

NOTICE TO AIRLINES

TRAVEL TO AUSTRALIA BY UNITED STATES ARMED FORCES AND DOD CIVILIAN PERSONNEL AND THEIR DEPENDENTS

This notice from the 337 Air Support Flight, U.S. Embassy, Canberra, Australia, is to inform all airlines that under section 33(2)(a) of the Migration Act 1958 (the Act) enacted by Australia, certain persons with a “prescribed status” are deemed to have been granted a Special Purpose Visa (SPV) for the purpose of traveling to and entering Australia, provided they hold and travel with appropriate documentation affiliating them with the United States armed forces. The following information is also contained in TIM (Travel Information Manual) which all airlines have access.

In accordance with the Act and Articles 1 & 2 of the Agreement concerning the Status of United States Forces in Australia, Agreement and Protocol (the US-AU SOFA) signed at Canberra May 9, 1963 and entered into force May 9, 1963, TIAS 5349 & 14 UST 506, no other visa of any kind is required. Please find detailed below those United States armed forces and civilian component personnel and dependents to whom section 33(2)(a) of the Act and Articles 1 & 2 of the SOFA apply, together with details about the appropriate documentation that these persons need to present as SPV holders.

SOFA Armed Force Members. These are persons who are members of the armed forces of the United States of America. In order to be deemed a SPV holder, they are required to show military identity documents and movement orders issued from an official source within the US Department of Defense or one of the armed forces of the United States of America.

US-AU SOFA Civilian Component of the United States Armed Force Members. These are persons who are members of the civilian component of the armed forces of the United States of America. They are required to hold a valid passport issued by the United States of America, documentation that the person is a member of the civilian component of the armed forces of the United States of America, and movement orders issued from an official source within the Department of Defense or one of the armed forces of the United States of America.

United States Armed Forces Dependents. A foreign armed forces dependent is a person who is the spouse or a dependent relative of a US-AU SOFA armed forces member or a US-AU SOFA civilian component of the armed forces member. They are required to hold a valid passport issued by the United States of America, documentation that the person is the spouse or dependent relative of the person referred to above, is accompanying or joining that person, and movement orders issued from an official source within the US Department of Defense or the armed forces of the United States of America that lists them as a spouse or military dependent.

As previously stated, all of the above persons are deemed to be SPV holders, provided they carry with them the appropriate documentation. This means that, unlike many travelers to Australia, SPV holders will not carry evidence of their visa by way of a visa label in their passport. Notwithstanding, as SPV holders, they are entitled to travel to and enter Australia.

This notice is to facilitate your cooperation in ensuring their travel to and from Australia. Do NOT issue US-AU SOFA status personnel (military or civilian) temporary, free-of-charge, service-chargeable, or any other forms of visas (such as Electronic Travel Authorities – ETAs), as it creates unnecessary United States-Australian immigration issues.

If you have any queries regarding the above, or wish to confirm whether a passenger or passengers may be uplifted for travel to Australia as a SPV holder, please contact the Entry Operations Center in Canberra Australia. The Center is manned 24 hours a day, 7 days a week:

CABLE: SITA CBRXCR

FAX: 011 61 2 6264 3110 (from the United States)

TEL: 011 61 2 6264 4117 (from the United States)

The relevant portions of the 1963 US-AU SOFA articles are below:

The Government of the United States of America (in this Agreement called “the United States Government”), and the Government of the Commonwealth of Australia (in this Agreement called “the Australian Government”) ... have agreed as follows:

ARTICLE 1

In this Agreement, except where the contrary intention appears:

“Australia” includes the territories under the authority of the Commonwealth of Australia;

“members of the United States Forces” means personnel belonging to the land, sea or air armed services of the United States in Australia in connection with activities agreed upon by the two Governments, other than those for whom status is provided otherwise than under this Agreement;

“members of the civilian component” means civilian personnel in Australia in connection with activities agreed upon by the two Governments who are neither nationals of, nor ordinarily resident in, Australia, but who are:

- (a) employed by the United States Forces or by military sales exchanges, commissaries, officers' clubs, enlisted men's clubs or other facilities established for the benefit or welfare of United States personnel and officially recognised by the United States authorities as nonappropriated fund activities; or
- (b) serving with an organisation which, with the approval of the Australian Government, is accompanying the United States Forces;

“dependant” means a person in Australia who is the spouse of, or other relative who depends for support upon, a member of the United States Forces or of the civilian component.

ARTICLE 2

(1) The Australian Government shall facilitate the admission of the United States Forces and of the civilian component and dependents into, and their departure from, Australia in connection with activities agreed upon by the two Governments.

(2) The undermentioned documents only, which must be presented on demand, shall be required in respect of members of the United States Forces seeking to enter Australia:

- (a) personal identity card issued by the appropriate United States authority showing full name, date of birth, rank and number (if any), service and photograph;
- (b) individual or collective movement order issued by an appropriate United States authority and certifying to the status of the individual or group as a member or members of the United States Forces;

(3) Members of the civilian component, and dependants shall be required to be in possession of a valid national passport and a certificate by the appropriate United States authority that the holder is a member of the civilian component or a dependant. The certificate will serve in lieu of a visa.

This notice to airlines has been coordinated with the Australia Department of Immigration and Multicultural and Indigenous Affairs, Seaports Policy Section Ph: 02 6223 8277.