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Australia's Visitor and Temporary Entry Provisions

Introduction

2.1   This chapter summarises the procedures which overseas visitors experience in order to gain entry to, and leave, Australia. It provides the background for a more detailed consideration of the Committee's terms of reference in later chapters.

Visitor documentation

2.2   Temporary entrants to Australia include tourists, students, temporary residents, and temporary business entrants. Australia's universal visa policy requires that nearly all non-citizens travelling to Australia obtain a visa prior to travelling.[1] This process will be most visitors' introduction to Australia and the way it does business.

Visas

2.3   The Migration Act defines the term "visa" to mean the permission granted to non-citizens allowing them to travel to, enter and stay in Australia. Most temporary entrants to Australia are visitors, and most are tourists.

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1   The only exceptions to this rule are the British Royal family and New Zealand citizens travelling on New Zealand passports. The latter, provided they are not of health or character concern, may apply for and be granted a Special Category Visa on arrival in Australia.

2.4   The visa system aims to:

- facilitate travel.

- support the managed intake of migrants consistent with government-approved programs;

- manage the use of overseas skills to meet short term needs through temporary residence arrangements; and

- prevent the entry of persons who may pose some threat to the Australian community. [2]

Electronic visas:

2.5   About three-quarters of tourist visas are generated by the Electronic Travel Authority (ETA) System, which has been operating since September 1996.[3] The ETA is a paperless, electronic visa which replaces the conventional visa label or stamp "paper visa" in the person's passport. There are three types of ETA: visitor, short-term business, and long-term business. The ETA does not require the intending visitor to contact Australian Missions because it is based on the electronic delivery of an authority to travel via the airline and travel industries' global computer reservation systems. It is available from over 20,000 outlets worldwide and is thus significantly more accessible to intending visitors when compared with the past visa distribution network of some 85 official missions.

2.6   The system enables any approved travel agent or participating airline to request ETAs for travellers electronically. The ETA process requires the person's name, sex, date and country of birth, nationality and passport number. All ETA submissions are initially checked against a Department of Immigration and Multicultural Affairs (DIMA) Person Alert List (PAL) of individuals on whom adverse information is held. Authority to issue the ETA is granted within seconds if the applicant passes this check. In many cases, therefore, the process of acquiring a visa for Australia is invisible to the traveller.

2.7   Once the ETA is issued, further electronic checks are undertaken against PAL and the Document Alert List which together constitute DIMA's Movement Alert List (MAL).[4] The ETA system also provides for

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2   Joint Standing Committee on Migration, *Australia's Visa System for Visitors*, Australian Government Publishing Service, 1996, p.53.

3   DIMA, Submissions, pp. 114, 122, Australian Tourist Commission, Evidence, p. 142

4   If a match is detected after the ETA is issued there are a number of options, including cancellation of the ETA or further scrutiny of the individual on arrival. DIMA, Submissions, p.126.

participating airlines to validate a person's travel authority at the time of check-in at overseas airports.

2.8   The ETA system is available for citizens of countries which generate a large number of tourists to Australia and whose citizens have, historically, adhered to the conditions of their Australian visas. These 31 "high volume low risk" tourist markets are listed in Appendix E and include Singapore, the USA, Canada, Japan, the United Kingdom, Malaysia, South Korea, Western European Countries and the most recent inclusions, Hong Kong and Taiwan. The regions where ETA does not widely apply include Eastern Europe, the Middle East, Africa and Latin America.

Conventional visas

2.9   The conventional label or stamp ("paper") visa in a person's passport is issued after their written application has been examined and approved by an Australian Mission. The Committee's 1996 report on Australia's visa system for visitors indicated that, on average, most visas were issued within 24 hours of the application being received at an Australian Mission.

Visa fees

2.10   The Australian Government does not charge external service providers for using the ETA system. There is no fee for a visitor or short-term business ETA, but there is a charge for long-term business ETAs. Applications for visitor "paper visas" attract a non-refundable fee of $60 per person. Applicants for paper visas who are refused permission to visit Australia do not get their application fee refunded. Evidence provided to the Committee indicated that agents facilitating applications for both varieties of Australian visas might charge additional fees of the order of $50.[5]

Visitor travel

2.11   The vast majority of visitors to Australia arrive by air. At the time of their check-in for departure, about one in three travellers to Australia has their details validated against DIMA's data. This occurs as part of the check-in process through airlines' computer interfaces with DIMA systems. The data provide DIMA with Advance Passenger Information (API).

2.12   API comes from a number of sources. Australian and New Zealand Customs services have used a data exchange system since 1988. The Advanced Passenger Clearance (APC) system is a link from Qantas and Ansett Airlines directly to DIMA which has provided effectively instantaneous data transfer since 1991. It enables those airlines to verify

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5   McMillan Printing Group, Evidence, pp. 168-169.

the validity of an Australian or New Zealand passport, or a visa or an ETA. The Advance Passenger Processing (APP) system is similar, but refers to other airlines and is only fully operational with Air New Zealand, and under trial by Singapore Airlines.[6]

2.13   Under API[7] the airline is provided with a 15-digit number that is encoded onto a machine-readable Passenger Card which is in the form of a standard airline boarding pass. This "Express" Passenger Card includes family name, given names, passport number, flight number, destination and nationality. The API process also generates a pre-movement file for the particular flight which enables border agencies to risk-assess the flight that is travelling to Australia before it arrives.

2.14   The API "Express" Passenger Card also facilitates entry for those holding it because it entitles them to faster processing through "Express" lanes on arrival and departure.

2.15   Prior to arrival in Australia, travellers complete their Passenger Card (either the "Express" one or the standard one) which requires customs, quarantine and health declarations. It also has questions relating to the purpose of visit.

Visitor landfall

2.16   On arrival at Australia's international airports, passengers and their luggage undergo a range of immigration, customs and quarantine checks. Specially trained dogs, which form part of Australia's customs and quarantine border control, meet some flights. Detector dogs in the baggage handling areas investigate luggage as it arrives from the aircraft, and before it is delivered to the passenger retrieval area. On some flights, the arriving passengers may be met by other detector dogs prior to presenting their travel documentation. ACS Labradors are trained to sit next to passengers or their hand luggage if they detect drugs. AQIS Beagles are similarly trained to identify passengers carrying food.[8]

2.17   Passengers' documents are inspected at what is termed the *primary line.* This comprises inspection barriers staffed by Australian Customs Service (ACS) personnel. They examine passports, visas, and Passenger Cards. They act as DIMA's agents at the border[9] and perform a range of functions

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6   ACS, Evidence, p. 219.

7   *NOTE: In this report the generic term API is used. This includes APC and APP.*

8   ACS, Evidence, p. 231.

9   ACS, Submissions, p. 69

for the various border management agencies. DIMA staff provides a secondary inspection service for persons referred from primary inspection.

2.18   Incoming passengers may be streamed to specific booths at the primary line. Categories of passenger that are currently streamed include Australian passport holders, non-Australian passport holders, APEC card holders, crew and domestic passengers, and "Express" (API) passengers.

2.19   When they reach the primary line the passengers' personal data are keyed in or, where possible, their passports are machine-read to validate their right of entry as determined by the DIMA entry control system.

2.20   At the primary line passengers with "Express" Passenger Cards, rather than have their personal data keyed in, have their cards machine-read and a face to face passport check carried out. This would allow for much speedier processing of the passengers at that point. The "Express" Passenger Card system should speed processing at the primary line and reduces queuing times for passengers with these cards by 50 per cent, compared with non "Express" Passenger Card holders.

2.21   The next stage of the arrival procedure is luggage collection from baggage carousels. Passengers with nothing to declare enter Australia through the green exit. Passengers declaring goods for customs purposes proceed to inspection at the red exit. At this point Australian Quarantine and Inspection Services (AQIS) officers inspect the passengers' Arrival Cards and make the final decision whether to inspect their baggage or not. Having passed through the migration, customs and quarantine checks, the passengers enter Australia.

2.22   The small proportion of travellers arriving by ship undergoes a similar process, and currently few have access to API procedures.

Departure

2.23   Visitors leaving Australia confirm their ticketing arrangements and check in their baggage. They complete an outwards Passenger Card and pass through immigration and customs checks. API passengers, comprising 10 per cent of departing passengers at Sydney International Airport, may use specially designated "Express" primary line processing booths.[10]

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10   Nationally the proportion is 6.4 per cent, ACS, Submissions, p. 350.