



# Lodging Australian Travel Document Applications for Unaccompanied Humanitarian Minors

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A guide for guardians

Note this information is correct as at August 2016



## Contents

<b>WHO MAY COMPLETE AND LODGE AN APPLICATION? .....</b>	<b>3</b>
<b>WHERE AND WHEN TO LODGE AN APPLICATION .....</b>	<b>3</b>
<b>PREVENTING THE ISSUE OF A TRAVEL DOCUMENT WITHOUT YOUR KNOWLEDGE...3</b>	
<b>ENTITLEMENTS UNDER AUSTRALIAN ISSUED CTDS AND COIS .....</b>	<b>6</b>
<b>AUSTRALIAN CONSULAR SERVICES TO UHMS OVERSEAS .....</b>	<b>6</b>
<b>DOCUMENT CHECKLIST .....</b>	<b>11</b>
<b>CONTACTS .....</b>	<b>11</b>
<b>PASSPORT OFFICE LOCATIONS.....</b>	<b>13</b>



# Lodging a Travel Document Application on behalf of an Unaccompanied Humanitarian Minor (UHM)

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This guide provides an overview of the process of applying for a Convention Travel Document (CTD) or Certificate of Identity (COI) for a child who is a ward of the Minister for Immigration and Border Protection (the Minister) or his/her delegate under section 6 of the *Immigration (Guardianship of Children) Act 1946 (Cth)*.

This guide does not provide information about the legislative regime or the issues considered by the APO in processing a travel document application.

## Who may complete and lodge an application?

The Minister or his or her delegate can lodge an Australian travel document application on behalf of a ward for whom they have guardianship responsibility. Where the delegate is unable to complete and lodge the application, the delegate must complete question 6 on the 'Child under the Guardianship of the Minister for Border Protection' (B-3) form, nominating who is lodging on their behalf (this includes case workers, carers or Non-Government Organisations or the wards themselves).

Prior to completing and lodging an application, the UHM's delegated guardian or representative should contact the Department of Immigration and Border Protection (DIBP) regarding any limitations that may affect a UHM's ability to travel overseas on their current visa.

Child applicants aged 16 or 17 must accompany the person lodging the child's travel document application to attend the passport interview.

## Where and when to lodge an application

Applications for an Australian travel document on behalf of a UHM are to be lodged in person at a Passports Office; applications are lodged by appointment only. To obtain an application form and an information pack, applicant's should contact Australian Passport Information Service (APIS) on 131 232. When making a booking, it is helpful if APIS are advised the application relates to a UHM and that this should be recorded in the 'special conditions' of the PAS booking.

A list of offices is provided on page 11. The processing time for an application is three weeks as well as an additional period of up to three to four weeks if the consent of all persons with parental responsibility is not provided.

## Preventing the issue of a travel document without your knowledge

A person with guardianship responsibility for a child may raise an alert which warns the Department of Foreign Affairs and Trade (DFAT) there may be circumstances that need to be considered before a travel document can be issued to the child.

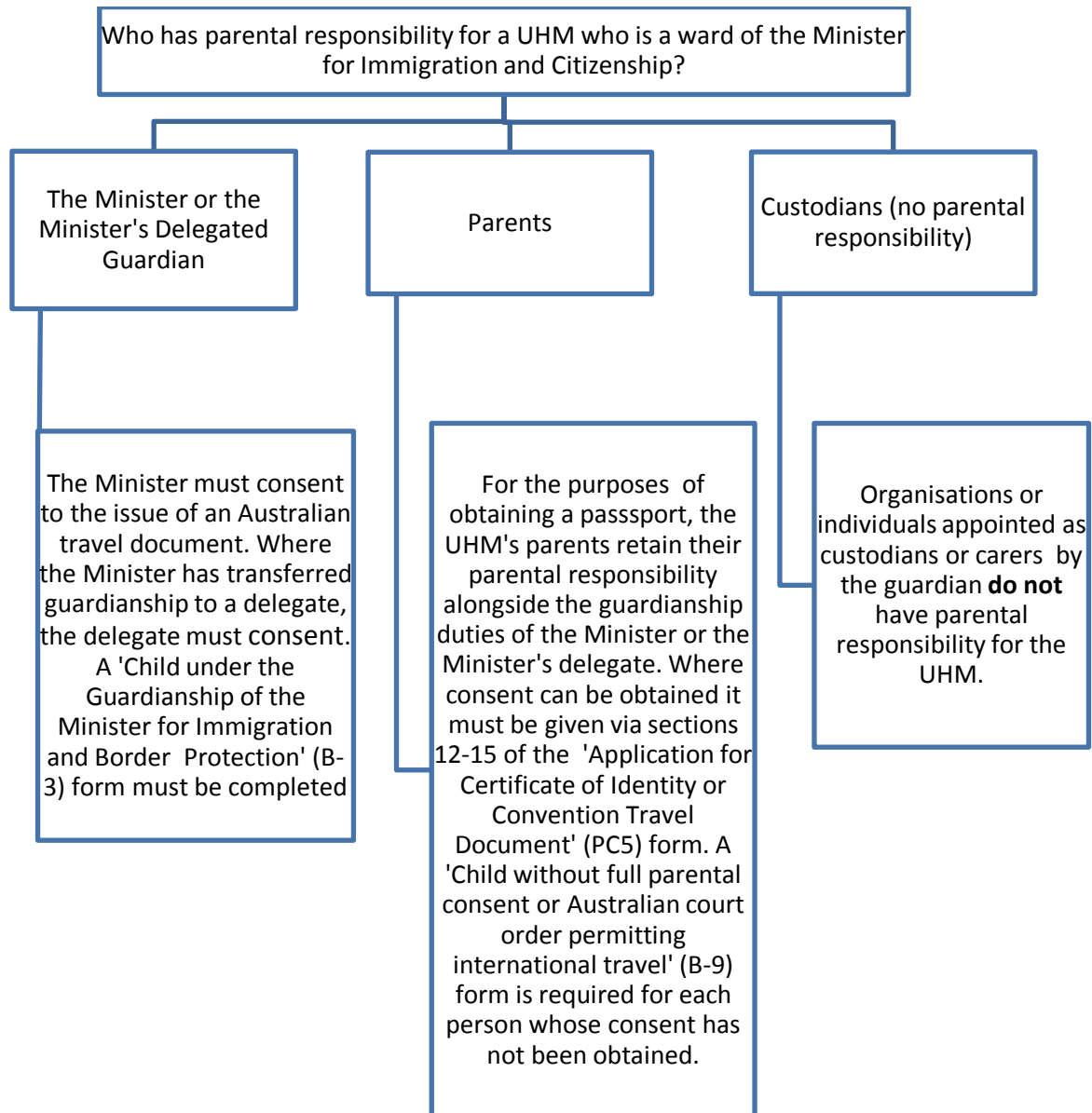


An alert can be raised by submitting a Child Alert Request (PC9) form. Forms are available at passport offices, from our website [www.passports.gov.au](http://www.passports.gov.au) or by phoning APIS on 131 232.

Child Alerts will not stop children from travelling if they already have an Australian or foreign travel document. If you are concerned that a child will leave Australia without your permission, you may seek a court order to have the child's name placed on the Airport Watch List by the Australian Federal Police. Further information on this can be found at [www.afp.gov.au/policing/family-law/family-law-kit](http://www.afp.gov.au/policing/family-law/family-law-kit).



## Quick Reference Guide





# Convention Travel Documents and Certificates of Identity

Guardians of UHMs are able to apply for a Convention Travel Document (CTD) or Certificate of Identity (COI) under section 9 of the *Australian Passports Act 2005*.

A CTD may be issued to a UHM who is present in Australia if the child is a refugee recognised under the Convention relating to the Status of Refugees dated 28 July 1951, and the Protocol in force under that Convention (Section 6.1 of the Australian Passports Determination 2015).

A COI may be issued to a UHM who is about to leave Australia, and is stateless or unable to obtain a valid travel document from the country of which the child claims to be a national.

## Entitlements under Australian issued CTDs and COIs

Characteristic	CTD	COI
Validity	Maximum period of two years	Maximum period of one year
Travel restrictions	CTDs and COIs cannot be issued conditional to a restriction on travel to a particular country.	
Accepted by all countries?	Not all countries accept CTDs or COIs. The holder is responsible for ensuring the travel document is suitable for entry, exit and transit for any ongoing travel, including visa requirements.	
Right of re-entry	There is no automatic right of re-entry into Australia. The bearer should ensure they have a visa that allows re-entry into Australia.	

## Australian consular services to UHMs overseas

The protection afforded to an individual issued a refugee or humanitarian visa in Australia and travelling on an Australian issued Certificate of Identity or Convention Travel Document is very limited, but does include the replacement of a lost/stolen/damaged travel document where the person holds a valid Australian visa with re-entry rights. Where the UHM is a permanent Australian resident, they may have access to consular assistance. The exception is financial assistance, for which only Australian citizens are eligible. The ability of a consular officer to assist Australian permanent residents overseas may be limited to the extent that the host government is prepared to accept Australia's involvement in the case.



# Completing the Application (PC5) Form

The 'Application for Certificate of Identity or Convention Travel Document (PC5) form can only be collected at an Australian Passport Office or by mail through the Australian Passport Information Service (call 131 232). A sample of the form has been provided at Attachment A. The requirements for each section are explained below.

## 1. Intended travel

- Tickets should not be booked until a travel document has been issued, as there is no guarantee that a travel document will be issued.
- In order to issue a COI the applicant must produce satisfactory evidence of intended international travel. Evidence may be in the form of a draft proposed itinerary or a general declaration (B-11) form explaining the reasons for travel.
- If the proposed travel is urgent on compassionate grounds, please notify the Australian Passport Office on lodgement (supporting documentation may be required).

## 2. Personal details

### *Change of name*

Where a person wishes to include in their travel document a name other than a name on their visa, the applicant will need to submit a name change certificate issued by an Australian Registry of Births, Deaths and Marriages (RBDM). If the applicant does not have an Australian RBDM name change certificate they will need to contact DIBP regarding changing the name recorded on their visa. Travel documents can only be issued with the personal details that DIBP have issued the current visa in.

### *Birth Details*

The applicant's birth details must be the same as the details on the applicant's Australian visa/DIBP records. Where the place of birth is not recorded:

- A full birth certificate and, if not in English, a translated copy from an approved English translation service. In Australia, the translation must be performed by a National Accreditation Authority for Translators and Interpreters (NAATI) accredited translator. A list of NAATI translators can be found at [www.naati.com.au](http://www.naati.com.au).
- If there is no birth certificate, the child's foreign passport can be submitted which states the date and place of birth.

## 3. Details of any previous travel document

- Please provide the details of any current Australian travel document and bring the document with you to your passport application interview.

## 4. Visa details

- Please provide the details of the current visa that permits the applicant to reside in Australia. Where possible the original visa should also be provided.
- Visa evidence must be submitted, as per the following:
  - ImmiCard;
  - PLO56 card;
  - Visa label;
  - Document for travel to Australia (DFTTA);



- VEVO print out;
- Visa Grant Letter.

#### 5. Birth certificate details

- Details of the child's original birth certificate must be provided where possible. The original full certificate should be presented with the application, along with an approved English translation service. In Australia, the translation must be performed by a NAATI accredited translator.

*Note: Child born overseas and no birth certificate*

- In some cases a child born outside Australia cannot genuinely supply an original birth certificate.
- In such cases a parent can complete a 'Child born overseas and no birth certificate' (B6) form. The form can be downloaded from the [passports.gov.au](http://passports.gov.au) website under 'applying for child's passport'.
- Where there is no parent who can complete a 'Child born overseas and no birth certificate' (B-6) form, a general declaration (B-11) form can be submitted with the relevant details by someone other than a parent. It is to include the details of the person submitting the form and their relationship to the child, details of the child's parents and their date and place of birth (where known), the details of the child applicant and their date and place of birth, and why the child's birth certificate is unavailable.

#### 6. Security Question

- Complete this section as normal, noting that the applicant should be aware of this security question. If the applicant loses their travel document overseas, they may be asked this question to assist in confirming their identity.

#### 7. Contact details

- Please provide the contact details of the delegate or nominee lodging the application on behalf of the delegate.
- If the ward is lodging the application themselves, then their contact details should go in this space.

#### 8. Address

- This should be the address where the child resides. Please note that this will be the address that the travel document is delivered to, if one is issued. The document can be sent to an alternative address, but a general declaration (B-11) form is required giving the alternative address and the reason why.

#### 9. Physical appearance

- Provide an appropriate answer.

#### 10. Loss or theft of most recently issued Australian travel document

- If the most recently issued Australian travel document has been lost/stolen, DFAT requires this information to ensure that the document is cancelled (see page 4 Item 4 of the 'Application for Convention Travel Document or Certificate of Identity' (PC5) form for more information).
- If the applicant holds a current Australian travel document but cannot provide it then it is





deemed to be lost.

#### 11. Guarantor

- The application must be accompanied by two current photographs of the applicant child, with one endorsed by a guarantor who is an Australian citizen and:
  - Is 18 years of age or over
  - Is not related to the applicant by birth or marriage
  - Is not in a de-facto relationship with the applicant
  - Is not living at the same address as the child or a parent of the child
  - Has known the child for at least 12 months or since birth
  - Is in possession of a current Australian passport with at least 2 years validity or has been on the Commonwealth electoral roll at their current address for the past 12 months
  - Is able to endorse the back of one photograph in English

*Note: when no person meeting the above requirements is available:*

- A DIBP or state or territory welfare agency officer may act as guarantor. The officer must state their position and their knowledge of the applicant in a general declaration (B-11) form.
- If there is difficulty in meeting the 12 month knowledge requirement for a guarantor, the Australian Passport Office will consider whether the guarantor is appropriate on a case by case basis.

#### 12-15. Parental Consent

- The Minister (or his or her delegate) and the child's parents are considered to have parental responsibility for the purpose of issuing an Australian travel document.
- DFAT may request further information to assist with the processing of applications on a case by case basis.

*Consent of the Minister or the Minister's delegate*

- If the Minister (or the Minister's delegate) is consenting to the issue of an Australian travel document to a UHM, the consent must be recorded on the 'Child under the Guardianship of the Minister for Immigration and Border protection' (B3) form.
- Note: Pursuant to section 6A of the *Immigration (Guardianship of Children) Act 1946* (ICOG Act), UHMs under the Minister's guardianship wishing to apply for an Australian travel document must obtain the Minister's consent to leave Australia. Consent to be issued with an Australian travel document for the purposes of a CTD/COI application is not consent for the purposes of section 6A.

*Parental Consent*

- Parental consent should be given via page 8 of the 'Application for Certificate of Identity or Convention Travel Document' (PC5) form, under sections 12-15. Additional page 8 forms can be forwarded to a parent for completion and then attached to the application, ensuring that section 12 at the top of page 8 (child's name to appear on the passport) is completed for every form. The Australian Passports Office can only accept consent in English. A NAATI translation of the consent is acceptable.

*Special Circumstances*



- The Australian Passports Office has discretion to issue a CTD/COI without the consent of a person who has parental responsibility in specific circumstances listed in section 11 of the *Australian Passports Act 2005* and section 2.1 of the Australian Passports Determination 2015 (Attachment B).
- A 'Child without full parental consent or Australian court order permitting international travel' (B-9) form should be completed in as much detail as possible for each person whose consent has not been obtained and lodged together with the required forms.
- DFAT will attempt to contact those persons who have not provided consent. If either parent is deceased, please provide evidence of death where available.
- If court orders concerning the child are in force please provide these court orders and complete form B-7.
- The brochure 'Children and Parental Consent' provides more information about special circumstances and is available to download on the [passports.gov.au](http://passports.gov.au) website.

#### **16. Proof of Identity Documents**

- If the UHM is over 16 years old and lodges the application themselves they should present photo ID to be copied at interview.
- Where another person is lodging the application on behalf of the UHM, they will need to present photo ID to be copied at interview.

#### **17. Declaration and photographs**

- The person submitting the form must read and sign the declaration and affix photographs of the applicant. Position details of the person signing this section must also be provided under the signature.

#### **18. Signature of applicant**

- All applicants over 10 years of age are expected to sign the application form.
- If the UHM cannot sign, please complete a general declaration (B-11) form outlining the reason why, for example medical incapacity.



## Checklist and Contacts

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This list is not comprehensive and other documents may be required depending on the application. All documents must be translated into English by an approved translation service. In Australia, the translation must be performed by a National Accreditation Authority for Translators and Interpreters (NAATI) accredited translator. A list of NAATI translators can be found at [www.naati.com.au](http://www.naati.com.au).

DFAT may request further information to assist with the processing of applications on a case by case basis.

### Document Checklist

- A completed 'Application for Certificate of Identity or Convention Document' (PC5) form.
- Two colour photographs with one endorsed by a guarantor.
- Any current Australian or foreign travel document. If it is an Australian travel document it will be cancelled as part of the current application.
- A full original birth certificate or a 'Child born overseas and no birth certificate' (B-6) form or a general declaration (B-11) form.
- The consent of the Minister (or the Minister's delegate) provided on a completed 'Child under the Guardianship of the Minister for Immigration and Citizenship (B-3) form.
- The consent of the applicant's parents and any other parties given parental responsibility under an Australian court order. If consent cannot be obtained, a 'Child without full parental consent or Australian court order permitting international travel' (B-9) form for each person whose consent cannot be obtained.
- Originals of any Australian court orders in force concerning the child and a form B-7.
- Evidence of death if either parent is deceased.
- Any general declaration (B-11) forms.
- Applicant's visa details and evidence have been provided.
- Documentation regarding name change (if applicable).
- Proof of intended travel for COI applications.
- Child applicants aged 16 or 17 must accompany the person lodging the child's travel document application to attend the passport interview.

### Contacts

If you have any queries, contact the Passport Operations and Training Section in the Australian Passport Office at [passports.childconsent@dfat.gov.au](mailto:passports.childconsent@dfat.gov.au)

To obtain an application form and information pack or to book an interview time at your local Passport Office please contact the Australian Passport Information Service on 131 232.





## Passport Office Locations

<p>Adelaide Passport Office</p> <p>Level 5, Allianz House 55 Currie St Adelaide SA 5000</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday Application interviews are by appointment only</p>	<p>Brisbane Passport Office</p> <p>Level 17 150 Charlotte Street Brisbane Qld 4000</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday Application interviews are by appointment only</p>
<p>Canberra Passport Office</p> <p>R G Casey Building Sydney Avenue Barton ACT 0221</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday Passport application interviews are by appointment only</p>	<p>Darwin Passport Office</p> <p>Level 5, Northern Territory House 22 Mitchell Street Darwin, NT 0800</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday Passport application interviews are by appointment only</p>
<p>Hobart Passport Office</p> <p>Level 1 111 Macquarie Street Hobart TAS 7000</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday</p>	<p>Melbourne Passport Office</p> <p>Level 2, 747 Collins street Docklands VIC 3008</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday</p>
<p>Perth Passport Office</p> <p>Level 17, Exchange Plaza Sherwood Court Perth WA 6001</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday</p>	<p>Sydney Passport Office</p> <p>Level 7 26 Lee Street (near Central Station) Sydney NSW 2000</p> <p>Passport counter hours: 8.30am-4.00pm, Monday to Friday</p>
<p style="text-align: center;"><b>The Passport Operations and Training Section can be contacted at</b> <a href="mailto:passports.childconsent@dfat.gov.au">passports.childconsent@dfat.gov.au</a></p>	