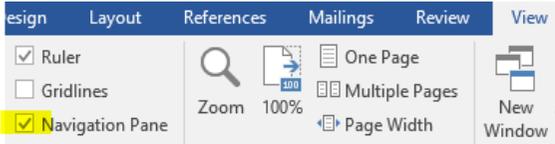


Travel Exemptions – Outwards - Process Guide

Last Updated	17 FEBRUARY 2021	TRIM ADD2020/4674243
Description	<p>This document is to be used by officers processing <u>outwards requests</u> for an exemption against the current travel restrictions to depart Australia.</p> <p>The Travel Exemptions Portal User Guide (ADD2021/655400) (the User Guide) provides additional guidance on Portal functionality including step-by-step instructions on processes not described in this document.</p> <p>Authorisation for decision making on outwards requests differ depending on the reason for the exemption.</p> <p>Assessment Officers (Departmental APS3/4/5/6 Officers) can:</p> <ul style="list-style-type: none"> • determine if an individual meets an automatic exemption criteria; AND • make decisions on requests in the following category: <ul style="list-style-type: none"> ○ Travel for at least three months - this process is now outlined below in the <u>S. 47E(d)</u> process <p>An authorised Decision Maker must make decisions on <u>all other categories</u>. The <i>Initial Assessment</i> for these requests can be completed by an Assessment Officer and referred to a Decision Maker for finalisation.</p>	
Terminology	<ul style="list-style-type: none"> • <i>The Portal</i> – the online Travel Exemptions request form and back-end processing system. • <i>TER</i> – unique travel exemption request reference number (e.g. TER123456). A request may contain one or more travellers. • <i>TEP</i> – unique traveller reference number (e.g. TEP123456). All travellers must belong to a Request. • An <i>individual or traveller</i> is a person seeking exemption from travel restrictions. It is possible for an <i>individual</i> to be referenced in requests submitted by multiple <i>clients</i>. • <i>Client or organisation representative</i> is the person who submitted the request. A <i>client</i> may submit requests relating to any number of <i>individuals</i> for any number of exemption requests. Note that a <i>client</i> may also be a <i>traveller</i>, and that <i>clients</i> or <i>travellers</i> in the Portal may also have ‘client’ records in other departmental systems such as ICSE. • <i>Client Additional Information (CAI)</i>: is a location in ICSE where notes should be entered. • <i>Assessment Officer (AO)</i>: an officer who can make an initial assessment, but is not authorised to approve or refuse exemption requests. 	

	<ul style="list-style-type: none"> • s. 47E(d) an officer who is authorised to approve or refuse exemption requests for requests to travel outside Australia for a compelling reason for at least three months. • <i>Decision Maker (DM)</i>: an officer who is authorised to make decisions to approve or refuse exemptions requests.
Navigation Pane	<p>Turn on the Navigation Pane option under the View menu to use this document.</p> 

Policy Guidance

Policy documents	<p>The criteria for automatic exemptions and individual/discretionary exemptions is outlined on the Department's website and in the Operational Directives and Commissioner's Guidelines. Assessing Officers and Decision Makers should regularly check the Department's external website to maintain awareness of the exemption types and public messaging: https://covid19.homeaffairs.gov.au/</p> <p>Policy documentation can be found on SharePoint and in TRIM. s. 47E(d) should be used to access documents and confirm the correct TRIM reference number. Pending approval of new Procedural Instructions, the DRAFT documents in these folders should be referred to.</p>
References	<ul style="list-style-type: none"> • <i>COVID-19 Border Measures Procedural Instruction – Outward - ADD2020/5279517</i> <p>Other critical documentation is available via the website <i>COVID-19 and the border</i> https://covid19.homeaffairs.gov.au/ and s. 47E(d)</p>

Travel Exemptions Portal Principles

Portal Principles	<p>There are a number of key principles that all users of the Portal are required to follow:</p> <ol style="list-style-type: none"> 1. Officers are responsible for the requests that appear in their list <i>My Work > Cases Assigned to me</i>. 2. Officers must finalise all requests allocated to them at the end of a shift/day. Un-finalised requests must be unassigned to move the request back into the relevant <i>Unallocated</i> list.
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	<p>3. Officers should regularly check their <i>Cases Assigned to me</i> list to ensure that outcome notifications have been correctly sent, requests closed correctly etc. Requests will be automatically removed from your list once they are finalised correctly.</p>
Managing Groups in the Portal	<p>Each individual traveller must have his or her own Portal record and exemption decision, noting that this can be recorded efficiently using S. 47E(d)' functionality.</p> <p>Multiple travellers can be included within the same request through the lodgement process, so that linked individuals are considered together.</p> <p>S. 47E(d) [REDACTED]. Users with the training and access to process these requests will find them in a separate workspace list.</p> <p>All requests (not just those with multiple travellers) now have the option S. 47E(d) [REDACTED]</p>
Client Notifications	<p>Client notifications sent via the Portal are also blind copied to a group mailbox. From this mailbox, they are automatically TRIMmed. If you need to find a notification, do a title word search in TRIM using the TEP or TER reference number.</p>

Overview of initial assessment

Assessment and triage	<p>All requests require Initial Assessment. This process includes considering each individual's claims and determining one of the following:</p> <ol style="list-style-type: none"> 1. Whether the individual meets one of the automatic exemption criteria and, if so, finalising the request; 2. If the request is for a category that an AO can decide; or 3. That one or more individuals, and therefore the whole request, needs to be referred to an authorised DM for consideration. <p>AOs only make decisions for some categories, otherwise they complete the Initial Assessment and refer the request. DMs can complete both an Initial Assessment and make a decision. DMs can determine if further information should be requested from the client in exceptional circumstances.</p> <p>The below map outlines the Initial Assessment and Decision Making process.</p>
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s. 47E(d)



Initial Assessment Process

1. Review Request details

1. Assign the request to yourself (refer to the *Travel Exemptions Portal Use guide – ADD2021/655400*).
2. Read the *Background Details* provided in the request and the relevant supporting attachments. Review all requests (*Other Requests*) submitted by the same client account (if applicable).
3. You can download all attachments as a zip file by clicking in the “...” menu in top right corner.

s. 47E(d)



2. Review each individual's details

1. Review the *Traveller* information.
2. Locate each individual in ICSE or CSP.

s. 47E(d)

*Occasionally, an individual may not have an ICSE record. In this instance, an ICSE record may need to be created. Refer to *Border Measures COVID-19 Fact Sheet – Creating a new client record in ICSE (ADD2020/4628519)* in the Processing Toolbox on s. 47E(d)

s. 47E(d)

	<p>s. 47E(d)</p>
<p>3. Review the claims</p>	<p>s. 47E(d)</p> <p>3. Determine if the individual meets any automatic exemption criteria or if they need to be referred to a DM.</p>
<p>4. Change Enquiry type (if necessary)</p>	<p>If the request needs to be redirected for assessment by a different team, changing the enquiry type will automatically move the request to the appropriate list. See Change Enquiry Type for policy guidance.</p> <p>The enquiry type must be changed before the initial assessment is recorded, as some options may change. To change the enquiry type, use the drop down menu in the Portal Request details. Select the appropriate request type, delete your name from the 'assigned to' field, enter a work note to explain the reason for the change, and then save.</p>

= TEP Request

Enquiry Type

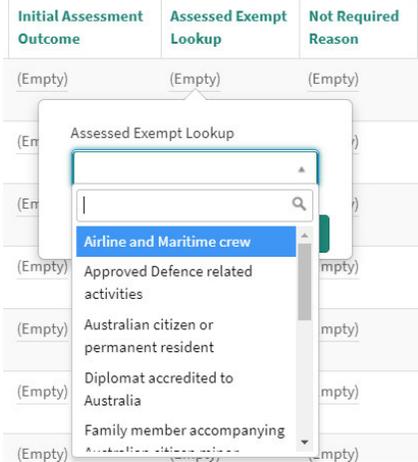
- Compelling or Compassionate ▾
- None --
- New Zealand citizen usually resident i...
- Immediate Family
- ✓ Compelling or Compassionate
- Outbound
- Urgent Medical Treatment or Evacuation
- Critical Skills
- Event

5. Record Initial Assessment for all travellers

s. 47E(d)

s. 47E(d)



	
<p>6. Conduct Initial Assessment for each traveller</p>	<p>Determine the appropriate <i>Initial Assessment Outcome</i> for your assessment of each individual’s circumstances:</p> <ul style="list-style-type: none"> ○ Not Referred: the individual has not provided sufficient information to be considered further. *To be used in VERY limited circumstances and only after consultation with a supervisor. ○ Assessed Exempt: Individual clearly meets any of the outward automatic exemption criteria, for example, usually resident in a country other than Australia (temporary visa holders are also included here). ○ Not Required: request not required because: <ul style="list-style-type: none"> a. client has an existing approval (use <i>Duplicate Request</i> reason); OR b. Duplicate Request: request is the <u>exact</u> duplicate of another request received for this traveller; or c. Withdrawn: client has requested a withdrawal. *Clients can withdraw requests through the Portal. ○ Referred for Discretion: this option should be used if the request needs to be Referred to a Decision Maker
<p>7. Select the reason for the initial assessment</p>	<p>Choose the relevant reason for your decision from the options provided in the drop down list.</p> <ol style="list-style-type: none"> 1. Assessed Exempt: select the appropriate exempt category 2. Not Referred: *To be used in VERY limited circumstances and only after consultation with a supervisor. <ul style="list-style-type: none"> ○ Does not meet guidelines: Not to be used for outbound cases. Only for inbound requests that have requested a non-discretionary assessment against an automatic exemption category.

- **Insufficient information:** the client has not provided sufficient information to determine an automatic exemption or to refer the request for consideration by a Decision Maker.

Initial Assessment ^

Initial Assessment Outcome

Not Referred v

Not Referred Reason *

-- None -- v

✓ -- None --

Does not meet guidelines

Insufficient Information

3. Referred for discretion

- Refer to policy - *COVID-19 Border Measures Procedural Instruction – Outward - ADD2020/5279517*

Initial Assessment ^

Initial Assessment Outcome

Referred for Discretion v

Discretionary Category *

Recent Selections

Compassionate and compelling

National interest / Australian Government invitation

Showing 1-4 of 4

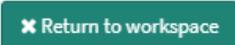
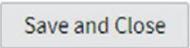
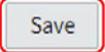
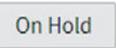
Critical medical services

Critical Skills

Refugee and Humanitarian (Class XB) visa holders

Urgent medical treatment / evacuation

s. 47E(d)

	s. 47E(d)
<p>9. If applicable: Complete Referral to an Decision Maker</p>	<p>IMPORTANT: if required, ensure you change the <i>Enquiry type</i> in the Request record prior to clicking 'Finalise Initial Assessment'. Refer to Change Enquiry Type.</p> <p>If any travellers are initially assessed as Referred for Discretion, use s. 47E(d) to record the details (see Step 5). Select <i>Referred for Discretion</i> from the <i>Initial Assessment Outcome</i> options and then choose the appropriate <i>Discretionary Category</i>.</p> <p>NOTE: It is important to select this correctly to enable allocation processes and accurate reporting.</p>
<p>10. Return to the request and save the record</p>	<p>1. Once an initial assessment has been recorded for all travellers, click  to return to the request.</p> <p>2. Click <i>Save</i> to update the record.</p> <div data-bbox="772 651 1760 703" style="text-align: center;">       </div>
<p>11. Finalise Initial Assessment</p>	<p>In the Request Details screen:</p> <p>If any travellers have been referred for discretion and you are not a DM, the <i>Has Discretion Referral</i> box will be ticked and you will</p> <p>s. 47E(d)</p>

s. 47E(d)

From this point, the process will change depending on the initial assessment outcome and your delegation level.

- **Assessment Officers:** If one or more travellers have been referred for discretion, no further action is required.
- **All users:** If no travellers in the request have been referred for discretion, follow steps 12 - 14 to finalise the request.
- s. 47E(d)
- **Decision Makers:** if one or more travellers have been referred for discretion and the request is not able to be decided by a s. 47E(d) Decision Maker, move straight to the required steps for [Decision Maker Process –Decision Maker](#)

12. Add Client Additional Information (CAI) note/s

Record a CAI note so that the status of the request is clear to other departmental users.

1. On the far right of the screen are a series of buttons, select the Response Templates button and search for “CAI” to find all templates relevant to the request.

s. 47E(d)

2. From the list displayed select the relevant note for your assessment; and then click the note then click *Copy to Clipboard*
3. Paste the note into a Note in the CAI. If there are s. 47E(d)
4. Double check against the outcomes for each traveller in the Travellers tab of the Request, to ensure you paste the correct note into each client record.

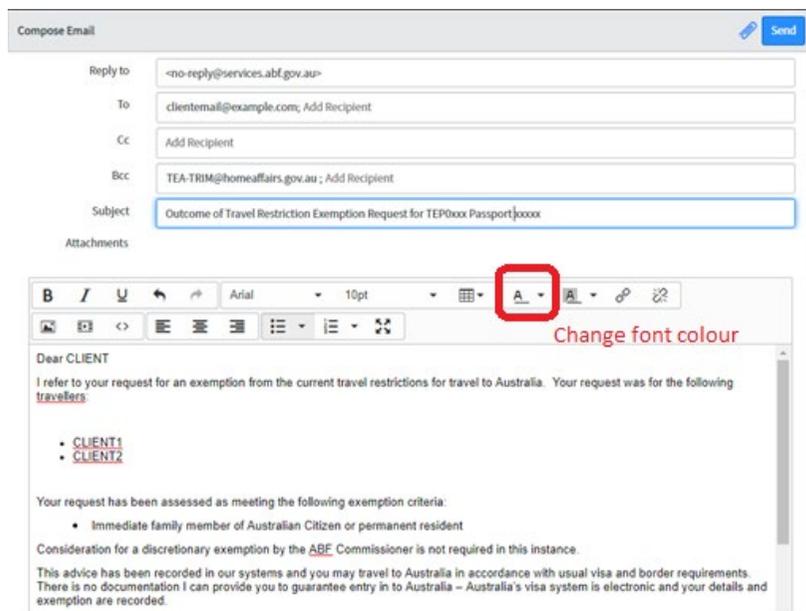
s. 47E(d)

13.If request finalised, send notification

Once the Initial assessment is finalised the processing state of the request will change to *Outcome Notification*.

1. In the Request select *Send Outcome Notification* to display the *Select Template* screen. Choose the appropriate template from the drop down list.

2. The system will display the *Compose Email* screen. Check that the pre-populated details contain the correct details for all persons you expect to notify.



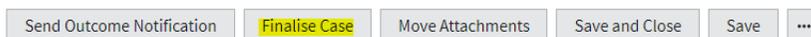
3. Review all sections in red text, remove anything that is not applicable and change font colour to Black.

4. Click *Send*. The system will send the correspondence and close the *Compose Email* screen.

NOTE: You should confirm the correspondence was sent before finalising the request by checking the *Activity* history in the Request Details screen. The last item should be an email that you just sent. You may need to wait a few seconds and manually refresh your view (Keyboard shortcut: F5)

14. Finalise Case

Click *Finalise Case*



Decision Maker Process – Three Months + cases

Description	Requests for an exemption for <i>Travelling overseas for a compelling reason for at least three months</i> can be decided by APS3/4/5/6 officers who have the appropriate Portal access. These requests are currently managed by the STEC team in Hobart who process the request from end to end using the below process.
15. Record Initial Assessment and determination	s. 47E(d)

	s. 47E(d)
16. Complete request processing	Follow steps 12 to 14 to complete the initial assessment and finalise the request.

Assessment by Decision Maker

Description	Requests containing any travellers initially assessed as requiring consideration by a DM will appear in the <i>Queued for Consideration</i> list.
17. Decision Maker assesses a referred request	<ol style="list-style-type: none"> 1. Select a request from this list and assign it to yourself (refer to the <i>Travel Exemptions Portal User Guide – ADD2021/655400</i>) 2. In the request record review the <i>Summary for decision makers</i> provided by the AO. 3. Assess the claims against the policy guidelines. 4. If you are satisfied to either approve or refuse the exemption request, move to Step 18 below. 5. If you decide that the request requires assessment by a senior DM, follow these steps: <ol style="list-style-type: none"> a. Add a note to the <i>Summary for decision makers</i> section explaining why it needs to be assessed by a Senior DM (EL2). b. Allocate the request to a Senior DM (EL2). c. <i>Save</i> and exit.
18. Record your decision	<p>Consider the claims against the guidance provided in the policy documents to determine if the referred travellers in the request meet grounds for an exemption.</p> <p>Once you have reached a decision, record a Determination Outcome and Determination Notes for each traveller in the screen. Refer to step 5 for the options of how to record the decision using s. 47E(d) ^{s. 47E(d)}.</p>

19. Return to the request and save the record	<ol style="list-style-type: none">1. Once a Determination Outcome has been recorded for all applicable travellers, click  to return to the request.2. Click <i>Save</i> to update the record. 
20. Complete request processing	Follow steps 12 to 14 to finalise the request.

Change Exemption Reason

Description	<p>If the request has been lodged for the reason <i>Travelling overseas for a compelling reason for at least three months</i> but information provided by the client indicates that this is not the case, the reason for exemption needs to be changed to a more appropriate option so that it can be assessed by the appropriate DM.</p>
Process steps	<ol style="list-style-type: none"> 1. Go to the <i>Reason for exemption</i> field in the Portal and choose a more appropriate option. <p>Note: this field is in the variables section, and is the only time the client variables should be modified.</p> <ol style="list-style-type: none"> 2. Add a <i>Work note</i> indicating why the request does not meet the <i>Travelling overseas for a compelling reason for at least three months</i> reason. <div data-bbox="533 549 1798 647" style="border: 1px solid #ccc; padding: 5px; margin: 10px 0;"> <p style="margin: 0;"><small>Work notes (Private)</small></p> <div style="border: 1px solid #ccc; padding: 2px; background-color: #fff9c4;"> <p style="margin: 0; color: #757575;">Type your Work notes (Private) here</p> </div> </div> <ol style="list-style-type: none"> 3. Remove your name from the <i>Assigned to</i> field. 4. <i>Save</i> the case.

Change Enquiry Type

Portal Principles

If you are not trained in assessing the enquiry type that a request should be considered under, OR you are going to finalise the request under a different enquiry type to which it was lodged, follow these steps:

1. Make a note in the Request *Work Notes (Private)* space explaining why the request should be/has been considered under the different Enquiry type. Choose *Post the Work notes (Private)* so that other internal users can see it.

Work notes (Private)

Type your Work notes (Private) here

Post Work notes (Private)

2. In the Request record, use the drop down in the Enquiry Type* field to select the new enquiry type, e.g.:

Enquiry Type *

Compelling or Compassionate

3. If an initial assessment has already been recorded – use the **S. 47E(d)** screen to update the discretion category for each traveller. If category was compelling or compassionate, please remove the category, and then re-select before you save.
4. Remove your name from the *Assigned to* field and *Save* the request.
5. All travellers within the request will change to the new enquiry type and the request will flow to the appropriate processing area for consideration.

Escalations and Complaints

<p>Client requires escalation or complains about their outcome</p>	<p>Also refer to guidance in the Procedural Instructions relating to escalating requests.</p> <p>AOs: If there are genuine reasons for a client's request to be escalated to a DM or the Commissioner, escalate the email to an EL1.</p> <p>Examples of escalations include, but are not limited to: threats of self-harm, high profile cases (including media personalities, clients involved in a high profile event/incident), surrogacy, IVF or adoption related requests, requests including objectionable or offensive material, media attention, significant integrity issues and representations from a Minister's office.</p> <p>Client complaints - especially regarding decisions - should also be escalated to an APS6 or EL1. Complaints may include a request to appeal the decision. If unsure, discuss with an EL1.</p>
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OFFICIAL: Sensitive

COVID-19 Border Measures Procedural Instruction - Outward

Procedural Instruction

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TRIM record number	s. 22(1)(a)(ii)
BCS Function	Border Measures – Travel Exemptions Procedural Instruction
Document owner	COVID-19 Border Measures Program Management
Approval date	11 January 2021
Document Contact	COVID-19 Border Measures Program Management s. 47E(d)

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1. Purpose

From 1200 AEDT 25 March 2020, all Australian citizens and Australian permanent residents must not travel outside Australia unless exempt, through either being in an automatic exempt category or obtaining an individual exemption by providing the Australian Border Force (ABF) Commissioner with a compelling reason to depart. The COVID-19 Border Measures Branch manages and decides travel exemption requests in response to Australia's travel restrictions.

This procedural guidance is designed to be used as an explanatory support to exemptions processing staff assessing exemption requests from Australian citizens and Australian permanent residents who seek to leave Australia. Requests are assessed on a case by case basis.

2. Scope

This document provides procedural guidance applicable to the assessment of outward travel exemption requests from Australian citizens and Australian permanent residents.

It is recommended that users read this procedural guidance in conjunction with the following documents:

- Outward Travel Restrictions Operation Directive

Note: Travel restrictions are subject to change at short notice, therefore officers must refer to related documentation via TRIM or published versions on SharePoint or the Home Affairs website (rather than saving or printing a copy) to ensure they access the most up to date versions.

3. Procedural Instruction

3.1. Decision Maker

For cases where a request is assessed under an exempt category:

Exempt (including assessed as automatically exempt) - one stage of assessment is required:

- Decision Maker - Officers at APS3 level and above

Not exempt - two stages of assessment are required:

- Initial Assessment - Officers at APS3 level
- Decision Maker – APS6 level and above

For cases where an individual declares an intent to travel overseas for at least three months for a compelling reason:

For both Meeting and/or Not Meeting the guidelines – one stage of assessment is required:

- Decision Maker - Officers at APS3 level and above

For cases where an individual assessment is required (other than where an individual declares an intent to travel overseas for at least three months for a compelling reason):

For both Meeting and/or Not Meeting the guidelines - two stages of assessment are required:

- Initial Assessment - Officers at APS3 level
- Decision Maker - APS6 level and above

3.2. For consideration when assessing outward travel exemption requests

All travel exemption requests must be considered against all categories, prior to a decision to refuse the request being made.

The Determination

Outward travel exemption requests are considered under the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020* ('the Determination').

Under section 5 of the Determination, an Australian citizen or permanent resident must not leave Australian territory as a passenger on an outgoing aircraft or vessel unless they have an exemption under section 6 or 7 of the Determination.

Outlined in section 6 of the Determination are the categories of Australian citizen and permanent resident travellers who are exempt from travel restrictions and are not required to apply for an individual exemption.

Under section 7 of the Determination, in exceptional circumstances, the ABF Commissioner may grant an individual exemption to an Australian citizen or a permanent resident to leave Australia on a case-by-case basis. This is reliant on the provision of a compelling reason for needing to leave Australian territory (s7(2) of the Determination).

Note: Appropriately trained ABF and Home Affairs staff are authorised to make decisions on outward travel exemption requests

The Outward Travel Restrictions Operation Directive provides examples of reasons an outward travel exemption may be approved.

Outward Travel Restriction Operation Directive

The following categories of traveller are generally exempt from travel restrictions and are not required to apply for an individual exemption. Persons who are:

- s. 22(1)(a)(ii)
- usually resident in a country other than Australia;
- members of the crew of an aircraft or vessel, or a worker associated with the safety or maintenance of an aircraft or vessel;
- New Zealand citizens holding a Special Category (subclass 444) visa, even if they are usually resident in Australia;
- engaged in the day-to-day conduct of inbound and outbound freight;
- travelling in association with essential work at an offshore facility in Australian waters;
- travelling on official Government business (including members of the Australian Defence Force and any Australian government official travelling on a diplomatic or official passport).

The following situation can be assessed and decided by APS3 officers and above, where the traveller:

- a. has declared an intent to travel overseas for at least three months for a compelling reason.

Assessing and deciding exemption requests under category 'Travel for three months or longer'

As of 2300 AEDT on Friday 8 January 2021, requests for an exemption on the basis of 'travel for three months or longer' will not be approved unless suitable documentary evidence is provided to support the claimed travel period and also to evidence a compelling reason for travel.

The presentation of a properly completed Commonwealth Statutory Declaration is now a mandatory requirement for approvals under this category, as is the requirement for a compelling reason for travel.

Any request for travel under this category, that lacks the required evidence may be refused and the client referred to the website for further information.

If you refuse an application due to a lack of sufficient information or evidence, you should provide the client with advice about evidentiary requirements in the refusal notification letter. RFI and Refusal templates have been updated to support communication with clients.

Persons who seek an exemption from Australia's outbound travel restrictions on the basis that they are leaving Australia for three months or longer **must** present a compelling reason for travel and **must** provide a properly completed Commonwealth Statutory Declaration **and** evidence to support their claims.

For the purpose of assessing this category, 'compelling reason' may include circumstances such as:

- visiting with, or providing care and support to, sick family members
- attending a course of study overseas, or other educational opportunity of at least three months
- beginning or continuing an employment contract
- relocating overseas for a time period of six months or more
- other reason which falls within the ordinary meaning of 'compelling'.

Please refer to 'Assessing Compelling Reasons' below, for further information, if you are unsure about the reasons provided by a client.

Travel for the sole purpose of leisure or holidays would not be considered a compelling reason.

When assessing an exemption request under this category, in every case regardless of circumstance, the requester **must** provide a properly completed Commonwealth Statutory Declaration which includes a formal statement that they are making an application for a travel exemption on the basis that they intend to be absent from Australia for at least three months and the reason for the travel.

Commonwealth Statutory Declarations

It can generally be accepted that a completed Commonwealth Statutory Declaration has been completed properly unless there is clear evidence to the contrary.

One Commonwealth Statutory Declaration per request is acceptable assuming each traveller is travelling for the same purpose and is covered by the Declaration. If a person under 18 years of age intends to travel unaccompanied by their parents or guardian, a Commonwealth Statutory Declaration is required from at least one parent or guardian.

In addition to the Commonwealth Statutory Declaration, the requester **must also** provide evidence that supports their claimed compelling reason for travel.

Examples of other supporting evidence that could be provided include:

- confirmed flight itinerary, with return date of at least three months after departure date
- confirmation of leave from their employer for at least three months
- enrolment confirmation for study
- employment contract
- evidence of their goods being transported overseas
- a doctor's certificate to support their claim that the purpose of travel is to provide care or support to sick family members (Please note: the doctor does not have to explicitly state that physical care is required for the patient. Emotional support is a relevant compelling reason under this category).
- any other relevant documentary evidence which supports the reason for travel.

Other Discretionary exemption categories

The following situations would generally be approved, and can be assessed and decided by APS6 officers and above, where the traveller:

- a. is attending the funeral of a close family member (parent, sibling, partner, child or grandparent) regardless of length of intended travel;

- b. is travelling due to critical or serious illness of a close family member (parent, sibling, partner, child or grandparent), regardless of length of intended travel;
- c. is travelling for necessary medical treatment not available in Australia;
- d. needs to pick up a minor child (adoption, surrogacy, court order etc) and return to Australia with that child;
- e. intends to complete an existing work contract – for example fly-in-fly-out (FIFO) workers and individuals with a work contract;
- f. is travelling to an Australian territory which is outside the migration zone;
- g. has another compelling reason for travel where travel is for less than three months;
- h. is travelling on business, regardless of length of intended travel;
- i. has had a previous request approved and the reasons for travel have not changed;
- j. is travelling in the national interest;
- k. is travelling in response to the COVID-19 outbreak, including the provision of aid.

Note: A family unit wishing to travel for a funeral/to visit seriously ill parent/grandparent, will now be able to travel together (including the son/daughter-in law) if supporting evidence confirming the reason for travel is submitted with the application.

Assessing Compelling Reasons – all categories

The term 'compelling' has no defined meaning in reference to Australia's travel restrictions and travel exemptions, and therefore its ordinary meaning is to be applied.

Compelling reasons may stem from compassionate factors, or may also arise from a person's circumstances or the circumstances of another person (for example, a close family member).

Australia's travel restrictions are an emergency response of Government designed to manage a public health threat as a result of the COVID-19 pandemic. This is important context to consider when determining whether a case has presented 'compelling' reasons to travel.

Where an individual has proposed travel of a short duration (ie. less than three months), our understanding of what constitutes a 'compelling reason' has a high test. Any individual proposing an overseas journey of less than 3 months is expected to provide documents supporting strong compelling and/or compassionate circumstances, and this is captured in the requirements of the Outwards Operation Directive.

Where an individual has proposed travel of three months or more, Government has determined that the length of travel means the public health risk has been lessened, when compared with trips of shorter duration. Therefore, proposed travel of three months or more for any purpose other than leisure or a holiday is generally considered to satisfy the definition of 'compelling' for this category. It is therefore possible for a person to propose a family reunification activity under this category (such as a wedding or other significant life event) and this may be considered to meet 'compelling reason', provided that you are satisfied the declared travel period is genuine and relevant supporting evidence and documents have been provided.

s. 22(1)(a)(ii)

Assessing usually resident in a country other than Australia

As explained in the Outward Travel Restrictions Operation Directive, there is no one fixed numerical calculation as to whether someone is 'usually resident' in a country other than Australia – it is a matter of judgement. Acceptable evidence may include, but is not limited to:

- a. government issued documentation (for example foreign driver's licence) which is supported by one other type of documentation confirming:
- b. owning or renting property in a foreign country (e.g. utility bills, rates notices, lease agreement)
- c. location of immediate family members
- d. employment contract in a foreign country

For cases where it is difficult to rely solely on an assessment of the length of time spent onshore in Australia prior to last departure (movement record history) due to the COVID-19 travel restrictions, more weight should be given to significant ties offshore when determining residency status.

s. 47E(d)

Other considerations

Decision makers should treat the best interests of minor children in/outside of Australia as a primary consideration.

Decision makers should consider the impacts on family unity of the person seeking to depart Australia.

Decision makers should also bear in mind the Australian Government's intent for imposing the travel restrictions, that is, the potential health risks posed to the Australian community by international travellers, given that Australian citizens and permanent residents are not required to seek an exemption from the Department to return to Australia.

Once a travel exemption request has been considered against all categories, if it is evident that the claimed circumstances do not meet current travel exemption requirements, decision makers should either request further information (expected to be appropriate in only a small number of cases) or refuse the travel exemption request.

3.3. Supporting documentation

The onus is on the individual to provide sufficient evidence (officially translated into English where required) to support their travel exemption request.

Officers should assess any information provided by an individual, as well as any information held in Departmental systems including but not limited to, movement records, visa applications and passenger cards.

Requests for further information should be kept to a minimum. In most cases if an individual has not provided sufficient information the request should be refused and the individual advised to reapply with any relevant information that is required.

The following is to be used as a guide when assessing evidentiary requirements.

Exempt Categories

Usually resident in a country other than Australia

- government issued documentation (for example foreign driver's licence) which is supported by one other type of documentation confirming:
 - owning or renting property in a foreign country (e.g. utility bills, rates notices, lease agreement);
 - location of immediate family members; and / or
 - employment contract.

Note: Length of time spent onshore in Australia prior to last departure (movement record history) and significant ties offshore should be taken into consideration when determining residency status, for this purpose.

Members of the crew of an aircraft or vessel, or a worker associated with the safety or maintenance of an aircraft or vessel

- If the individual is a crew member of an aircraft or vessel;
 - A copy of the individual's crew identification
 - A copy of a letter from the individual's employer
 - Evidence that travel is necessary at this time
 - Any other evidence to support claims
- If the individual is a worker associated with the safety or maintenance of an aircraft or vessel;
 - A copy of a letter from the individual's employer
 - Evidence that travel is necessary at this time
 - Any other evidence to support claims

New Zealand citizens holding a Special Category (subclass 444) visa, even if they are usually resident in Australia

- Systems check to confirm the individual is a New Zealand citizen and subclass 444 visa holder

Engaged in the day-to-day conduct of inbound and outbound freight

- A copy of a letter from the individual's employer
- Evidence that travel is necessary at this time
- Any other evidence to support claims

Travelling in association with essential work at an offshore facility in Australian waters

- A copy of a letter from the individual's employer
- Evidence that travel is necessary at this time
- Any other evidence to support claims

Travelling on official Government business (including members of the Australian Defence Force (ADF) and any Australian government official travelling on a diplomatic or official passport)

- If the individual is a member of the ADF:
 - A copy of the individual's military order, requiring travel at this time; and
 - A copy of the individual's military identification.
- If the individual is an Australian government official:

- A copy of letter from an official Government source, requiring the individual to travel at this time; and
- A copy of the individual's official or diplomatic passport
- If the individual is an approved companion of a person travelling on official Government business:
 - A copy of a letter from an official Government source; and
 - Evidence the person travelling on official Government business is exempt from travel restrictions.

Individual exemption requests

Has declared an intent to travel overseas for a compelling reason for at least three months

- Employment contracts and evidence goods are being transported;
- Lease or other evidence of longer term living arrangements overseas;
- Confirmed flight itinerary, with return date of least 3 months after departure date;
- Doctor's certificate to support the claim for travelling in order to provide care for sick family members
- Enrolment details for study;
- Confirmation of leave from employment for over 3 months
- Other compelling reason for essential travel;

AND (in all cases)

- Commonwealth Statutory declaration regarding the intended length and purpose of travel.

Note: Every request for this category must be accompanied by a properly completed Commonwealth Statutory declaration, in addition to the above mandatory documentary evidence to substantiate the reason for travel.

Is attending a funeral or travelling due to the serious illness of a close family member (parent, child, sibling, partner or grandparent)

- Proof of relationship such as birth and/or marriage certificates, or any other evidence of relationship; and
- Death certificate or a letter from a medical professional; or
Please note in some instances a death certificate may not be issued for several weeks and a letter from a medical professional should be accepted
- A letter from a medical professional outlining diagnosis and/or prognosis, as appropriate to the circumstances.
- .

Is travelling for necessary medical treatment not available in Australia

- A letter from the treating Doctor outlining the individual's intended treatment and clearly stating that treatment is not available in Australia.

Needs to pick up a minor child (adoption, surrogacy, court order etc.) and return to Australia with that child

- Medical certificates and adoption papers from the State (if available); and / or
- Evidence in the form of a letter from the hospital or from the foreign country's government; and / or
- Proof of relationship such as birth and / or marriage certificates / court order, or any other evidence of relationship.

Intends to complete an existing work contract – for example fly-in-fly-out (FIFO) workers and individuals with a work contract

- Evidence that the individual has an existing work contract for employment outside of Australia;
- Evidence that travel is necessary at this time

Is travelling to an Australian territory which is outside the migration zone

- Travel itinerary showing that the individual has confirmed travel arrangements to an Australian territory outside the migration zone.
- Evidence that travel is necessary at this time

Has another compelling reason for travel where travel is for less than three months

- Evidence that the individual has compelling reason(s) to travel overseas

Is travelling on business regardless of length of intended travel

- Evidence of business meetings/conferences; and / or
- Evidence of involvement in international trade such as purchase orders, non-disclosure agreements, order forms, invoices, legal contracts; and / or
- Business reports, feasibility studies, marketing plans; and / or
- Evidence of development of a new business, such as start-up venture capital; and / or
- Any other evidence that the individual intends to travel outside Australia on business.

Has had a previous request approved and the reasons for travel have not changed

- Evidence that the individual intends to travel outside Australia for the same reason(s) as a previous request, where the reason(s) for travel have not changed including but not limited to one or more of the following:
 - Letter from a medical professional; and / or
 - Employment contract, for example for fly-in-fly-out (FIFO) workers.

Is travelling in the national interest

- Evidence that the individual is required to travel outside Australia for reasons in the national interest of Australia, including but not limited to specialised projects, participation in elite sporting teams representing Australia, relief support for disasters, and emergency service support such as fire or police work.

Is travelling in response to the COVID-19 outbreak, including the provision of aid

- A letter from a government or private entity outlining the requirement for the individual to travel outside of Australia in response to COVID-19;

3.4. Validity of outward travel exemption approvals

Single use travel exemption

Outward travel exemption request approvals will be valid for 3 months from the date of approval. If the travel exemption is not used in this timeframe or the circumstances relating to the approval of the travel exemption change, the individual will need to submit a new exemption request with supporting documentation.

Client notification templates in the Travel Exemption Portal have been updated to reflect this requirement; however, the system does not automatically calculate the dates at this stage, and decision makers will need to manually add the date.

How to calculate the date:

Travel exemptions are valid for 3 calendar months. For example, if you approve the travel request on 9 February 2021 the travel exemption will be valid until 9 May 2021.

s. 22(1)(a)(ii)

Multiple use travel exemption

Individuals who need to leave and return to Australia for reasons within scope of travel exemptions policy, on a regular basis, for example Fly-in Fly-out (FIFO) workers with an ongoing contract, may be eligible for a “multiple use” travel exemption for a period of 6 months; provided the reason for the individual’s travel to and from Australia, remains the same as that provided in the original approved travel exemption request.

For any cases where it may be appropriate to provide a multiple use travel exemption, please contact Travel Exemption Program Management for approval and for tailored communication templates and CAI notes.

3.5. Client communication

The following standard words should be included in requests for information and refusal communication with clients, using the TEP template.

Note: Officers should not request further information if it is likely that the individual will not meet the guidelines, even with provision of additional documentation.

Client Communication – additional script for use when requesting further information

[If you think it appropriate to request specific documentation, please list the requested documents, as per ‘expected supporting document’ here. s. 22(1)(a)(ii)

Exempt Categories

Usually resident in a country other than Australia

- Foreign government issued documentation (for example foreign driver’s licence) and
 - owning or renting property in a foreign country (e.g. utility bills, rates notices, lease agreement);
 - location of immediate family members; and / or
 - employment contract.

Members of the crew of an aircraft or vessel, or a worker associated with the safety or maintenance of an aircraft or vessel

- If the individual is a crew member of an aircraft or vessel;
 - A copy of the individual’s crew identification
 - A copy of a letter from the individual’s employer
 - Evidence that travel is required at this time
 - Any other evidence to support claims
- If the individual is a worker associated with the safety or maintenance of an aircraft or vessel;
 - A copy of a letter from the individual’s employer
 - Evidence that travel is required at this time

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- Any other evidence to support claims

New Zealand citizens holding a Special Category (subclass 444) visa, even if they are usually resident in Australia

- Systems check to confirm the individual is a New Zealand citizen and subclass 444 visa holder

Engaged in the day-to-day conduct of inbound and outbound freight

- A copy of a letter from the individual's employer
- Evidence that travel is necessary at this time
- Any other evidence to support claims

Travelling in association with essential work at an offshore facility in Australian waters

- A copy of a letter from the individual's employer
- Evidence that travel is necessary at this time
- Any other evidence to support claims

Travelling on official Government business (including members of the Australian Defence Force (ADF) and any Australian government official travelling on a diplomatic or official passport)

- If the individual is a member of the ADF:
 - A copy of the individual's military order, requiring travel at this time; and
 - A copy of the individual's military identification.
- If the individual is an Australian government official:
 - A copy of letter from an official Government source, requiring the individual to travel at this time; and
 - A copy of the individual's official or diplomatic passport
- If the individual is an approved companion of a person travelling on official Government business:
 - A copy of a letter from an official Government source; and
 - Evidence the person travelling on official Government business is exempt from travel restrictions.

Individual exemption requests

Has declared an intent to travel overseas for a compelling reason for at least three months

- Employment contract;
- Lease or other evidence of longer term living arrangements overseas
- Evidence your goods are being transported overseas;
- Confirmed flight itinerary, with return date of least 3 months after departure date;
- Doctor's certificate to support the claim for travelling in order to provide care for sick family members;
- Enrolment details for study;
- Confirmation of leave from employment for over 3 months and compelling reason for essential travel;
- Any other evidence you consider supports your intention to travel overseas for at least 3 months

AND (in all cases)

- A Commonwealth Statutory declaration regarding the intended length and purpose of travel.

Note: Every request for this category must be accompanied by a properly completed Commonwealth Statutory Declaration in addition to the above mandatory documentary evidence to substantiate the reason for travel.

Is attending the funeral of or travelling due to serious illness of an immediate family member (parent, child, sibling, partner or grandparent)

- Proof of relationship such as birth and/or marriage certificates, or any other evidence of relationship; and
- Death certificate (or a letter from a medical professional) or
- A letter from a medical professional outlining diagnosis and/or prognosis, as appropriate to the circumstances.

Is travelling for necessary medical treatment not available in Australia

- A letter from the treating Doctor outlining the individual's intended treatment and clearly stating that treatment is not available in Australia.

Needs to pick up a minor child (adoption, surrogacy, court order etc.) and return to Australia with that child

- Medical certificates and adoption papers from the State (if available); and / or
- Evidence in the form of a letter from the hospital or from the foreign country's government; and / or
- Proof of relationship such as birth and / or marriage certificates, or any other evidence of relationship.

Intends to complete an existing work contract – for example fly-in-fly-out (FIFO) workers and individuals with a work contract

- Evidence that the individual has an existing work contract for employment outside of Australia.
- Evidence that travel is necessary at this time

Is travelling to an Australian territory which is outside the migration zone

- Travel itinerary showing that the individual has confirmed travel arrangements to an Australian territory outside the migration zone.

Has another compelling reason for travel where travel is for less than three months

- Evidence that the individual has compelling reason(s) to travel overseas
- Evidence that travel is necessary at this time

Is travelling on business regardless of length of intended travel

- Evidence of business meetings/conferences; and / or
- Evidence of involvement in international trade such as purchase orders, non-disclosure agreements, order forms, invoices, legal contracts; and / or
- Business reports, feasibility studies, marketing plans; and / or
- Evidence of development of a new business, such as start-up venture capital; and / or
- Any other evidence that the individual intends to travel outside Australia on business.

Has had a previous request approved and the reasons for travel have not changed

- Evidence that the individual intends to travel outside Australia for the same reason(s) as a previous request, where the reason(s) for travel have not changed including but not limited to one or more of the following:
 - Letter from a medical professional; and / or

- *Employment contract, for example for fly-in-fly-out (FIFO) workers.*

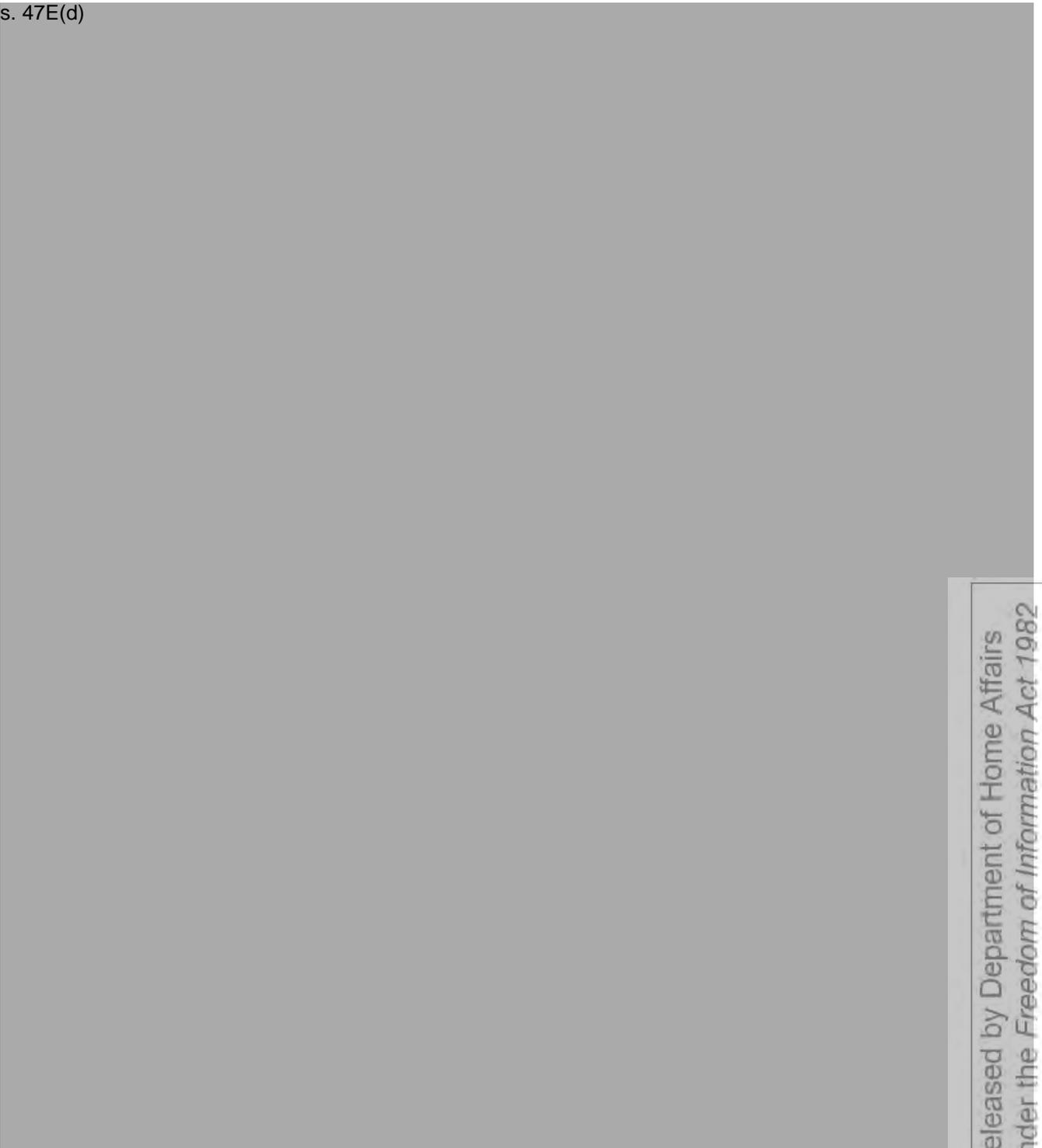
Is travelling in the national interest

- *Evidence that the individual is required to travel outside Australia for reasons in the national interest of Australia, including but not limited to specialised projects, participation in elite sporting teams representing Australia, relief support for disasters, and emergency service support such as fire or police work.*

Is travelling in response to the COVID-19 outbreak, including the provision of aid

- *A letter from a government or private entity outlining the requirement for the individual to travel outside of Australia in response to COVID-19;*

s. 47E(d)



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s. 47E(d)



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4. Accountability and Responsibility

Role	Description
AS Temporary Visas and Border Measures	Document owners are responsible for: approving documents for release
FAS Immigration Programs Division	Document reviewers are responsible for: verifying the need for a document, and reviewing drafts.
Document drafter	Document drafters are responsible for: drafting documents, consulting with stakeholders.

5. Version Control

Version number	Date of issue	Author(s)	Brief description of change
1.0	11 January 2021	Border Measures Program Management	First issue
1.1	12 February 2021	Border Measures Program Management	3m validity for single-use exemptions and expansion on compelling reasons
1.2	25 February 2021	Border Measures Program Management	Minor change to definition of close family and explanation of assessing usually resident in another country.

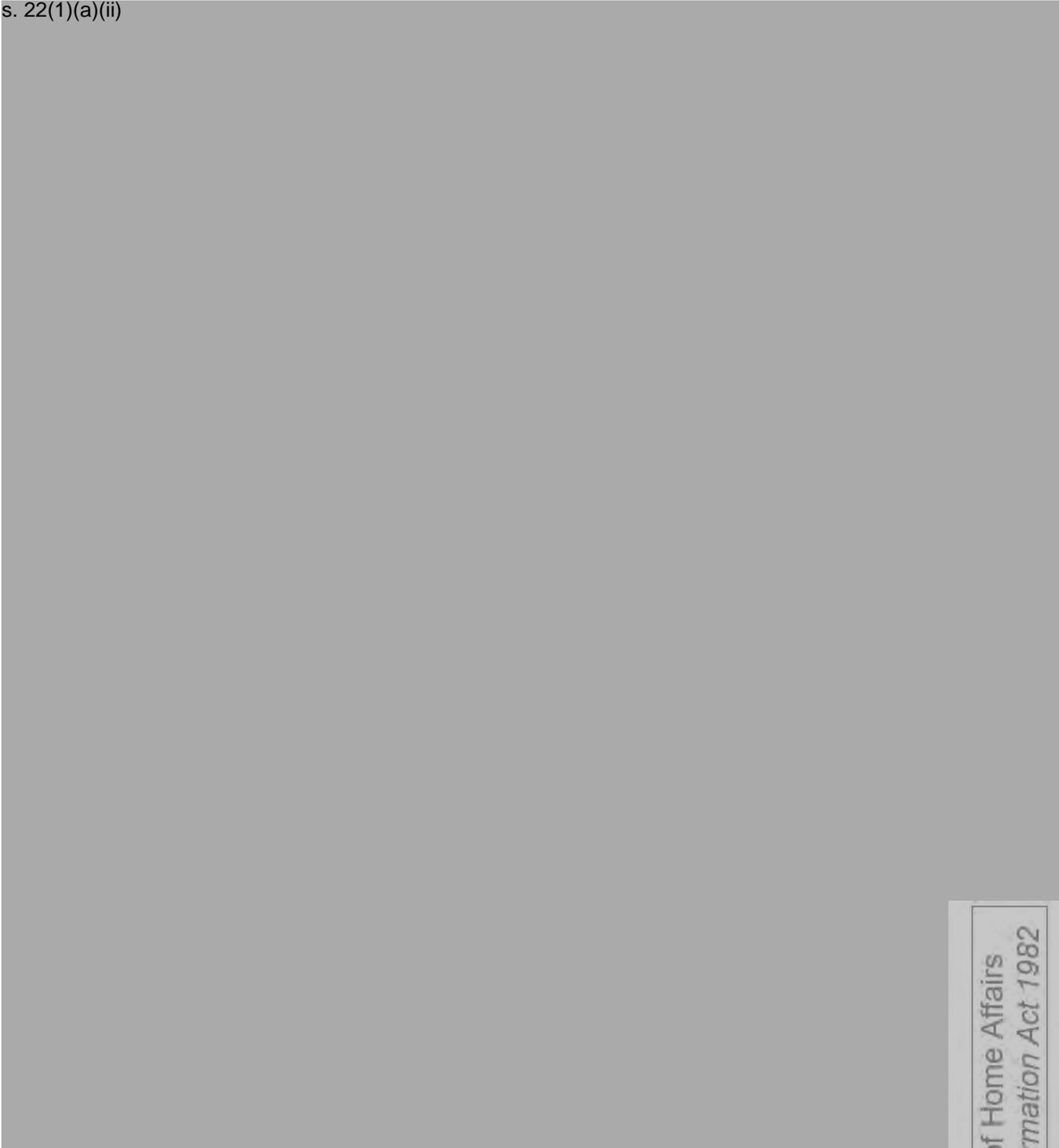
s. 22(1)(a)(ii)

7 Attachment B – Assurance and Control Matrix

1.1. Powers and Obligations

Legislative Provision			Is this a delegable power?	If delegable, list the relevant instruments of delegation
Legislation	Reference (e.g. section)	Provision		
Outbound decision making	subsection 477(1)	<p>Subsection 477(1) of the <i>Biosecurity Act 2015</i></p> <p><i>Biosecurity (Human Biosecurity Emergency) (Human coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020</i></p> <p>Reference: F2020C00870</p>	No	
Inwards decision making	N/A	The ABF Commissioner has been authorised by the Prime Minister to consider exemption requests on a case-by-case basis	N/A	

s. 22(1)(a)(ii)



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s. 22(1)(a)(ii)



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