



Migration (IMMI 18/002: Eligible Passports) Instrument 2018

I, Michael Pezzullo, Secretary of the Department of Home Affairs, make the following instrument.

Dated 24 August

2018

Michael Pezzullo

Michael Pezzullo
Secretary of the Department of Home Affairs

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Part 1—Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 18/002: Eligible Passports) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/002.

2 Commencement

This instrument commences on the day after the instrument is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under section 175A of the Act.

4 Definitions

Note: A number of expression used in this instrument are defined in the Act, including the term *passport*.

In this instrument:

Act means *Migration Act 1958*.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2—Determination of Eligible Passports

6 Eligible passports for section 165 of the Act

Determine that for the purposes of the definition of ‘eligible passport’ in section 165 of the Act, all valid passports are ‘eligible passports’ with the exception of the following specified travel documents:

- (a) travel documents with certain characteristics specified in Schedule 1 to this instrument; and
- (b) travel documents specified in Schedule 2 to this instrument.

Schedule 1 – Travel documents with certain characteristics that are not ‘eligible passports’ for section 165 of the Act

- (1) Group passports (eg. a passport issued to a sporting team) other than a family;
- (2) Travel document or passport which has been damaged, accidentally or otherwise, in such a way that the name, the photograph, the personal details or other important information have been obscured or pages are missing or where it is not possible to confirm conclusively the holder’s identity because of such damage;
- (3) In the case of permanent visas, travel document or passport endorsed by the issuing authority to the effect that it is not valid for migration;
- (4) In the case of temporary visas, travel document or passport which is not endorsed, or is not accompanied by separate evidence of, a right of re-entry to the issuing country or another country;
- (5) Travel document or passport where endorsement of the document would indicate recognition of the issuing authority contrary to Australian Government foreign policy; or
- (6) Travel document or passport issued by an entity which is not recognised by the Australian Government as empowered to issue travel documents.

Schedule 2 – Specified travel documents that are not ‘eligible passports’ for section 165 of the Act

Item	Specified Travel Documents
1	Indigenous/Aboriginal Nation passport
2	Abkhazia and South Ossetia passport and travel documents
3	Royal Albanian passport (issued by the Royal Albanian Government in exile)
4	‘British Dependent Territories Citizen’ passport titled ‘United Kingdom of Great Britain and Northern Ireland’ without reference to the European Union (EU) (except where the passport contains a certificate or wet stamp stating that the bearer has indefinite leave to remain in the United Kingdom or the passport is endorsed with a right of re-entry to the country of issue or another country)
5	‘British Overseas Citizen’ passport titled ‘United Kingdom of Great Britain and Northern Ireland’ without reference to the European Union (EU) (except where the passport contains a certificate or wet stamp stating that the bearer has indefinite leave to remain in the United Kingdom or the passport is endorsed with a right of re-entry to the country of issue or another country)
6	Kingdom of Cambodia normal series passport with concertina pages purporting to be additions and extensions
7	Principality of Castellania passport
8	Cook Islands Certificate of Identity
9	Democratic Republic of the Congo (formerly known as Zaire) 36 page Passport with soft/supple dark green cover in smooth cardboard "carton" bearing the words "Republique du Zaire" with a passport number starting Z
10	Democratic Republic of the Congo diplomatic and service 32 page Passport with soft/supple dark green cover in smooth cardboard ‘carton’ bearing the words "Republique du Zaire" with a passport number starting Z
11	German Democratic Republic (GDR) passport and travel documents
12	Hong Kong Certificate of Residence
13	Hutt River Province passport (issued by Leonard Casley, a.k.a. Prince Leonard)
14	International Parliament for Safety and Peace Identity Card (incorporated in the United States)
15	Indonesian Travel Document in Lieu of a Passport [Surat Perjalanan Laksana Paspor] with a red cover

Item	Specified Travel Documents
16	Indonesian Passport for Aliens [Paspor Untuk Orang Asing]
17	International Red Cross Travel Certificate
18	Knights of Malta passport
19	Portuguese Alien's Passport issued by the former Portuguese administration in Macau
20	Maori Kingdom of Tetiti travel documents
21	Nagorny-Karabakh travel documents
22	Planetary Passport issued by the World Association of World Federalists
23	Principality of Seborga passport
24	Principality of Sealand passport
25	Somali passport and travel documents
26	Taiwan Official/Diplomatic travel documents
27	Taiwanese “compatriot” documents (except where the passport holder has evidence of a separate right of re-entry into the issuing country or another country)
28	Tongan National Passports (except where the bearer has satisfactory evidence of Tongan nationality)
29	Tongan Protected Persons Passport
30	Turkish-Cypriot travel documents and passports issued by the Turkish Republic of Northern Cyprus.
31	‘United Kingdom of Great Britain and Northern Ireland’ passport without reference to the European Union (EU) containing, usually on page 5, the notation "the holder is subject to control under the Immigrant Act 1971" (except where the passport contains a certificate or wet stamp stating that the bearer has indefinite leave to remain in the United Kingdom or the passport is endorsed with a right of re-entry to the country of issue or another country)
32	World Service Authority Passport
33	World Passport (Provincial World Government document issued by the United World Service Authority 270 Park Avenue, New York)

Schedule 3 — Repeals

IMMI 14/079 (F2014L01165): Eligible Passports Instrument 2014

1 The whole of the instrument

Repeal the instrument.