

**Agenda Item 3: General revision of Annex 9 – Chapters 2 and 3**

3.4 The Panel next considered WP/5 and WP/5, Corrigendum, presented by the Secretary.

3.4.1 During the course of its discussions on these papers, the Panel agreed that:

a) paragraph 3.4 should be deleted and replaced with the following:

“Contracting States shall not require visitors travelling by air, rightfully holding valid passports recognized by the receiving State and holding valid visas, where appropriate, to present any other document of identity”; and

b) the Note to paragraph 3.4 should be retained, but re-drafted, as follows:

*“Note. – It is not the intent of the above provision to discourage Contracting States who wish to be more liberal from accepting other official documents of identity for travel purposes, such as national identity cards and alien resident cards.”*

3.5 The Panel noted the information contained in WP/21, presented by the Member from Argentina.

3.6 The Panel then considered WP/11, presented by the Secretary.

3.6.1 During its discussions on WP/11, the Panel agreed that:

a) Appendix 5 be updated, as indicated in the Attachment to the working paper; and

b) existing Recommended Practice 3.9, be retained and combined with the draft Recommended Practice proposed in paragraph 4, sub-paragraph c) of the working paper, with slight modifications. The revised Recommended Practice would read:

**“Recommended Practice–** *Contracting States should not require either from visitors travelling by air, or from operators on their behalf, identification information in writing supplementary to or repeating that already presented in their identity documents. Where the collection of such information is required, Contracting States should develop systems for the electronic capture of this information from machine readable travel documents or other sources.”*

3.7 The Panel next considered WP/6, presented by the Secretary.

3.7.1 During its discussions on this paper, the Panel agreed that:

a) paragraph 3.32 and Note should be deleted, and replaced by the entire text suggested in WP/17, presented by Australia, but only after the clause “to the time he presents

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at the gate for boarding” had been deleted, and the phrase “exit control measures”, in the Note, had been replaced with the phrase “outbound border control measures”;

- b) paragraph 3.34, should be deleted and the existing text of paragraph 3.34 of Annex 9, excluding the Note to 3.34, be retained, but modified as follows:

“Contracting States shall not normally require the presentation for border control inspection of baggage of passengers departing from their territory.”;

- c) paragraph 3.35 should be amended, as recommended in WP/6;
- d) paragraph 3.36 should be amended, as recommended in WP/6;
- e) paragraph 3.14 should be deleted; and
- f) paragraph 3.37 should be retained as a Recommended Practice, the word “should” be retained and words “in cooperation with airport authorities” inserted between the word “should” and “adopt”, after deleting the word “shall.”
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## PROPOSED TEXT FOR FIRST PART OF CHAPTER 3

### CHAPTER 3. ENTRY AND DEPARTURE OF PERSONS AND THEIR BAGGAGE

#### A. General principles

3.1 In order to facilitate and expedite the clearance of persons entering or departing by air, Contracting States shall adopt border control regulations appropriate to the air transport environment and shall apply them in such a manner as to prevent unnecessary delays.

3.2 In developing procedures aimed at the efficient application of border controls on passengers and crew, Contracting States shall take into account the application of aviation security or narcotics control measures, where appropriate.

*Note.— With respect to application of aviation security measures, attention is drawn to Annex 17 and to the ICAO Security Manual.*

#### B. Documents required for travel

3.3 No documents other than those provided for in this Chapter shall be required by Contracting States for the entry into and departure from their territories of visitors.

#### ~~B. Entry requirements and procedures~~

##### ~~I. Passenger identity documents~~

3.4 Contracting States shall not require from visitors travelling by air, **rightfully holding valid passports recognized by the receiving State and holding valid visas, where appropriate, to present any other document of identity than a valid passport.**

*Note.— It is not the intent of the above provision to discourage Contracting States, who wish to be more liberal, from accepting official documents of identity for travel purposes, such as expired passports, national registration identity cards, seafarers' identity documents, and alien resident permits and crew member certificates in lieu of a valid passport cards.*

3.6 In cases where a visitor holds a valid passport and no visa is required of him (cf. 3.7 below), Contracting States shall not require him to obtain any other identity document from their consulates or from operators prior to the commencement of his flight.

*Note.— It is the intention of this provision that the visitors referred to should be admitted upon arrival without having to furnish any other document except, if required, a Disembarkation Card (cf. 3.10 and 3.10.1 below) and, if required, a Certificate of Vaccination or Revaccination (cf. 3.11 below).*

~~3.5.1, 3.8.1, 3.23.1~~

~~3.5~~ **Recommended practice.** – *When issuing passports, visas or other identity documents accepted for travel purposes, contracting State should issue these in machine readable form, as specified in Doc 9303 (series), Machine Readable Travel Documents.*

~~3.5.10~~ **Recommended Practice.** – *Contracting States should endeavour, where practicable, to promote the use of internationally standardized formats for biometric and digitized photographic data which identify the authentic holder of the document in which these data are recorded.*

### C. Passports

~~3.4.1, 3.5.2~~

~~3.6~~ When issuing passports which are not machine readable, contracting States shall conform the personal identification and document issuance data and the format of the data page to the specifications for the “visual zone” set forth in Doc 9303, Part 1, *Machine Readable Passports*. The “machine readable zone” area shall be filled with words such as “this passport is not machine readable” or other data to preclude fraudulent insertion of machine readable characters.

~~3.7~~ Contracting States which use bar codes or other optional machine readable technologies for the representation of personal data in passports shall make provision whereby the encoded data may be revealed to the holder of the document upon request.

~~3.5.3~~~~3.8~~ **Recommended Practice.** – *Contracting States should establish publicly accessible facilities for the receipt of passport applications and/or for the issuance of passports.*

~~3.5, 3.5.5~~

~~3.9~~ Contracting States shall establish transparent application procedures for the issuance, renewal or replacement of passports and shall make information describing their requirements available to prospective applicants upon request.

~~3.5.6~~~~3.9.1~~ **Recommended Practice.** – *If any fee is charged for the issue or renewal of a passport, the amount of such fee should not exceed the cost of the operation.*

~~3.10~~ Contracting States shall issue a separate passport to each person, regardless of age.

~~3.5.4~~~~3.11~~ **Recommended Practice.** – *When issuing or reissuing passports for tourism or business travel, contracting States should normally provide that such passports be valid for a period of at least five years, for an unlimited number of journeys and for travel to all States and territories.*

*Note 1. – Specifications for machine readable passports (Doc 9303, Part 1) do not permit alteration of the data in the machine readable zone, including the expiration date. Therefore it is not practicable to extend the validity of a machine readable passport.*

*Note 2. – In consideration of the limited durability of documents and the changing appearance of the passport holder over time, a validity period of not more than ten years is recommended.*

#### D. Exit visas

~~3.32~~3.12 Contracting States shall not require exit visas from their own nationals or residents wishing to tour abroad nor from visitors at the end of their stay.

~~3.32.1~~3.13 **Recommended Practice.**– *Contracting States should not require exit visas from their resident aliens wishing to tour abroad.*

#### E. Entry/re-entry visas

~~3.7~~3.14 **Recommended Practice.**– *Contracting States should waive or abolish the requirement of an entry visa for nationals of a maximum number of States, seeking entry as visitors.*

~~3.8.5~~3.15 Contracting States shall not require visas for re-entry from their own nationals.

~~3.8.6~~3.16 **Recommended Practice.**– *Contracting States should not require visas for re-entry from their resident aliens who have hold lawful residence permits permanent residence status.*

~~3.8.2~~3.17 Contracting States shall ~~simplify the documentary requirements and other formalities for the issue of entrance~~ establish simple and transparent application procedures for the issuance of entry visas for prospective visitors, and shall ensure that applications for such visas are issued acted upon as quickly as possible after receipt. Visa issuance procedures of the application and shall not normally require the applicant to make a personal appearance at a consulate the issuing office.

~~3.8.3~~3.18 ~~Entrance visas for visitors shall normally be made valid for~~ When issuing entry visas to prospective visitors, Contracting States shall normally provide that such visas be valid for entry use within a period of at least twelve six months from the date of issue regardless of the number of entries into the State concerned and with the understanding that the duration of each stay may be limited. However, the State concerned may require that the length of validity of the visa does not exceed the length of validity of the passport or other identity document in which such visa is inserted.

~~3.8~~3.19 Contracting States shall make provision for the issuance of entry visas to prospective visitors without charge on the basis of reciprocity or other arrangements.

~~3.8.7~~3.20 **Recommended Practice.**– *When issuing visas which are not machine readable, Contracting States should conform the personal and issuance data in such documents to the specifications for the visual zone of the machine readable visa, as set forth in Doc 9303, Part 2– Machine Readable Visas.*

*Note.*– *Provided they adhere to the prescribed format, these entry clearances or visas can be in the form of a stick-in label or a stamp or other imprint.*

#### F. Embarkation/Disembarkation cards

~~3.9~~3.20a **Recommended Practice.**– *Contracting States should not require either from visitors travelling by air, or from operators on their behalf, any identification information in writing*

*supplementary to or repeating that already presented in their identity documents. Where the collection of such information is required, Contracting States should develop systems for the electronic capture of this information from machine readable travel documents or other sources.*

~~3.9~~ **Recommended Practice.** ~~Contracting States should not require either from visitors travelling by air, or from operators on their behalf, any information in writing supplementary to or repeating that already presented in their identity documents.~~

~~3.10~~ **3.21** A Contracting State which continues to requires a written supplementary information report of personal data from visitors travelling arriving or departing by air shall limit its information requirements to the items and shall follow the format those set forth in Appendix 5 – Embarkation/Disembarkation Card.

~~3.10.1~~ **3.22** Contracting States, when requiring Embarkation/Disembarkation Cards, shall accept their completion by visitors and shall not require them to be completed or checked by the operator. Legible handwritten script shall be accepted on the cards, except where the form specifies block lettering.

~~3.10.2~~ **3.23** Contracting States which require the presentation of Embarkation/Disembarkation Cards shall provide them to airline operators or their agents without at no charge, for distribution to departing passengers prior to embarkation or to arriving passengers during the flight.

## G. Certificates of vaccination

~~3.11~~ **3.24** In cases where evidence of protection against yellow fever a quarantinable disease is required, from persons travelling by air, Contracting States shall accept the International Certificate of Vaccination or Revaccination in the form set out prescribed by the World Health Organization in Appendix 2 of the International Health Regulations (1969).

~~3.37~~ **Recommended Practice.** *The practice of entering names on passenger and crew documents should be to put the surname or surnames first. Where both paternal and maternal surnames are used, the paternal surname should be placed first. Where for married females both the husband's and the wife's paternal surnames are used, the husband's paternal surname should be placed first.*

## H. Departure procedures

~~3.35~~ **3.30** Contracting States shall not require income-tax clearance certificates from visitors.

~~3.36~~ **3.31** Contracting States shall not hold the operator responsible for any payment arising from liable in the event of the non-payment of income taxes by any passenger.

~~6.16~~ **3.32** **Recommended Practice.** *Contracting States in cooperation with operators and airport authorities should ensure that departure formalities are completed as soon as possible and should establish as a goal, as far as is practicable, a total time period of 60 minutes for the completion of required departure formalities for all passengers requiring not more than normal inspection on international air transport services, processing, calculated from the time of the passenger's presenting himself at the first processing point at the airport (i.e. airline check-in, security control point or other required control point depending on arrangements at the individual airports) to the scheduled time of his flight departure time he is cleared by the operator to board the departing aircraft. , noting that at all times security measures must be fully*

~~carried out. In cases where the actual time period required for the completion of these formalities significantly exceeds the goal, airport authorities, passenger service providers and government control authorities should consult with the air transport operators concerned, with a view to adopting the measures necessary to achieve this goal.~~

~~————— Note. —“Required departure formalities” to be completed during the recommended 60 minutes would include airline check-in, aviation security measures, boarding gate control and, where applicable, airport tax collection and exit control measures.~~

**3.32 Recommended Practice.** – ~~Contracting States in cooperation with operators and airport authorities should establish as a goal a total time period of 60 minutes in aggregate for the completion of required departure formalities for all passengers requiring not more than normal processing, calculated from the time of the passenger’s presenting himself at the first processing point at the airport (i.e. airline check-in, security control point or other required control point depending on arrangements at the individual airports) to the time he presents at the gate for boarding.~~

~~Note. – “Required departure formalities” to be completed during the recommended 60 minutes would include airline check-in, aviation security measures and, where applicable, airport tax collection and exit control measures outbound border control measures.~~

**3.33** Contracting States which require inspection by the public authorities of the travel documents of departing passengers shall use applicable technology and adopt a multi-channel inspection system in order to expedite such inspections.

**3.34** ~~Contracting States which require the presentation for customs inspection of baggage accompanying departing persons shall conduct such inspections selectively for the purposes of narcotics control or specific controls on prohibited or restricted goods.~~ Contracting States shall not normally require the presentation, ~~for border control inspection,~~ of baggage of passengers departing from their territory, ~~except for aviation security measures or in special circumstances.~~

~~Note. —This provision is not intended to prevent the application of appropriate narcotics control measures and specific customs control where required.~~

## **I. Entry procedures**

~~6.29~~**3.35 Recommended Practice.** – ~~Contracting States in cooperation with operators and airport authorities should establish as a goal the clearance within forty-five (45) minutes of disembarkation from the aircraft of all passengers requiring not more than the normal inspection at major international airports, regardless of aircraft size and scheduled arrival time.~~

~~3.13~~**3.36** Except in special circumstances, Contracting States shall not require that **passports, official travel documents or other** identity documents be collected from passengers or crew before they arrive at the passport control points.

~~3.14~~ ————— In giving effect to 3.2, Contracting States shall ensure that examination by clearance control officials is performed as expeditiously as possible.

~~3.14.1~~ **3.37 Recommended Practice.** – Contracting States should **in cooperation with airport authorities shall** adopt a multi-channel immigration inspection system at international airports where **the volume of** passenger traffic justifies its installation and **shall use applicable technology where this may in order to** expedite clearance procedures **inspections**.

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