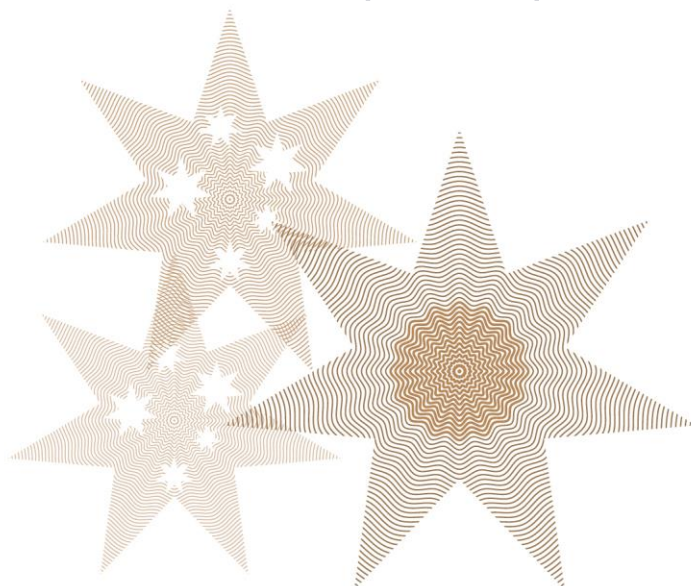




Australian Passport Office

Lodging a travel document application on behalf of an unaccompanied humanitarian minor (UHM).



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 Home Affairs and Minister for Immigration and Border Protection (the Minister) or their delegate under section 6 of the Immigration (Guardianship of Children) Act 1946 (Cth).

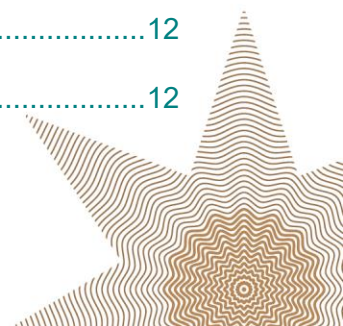
This guide does not provide information about the legislative regime, or the issues considered by the Australian Passport Office (APO) in processing a travel document application.





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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 'B3 Child under the Guardianship of the Minister for Border Protection' (B3) 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 Home Affairs (DHA) 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 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, you should contact us on 131 232. When making a booking, it is helpful if you let us know the application relates to a UHM and that this should be recorded in the 'special conditions' of the appointment booking.

The processing time for an application will be longer if an application is lodged without the consent of all persons with parental responsibility.

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 'PC9 Child Alert Request' (PC9) form. Forms are available at passport offices, from our website www.passports.gov.au or calling us 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 <https://www.afp.gov.au/our-services/national-policing-services/family-law-watchlist-law/family-law-kit>.





Parental responsibility quick reference guide

The below table explains who has parental responsibility for a UHM who is a ward of the Minister for Home Affairs and Minister for Immigration and Citizenship?

| | |
|--|--|
| The Minister or the Minister's delegated guardian | <p>The Minister must consent to the issue of an Australian travel document. Where the Minister has transferred guardianship to a delegate, the delegate must consent.</p> <p>A B3 form must be completed</p> |
| Parents | <p>For the purposes of obtaining a passport, the UHM's parents retain their parental responsibility alongside the guardianship duties of the Minister or the Minister's delegate.</p> <p>Where consent can be obtained it must be given via sections 12-15 of the 'PC5 application for certificate of identity or convention travel document' (PC5) form.</p> <p>A 'B9 child without full parental consent or Australian court order permitting international travel' (B9) form is required for each person whose consent has not been obtained.</p> |
| Custodians (no parental responsibility) | <p>Organisations or individuals appointed as custodians or carers by the guardian do not have parental responsibility for the UHM.</p> |





Convention Travel Documents and Certificates of Identity

Guardians of UHMs can 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 by Australia 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

| | |
|----------------------------|--|
| Validity | Maximum period of two year |
| Travel restrictions | CTDs and COIs cannot be issued conditional to a restriction on travel to a particular country. |
| Suitable for travel | 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 COI or CTD is very limited. The protection does include the replacement of a lost, stolen, or 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 PC5 form can only be lodged at an Australian Passport Office. 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 DHA regarding changing the name recorded on their visa. Travel documents can only be issued with the personal details that DHA 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/DHA 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 is required. 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.
- 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 application lodgement.





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

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.

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 'B6 child born overseas and no birth certificate' (B6) form can be completed.

The form can be downloaded from <https://www.passports.gov.au/supplementary-forms-and-publications>.

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, if a travel document is issued, this will be the address that the travel document is delivered to.

The document can be sent to an alternative address. The alternative address can be provided in the B3 form.

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 or stolen, DFAT requires this information to ensure that the document is cancelled (see page 4 Item 4 of the PC5 application 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

When no person meeting the above requirements is available:

- A DHA 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 'B11 general declaration' (B11) 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 their 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 B3 form.

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 or COI application is not consent for the purposes of section 6A.

Parental Consent

Parental consent should be given via page 8 of the PC5 application 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 APO has discretion to issue a CTD or 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 10 of the Australian Passports Determination 2015.

A B9 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.

The APO 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 a 'B7 no further court orders' (B7) form.

For more information about special circumstances, please visit

<https://www.passports.gov.au/getting-passport-how-it-works/how-get-child-passport/parental-responsibility-and-consent>.





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 B11 form outlining the reason why, for example medical incapacity.





Helpful information

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.

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

Document Checklist

- A completed PC5 application 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 B6 form.
- The consent of the Minister (or the Minister's delegate) provided on a completed B3 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 B9 form for each person whose consent cannot be obtained.
- Originals of any Australian court orders in force concerning the child and a B7 form.
- Evidence of death if either parent is deceased.
- Any general declaration B11 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.





Forms

For all 'B forms', please visit <https://www.passports.gov.au/supplementary-forms-and-publications> or call us on 131 232.

To obtain a PC5 application form and information pack or to book an interview time at your local Passport Office, contact us on 131 232.

Contacts

If you have any queries, contact us on 131 232 or contact the Complex Case Management Section in the Australian Passport Office at passports.complexcases@dfat.gov.au

Passport Office Locations

For all our passport office locations, please visit <https://www.passports.gov.au/passport-office-and-collection-locations>

