.

5a.1 Country of foreign subjecthood or citizenship

5a.2 Date you acquired foreign subjecthood or citizenship / /

5a.3 Have you ceased to be a subject or citizen of the foreign country? YES NO DON'T KNOW

5a.4 If "YES" to item 5a.3 – how did you cease to be a subject or citizen of the foreign country?

5a.5 If "YES" to item 5a.3 – the date you ceased to be a subject or citizen of the foreign country

5a.6 If "NO" to item 5a.3 – provide additional details about your subjecthood or citizenship of the foreign country

SAMPLE

5a.7 [OPTIONAL] If you would like to provide further information about your foreign subjecthood or citizenship/s, including how you ceased to be a citizen of a foreign country, please do so in this space

[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 detailing your renunciation or loss of foreign citizenship and why you cannot provide other documentation.) This will be published with this checklist on the Australian Electoral Commission's website.]

5b. If you responded "DON'T KNOW" to item 5 or for any details in the table at item 5a, explain why you don't know and specify the steps you have taken to ascertain any details you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

Explanation and steps taken

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6. Are you under sentence or subject to be sentenced, for an offence against a law of the Commonwealth or of a State for which you have been convicted, which is punishable by imprisonment for one year or longer? YES NO DON'T KNOW

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.

- 6a. If you responded "YES" or "DON'T KNOW" for item 6, provide details of the sentence or the conviction for which you are subject to be sentenced, or explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

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

7. Are you an undischarged bankrupt or insolvent? YES NO DON'T KNOW

- 7a. If you responded "YES" or "DON'T KNOW" for item 7, provide details of your bankruptcy or insolvency or explain why you don't know. You may provide additional documents if you are unable to fit your answer in the space provided.

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

8. 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 DON'T KNOW

- 8a. If you responded "YES" or "DON'T KNOW" for item 8, provide details (for example, the relevant body in which you hold the office of profit and your role, or explain why you don't know). You may provide additional documents if you are unable to fit your answer in the space provided.

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

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9. 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. YES NO DON'T KNOW

NOTE: You may be disqualified by reason of section 44(v) 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.

- 9a. If you responded "YES" or "DON'T KNOW" to item 9, provide details (for example, your direct or indirect financial interests, or explain why you don't know). You may provide additional documents if you are unable to fit your answer in the space provided.

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

10. [OPTIONAL] Provide any additional details relating to your qualification under the Australian Constitution or the *Commonwealth Electoral Act 1918*. You may provide additional documents if you are unable to fit your answer in the space provided.

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

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