



Australian Government
Department of Foreign Affairs and Trade

DUAL NATIONALS

PASSPORT

PASSPORT

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Every traveller, every trip.

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Australians are travelling overseas in ever-increasing numbers. A large number of these travellers are dual nationals, travelling either to the country of their other nationality or to discover other parts of the world.

This publication is designed to provide travel information and tips to dual nationals. It should be read in conjunction with *Travel smart: hints for Australian travellers*, available at **smartraveller.gov.au**.

When you travel abroad, you leave behind Australia's support systems, emergency service capabilities and medical facilities. The Australian Government will do what it can to help Australians in difficulty overseas, but there are legal and practical limits to what can be done to assist travellers in other countries. You should have realistic expectations about this and read the *Consular Services Charter* before you go, available at **smartraveller.gov.au**.

What is dual nationality?

Many Australians are migrants, children of migrants or were born overseas. This means that many Australians are dual nationals or could be regarded as dual nationals by another country. You may not even know that you're a dual national.

If you are a dual national, your dual nationality may have implications for you if you travel to the country of your other nationality. For example:

- you might be liable for military service
- you might be liable for prosecution for offences under the laws of that country, even if they were committed outside it
- if the government of that country doesn't recognise dual nationality, the ability of the Australian Government to provide consular assistance may be limited.

How do people become dual nationals?

People can be dual nationals by:

- birth
- descent, because their parents or grandparents are citizens of another country
- marriage to a citizen of another country
- naturalisation
- granting of citizenship
- state succession, which can occur when sovereignty over a state changes.

Whether you're a dual national depends on the laws of the country involved. You could be considered and treated as a national by another country even if you don't accept that nationality. In some countries, a nationality may automatically be acquired through marriage.

Many countries have laws that prevent citizens giving up their nationality under any circumstances. A number of countries have laws that prevent citizens giving up their nationality except by a formal act of renunciation.

Before you go – be prepared

The better prepared you are, the safer and more enjoyable your travel will be.

- If you are or think you may be a dual national, check with the embassy or consulate of the other country before you leave Australia. Contact details of foreign embassies and consulates in Australia are available at **www.dfat.gov.au/embassies.html**.
- Dual nationals who plan to visit the country of their other nationality are advised to check whether they will be required to perform military service. This should be done before leaving Australia, by checking with that country's embassy or consulate in Australia.
- A marriage in Australia between an Australian citizen and a person who holds dual nationality may not be recognised in that second country. Before leaving Australia, check with that country's embassy or consulate in Australia to find out what the local laws are regarding the recognition of a marriage conducted in Australia.
- If you've previously been expelled from your country of birth, we advise that you check with that country's embassy or consulate in Australia whether you'll be allowed entry into that country.
- If you have any questions on Australian citizenship, call the Department of Immigration and Citizenship on **13 18 80** or go to their website at **www.immi.gov.au**.

Read the travel advice

Start with the latest travel advice for your destination at **smartraveller.gov.au**. This will give you information on the main risks you may face and some precautions you can take. Our travel advice also includes practical information on the safety and security situation, local laws, health issues and entry and exit requirements—including whether dual nationality is recognised.

Register before you travel

Make sure you register your travel and contact details online at **smartraveller.gov.au** before you travel. This will make it easier to contact you in an emergency, whether it's a natural disaster, civil disturbance or family issue. The registration information you provide is protected by Australia's strict privacy laws.

Subscribe to travel advice

While at **smartraveller.gov.au**, subscribe to receive free email updates to travel advice. This will help you stay across any changes to the safety and security situation, local laws and health issues in the countries you plan to visit.

Travel insurance

We strongly recommend you take out travel insurance, even if you're a frequent visitor to a country you know well.

We strongly recommend that before you depart you take out comprehensive travel insurance that will cover any overseas medical costs, including medical evacuation. This applies even if you're visiting family and friends in a country you know well and have visited frequently. Confirm that your insurance covers you for the complete duration of your trip and check if there are any activities that are not included in your policy.

The Australian Government won't pay for your medical treatment overseas or medical evacuation to Australia or a third country. Travellers without travel insurance are personally liable for covering any medical and associated costs they incur.

For more information on travel insurance, including tips for choosing a policy that's right for you, visit **smartraveller.gov.au**.

Liability for military service

Dual nationals may be liable for military service in the country of their other nationality. Countries where this is more likely include Egypt, Greece, Iran, Lebanon, Syria and most countries in central and eastern Europe.

If you plan to visit a country of which you may be considered a national, you should check your military service obligations before leaving Australia with that country's embassy or consulate in Australia. Seek this advice in writing before leaving Australia and take a copy with you.

Some countries allow nationals who have been living abroad to enter and stay for a limited time before incurring obligations for military service. In others, there is no such period and the obligation is imposed immediately upon arrival.

In these countries, dual nationals may be 'called up' and, if they don't report for duty, may be regarded as defaulters whether they were aware of the call-up or not. They could then either be imprisoned, or inducted into the military forces when they next arrive in the country or attempt to leave the country. Even dual nationals who have passed the age for military service may be considered defaulters for failing to report at the required time.

Authorities in other countries may not accept ignorance of obligations as an excuse for failure to comply.

Relationships and family issues

Marriage

Australia recognises marriages performed overseas; however, marriages performed in Australia may not always receive the same recognition in other countries. For example, a marriage performed in Australia between an Australian citizen and a person who holds dual nationality may not be recognised in that second country. An Australian in that country might find the marriage is not recognised and any children might be considered illegitimate. We recommend that you find out what the local laws are surrounding marriage with that country's embassy or consulate before leaving Australia.

Underage marriages

Some Australian families may arrange the marriage of a child with dual nationality to a person in the country of the other nationality. Under Australian law, subject to certain conditions, the marriage of a child under the age of 18 is illegal and will be void. If an Australian child under 18 who normally lives in Australia marries overseas, the marriage will not be recognised in Australia, even when that person reaches the age of 18.

Divorce

The recognition by a foreign country of a divorce settled in Australia is a matter which can only be addressed by that country. If you're concerned about the recognition of an Australian divorce by another country, you should raise the issue with the relevant authorities in that country.

If you have concerns about the recognition of an overseas divorce in Australia, you should seek legal advice on the operation of the *Family Law Act 1975* which deals with overseas decrees.

Child custody

Because some foreign governments don't recognise dual nationality, a child whose birth is registered either in a foreign country or at a non-Australian embassy or consulate may have foreign citizenship with no recognition by that country of their Australian citizenship. This can affect decisions relating to the future custody of the child, as they can be based on local law.

Parents travelling with children who may be considered nationals of a foreign country should seek legal advice to resolve child custody and other family law issues before travelling to that country.

International child abduction

The Hague Convention on the Civil Aspects of International Child Abduction operates to return wrongfully removed or detained children to their country of habitual residence so that issues of parental responsibility can be resolved by the authorities of that country. The convention may also provide assistance to parents seeking to spend time or communicate with a child. Information on the countries for which the convention is in force with Australia can be found on the website of the Hague Conference on Private International Law at **www.hcch.net**.

Before you leave Australia with your children, you should ensure that you have the consent to do so from any person, institution or other body that has a right of custody in relation to those children or a court order permitting their departure. Failure to do so may result in an application being made under the convention and the children being ordered to return to Australia. You may wish to obtain the assistance of a lawyer or a legal aid body to help you make sure that you've done all that's required to lawfully remove the children from Australia.

Passports and visas

Leaving and entering Australia

If you hold another country's passport, seek advice about how it should be used. Take your Australian passport and use it to depart from and return to Australia. An Australian citizen cannot be granted a visa for Australia.

When entering Australia, all Australians, including those who hold dual nationality, must be able to prove that they are an Australian citizen. An Australian passport is conclusive evidence of a person's identity and citizenship and provides the holder with right of entry to Australia.

An Australian citizen who arrives without an Australian passport may be delayed until their identity and claims to enter Australia have been checked. If a foreign passport holder claims to be an Australian citizen, immigration officers must confirm and verify this through official databases, which will cause delays.

International airlines have an obligation to ensure that they only carry appropriately documented passengers to Australia. In the absence of an Australian passport, airlines are unable to verify a claim of Australian citizenship at the time of check-in and may refuse boarding. The airline may have to make inquiries with the Department of Immigration and Citizenship in Australia seeking approval to carry the passenger, which takes time and may cause delays.

Entering and leaving the country of other nationality

Dual nationals may find it easier to enter the country of their other nationality on that country's passport, but leaving can sometimes be more difficult.

In some cases, there may be entry and exit requirements in place, such as currency, customs and quarantine regulations and compulsory vaccinations.

You may need an exit visa if you entered on a passport of that country. Before leaving Australia, check with that country's embassy or consulate in Australia to find out what the entry and exit requirements are when using the passport of your other nationality.

Getting help overseas

The Australian Government will do what it can to help Australians in difficulty overseas, but there are limits to what can be done.

Consular services

DFAT provides assistance to Australians, including dual nationals, who find themselves in trouble overseas. This support is referred to as consular services; however, there are legal and practical limits to what can be done to assist travellers in other countries.

Consular services are provided through our headquarters in Canberra and through Australian embassies, high commissions and consulates.

The *Consular Services Charter* sets out the standards of service all Australians can expect to receive from consular staff, including what they can and cannot do, and is available at **[smartraveller.gov.au](https://www.smartraveller.gov.au)**.

Under international law, countries are not obliged to recognise dual nationality:

- A country may not permit Australian consular assistance to be given to Australian citizens who, according to its laws, it considers and treats as its own nationals.
- A person might not be regarded as being an Australian if that person is not travelling on their Australian passport, which may also limit the consular assistance available.

While we'll always try to assist to the greatest extent possible, under particular circumstances the extent to which we're able to help you will typically be determined by the government of the other country.

If you've been arrested or detained in a country of which you're a dual national, you should ask for access to consular officials from the nearest Australian embassy, high commission or consulate – even if that country doesn't recognise dual nationality.

Contact details for Australian missions overseas are available at **www.dfat.gov.au/missions**. A directory of Australian missions also appears in the 'Getting Help Overseas' section of *Travel smart: hints for Australian travellers*. This publication is issued with your passport and is also available online at **smartraveller.gov.au**.

Australia has an agreement with Canada to provide consular assistance to Australians in some countries. Canadian missions providing consular assistance to Australians are also listed in the *Travel smart: hints for Australian travellers* publication.

Not all countries have an Australian or Canadian diplomatic or consular post, but there is usually one in the region. Informal arrangements also exist with other consular services, which can lend assistance to Australians in need.

The 24-hour Consular Emergency Centre in Canberra can be contacted for assistance from anywhere in the world on **+61 2 6261 3305** or **1300 555 135** (local call cost within Australia).

Contact your travel insurance provider

Travel insurance companies often have 24-hour assistance centres that you can contact from anywhere in the world. If you get sick overseas or are involved in a medical emergency, you should contact your travel insurance provider as soon as possible. Make sure you take your travel insurance policy information and contact numbers with you so you can easily contact your insurer from overseas. Consider leaving details of your travel insurance policy with family or friends back home.

For more information on insurance, read the 'Travel Insurance' section of this brochure.

Counselling services

Australians in need of counselling services overseas can contact our Consular Emergency Centre on **+61 2 6261 3305** to be transferred to a Lifeline telephone counsellor.

Other Smartraveller publications

DFAT publishes a range of brochures with travel hints for specific travel groups, and information about how to cope with unexpected events, available at smartraveller.gov.au.

Titles include:

- Travel smart: hints for Australian travellers
- Consular Services Charter
- Arrested or jailed overseas
- Backpacking overseas
- Death overseas
- Living and working overseas
- Sexual assault overseas
- Travelling with children
- Travelling seniors
- Travelling well
- Travelling women
- When someone is missing overseas

Copies of these brochures are also available at DFAT state and territory offices, Australian Passport Offices, and Australian missions overseas. You can also order copies online at smartraveller.gov.au.

The brochures *Travelling well*, *Travelling seniors* and *Dual nationals* are also available online in a number of community languages at smartraveller.gov.au.

Top 10 travel tips

1. Check the latest travel advice at **smartraveller.gov.au** and subscribe to receive free email notifications each time the advice for your destination is updated.
2. Take out comprehensive travel insurance and ensure it covers you for the places you plan to visit and the things you plan to do.
3. Before travelling overseas, register your travel and contact details online at **smartraveller.gov.au**, or at the local Australian embassy, high commission or consulate once you arrive so we can contact you in case of an emergency.
4. Obey the laws of the country you're visiting even if these appear harsh or unfair by Australian standards. Don't expect to be treated differently from the locals just because you're Australian.
5. Make sure you have the right visas for the countries you're visiting or transiting and check any other entry or exit requirements.
6. Make copies of your passport details, insurance policy, traveller's cheques, visas and credit card numbers. Carry one copy in a separate place to the original and leave a copy with someone at home.
7. Check with health professionals for information on recommended vaccinations and other health precautions. Remember that vaccinations can be an entry requirement to some countries. Also find out about taking medication overseas—certain medicines aren't allowed in some countries.

- 8.** Make sure your passport has at least six months' validity from your planned date of return to Australia. Carry extra passport photos in case your passport is lost or stolen and you need to replace it while you're away.
- 9.** Keep in contact with friends and family back home and give them a copy of your itinerary so they know where you are.
- 10.** Check to see if you're regarded as a national of the country you plan to visit, and whether dual nationality will have any implications for your travel plans.

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1. **Register** your travel and contact details online at *smartraveller.gov.au* before you travel overseas—or at the local Australian embassy, high commission or consulate once you arrive—so we can contact you in an emergency.
2. Check the latest **travel advice** for your destination at *smartraveller.gov.au* before you go. **Subscribe** to receive free email notification each time the advice is updated.
3. Take out comprehensive **travel insurance** to cover hospital treatment, medical evacuation and any activities you plan to undertake in the countries you intend to visit.

While every care has been taken in preparing this brochure, neither the Australian Government nor its agents or employees, including any member of Australia's diplomatic and consular staff abroad, can accept liability for any injury, loss or damage arising in respect of any statement contained herein.

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Information for travellers and travel advisories are available from the Department of Foreign Affairs and Trade's Smartraveller website *smartraveller.gov.au*.

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