

The Visitor Visa Experience

Introduction

6.1 This Chapter focuses on issues raised during the Committee’s inquiry concerning Australia’s ability to have efficient, coordinated entry arrangements for visitors for the Olympic and Paralympic Games period.

Visa requirements

6.2 A number of submissions dealt with Australia’s visa requirements, noting that Australia would be in the world spotlight during the Games period. Most of the points raised related to the conventional “paper visa”, a non-electronic visa which is a label or stamp in the person’s passport.

Paper visa concerns

6.3 Representatives of the tourist industry argued that the paper visa has a number of disadvantages:

- it was considered discriminatory as it applied to a limited number of countries¹;
- the visa application forms were intrusive²;

1 Inbound Tourism Organisation of Australia (ITOA), Evidence, p.185.

2 ITOA, Evidence, p. 194; Meetings, Incentives Conventions and Exhibitions Industry Council (MICEIC), Submissions, pp. 86-88.

- visa requirements reduced Australia's competitiveness as a tourist destination in non-ETA countries³; and
- overall, the paper visa process, which has been eliminated by a significant number of countries, gives Australia a poor international image.⁴

6.4 The arguments in support of these claims are outlined below.

Paper visas considered discriminatory:

- 6.5 The prime example of the discriminatory nature of the paper visa cited by industry representatives was that nationals of 31 countries identified as generating a high volume of low risk tourist visits were eligible for ETA. This meant that nationals of most countries were not eligible for ETA and its associated convenience of arranging travel to Australia.⁵ There is also a perception by witnesses that paper visa requirements are being administered more stringently in non-ETA countries than they had been in the past.⁶
- 6.6 Agencies involved in Australian border control such as AQIS, the National Crime Authority, ACS and DIMA, argued for the importance of controlling entry of individuals to Australia through a more careful assessment of their bona fides.⁷ Some countries are not part of the ETA scheme because they are not a major source of tourists for Australia, or because of the high levels of overstayers originating from that country.
- 6.7 Visa costs were also claimed to be discriminatory. Visitors unable to access the ETA arrangements were required to pay a visa application fee of \$60 which was not required of ETA visitors (although some agents charge an administration fee for the issue of an ETA).⁸ There was additional discrimination in the fact that unsuccessful applicants did not have their visa application fees refunded.
- 6.8 The Committee was advised that the Government introduced the visa application fee in 1998 with the intention of recovering the costs of detailed visa processing required in low volume, high risk areas.⁹

3 ITOA, Evidence, pp. 196-197; MICEIC, Submissions, pp. 86-88; Tourism Council of Australia (TCA), Evidence, p. 184.

4 TCA, Submissions, p. 94; MICEIC, Submissions, p. 86; ITOA, Evidence, pp. 185-186; Tourism Task Force (TTF), Evidence, p. 205.

5 TCA, Submissions, p. 95; TTF, Evidence, p. 205.

6 Australian Tourist Commission (ATC), Evidence, p. 153; ITOA, Evidence, p. 195

7 DIMA, Evidence, p. 15.

8 ATC, Submissions, p. 55; TCA, Submissions, p. 95.

9 DIMA, Evidence, p. 11.

Intrusiveness:

- 6.9 The information required for some visa applications was considered to be intrusive. One example cited was Application Form 48R, for tourist or recreational visits, which seeks confirmation that the applicant's employer has approved the person's leave and that person will still be employed on return from Australia. Additional information required may include evidence of funds available for the visit and evidence of medical/travel insurance. In addition, applicants may also be interviewed to further establish their eligibility.¹⁰
- 6.10 The Committee noted that travel industry representatives and border authorities agreed that less than one quarter of visitors entered on paper visas. Most visitors to Australia therefore do not complete an application form.
- 6.11 The border agencies claimed that they were able to fulfil their roles effectively only if they received accurate information concerning intending visitors. These considerations, they argued, demand more scrutiny of some intending visitors than others.¹¹ In order to establish applicants' bona fides, DIMA claims that it examines their applications on their merits. The issues considered in deciding eligibility for a visa include whether the applicant has a strong incentive to return home, their employment status; whether they have sufficient funds to travel to and remain in Australia; whether they have a return ticket, and the purpose of the visit.¹²

Reduced competitiveness:

- 6.12 The travel industry representatives argued that the perception that Australia's non-ETA visa system was discriminatory and intrusive reduced Australia's competitiveness with other tourist destinations. The refusal rate of applications also reduced Australia's attractiveness. There was also concern in the industry that some categories of visitors might, in future, be required to pay a bond, which would be a further disincentive.¹³
- 6.13 The Committee heard anecdotal evidence that the negative experiences associated with visa applications and charges reduced the numbers of potential visitors to Australia. In support of these claims, the Committee

10 MICEIC, Submissions, p. 90; ITOA, Evidence, p. 194.

11 National Crime Authority, Submissions, p. 47; ACS, Submissions, pp. 69; DIMA, Submissions, p. 110.

12 DIMA, Evidence, pp. 13, 247-248.

13 ITOA, Evidence, pp. 185-186, 196.

was informed that the abolition of visas in other countries had increased tourism there. However, in response to Committee questions, no unequivocal evidence was available to substantiate these claims.¹⁴

- 6.14 DIMA asserted that most visa applications were successful. In 1997-98, for example, a total of 2,967,284 visas were issued, and 91,837 (3 per cent) were rejected.¹⁵ The refusal rate for paper visas varies between countries, and is highest for China (25.5 per cent in 1998), Lebanon (46.5 per cent) and Turkey (31.7 per cent).¹⁶
- 6.15 Although the numbers may be small in some cases (eg 994 for Turkey), the fact of refusal is a source of irritation. In the Committee's view the numbers were of significance. The raw numbers of refusals could be expected to rise in parallel with the increased demand for access to Australia for the Games, and it was the Committee's concern that the numbers rather than the proportion refused could attract comment.

Poor international image:

- 6.16 The Tourism Task Force representative argued that negative perceptions generated by the visa requirements were likely to attract widespread coverage as international media focussed on Australia at the time of the Games.¹⁷
- 6.17 Although the vast majority of visa applications are successful, the public interest in the Games may focus attention on the refusals, particularly those of countries historically subject to a high refusal rate. In addition, even if the proportion of visas refused does not increase the absolute numbers will rise, and may attract adverse attention to Australia's visitor entry requirements.
- 6.18 The Department of Foreign Affairs and Trade (DFAT) noted that it dealt with issues such as this on a regular basis. DFAT said that they had no particular plans to deal with negative perceptions of Australia if the high refusal rate was spotlighted. DFAT claimed that they intended to react to adverse international reactions as they occurred.¹⁸

14 ITOA, Evidence, pp. 191-192; TCA, Evidence, p. 192.

15 Exhibit 3.

16 Exhibit 3.

17 TTF, Evidence, p.205.

18 Department of Foreign Affairs and Trade (DFAT), Evidence, pp. 60-63, 246-247.

Conclusion

- 6.19 The Committee noted that the Games would create a unique new reason for visiting Australia, which will need to be given appropriate weight when deciding to grant or refuse a visa.
- 6.20 The Committee accepted that, with the spotlight on Australia for the Games period, a particularly high refusal rate in any one country had the potential to create a public relations problem.
- 6.21 Further, the Committee believed that the higher refusal rates in some countries, and differences between the rates for ETA and non-ETA countries could produce embarrassing publicity detrimental to Australia's international image.
- 6.22 The Committee accepts the need to charge for paper visas to cover costs associated with their issue. However, it notes that this charge may be perceived in some countries as an additional cost, producing a negative image. It is likely to be particularly unpopular among those whose application is rejected and do not have their application fee refunded.

Recommendation 9

- 6.23 **The Committee recommends that, as a matter of urgency, DFAT examine the potential embarrassment if a large number of visa applications from any country is refused, and work with DIMA on reducing this potential.**

Recommendation 10

- 6.24 **The Committee recommends that an independent review analyse the effect of the visa application fee on applications and the effect on Australia's image as a potential tourist destination.**

ETA visa concerns

- 6.25 The ETA system of issuing visas was generally supported by travel industry witnesses,¹⁹ although with some reservations concerning:

19 TCA, Evidence, p. 183; ITOA, p. 185.

- the limited number of countries with access to ETA;²⁰
- costs to visitors;²¹ and
- a preference for visa-free admission.²²

Limited access:

- 6.26 The travel industry was generally eager to expand ETA because its simplicity offered improved tourism opportunities in countries currently outside the system.²³ It was suggested to the Committee that the range of nationals eligible for ETA be expanded.²⁴
- 6.27 DIMA advised that some countries are not part of ETA because, statistically, nationals from those countries are more likely to not comply with the terms of their visa. Therefore a more careful assessment of applications in those countries was needed. The Committee noted that ETA coverage was recently increased with the inclusion of Taiwan and Hong Kong. Expansion in this manner is consistent with current practice, and would permit the maintenance of Australia's immigration and other entry standards.

Recommendation 11

- 6.28 **The Committee recommends that the number of countries eligible for ETA be expanded.**

ETA visa costs:

- 6.29 Although the Australian Government does not charge for an ETA, nor for access to the ETA system, the Committee was advised that many agents accredited to issue ETA commonly charged an administration fee.²⁵ In many cases, therefore, a fee similar to the cost of a paper visa was charged to those seeking an ETA.

20 ATC, Submissions, p. 54; TCA, Evidence, p. 183.

21 TCA, Evidence, p. 184.

22 TCA, Evidence, p. 183; ITOA, Evidence, p. 185.

23 ATC, Submissions, p. 54.

24 ATC, Submissions, p. 56.

25 TCA, Evidence, p. 184.

Conclusion

- 6.30 The Committee was concerned about the processing charges imposed by agents for ETA.

Recommendation 12

- 6.31 The Committee recommends that DIMA monitor the current practice among agents issuing ETA to determine the proportion charging and the amounts charged by the various agencies.**

Visa-free admission:

- 6.32 Overall, submissions from bodies viewing Australia as a tourist market emphasised the desirability of minimising impediments to visitors. In essence, it was argued that the simple existence of a visa, be it electronic or paper, led to increased costs to the would-be traveller, and consequently was a disincentive. Removal of the visa requirement would remove these barriers.²⁶
- 6.33 “Visa-free” visitor entry to Australia for tourists from low-risk countries was suggested as a means of avoiding the perceived disincentives of cost and intrusiveness. If this approach was not immediately possible, it was suggested that the system be trialled prior to the Games.²⁷ There was, however, no clear definition of “visa-free” entry provided to the Committee. In its simplest form it would simply check the visitor’s identity to ensure that the person producing the passport was the person to whom the passport had been issued. Another option proposed was to limit such access to countries which did not require Australians to obtain visas. The “visa-free” concept did not deny the need for Australia to impose border controls.²⁸
- 6.34 Adopting or trialling a “visa-free” approach while maintaining border integrity would shift the checking of visitors’ bona fides from off shore to the point of arrival. DIMA advised the Committee that one of the benefits of the visa system is that material relevant to a person's entry decision is collected prior to arrival. Therefore the actual time at the immigration

26 TCA, Evidence, pp. 183-184; ITOA, Evidence, pp.185-186.

27 TCA, Submissions, p. 98; Evidence, pp. 183, 189; ITOA, Evidence, p. 185; TTF, Evidence, p. 206.

28 ITOA, Evidence, p. 188; MICEIC, Submissions, p. 86; TCA, Submissions, p.94.

barrier is dramatically less than if these border protection checks were carried out on arrival.²⁹

- 6.35 Without pre-arrival checking, as is implicit in “visa-free” arrangements, there would be significant disruption at the primary line.³⁰ The consequent backing up of passengers yet to be processed would create impatient crowds in the arrival halls. This would not convey an impression of efficiently planned and coordinated entry arrangements.
- 6.36 The Committee was advised that Australia’s additional security responsibilities during the Games period made it important that any significant changes to immigration requirements prior to the Games did not imply that Australia was lessening those requirements.³¹
- 6.37 Essentially, the arguments for a “visa-free” approach stem from a desire to minimise impediments to visitors. However, the Committee was offered no firm evidence that visa requirements discouraged visitors (see para 6.13).

Conclusion

- 6.38 The Committee felt that ETA worked well and provided a simple unobtrusive way to check visitors’ credentials and maintain border security. The Committee considered that the removal of ETA would put pressure on the primary line and create a level of visitor discontent not evident with the ETA system.
- 6.39 Considering the widespread use of ETA, the invisibility of its operation to most visitors, the efficiencies which it permitted in processing, and the continuing need for border controls, the Committee was not convinced of the desirability of implementing a “visa free” regime. Nor did the Committee favour a trial “visa free” period prior to the Games because of the short time available and the potential for such a trial to undo existing effective processing arrangements.

Media Visa fee waiver

- 6.40 Persons seeking to visit Australia as media representatives are normally liable to pay a Media Visa fee of \$145. Tourism representatives suggested a selective waiver of visa fees in relation to visiting overseas media

29 DIMA, Evidence, p.20.

30 Qantas, Evidence, p. 122; DIMA, Evidence, p. 20.

31 Australian Federal Police (AFP), Evidence, p.160.

representatives who are not accredited to either the Olympic or Paralympic Games.³²

- 6.41 Evidence presented to the Committee indicated that the media not accredited to the Games are of particular interest to a number of major stakeholders such as DFAT and DIMA. DFAT recognises that efficient entry arrangements will add considerably to positive perceptions of Australia as a nation, including in future tourism, trade and investment decisions. It intends to set up a centre in Sydney for unaccredited media. For similar reasons, DIMA wishes to assist the travel of unaccredited media to Australia as much as possible. The tourism industry too, has an interest in being able to identify and assist the unaccredited media. SOCOG also takes an interest in the entry of unaccredited media, although having no formal responsibilities for them.³³ The Committee recognised the importance of the international media in publicising Australia at the time of the Games.
- 6.42 The Committee considered that this issue had been addressed at the time of the Games bid when decisions relating to entry concessions for identified groups were made. The Committee also thought that it would be inequitable to allow non-accredited media to work in Australia without paying a visa fee, while at the same time charging Games spectators from non-ETA countries to pay for their visas.

Conclusion

- 6.43 The Committee notes that favourable media coverage is essential to the success of the Games, and that positive coverage would be facilitated if unaccredited media could be identified and provided with access to Games and general publicity.

Recommendation 13

- 6.44 **The Committee recommends that, prior to and during the Games, DIMA and DFAT publicise their willingness to assist the unaccredited media.**

32 TTF, Evidence, p. 207; Tourism New South Wales, Submissions, p. 346.

33 DFAT, Submissions, p. 82; DIMA, Evidence, p. 24; TTF, Evidence, p. 207; SOCOG, Submissions, p. 172; Tourism New South Wales, Submissions, pp. 344-347.

Summary

- 6.45 The Committee would have been better placed to make recommendations concerning the operation of Australia's visa system had it had a Government response to the Committee's January 1996 Report *Australia's Visa System for Visitors*.
- 6.46 The Committee considered a range of arguments for modification of Australia's existing visa system for the period of the Games, or more broadly. While it acknowledged that Australia's approach might attract more publicity and criticism during the Games period, it was not convinced that major alterations to one of the key elements of border control were desirable. However, it saw some opportunity to simplify the visa procedures through further expansion of the ETA system.