



Australian Government

Department of Foreign Affairs and Trade

CONSULAR SERVICES CHARTER



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CONSULAR SERVICES CHARTER

Through headquarters in Canberra and a network of overseas offices, the Department of Foreign Affairs and Trade (DFAT) provides assistance to Australians and Australian permanent residents overseas. The Consular Services Charter signifies our commitment to providing effective, prompt and courteous consular services delivered in an equitable way to all Australian citizens.

Our aim is to meet the needs of our consular clients and their families in Australia to the maximum extent possible within international rules governing consular work.

This Charter was written in consultation with our clients and staff. DFAT monitors performance regularly under this Charter and reviews its provisions periodically. We welcome feedback on the Charter and our services.

HOW DO WE HELP YOU?

DFAT provides consular services to Australians through our headquarters in Canberra and through 170 Australian embassies, high commissions and consulates (overseas posts) established in many, though not all, countries. We help Australians in trouble and produce travel advice to help Australians avoid difficulties overseas. We also provide limited legal processes, called notarial services, these include:

- witnessing and authenticating documents
- administering oaths and affirmations
- witnessing Statutory Declarations
- assisting in the taking of evidence and service of documents abroad.

For these services consular fees apply.

Not all countries have an Australian diplomatic or consular post. However, there is usually an Australian post in the region. Most Australian posts are located in capital cities (e.g. London and Washington), however some are in regional centres (e.g. Shanghai and Los Angeles). At a number of locations consulates are headed by honorary consuls, who provide limited consular services on behalf of the Australian Government.

In some countries where there is no Australian overseas post, there are formal arrangements between Australia and Canada for consular assistance to be provided to Australians by Canadian embassies, high commissions and consulates. Informal arrangements also exist with other consular services including those of the United Kingdom and United States to provide consular assistance to Australians in need.

Address and telephone numbers of Australian embassies, high commissions and consulates can be found in local telephone directories, hotels, tourist offices or police stations in the country concerned. For consular assistance you can contact the relevant overseas post. Contact details are available at **www.dfat.gov.au/missions/index.html**.

A directory of Australian overseas posts and Canadian posts that assist Australians appears in the Travel Smart: hints for Australian travellers booklet. This booklet is issued free with your passport. To obtain and/or download a copy go to **smartraveller.gov.au**.

24-HOUR CONSULAR ASSISTANCE

DFAT's 24-hour Consular Emergency Centre (CEC) in Canberra provides emergency consular services all day, every day, right around the world. Many Australian travellers can be automatically connected to the CEC or given a reverse-charge number to call, simply by telephoning the Australian embassy, high commission or consulate in the country they are visiting.

In a consular emergency if you are unable to contact the Australian embassy, high commission or consulate you can contact the CEC from anywhere in the world on +61 2 6261 3305.

The CEC is also an advisory line for concerned family members in Australia and can be called on **1300 555 135** (for the cost of a local call within Australia).

HOW CAN YOU HELP US TO HELP YOU?

Many problems encountered overseas can be avoided if some simple precautions are taken. Follow our Top 10 travel tips to be well on your way to having a hassle-free journey.

1. Check the latest **travel advice** for your destination at ***smartraveller.gov.au*** before you go. Subscribe to receive free email notification each time the travel advice is updated.
2. Take out **travel insurance** to cover hospital treatment, medical evacuation and any activities, like adventure sports, in which you plan to participate.

3. Before travelling overseas **register** your travel and contact details online at **smartraveller.gov.au** or at the local Australian embassy, high commission or consulate once you arrive so we can contact you in an emergency.
4. **Obey the law** of the country you're visiting. Don't expect to be treated differently to the locals just because you're Australian, even if local laws appear harsh or unfair by Australian standards.
5. Make sure you have the right **visas** for the countries you are visiting or transiting. Remember: a visa doesn't guarantee entry. Visa, customs and quarantine conditions change regularly.
6. **Make copies** of your passport details, insurance policy, travellers' cheques, visas and credit card numbers. Carry one copy in a separate place to the originals and leave a copy with someone at home.
7. Consult your doctor on any recommended **vaccinations** and the necessary health precautions to take. Also find out about taking medication overseas – certain medicines aren't allowed in some countries.
8. Make sure your **passport** has a minimum six months validity. Carry extra passport photos just in case your passport is lost or stolen and you need to replace it while away.
9. Keep in **contact** with friends and family back home and give them a copy of your itinerary so they know where you are.
10. Check to see if you're regarded as a national of the country you plan to visit, and whether **dual nationality** will have any implications for your travel plans.

CONSULAR SERVICES

There are legal limits to what we can do on your behalf.

DFAT seeks to extend to all its citizens, including dual nationals, the full range of consular assistance.

However, under international law, countries are not obliged to recognise dual nationality.

- A country may not permit Australian consular assistance to be given to Australian citizens who, according to its laws, it considers and treats as its own nationals.
- Or, a person might not be regarded as being an Australian if that person is not travelling on their Australian passport, which may also limit the provision of consular assistance.

While we will always try to assist to the greatest extent possible, under such circumstances the extent to which we are able to help you will typically be determined by the host government.

When you are overseas, be aware that local laws and penalties, do apply to you.

**Consular assistance
cannot override local laws,
even where local laws may appear
harsh or unjust by Australian standards.**

WHAT WE CAN DO TO HELP AUSTRALIANS OVERSEAS:

- help during crises, such as civil unrest and natural disasters
- issue passports (applicant must provide relevant documentation and comply with procedures required by law), including emergency passports*
- provide advice and support in the case of an accident, serious illness or death, or if an Australian is a victim of a serious crime, and arrange for next-of-kin to be informed (if they wish)
- visit or contact Australians who are arrested and arrange for their family to be informed (if they wish)
- contact relatives and friends on an Australian's behalf and ask them to assist with money or tickets
- provide some limited financial assistance in real emergencies (subject to very strict criteria) to Australians in need*
- provide information on a government scheme under which eligible Australians can apply for financial assistance in limited circumstances to help with legal costs overseas*
- witness and authenticate signatures and provide certain other notarial services
- provide a list of local doctors, lawyers and, if available, interpreters
- provide the latest consular travel advisories, which include up-to-date information about the risks Australians might face overseas
- provide voting facilities for federal and some state and territory elections.

Consulates headed by an honorary consul provide only some of the above services.

*We **CANNOT** provide this support to other countries' nationals, even if they may have been lawfully living in Australia.

WHAT WE CANNOT DO TO HELP AUSTRALIANS OVERSEAS:

- give legal advice, investigate crimes overseas or intervene in court proceedings
- get Australians out of prison or obtain special treatment for Australians in prison
- provide medical services or medications
- arrange visas, work or residence permits for other countries, or help Australians to obtain them
- provide definitive information on visas, customs and quarantine conditions overseas – only the countries you plan to visit can provide up-to-date information about their requirements
- pay or guarantee payment of hotel, medical or any other bills, including the cost of returning lost luggage to Australia
- act as a travel agent, bank or post office, or store luggage
- become involved in commercial disputes, private legal matters or take up complaints about local purchases
- provide translation, interpreter, telephone or photocopy services
- pay pensions (although we can provide you with contact details of government authorities in Australia to help you to resolve payment difficulties)
- provide physical protection.

We **CAN** advise you how to get help on these and other matters.

TRAVEL ADVICE

ADVISING AUSTRALIANS ABOUT RISKS OVERSEAS

To help Australians avoid difficulties overseas, DFAT maintains travel advisories for more than 160 destinations. The advisories provide accurate, up-to-date information about the risks Australians might face overseas, enabling you to make well-informed decisions about whether, when and where to travel. If you are living or travelling overseas we recommend that you subscribe to receive free automatic email notification each time the travel advice for your selected destination/s is updated. That way you can ensure that you have the latest information.

Our travel advisories are just that: advice. They are not warnings. In addition to information about security, they provide useful, practical tips on travelling such as health, visa and local laws information. In issuing travel advice we do not 'single out' countries. Rather, we maintain a travel advice on most countries that are popular destinations for Australians in all regions of the world.

We do not and cannot make decisions for you about whether, when or where you should travel. Our travel advisories aim to help you make your own well-informed travel decisions. Our advice is not mandatory.

Travel advice, like online registration of your travel details and travel insurance, are tools to help you avoid difficulties while travelling. The information in our travel advice is as current as we can possibly make it. Travel advisories are kept under constant review but as a matter of course every travel advice is reissued and reassessed every quarter. If developments in a country require more regular updates we will respond through the travel advice. Accordingly, we encourage Australians not only to read the DFAT's travel advice before they leave, but also to monitor it carefully while travelling.

Where we advise you ‘not to travel’ or to ‘reconsider your need to travel’, you may wish to review carefully your travel plans. Before cancelling, check with your travel agent, your travel insurer or the airline/tour operator, as cancelling a scheduled trip may cost you money. The decision to travel is the sole responsibility of the individual.

Australians are also responsible for their own personal safety. The purpose of travel advice is to provide Australians with up-to-date information to enable them to make well-informed decisions.

HOW TO ACCESS THE LATEST TRAVEL ADVICE

- All travel advisories are available online at smartraveller.gov.au. Subscribe to receive free email notification at smartraveller.gov.au each time the advice is updated.
- Listen to the recorded message. Call 1300 139 281 (local call cost within Australia).
- Write to the
Consular Policy Branch
Department of Foreign Affairs and Trade
R. G. Casey Building
John McEwen Crescent
BARTON ACT 0221 Australia

HOW QUICKLY CAN WE RESPOND?

The DFAT's 24-hour Consular Emergency Centre provides emergency consular assistance to all Australians. Regardless of the problem or its complexity, we will do whatever we can to assist you in the shortest possible time.

For some problems we can quickly provide information, advice or guidance, while for more complex problems ongoing consular assistance will be provided from an allocated case worker over an extended period.

Overseas consular officers provide assistance to Australian travellers within the legal and administrative processes of the country in which they are located. Australians need to be aware that in some countries, local bureaucratic or legal processes may be slow by Australian standards.

YOUR RIGHTS – OUR COMMITMENT

OUR COMMITMENT TO HIGH-QUALITY CLIENT SERVICE

We undertake to deal with you fairly, honestly, equitably and courteously. We will provide you with all available relevant information that we obtain about your case – if through doing so we do not violate the rights of anyone else whose interests we may also have a duty to protect.

We also expect you to deal with us fairly, honestly and courteously and provide us with all relevant information about your case to enable us to help you.

In cases where we are not able to assist you, we will always try to explain fully to you the reasons why. If we cannot help you, we will do our best to advise where you can obtain the assistance you are seeking.

We are committed to providing an effective, prompt and courteous consular service to all Australian citizens and Australian permanent residents. We will do all we can to help for as long as our help is necessary, including, in relation to emergency consular matters, after hours, weekends and public holidays.

Our consular staff include trained and dedicated people from many ethnic backgrounds, including nationals of the countries in which you are travelling. You can be confident that staff dealing with your problem or providing you with assistance have the skills and experience required to carry out those tasks effectively.

Many Australian posts overseas include staff from other government departments including Austrade, the Australian Federal Police, the Department of Defence and the Department of Immigration and Citizenship. While these officers will also try to assist in certain circumstances, they may not be trained as consular officers.

It is the responsibility of individual travellers to make informed travel choices. The Australian Government takes very seriously its consular responsibility to ensure Australians overseas are aware of the safety and security environment of their destinations. As situations vary from country to country, there may be constraints, which can limit the ability of the department to provide consular assistance, particularly in countries where the potential for violent conflict or political instability is high.

YOUR PRIVACY

You have a right to privacy and a right to be provided with all available information relevant to your case. We will respect your right to privacy in accordance with Australian privacy legislation.

In the event you need the help of consular officials while overseas, you should be aware that your rights to privacy are protected by the Privacy Act 1988. In accordance with this Act, information about you cannot be disclosed, even to your immediate family or friends, except in certain circumstances such as when you provide your consent.

The Department of Foreign Affairs and Trade (DFAT) has been granted a waiver under the Privacy Act that permits personal information to be disclosed in certain limited circumstances. These include serious threats to someone's health or life, where there are humanitarian reasons, in a crisis situation, or to confirm, correct or clarify media reports that an Australian citizen has been arrested or imprisoned overseas. The waiver is rarely used. The full text of the Privacy Commissioner's limited waiver affecting consular work can be found at [smartraveller.gov.au](https://www.smartraveller.gov.au).

WE WELCOME YOUR FEEDBACK

DFAT values your comments on the consular assistance we provide. They keep us informed on what we are doing right and how we can further improve to provide you with the highest-quality consular services.

We take all complaints seriously and treat all complaints with impartiality and confidentiality.

Sharing your experiences may help Australians to avoid difficulties overseas and appreciate what level of assistance can be provided by Australian consular officers.

DFAT may, as part of the Smartraveller campaign, use or disclose details of your situation to improve and promote awareness of consular services available to Australians overseas. These details may also be used in DFAT's representations to other governments on your behalf. If you consent to the use of your details in these ways, please select the 'I consent' button on the Consular Feedback Form. Your name may be changed to protect your identity.

To submit feedback on the consular assistance you have received:

- complete the online feedback form at smartraveller.gov.au
- send an email to consular.feedback@dfat.gov.au
- write to:
Assistant Secretary
Consular Policy Branch
Department of Foreign Affairs and Trade
R. G. Casey Building
BARTON ACT 0221
Australia
- send a fax to:
02 6261 3336 (within Australia)
+61 2 6261 3336 (from overseas)

Please do not use these numbers or the e-mail address above for queries relating to travel advice. We do not have any further information to that included in the travel advice published on the Internet.

DFAT will take your complaint seriously and we will investigate and respond with a full reply within 10 working days from the date of receipt in Canberra. If we cannot give you a full reply within this timeframe, we will advise you when we expect to do so and keep you informed with a progress report. Please ensure you provide us with your complete contact details to allow us to respond.

If you are dissatisfied with the response you receive from DFAT, you can contact the Commonwealth Ombudsman's Office in Australia. The office contact details are:

- phone: 1300 362 072
- email: ***ombudsman@ombudsman.gov.au***
- website: ***www.ombudsman.gov.au***

CONSULAR SERVICES BROCHURES

DFAT has prepared a range of brochures for Australians planning to travel overseas:

- *Backpacking overseas*
- *Living and working overseas*
- *Travelling dual nationals*
- *Travelling parents*
- *Travelling seniors*
- *Travelling well*
- *Travelling women*
- *Travel Smart: hints for Australian travellers (also issued free with your passport)*
- *Consular Services Charter*
- *Arrested or jailed overseas*
- *Death overseas*
- *Missing overseas*
- *Sexual assault overseas*

The brochures *Travelling well*, *Travelling seniors* and *Travelling dual nationals* are also available in Arabic, Chinese, Greek, Italian, Spanish and Vietnamese online at ***smartraveller.gov.au***.

Copies of these brochures are available at DFAT state and territory offices, Australian Passport Offices, overseas posts and selected travel agents. They can be read and ordered in hard copy online at smartraveller.gov.au.



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- 1** Take out **travel insurance** to cover hospital treatment, medical evacuation and any activities in which you plan to participate.
- 2** Before travelling overseas **register** your travel and contact details online at **smartraveller.gov.au** or at the local Australian embassy, high commission or consulate once you arrive so we can contact you in an emergency.
- 3** Check the latest **travel advice** for your destination at **smartraveller.gov.au** before you go. **Subscribe** to receive free email notification each time the advice is updated.

While every care has been taken in preparing this brochure, neither the Australian Government nor its agents or employees, including any member of Australia's diplomatic and consular staff abroad, can accept liability for any injury, loss or damage arising in respect of any statement contained herein.

Consular Policy Branch
Department of Foreign Affairs and Trade
R.G. Casey Building
John McEwen Crescent
BARTON ACT 0221
Tel (02) 6261 3305; 1300 555 135

Information for travellers and travel advisories are available at **smartraveller.gov.au**.

March 2010