



Australian
BORDER FORCE

Operation Directive – Border Measures

To: **Regional Commanders**

Border Operations Centre

ALOs

RCU, All regions for all staff

ICC-One

Cc: Visa Programs

BISO

Subject: **Operation Direction: Response to Novel Coronavirus**

INWARDS TRAVEL:

Foreign nationals who do not meet the travel exemption categories are not be allowed to enter Australia. This travel ban came into effect from 20 March 2020 at 2100 AEDST,

All travellers arriving in Australia are required to undertake the mandatory 14 day quarantine period at designated facilities in accordance with applicable State or Territory legislation. This came into effect from 28 March 2020 at 23:59hrs AEDST,

OUTWARDS TRAVEL:

Australian citizens and permanent residents are prohibited from travelling out of Australia unless exempted. This travel ban came into effect from 25 March 2020 at 1200 AEDST.

Effective: **5 June 2020 and concluding when advised.**

Version: **Version 20 – Updated 5 June 2020**

Situation:

1. From 1 February 2020, the Australian Government progressively introduced travel restrictions to curb the introduction and spread of COVID-19.
2. From 20 March 2020 a travel ban has been in place prohibiting the travel into Australia of foreign nationals unless exempted, either through being in an exemption category or seeking exemption through Commissioner Discretion for compassionate and compelling circumstances.
3. From 25 March all Australian citizens and permanent residents have been prohibited to travel outside of Australia unless exempted, either through being in an exemption category or seeking exemption through Commissioner Discretion for compassionate and compelling circumstances.
4. From 28 March 2020 all travellers arriving in Australia are required to undertake a mandatory 14 day quarantine period at designated facilities in accordance with applicable State or Territory legislation.



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5. The ABF has implemented a series of border measures to operationalise the travel bans and to support the coordination of health and biosecurity measures in place at the border in response to the Government announcements.
6. Further details regarding the progressive announcements, the restrictions and exemption categories may be found in the attached instructions:

ABF Response to COVID-19 Border Measures Operating Instructions

Advice/Action Required:

1. ABF Officers are required to prohibit the arrival of all incoming foreign nationals unless exempted.
2. ABF Officers are required to prohibit outwards travel of all Australians and permanent residents unless exempted.
3. ^{s47E(d)} [REDACTED]
4. ABF Officers are requested to familiarise themselves with the details included in the attached instructions- *ABF Response to COVID-19 Border Measures Operating Instructions*.
5. Travellers exhibiting symptoms of coronavirus when being assessed at the border should be referred to the on-site Department of Health representative. If unavailable refer to the Department of Agriculture.
6. To ensure officers have current information on safety and protection measures for interacting with travellers at the border regularly check BorderNet for updates, Executive Hub messages have been published for all staff.
7. For questions relating to this Operation Directive, refer to the Border Measures Operating Instructions in the first instance (^{s22(1)(a)(ii)} [REDACTED]). If questions still remain please contact ^{s22(1)(a)(ii)} [REDACTED] [@abf.gov.au](mailto:[REDACTED]@abf.gov.au) for further guidance.

Authorisation:

^{s22(1)(a)(ii)} [REDACTED]

Port Operations Command

5 June 2020

Any concerns or questions relating to the information subject of this Operational Directive should be directed to ^{s22(1)(a)(ii)} [REDACTED] [@abf.gov.au](mailto:[REDACTED]@abf.gov.au)



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ABF Response to COVID-19 Border Measures Operating Instructions

Effective: **13 June** 2020 and concluding when advised.

Changes in red following previous version on 5 June 2020

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Situation:

The Australian Border Force (ABF) works in partnership with other government agencies such as the Department of Foreign Affairs and Trade (DFAT), Department of Health (Health) including State and Territory Health Departments, Department of Agriculture, Water and the Environment (DAWE) and the Department of Infrastructure, Transport, Regional Development and Communications (Infrastructure) to deliver operational effect in the management of the COVID-19 restrictions.

Working alongside our Home Affairs colleagues, the ABF presents a united effort in the management of enhanced border measures both pre-border and post-border by providing guidance and support to the airlines, shipping companies, other peak industry bodies and the public in understanding and adhering to the phased-in travel restrictions.

The enhanced border measures are operationalised at all international airports and seaports by Port Operations Command within the ABF. This is through the identification and management of non-exempt travellers and by working side-by-side with our partner agencies in the coordination of health screening at the border to identify any travellers who may present a COVID-19 risk to the Australian community.

Key Dates / Times	Border Measure Implemented
1 February 2020 Effective at 2100 AEDST	Foreign nationals who are in China on or after 1 February, are not allowed to enter Australia for 14 days, from the time they have left or transited through China. Travellers who are deemed exempt will be required to self-isolate at home for 14 days from the day they departed China.
1 March 2020 Effective at 0001 AEDST	Foreign nationals who are in Iran on or after 1 March 2020, are not allowed to enter Australia for 14 days, from the time they have left or transited through Iran. Travellers who are deemed exempt will be required to self-isolate at home for 14 days from the day they departed Iran.
5 March 2020 Effective at 2100 AEDST	Foreign nationals who are in the Republic of Korea on or after 5 March 2020, are not allowed to enter Australia for 14 days, from the time they have left or transited through the Republic of Korea.
11 March 2020 Effective at 1800 AEDST	Foreign nationals who are in Italy on or after 11 March 2020, are not allowed to enter Australia for 14 days, from the time they have left or transited through Italy.
16 March 2020 Effective at 0001 AEDST	All travellers arriving in Australia, including exempt travellers will be required to self-isolate for 14 days from the time of arrival in Australia.
20 March 2020 Effective at 2100 AEDST	All foreign nationals who do not meet the travel exemptions and are not in Australia before 2100 AEDST on 20 March 2020, will not be allowed to enter Australia. All exempt travellers will still be required to self-isolate for 14 days from the time of arrival in Australia.

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Key Dates / Times	Border Measure Implemented
21 March 2020 Effective 1200 AEDST	The Prime Minister gave approval for a 72-hour window (commencing at midday 21 March 2020) to enable foreign nationals departing New Zealand to transit through Australian airports en-route to another foreign destination. Transit must be same day and in airport only. Travellers who have been in China, Korea, Iran or Italy within the previous 14 days are excluded. At the end of the 72-hours, transit to be considered through the exemptions process
23 March 2020	The Prime Minister agreed to extend the 72 hour window referred to for passengers transiting from NZ to other destinations. The window concluded at midday AEDST on 26 March 2020.
25 March 2020 Effective at 1200 AEDST	All Australian Citizens and Permanent Residents will be prohibited from travelling outside Australia unless exempted. This is enacted by delegation of the Minister for Health under s477 and s478 - the human biosecurity emergency provisions of the Commonwealth Biosecurity Act 2015.
28 March 2020 Effective at 1200 AEDST	All arriving passengers will be subject to a mandatory government controlled quarantine period of 14 days.
9 April 2020	The National Cabinet agreed that the Australian Government and all states and territories would implement a consistent and immediate exemption for non-cruise maritime crew to provide for the transiting to and from their places of work, within and across jurisdictions with agreed documentation.
24 April 2020	The National Cabinet agreed with the AHPPC recommendation to pause the use of the IDC while mandatory quarantine arrangements remain in place.
4 May 2020	The National Cabinet agreed to grant exemptions for specific defence activities governed by treaties and government-to-government arrangements – specifically USA and Singapore
11 May 2020	The National Cabinet agreed to grant an exemption to foreign nationals transiting an Australian Airport where their onward flight is confirmed at the time of uplift and they do not leave an Australian airport.

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Advice

Inwards Travel

Foreign nationals who do not meet the travel exemptions will not be allowed to enter Australia. All exempt travellers and those granted exemption through Commissioner Discretion for travel to Australia will be required to undertake a mandatory 14 day quarantine period at designated facilities (for example, a hotel) in accordance with applicable state or territory legislation.

Exempt Travellers – Inwards

The following travellers are considered to be exempt from the travel restrictions:

- a. Australian citizens and their immediate family.

Note: Border Operations Centre (BOC) is approved to provide uplift for Australian Citizen minors whose parents are in Australia and is travelling with a non-exempt traveller (such as a non-citizen parent, aunt etc.). The relevant arrival airport is also to be advised.

- b. Permanent residents and their immediate family.

Note: Immediate family is defined as per Regulation 1.12AA.

- This includes legal guardians, spouse, de facto partner and dependent child.
- Further clarifying 'immediate family', which also includes but not limited to:
 - Holders of Provisional Partner visas, including subclass 820 and subclass 309, will be considered exempt due to their permanent pathway, which requires the sponsorship/connection with a permanent resident/Australian citizen sponsor.
 - If a traveller is holding a BVB bridging visa, BOC is to check ICSE to determine the visa application that has been applied for. Sponsorship by an Australian citizen or permanent resident may be considered proof of a partner/de-facto relationship and the traveller is to be permitted to travel.

- c. New Zealanders ordinarily resident in Australia (444 visa).

Note: They must be able to produce some documentary evidence of residing in Australia - for example an Australian Driver's License and a Medicare card. Research may also provide further evidence - length of time onshore, movement record history and last departure movement record may all taken into consideration when determining residency status.

- d. Airline and maritime crew who have taken appropriate prevention measures in accordance with their employer's health and safety guidelines and are not symptomatic.
- e. Diplomats accredited to Australia who currently reside in Australia, and their immediate family.

Note: Diplomats are required to self-isolate at their place of residence or in privately arranged accommodation for 14 days on arrival in Australia (which may require domestic transfer).

- f. Travellers involved in the following Defence related activities:

- i. The 2020 Marine Rotational Force-Darwin
- ii. Singapore's small-scale air capability generation in Queensland and Western Australia
- iii. Exercise Wallaby, once it is rescheduled.

Note: Travellers will be required to present movement orders on arrival as evidence of exemption.

- g. Subject to a case-by-case approval of the ABF Commissioner

- i. Foreign nationals travelling at the invitation of the Australian Commonwealth Government for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest.
- ii. Critical medical services, including air ambulance and delivery of supplies that regularly arrive into Australia from international ports.

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- iii. Persons with critical skills (for example, medical specialists, engineers, marine pilots and crews, persons critical to the operation of vessels) by exception.
- iv. Persons providing, or requiring access to, critical skills in Australia (for example mining, shipyard and maritime safety) by exception.
- v. Person or any person in class of persons who, in the opinion of the Chief Medical Officer does not pose a risk of significant harm to the public health and will provide an essential service while in Australia.
- vi. Case-by-case exceptions may also be granted for humanitarian or compassionate reasons.

h. Note: Advice relating to transit passengers is contained in the 'Transit' sub-heading.

Inward Commissioner Discretion

All non-exempt persons seeking to travel to Australia must **apply for** an exemption to travel through a Commissioner Discretion **request**. The ABF Commissioner has been **delegated** by the Prime Minister (through the National Security Committee) to consider on a case by case basis a request for travel where there are compassionate or compelling circumstances.

Exemptions must be **approved** prior to travelling to Australia. The request for an exemption through Commissioner's Discretion must be accompanied by:

- a. Passenger details: name, DOB, visa type and number, passport number, Australian residential address, Australian telephone number.
- b. Case information: why this case should be considered for Commissioner Discretion/Exemption
- c. Supporting statement: the request should be accompanied by a statement and evidence of how the individual meets one of the grounds for an exemption or excise of the Commissioner's Discretion listed above. The accompanying evidence to support the case could include the following:
 - i. Proof of ID
 - ii. Marriage certificates
 - iii. Birth certificates
 - iv. Death certificates
 - v. Proof of relationship (shared tenancy agreement, joint bank account etc.)
 - vi. Visa status
 - vii. Letter from a doctor or hospital indicating why the travel is necessary
 - viii. Letter from an employer indicating why the travel is necessary or the work undertaken is critical
 - ix. Letter from a related business or company

Note: All evidence supporting a travel exemption claim needs to be officially translated into English.

Travellers who have a compassionate or compelling reason to travel to Australia can also use this form to apply for an exemption.

<https://covid19.homeaffairs.gov.au/coming-australia>

Quarantine Requirements on entry to Australia

On 28 March 2020 at 23:59 AEDST, all travellers arriving in Australia will be required to undertake mandatory 14 day quarantine at designated facilities (for example, a hotel) in accordance with applicable State or Territory legislation.

The Australian Health Protection Principal Committee (AHPPC) or National Cabinet has allowed the following groups to be exempt from the 14 day mandatory quarantine requirements when entering Australia.

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a. Unaccompanied Minors

- i. Unaccompanied minors will be allowed to travel domestically after entering Australia to self-quarantine with a parent or guardian at their home.

b. International flight crew (Australian residents/citizens)

- i. Are not required to undertake 14 days of mandatory quarantine on arrival.
- ii. Are not required to complete the Isolation Declaration Card.
- iii. Must self-isolate at their place of residence (or hotel) between flights, or for 14 days whichever is less.

c. International flight crew (foreign nationals)

- i. Are not required to undertake 14 days of mandatory quarantine on arrival.
- ii. Are not required to complete the Isolation Declaration Card.
- iii. Must self-isolate in their hotel on arrival until their next flight.
- iv. Must use privately organised transport to transfer to and from hotels between flights.
- v. May fly domestically to their next point of departure from Australia if required.

d. Domestic flight crew

- i. Exempt from self-isolation requirements except when a State or Territory specifically prohibits entry.

e. Maritime crew (excluding cruise ships) joining a vessel:

- i. Are not required to undertake 14 days of mandatory quarantine on arrival into Australia. They are therefore not required to complete the Isolation Declaration Card.
- ii. Must proceed directly to the vessel on arrival.
- iii. If access to the vessel is not immediate, crew must self-isolate at their accommodation during any layover period.
- iv. May travel domestically and/or take a domestic flight to meet their vessel at the next point of departure if required.
- v. At the completion of their shifts, they are not required to go into mandatory 14 days quarantine, but must undertake 14 days self-isolation.
- vi. Time at sea counts towards the 14 days of self-isolation if no illness has been reported on-board. Therefore crew signing off commercial vessels that have spent greater than 14 days at sea, with no known illness on-board, do not need to self-isolate on arrival.

f. Maritime crew (excluding cruise ships) arriving into Australia:

- i. Are required to undertake 14 days self-isolation on arrival to Australia.
- ii. All crew must remain on-board while the vessel is berthed in a port or any other place where cargo is loaded or unloaded.
- iii. Crew are able to disembark to conduct essential vessel functions and crew must wear personal protective equipment (PPE) while performing these functions.
- iv. Crew must also use PPE in public spaces on board the vessel while non-crew members are on-board.
- v. These restrictions apply until 14 days has elapsed since the vessel departed the last foreign port before Australia or the last time crew joined the vessel within Australia unless crew are unwell or there is a suspected case of COVID-19 on-board. If a person is unwell, there will be a human biosecurity assessment, and if indicated, a subsequent referral to state and territory human biosecurity officer (public health doctor) for direction as per current process.
- vi. The period maritime crew spend at sea prior to their arrival in Australia and during operations in Australia since the last time crew joined the vessel counts towards the 14 day period of self-isolation. In practice, if a vessel has travelled for ten days since last being in a foreign port, the period of self-isolation for its crew members would be the remaining four days.

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- vii. Shore leave can be taken once the 14-day period has elapsed so long as no crewmember has demonstrated signs of illness or is suspected of having COVID-19.
- viii. Commercial vessels that have made declarations during pre-arrival formalities that crew are ill and showing COVID-19 health symptoms will be managed in accordance with established pratique arrangements and in consultation with state police jurisdictions. Reception and management plans will be drawn together prior to allowing the vessel to enter an Australian port.

g. Cruise ship crew:

- i. All crew must remain on-board while the vessel is berthed in Australia.
- ii. Cruise ship crew are able to disembark to conduct vessel functions and crew must wear personal protective equipment (PPE) while performing these functions.
- iii. Where signing on or off the vessel, travel must be directly to and from the vessel and the airport.

NOTE: There are currently no foreign flagged cruise ships in Australian waters.

h. Medevac and air ambulance crew:

- i. Are subject to the same requirements as international flight crew.
- ii. May request exemptions to return to duties beyond the essential flight-related duties already exempt:

Note: A request for exemption must be made to the relevant State or Territory and will be considered on a case-by-case basis. These applications are not part of the Commissioner Discretion process and are managed by the relevant State or Territory Health Authority.

i. Air Marshals, safety worker and professional animal attendants:

- i. Are subject to the same requirements as international flight crew.

Transit Passengers

Passengers permitted to transit through Australia

- a. **Passport holders of Pacific Island Forum countries, including New Zealand and Timor Leste, can transit through Australia for up to 72 hours. Commissioner's Discretion is not required. These countries include:**

• Cook Islands	• Nauru	• Samoa
• Fiji	• New Caledonia	• Solomon Islands
• French Polynesia	• New Zealand	• Timor Leste
• Kiribati	• Niue	• Tonga
• Marshall Islands	• Palau	• Tuvalu
• Micronesia	• Papua New Guinea	• Vanuatu
- b. **Other foreign nationals transiting Australian airports for up to eight hours through the same airport where their onward flight is confirmed at the time of uplift and they do not leave the Australian airport. If the transit is beyond eight hours then Commissioner Discretion is required.**
- c. **Note:** Authority to enter Australia is required – either a valid visa or eligible for TWOV.

Passengers requiring Commissioner Discretion to transit through Australia

All transit passengers with a transit period of between eight to 72 hours and who are required to leave the airport—as directed by relevant health officials—to a quarantine facility, will be required to remain there until returning to the airport for their departing flight.

No domestic onward travel is allowed, even if this is to meet a departing international flight. These travellers should go into mandatory quarantine at the State/Territory designated facility at the first point of arrival.

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In light of the changing environment and ability to respond through updated website information, there may be circumstances where it may be appropriate to apply some flexibility. BOC should seek guidance from the Assistant Secretary / Duty Superintendent Border Measures.

NOTE: Travellers are not permitted to transit in NSW if the period of transit extends past 23:59 that day. Due to the curfew, the traveller will be required to exit the airport. Once the traveller exits the airport, they are taken into mandatory quarantine for 14 days and will not be permitted to return to the airport to get on their scheduled departing flight. BOC can provide uplift to travellers seeking to transit through NSW for an extended or overnight period with the appropriate authority to enter (e.g. Visa or TWOV), where evidence is produced that NSW Health has issued an exemption from the 14 day quarantine requirements.

Diplomats

- a. Australia has legal obligations under the Vienna Convention to ensure diplomats freedom of movement and travel, and protection from detention. Diplomats are not required to undertake 14 days of mandatory quarantine on arrival into Australia. They are, therefore, not required to complete the Isolation Declaration Card.
- b. Diplomats should self-isolate at their mission or in their usual place of residence on arrival for 14 days.
- c. Diplomats must continue to practise social distancing, cough etiquette and hand hygiene.

Compassionate or Medical Grounds

- a. Applications on medical or compassionate grounds should be submitted to the relevant State or Territory who will consider requests on a case-by-case basis.

Note: These applications are not part of the Commissioner Discretion process and are managed by the relevant State or Territory Health Authority.

Outwards Travel

Australian citizens and permanent residents who do not meet the travel exemptions will not be allowed to travel out of Australia.

Note: A person becomes a permanent resident of Australia by applying for and being granted a permanent visa that allows the person to remain in Australia indefinitely.

Exempt Travellers – Outwards

The following travellers are considered exempt to travel outside of Australia:

- a. Persons ordinarily resident in a country other than Australia.
- b. Persons whose travel is associated with essential work at offshore facilities.
- c. Persons engaged in the day to day conduct of outbound and inbound freight.
- d. Persons travelling on official Government business (including members of the Australian Defence Force (ADF).
- e. Airline and maritime crew and associated safety workers.
- f. Subject to the case-by-case approval of the ABF Commissioner:
 - i. Persons whose travel is as part of the response to the COVID-19 outbreak, including the provision of aid.
 - ii. Persons whose travel is essential for the conduct of critical industries and business (including export and import industries)
 - iii. Persons who are travelling to receive urgent medical treatment that is not available in Australia.
 - iv. Persons who are travelling on urgent and unavoidable personal business.

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- v. On compassionate or humanitarian grounds.
- vi. Where the travel is in the national interest.

Note: The delegation for the consideration of requests for exemption through Commissioner Discretion has been given to Senior Executive Service (SES) Band 1 or higher ranked officers in the ABF.

New Zealand Citizens

New Zealand citizens who are Special Category Visa (SCV) (subclass 444) holders are not permanent residents of Australia are exempt from the outwards travel restriction.

The SCV is not a permanent visa. Having a permanent visa means that you have the same rights and benefits as other Australian permanent residents. SCV holders do not have the same rights and benefits as Australian permanent residents or Australian citizens.

Although a SCV allows you to enter, stay and work in Australia, it is a temporary visa.

Note: Only New Zealand citizens who hold a permanent residents visa are subject to the outwards travel restriction.

Dual Nationality/Citizens

Persons holding citizenship in both Australia and another nation are considered Australian citizens and are not exempt unless such a person can demonstrate they normally reside in a country other than Australia.

Outward Commissioner Discretion

All non-exempt persons seeking to travel out of Australia must be granted an exemption to travel through a Commissioner Discretion application. The delegation for a Commissioner Discretion decision has been granted to the ABF SESB1 level. Individual applications requesting an exemption for travel are considered on a case by case basis where there are compassionate or compelling circumstances.

Exemptions must be granted prior to departing Australia. The request for an exemption through Commissioner's Discretion must be accompanied by:

- d. Passenger details: name, DOB, visa type and number, passport number, Australian residential address, Australian telephone number
- e. Case information: why this case should be considered for Commissioner Discretion/Exemption
- f. Supporting statement: the request should be accompanied by a statement and evidence of how the individual meets one of the grounds for an exemption or excise of the Commissioner's Discretion listed above. The accompanying evidence to support the case could include the following:
- g. Proof of ID
 - i. Marriage certificates
 - ii. Birth certificates
 - iii. Death certificates
 - iv. Proof of relationship (shared tenancy agreement, joint bank account etc.)
 - v. Visa status
 - vi. Letter from a doctor or hospital indicating why the travel is necessary
 - vii. Letter from an employer indicating why the travel is necessary or the work undertaken is critical
 - viii. Letter from a related business or company

Note: All evidence supporting a travel exemption claim needs to be officially translated into English.

Travellers who have a compassionate or compelling reason to depart Australia can also use this form to apply for an exemption.

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<https://covid19.homeaffairs.gov.au/leaving-australia>

Isolation Declaration Card (IDC)

ABF Officers are no longer required to disseminate and collect IDCs. On 24 April 2020, the National Cabinet agreed with the AHPPC recommendation to pause the use of the IDC while mandatory quarantine arrangements remain in place. The ABF process for dissemination and collection has been put on hold until further notice.

Airline Infringements:

If it is identified that airlines do not follow the 'do not board' or 'movement denied' information communicated, normal infringement mechanisms should be considered.

Related Policy and Procedural documents:

Officers are required to regularly check BorderNet for updates on safety and protection measures for interacting with travellers at the border. Executive Hub messages have been published for all staff.

If further FAQs become apparent, these should be communicated to Traveller Management so an appropriate response can be drafted and authorised.

Further information for ABF officers is available on the Intranet under MyHR.

Advice to industry is available <https://www.homeaffairs.gov.au/news-media/current-alerts/novel-coronavirus>

Maritime Crew Visas

The enhanced border measures (travel ban) does not apply to maritime commercial crew however, all crew are to complete a 14 day isolation period from the time they depart the last international port. If the 14 day isolation period has not been completed at sea, all crew will have their Maritime Crew Visa's (MCVs) ceased and be Restricted on Board the vessel until the 14 days expires or the vessel departs Australia.

A commercial vessel is any vessel that is in Australia for commercial trading purposes that is not a Superyacht or Cruise Ship.

Ceasing Maritime Crew Visas

If a commercial vessel comes into berth inside the 14 day isolation period the ABF will complete all relevant paperwork to cease the MCVs and restrict on board. If ABF has a physical presence they should follow PPE protocol.

Where there is no ABF presence at the Port, an ABF officer from the relevant regional command will email the paperwork to the Master of the vessel or Agent.

ABF will withhold the use of Seaports Immigration Clearance Advice (SICA) until the vessel berths.

Once the commercial vessel berths ABF will consider visa decisions during immigration clearance. It is important for this to occur during immigration clearance as any decision made when the person is offshore may result in their arrival to Australia without a valid visa.

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If crew only hold MCVs they will be ceased using form V10 – Declaration to cease a maritime crew visa under subsection 38B(3). Located in TRIM at s22(1)(a)(ii).

Other Visa Type only

If a person holds any other visa type other than an MCV the ABF officer should consider whether the visa should be cancelled.

The ABF officer making the decision will need to complete Mainframe for any persons affected by point 4. The visa cancellation process for this cohort is located in TRIM at s22(1)(a)(ii).

MCV and another Visa Type (multiple visas)

If a person holds another visa at the same time as their MCV, the person's MCV should be ceased first prior to looking into the other visa type. Once this has occurred, the ABF officer should consider whether the other visa should be cancelled.

The ABF officer making the decision will need to complete Mainframe for any persons affected by point 5. The visa cancellation process for this cohort is located in TRIM at s22(1)(a)(ii).

IMPORTANT: If the other visa is not a Transit visa or a Visitor visa refer the case to s22(1)(a)(ii)@homeaffairs.gov.au

The ABF officer should refer the person to the information contained in the cancellation letter for the process to reapply.

Restricting on Board

The ABF will then restrict all crew on board the vessel for the remainder of the 14 day isolation period using form V1 Notice to prevent unlawful non-citizens from leaving a vessel to the Master of the vessel. Located in TRIM at s22(1)(a)(ii).

The ABF officer will save all relevant information and crew lists into TRIM at s22(1)(a)(ii). They will need to provide the detaining officers User ID so this can be recorded in CCMD.

To assist ABF HQ with the administrative components each region will also need to complete the following:

Once V1/V10 have been completed, open s22(1)(a)(ii) in edit mode and add the vessel to the spreadsheet including the date.

This will assist the team in ABF HQ to identify when a new vessel has been restricted. They will then complete the administrative component.

Re-instating Maritime Crew Visas

Once the 14 day isolation period expires or the vessel departs, the ABF will re-instate MCVs and revoke the restriction on board using both form V14 – Subsection 38B(3) Revocation of Declaration to cease a MCV – s22(1)(a)(ii) and form V4 – Revocation of notice to prevent unlawful non-citizens from leaving the vessel – s22(1)(a)(ii).

This allows the crew to be immigration cleared and come ashore for shore leave.

If there is a person who is effected by the multiple visa issue and had their visa cancelled instead of ceased, ABF will need to check if the person has a new visa application that has been approved to come ashore.

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To assist ABF HQ with the administrative components each region will also need to complete the following:

Once V4/V14 have been completed, open s22(1)(a)(ii) in edit mode and update the vessel status. Please search the name of the vessel to ensure there is not already an entry to the spreadsheet.

This will assist the team in ABF HQ to identify when a vessel has been un-restricted or departed.

Relevant Forms

Form V10 – Declaration to cease a maritime crew visa under subsection 38B(3) –

s22(1)(a)(ii)

Form V1 – Notice to prevent unlawful non-citizens from leaving a vessel to the Master of the vessel – s22(1)(a)(ii)

Form V14 – Subsection 35B(3) Revocation of Declaration to cease a MCV –

s22(1)(a)(ii)

Form V4 – Revocation of notice to prevent unlawful non-citizens from leaving the vessel

– s22(1)(a)(ii)

Form B523 – Seaport – Immigration Clearance Advice (SICA) – s22(1)(a)(ii)

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Frequently Asked Questions:

NOTE: State and Territory authorities are managing the mandatory quarantine requirements.

This FAQ has been developed based on Commonwealth requirements and agreements at the National Cabinet. Not all issues have been resolved, and each Regional Command should maintain close working relationships with relevant police and health agencies to ensure the most accurate State and Territory requirements are adhered to.

What is being done to protect the safety of our officers interacting with travellers at the border?

Executive Hub messages have been published and can be viewed by all staff. Face masks are being distributed by the Department of Health. Hand sanitisers and gloves are being procured at both a national and regional level to assist with officer safety measures.

Note: To ensure officers have the current information, they should check BorderNet regularly for updates.

Aviation

Travellers

Do exempt travellers still have to self-isolate?

The requirement for self-isolation has been replaced by the mandatory government controlled 14 day quarantine period at designated facilities.

All travellers arriving in Australia are now required to undertake mandatory government controlled 14 day quarantine period at designated facilities (for example, a hotel) unless they have applied for an exemption from the relevant state government health authority.

Are travellers required to quarantine at their first port of arrival in Australia?

Yes, unless they have applied for an exemption from the relevant state or territory government health authority.

Are there any exemptions to the mandatory 14 day quarantine period?

Individually assessed exemptions after arrival and during 14 day quarantine will be the responsibility of state and territory health authorities on the ground and they will arrange any interstate decisions (e.g. if unaccompanied children arrive in one state but need to travel to another).

A foreign national arrives in Australia and then requests protection, what do I do?

Follow standard screening processes.

Are Pacific Island nationals returning home allowed to transit through Australia?

Pacific Island nationals are allowed to transit through Australia **for up to 72 hours in both directions. Commissioner's Discretion is not necessary.** If required to go landside, in any port other than those in NSW and QLD they will be directed by relevant health officials to a quarantine facility and will be required to remain there until proceeding to the airport for their departing flight.

Where the traveller is seeking to transit in NSW or QLD the flights must occur within the same day or the traveller is required to rebook their flights to the same day or a different airport.

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How have the mandatory quarantine measures been implemented?

Travellers will disembark the aircraft, collect their luggage and undertake normal border clearance processes (customs, immigration and biosecurity).

Following border clearance, government officials will direct travellers to buses that will take them to their accommodation. Arrangements for this 14 day mandatory quarantine period will be enforced by State and Territory governments and supported by Commonwealth agencies.

Additional quarantine requirements may be in place upon entry to another state or territory, as such passengers with on-bound domestic travel should check with the relevant State and Territory authorities they are travelling to. Depending on the jurisdiction, this may result in an international traveller being required to go into mandatory quarantine at the first point of arrival into Australia, and further quarantine upon entry to another state or territory:

NSW; ACT; QLD; VIC - would not require an additional 14 days on return to their home jurisdiction.

TAS; SA; WA; NT – would require an additional 14 days on return to their home jurisdiction.

What happens if a traveller exhibits symptoms when being assessed at the border?

A referral to the on-site Department of Health representative should occur (or if not available, Department of Agriculture).

Advice to BOC Officers

When is it appropriate for BOC officers to consider compelling and compassionate circumstances?

The following circumstances are pre-approved for the BOC to uplift under compelling or compassionate circumstances:

- a. An Australian citizen minor whose parents are in Australia and is travelling with a non-exempt traveller (such as a non-citizen parent, aunt etc.). BOC is approved to provide uplift in this circumstance. The appropriate arrival airport is to be advised.
- b. NZ citizen who is a permanent resident in Australia (that is, a permanent visa rather than a subclass 444 which is a temporary visa) and their immediate family (partner, dependent children) who hold citizenships from other nations. Uplift can be provided under this circumstance.
- c. NZ Citizen who usually resides in Australia. Uplift can be provided on a case by case basis.

What is the advice when a traveller is on an indefinite permanent visa and holds a five year travel component?

Traveller is on an indefinite permanent resident visa that holds a five year travel component. When the traveller departs Australia, five years after the visa has been granted, the visa will cease upon departure and a valid visa is no longer held to re-enter Australia. Permanent residents who have an expired travel authority need to either apply for or wait for a decision on a new travel authority prior to attempting travel. These travellers are not to be uplifted even if they meet 2 in 5 until they have the new travel authority. These travellers are not to be placed on alert as this will prevent auto-grant.

Australian citizens travelling with immediate family. If the Australian family are travelling with non-Australian parents, are they exempt from the measures?

No, uplift and/or entry to Australia should be denied unless they hold an exemption.

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Are there considerations provided to pregnant temporary visa holders?

No, this traveller is not identified in the exempt category, entry should be denied and the traveller should be placed on alert.

Are there considerations provided for Bridging visa holders associated with permanent skilled visa application?

No, this traveller is not identified in the exempt category, entry should be denied.

An Australian citizen is travelling with non-citizen parents or family members who are not deemed exempt or part of their 'immediate family'. Can uplift be provided?

No, uplift should be denied and the traveller should be placed on alert.

In the event the Australian citizen is a minor wanting to return to Australia where their parents are located, then uplift can be provided to the non-citizen under compelling and compassionate grounds. The arriving airport is to be notified.

Exemption Clarifications

How do I determine if a person is ordinarily resident in a country other than Australia?

A person is ordinarily resident in a country when **they can provide evidence such as:**

- i. **Travel movements which show considerable periods of time outside of Australia;**
- ii. **Evidence of overseas employment;**
- iii. **Evidence that they own/rent property overseas;**
- iv. **Other evidence may also be considered.**

How do I determine if a New Zealand citizen is ordinarily resident Australia?

New Zealand citizens who normally reside in Australia (subclass 444) must provide evidence of residency documentation at check-in.

Acceptable evidence of residency documentation may include, but is not limited to:

- Government issued documentation (for example Australian issued driver's licence, Medicare card, registration as an Australian resident with the Australian Tax Office) **which is supported by one other type of documentation confirming:**
 - current employment or approved study in Australia (or financial support evidenced through a local bank statement) or
 - owning or renting property in Australia (e.g. utility bills, rates notices, lease agreement)

Note: There must be evidence to indicate the individual has spent time in Australia.

How do I determine who is a safety worker?

A safety worker is someone who is involved or responsible for the development, management or monitoring of safety of the aviation, maritime and transport sectors (i.e. engineer, technicians, safety coordinators). Travellers should provide evidence of their employment and reason for travel.

All other safety workers should apply for an exemption under Commissioner's Discretion process.

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How do I determine who is an essential worker to an offshore facility (i.e. oil and gas installations)?

An essential worker to an offshore facility is anyone who is working physically on an offshore facility (i.e. oil and gas facility). Travellers should provide evidence of their employment and reason for travel to confirm their status.

How do I determine that someone is travelling on official government business, including members of the Australian Defence Force?

Anyone travelling on an official passport or with military orders.

What about diplomats that are not residing or yet to reside in Australia?

DFAT's position is that individuals holding a title less than Head of Mission or Ambassador, will generally not receive support for any new posting in Australia. **Individual circumstances should be escalated to DFAT (through ABOC) to ensure the position hasn't changed.**

Military Passengers and Crew

Are Australian military passengers or crew exempt from the outwards restriction?

Yes, people travelling for official purposes or operating as crew are exempt.

Are Australian military passengers or crew exempt from the inwards restriction?

Arriving military crew are exempt in line with commercial crew. Transit military personnel (non-crew) and arriving military personal must either be exempt or seek Commissioner's Discretion.

Are Australian military passengers or crew required to undertake the quarantine period?

Yes the rules on the 14 day quarantine period applies to military personnel, who are not considered to be operating or positioning crew.

Maritime

Commercial Vessels

What is a commercial vessel?

A commercial vessel is any vessel that is in Australia for commercial trading purposes that is not a Superyacht or Cruise Ship. Commercial activity includes, support in the movement of freight and important industries (such as the resources industry) or provision of port services, maintenance services, marine pilots and marine surveyors.

What is the definition of a cruise ship for border measures activity associated with the COVID-19 response?

Cruise ship means a vessel that:

- a. Has sleeping facilities for 100 or more passengers; and
- b. Is usually used to provide a service of sea transportation, being a service that:
 - I. is provided in return for a fee payable by persons using the service; and
 - II. is available to the general public.

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What are maritime crew?

Maritime crew includes anyone required to be part of a crew operating or providing services to support the operation of a commercial vessel (excluding cruise vessels) or a government vessel in Australian waters.

Maritime crew also includes any Government officials involved in the regulation or other authorisation of the industry, including personnel from the Australian Government (such as the Australian Maritime Safety Authority, the ABF, the Department of Agriculture, the Department of Health and the state/territory government (such as the Department of Health, Maritime Regulatory agencies, Port Authorities and Environment Protection agencies).

Are we required to cease Maritime Crew Visa's (MCV) if the 14 day self-isolation is not complete?

Yes, MCVs should be ceased when crew have not completed the required 14 days. At the completion of the 14 day period MCVs should be reinstated. Further information can be found in the [MCV section](#).

Are sign-on crew arriving by air for commercial vessels required to self-isolate for 14 days?

Yes, crew travelling to Australia (by aircraft) to join a vessel must adhere to the following arrangements:

On arrival in Australia crew may take a domestic flight/s to their final destination to meet their vessel but must self-isolate at their accommodation if they have a layover at any time.

Crew must proceed directly to the vessel or their accommodation.

If not joining the vessel immediately, crew must self-isolate at their accommodation.

Once on the vessel, crew members may leave the vessel to undertake vessel functions and must wear personal protective equipment while performing these functions.

Are maritime crew permitted to sign-off in Australia?

Yes, non-residents and Australian residents/citizens may sign-off, as long as they can provide evidence of an intended method of departure e.g. a new ship to sign-on to or an aircraft departure.

If the crew member has completed 14 days self-isolation prior to sign-off

Both Australian and foreign crew signing off a vessel at an Australian port who have completed the 14-day isolation period will be permitted to:

transit and depart Australia via a flight; or

proceed to join another vessel in Australia; or

for Australian residents, return to their normal place of residence in Australia.

If the crew member has not completed 14 days self-isolation prior to sign-off

Where a crew member is signing off a vessel (within the 14-day period) and remaining in Australia to join another vessel they must self-isolate at their accommodation for the remainder of the 14-day self-isolation period (on the next vessel or onshore).

Crew members departing Australia may proceed directly to the airport and depart; or they must self-isolate at their accommodation until the time they proceed to the airport.

Crew members can proceed to join another vessel in Australia, but they must self-isolate at their accommodation until the time they board the vessel.

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Where a crew member's transportation out of Australia is delayed or cancelled, the crew member can remain in Australia on their existing MCV until an alternative transportation option is arranged. Reinstatement of the MCV on completion of the 14 day period should be undertaken if required, and if necessary extension of the validity period of the MCV (for up to 30 days from last arrival in Australia) considered to allow time for departure.

Crew members must still complete their 14-day self-isolation period following the departure from their last foreign port.

What conditions must maritime crew arriving by air or travelling within Australia to join a vessel comply with?

Crew travelling to Australia (by aircraft) to join a vessel must adhere to the following arrangements:

- On arrival in Australia crew may be subject to additional screening by biosecurity.
- Crew may take a domestic flight/s to their final destination to meet their vessel but must self-isolate at their accommodation if they have a layover at any time.
- Crew must proceed directly to the vessel or self-isolate in their accommodation.
- Crew experiencing any signs of illness must not join the vessel and should seek medical assistance.
- Once on the vessel, crew members may only leave the vessel to undertake vessel functions and must wear PPE while performing these functions.

Crew travelling within Australia (by any means of transportation) to join a vessel must adhere to the following arrangements:

- During travel to their final destination or on arrival at their final destination crew may be subject to additional screening by biosecurity.
- Crew may take a domestic flight/s to their final destination to meet their vessel but must self-isolate at their accommodation if they have a layover at any time.
- Crew must proceed directly to the vessel or self-isolate in their accommodation.
- Crew experiencing any signs of illness must not join the vessel and should seek medical assistance.
- Once on the vessel, crew members may leave the vessel to undertake vessel functions and must wear PPE while performing these functions.

Crew joining a vessel in Australia within 14-days must to undertake appropriate precautions when interacting with others. This includes:

- Use of appropriate PPE when interacting with others (port workers and other crewmembers who will be leaving the vessel for shore leave or sign-off).
- Practice good personal hygiene and clean/sanitise surfaces and common areas.
- Use separate facilities to other crew members (where possible).
- Maintain appropriate social-distancing.

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What evidence do State and Territory Authorities require for evidence of exemption for maritime crew?

Crew travelling to a vessel in Australia or leaving a vessel to return home or leave Australia should carry the following documentary evidence to demonstrate to State or Territory authorities they are subject to an exemption:

A letter from their employer on company letterhead indicating their name, occupation, reason for travel relating to their work and the location where the work is to be conducted

A letter from the port authority indicating that the vessel that the work relates to is expected to be in that port at the specified time

Their Maritime Security Identification Card, where they have one

A copy of the company's COVID-19 management plan or staff procedures.

Small craft (including superyachts)

Are small craft (or Superyacht) crew considered maritime crew?

Small craft are not considered commercial vessels and their crew are not subject to the same exemptions as maritime crew.

All small craft crew are to be treated like a normal arriving traveller for the purposes of COVID-19 restrictions and exemptions e.g. the travel ban and mandatory self-isolation will apply.

Does the enhanced border restrictions (travel ban) apply to travellers and crew arriving by small craft?

Yes. Any small craft that has already notified ABF of their impending arrival and been approved prior to 20 March 2020 at 2100 AEDT are permitted to arrive, regardless of exemption status. Any vessel reporting their arrival after 20 March 2020 0800 AEDT must meet the new travel exemptions.

What if a non-exempt vessel is already at sea when they report or there is a Safety of Life at Sea (SOLAS) issue?

If the vessel is at risk or is already at sea and not able to divert a Commissioner's Discretion will be required to allow the small craft to arrive.

What if a non-exempt small craft wants to arrive?

A Commissioner's Discretion is required and must be sought prior to the small craft attempting to travel and undertaking pre-arrival reporting. Once approved, the small craft and crew are able to report and then arrive.

Are crew or travellers arriving on small craft (including superyachts) required to self-isolate?

Yes, small craft are not exempt from the self-isolation requirements, they must undertake the 14 day self-isolation quarantine period. As with commercial vessels, the time crew and travellers spend at sea prior to their arrival in Australia counts towards the 14 day quarantine period.

Are there different requirements for travellers and crew of small craft in relation to self-isolation?

No, the mandatory 14 day self-isolation requirements apply to both travellers and crew.

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Are small craft crew and travellers required to remain at the first port of arrival to see out the self-isolation quarantine period?

For the purposes of meeting the 14 day quarantine period, the vessel can be considered a floating residence which adequately meets the requirements for self-isolation. As long as the vessel completes border clearance activities at the first port of entry, it can continue onto the next domestic port and serve any remaining days of mandatory quarantine whilst in transit. If the vessel does not have sufficient supplies for a 14 day quarantine, the crew/travellers will be transferred to a hotel by local health and police for the remaining self-isolation period.

Note: This is based on Commonwealth requirements. Regional Commands should advise local police and health departments of an impending arrival and to confirm State or Territory requirements

Are small craft crew and travellers able to disembark the vessel and depart Australia via aircraft or another vessel?

Yes, so long as they meet an exemption, can provide evidence of an intended method of departure e.g. a new ship an aircraft departure and have completed the 14 day mandatory self-isolation requirements.

Where a crew member or traveller is disembarking a small craft (within the 14 day period) and remaining in Australia they must complete the remainder of the self-isolation period.

Note: This is based on Commonwealth requirements. Regional Commands should advise local police and health departments of an impending arrival and confirm State or Territory requirements.

Are travellers and crew joining a small craft permitted to transit through to the vessel after arriving on an international flight?

Yes, so long as they meet an exemption to arrive. If they do, the international crew and travellers joining the small craft are subject to the 14 day self-isolation period at first port of arrival.

Small craft crew and travellers are not permitted to transit through Australia prior to completing their mandatory 14 day self-isolation. They must remain in the self-isolate in accommodation for the duration of their transit as managed by State and Territory authorities.

If a small craft is not permitted to attend for immigration clearance and is required to remain at anchorage during its 14 day self-isolation by State or Territory authority, how do the ABF immigration clear the vessel?

While the people on the vessel have entered Australia, they have not yet presented for immigration clearance. Section 166 of the Migration Act 1958, requires people to present without "unreasonable delay" for immigration clearance. 'Without unreasonable delay' should be interpreted to mean as soon after disembarkation as practicable, provided the facilities to administer the clearance provisions are available to the passenger. In accordance with Procedural Instruction BC-536 Arrival immigration clearance and entry - Immigration clearance at airports and seaports.

A delay outside the person's control (e.g. a lawful order from a State or Territory authority) is considered a reasonable delay for the purposes of immigration clearance. The vessel/people are permitted to wait the required 14 (or remaining) days in self-isolation at the anchorage prior to being immigration cleared. If the people on the vessel disembark, for example for medical reasons, supplies or they have completed the required 14 days, they should present for immigration clearance as soon as possible.

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Maritime Crew Visas

Who will be responsible for ceasing MCVs and restricting on board?

Where there is an ABF presence at the port, the ABF officer will complete the relevant paperwork to cease the MCV and restrict on board. Officers should follow PPE protocol.

Where there is no ABF presence at the port, an ABF officer from the relevant regional command will email the relevant paperwork to the Master of the vessel or Agent.

Are there procedural instructions on MCVs and restricting on board?

Yes, please see:

Cessation of Maritime Crew Visas PPN: BC-883

Restriction on board PPN: BC-2696.

Can MCVs be ceased and/or re-instated if there is no ABF presence at the Port?

Yes. An ABF officer can do this remotely by emailing the relevant form/s to the Master of the vessel or Agent.

Can a person be restricted on board a vessel if there is no ABF presence at the Port?

Yes. An ABF officer can do this remotely by emailing the relevant form/s to the Master of the vessel or Agent.

Are crew allowed to join the commercial vessel from Australia? What happens with their MCVs?

If DAWE clear the crew to join the vessel from Australia, they will be allowed on board. ABF do not need to cease the MCVs of these additional crew however they should be told they are not allowed to disembark once they have boarded.

What are ABF's responsibilities with respect to due diligence?

Where there is a vessel boarding team available to conduct a boarding, a due diligence assessment for suitability as a place of restriction should take place. If crew are unwell the team should not board the vessel and it will be up to a Biosecurity officer to determine the next course of action.

Where a boarding team is unavailable, the Master of the vessel/Agent/Owner need to be reminded to ensure crew welfare and their access to provisions and medical is maintained.

What happens after the 14 day isolation period is over?

If the crew have had their MCVs ceased, an ABF officer will need to reinstate the MCV. The officer will also need to revoke the restriction on board. This will allow the crew to be immigration cleared and go ashore in Australia if required. This can also be completed remotely.

What will happen if a person on board the vessel becomes unwell?

If at any point the ABF become aware of a person on board a vessel becoming unwell, officers are to notify the Biosecurity officer. The Biosecurity officer will determine the next course of action.

If Biosecurity determine the person needs to be transported to hospital, an ABF officer will re-instate the persons MCV and provide immigration clearance so they can be transported to hospital as a lawful non-citizen.

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Industry Advice

What advice has been provided to the shipping industry?

The below webpages and Fact Sheets are being updated as required.

Australian Border Force:

<https://covid19.homeaffairs.gov.au/>

Department of Health

Fact Sheet – Novel Coronavirus (2019-nCoV) information for the Marine Industry

Fact Sheet – Novel Coronavirus (2019-nCoV) information for Marine Pilots

Fact Sheet – Novel Coronavirus (2019-nCoV) information for Border Staff

Australian Maritime Safety Authority

AMSA webpage on Novel Coronavirus

Is there a centralised mailbox for questions from the Industry?

Questions can be sent to s22(1)(a)(ii) @homeaffairs.gov.au

FAQ not identified?

If further FAQs become apparent, these should be referred to Traveller Management so an appropriate response can be drafted and authorised.

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