47th National Advisory Facilitation Committee Adelaide, 17 March 2000

AGENDA ITEM 9: Australian differences to ICAO Annex 9, Amendment 17

BACKGROUND

The Convention on International Civil Aviation (the Chicago Convention, 1944), provides for Standards and Recommended Practices (SARPs) to be adopted by ICAO. These SARPs are set out in a series of 18 Annexes to the convention and are updated from time to time by ICAO. Annex 9 relates to SARPs for the facilitation of aircraft, passengers and cargo through customs, immigration and quarantine.

Under the Chicago Convention, Contracting States are under an obligation to notify ICAO of any differences between national regulations and practices, and the standards. Australia aims to minimise any differences between ICAO standards and its own policies and practices for the facilitation of passengers and cargo through airports.

A recommended practice does not carry the same weight as a standard. They are specifications regarded as being desirable and practicable. In general, they are included in an Annex where it is judged that many States would find it difficult to observe a standard or as a phasing-in operation to the adoption of a fully developed standard in the future. It has been Australian policy to conform to recommended practices wherever possible and to notify any differences.

Annex 9 also includes attachments comprising material supplementary to the SARPs or included as a guide to their application.

ISSUES

Current Australian Differences

After an extensive review process, Australia lodged advice of 29 differences (to both standards and recommended practices) to Annex 9 on 13 August 1997. Subsequently, Amendment 17 to Annex 9 came in to effect (30/4/99). Australia did not lodge any differences in respect of that amendment but, as ICAO processes require a State to advise of differences to an Annex <u>as amended</u>, it is necessary for Australia to review its previous notification.

The differences lodged by Australia against the SARPs are shown in Attachment A. Both the text of the relevant SARP and the details of the difference are shown.

Annex 9 is issued by ICAO as a saleable document, but we have been able to obtain an electronic version from ICAO on the understanding that it be used solely for official purposes and not widely distributed. If members feel they have need for this document, they should contact Brendan Pigott.

ICAO criteria for assessing differences

To assist FAL members in assessing whether or not a difference exists, the ICAO criteria should be used. A difference exists where a Contracting State:

- a. provides less facilities than specified in Annex 9, Amendment 17; or
- b. imposes an obligation different in character* from that contained in Annex 9, Amendment 17.
- * Different in character refers to a national law or regulation that achieves by other means the same objective as that of the corresponding ICAO provision and so cannot be classified under a).

Other considerations when assessing differences are any Australian regulations and practices that impose a higher level of compliance than the ICAO SARPs, so that other States are not caught unawares when flying into Australia.

Current Review

It is proposed that the review of differences be limited to the previously notified differences, plus the text of Amendment 17, unless any member has a view about other parts of Annex 9.

Members of National FAL are invited to consider whether Australia should confirm or amend/delete the previously notified differences, as well as scanning the document for any new issues that have been brought up in Amendment 17. Depending on views of members, it may be appropriate to appoint a small sub-committee to process any comments made and finalise the advice to ICAO.

	Standard or Recommended rractice		Australian Difference	
2.1	Governmental regulations and procedures applicable to the clearance of aircraft shall be no less favourable than those applied to other forms of transportation.	2.7	Except when permitted under special authority, Australian quarantine requirements prohibit the bringing into Australia by air, not only of animals and certain animal products intended for importation, but also of animals on aircraft transiting Australia for other destinations.	
5.25	Recommended Practice — In accordance with the International Health Regulations of the World Health Organization, Contracting States should not interrupt air transport services for health reasons. In cases where, in exceptional circumstances, such service suspensions are under consideration, Contracting States should first consult with the World Health Organization and the health authorities of the State of occurrence of the disease before taking any decision as to the suspension of air transport services. When disinsecting is required by a Contracting State as a public health measure, that requirement shall be deemed to have been met by discharging into those portions of the aircraft which may carry insects from one area to another, an insecticide of a strength, formula and method of dispersal recommended by the World Health Organization and acceptable to that state, such insecticide to be effectively discharged from dispensers conforming to WHO specifications as follows: a) into the flight deck and into those portions of the aircraft which cannot be reached when the aircraft is moving, as near as possible to the time of the aircraft is moving such departure; and sinto those portions of the aircraft which can be reached when the aircraft is moving, after the time of the aircraft's last departure before entering the State, either: 1) by means of an aerosol spray, or any equivalent system, while the aircraft is taxiing from the ramp to the runway for take-off, or 2) by other equally effective means c) or, by means of a residual treatment with permethrin of the interior surfaces of an aircraft, in accordance with the recommendations of the World Health Organization (WHO)	Expec Expec Expec	Expected date of compliance: 1998 2.4* Australia is not a signatory to the International Health Regulations which are incompatible with provisions in its Quarantine Act 1908. However, a review of the Act is currently underway which may enable Australia to comply with this recommended practice in the future. In the meantime, Australia complies with the International Health Regulations wherever possible. Expected date of compliance: 1998. 2.25 Aircraft cabins should be treated by disinsecting at top-of-descent, or residually disinsected in accordance with a Compliance Agreement between the airline and the Australian Quarantine and Inspection Service. Expected date of compliance: to be advised	
Note- instar accor Dang	Note- When the carriage by air of filled aerosol dispensers is required, for instance on multi-sector flights, the aerosol dispensers should be packed in accordance with ICAO's Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284)			

Australian Difference	2.26* Aircraft cabins should be treated by disinsecting at top-of-descent, or residually disinsected in accordance with a Compliance Agreement between the airline and the Australian Quarantine and Inspection Service.		2.34 If considered necessary by the Health Authorities, all or any part of the aircraft and the contents may be treated by disinsection, after the aircraft lands at its first port of call in Australia. Expected date of compliance: Nil.
Standard or Recommended rractice	Accommended Practice — When disinsecting as a public health measure has been properly performed pursuant to 2.25 and has been recorded on the General Declaration or in the Certificate of Residual Disinsection set forth in Appendix 4, if the disinsecting procedure indicated in c) of 2.25 above has been followed, it should be accepted by all Contracting States as evidence that effective disinsecting has been carried out for preventing the spread of all insect vectors of human diseases for whose destruction the insecticide is effective.	Note 1 — If the General Declaration is not required, this information can be supplied in the alternative manner referred to in 2.5. Note 2 — When disinsecting is carried out by residual treatment of permethrin, the appropriate government authority should issue a "Certificate of Residual Disinsection" conforming to the form shown in Appendix 4, which should be part of the aircraft documentation for the period of effectiveness of the certificate, and should be shown to health authorities on request.	2.34 Contracting States shall define the types of animals and animal products which, when imported by air, require that the aircraft be disinfected and shall normally exempt aircraft from disinfection when such animals or animal products are carried in approved containers. When aircraft disinfection is required, the following provision shall apply: a) the application shall be limited solely to the container or to the compartment of the aircraft in which the traffic was carried; b) the disinfection shall be carried out expeditiously; and inflammable chemical compounds or solutions likely to damage aircraft structure, by corrosion or other effects, shall not be employed.



Australian Difference	 2.40 Australia reserves the right to require the following additional information in respect to non-scheduled flights, whether or not for non-traffic purposes: 1.Copy of Certificate of Airworthiness; 2.Maintenance arrangements when in Australian territory; 3.Copy of Air Operator's Certificate or equivalent certificate (if applicable); and 4.Arrangements for regulatory oversight by State of registry. 	2.42* As for 2.40 above.
Standard or Recommended rractice	2.40 Any Contracting State which, for reasons of safety of flight, requires special permission in respect of flights referred to in 2.36 above, shall not require any other information than that contained in a flight plan when application for such permission is made. Such application shall not be required to be filed more than three working days in advance of the intended arrival of the aircraft in the territory of said Contracting State, or the intended non-stop transit flight across the territory of said State.	2.42 Recommended Practice — Contracting States should not require more than the following details in the applications referred to in 2.41: a) name of operator; b) type of aircraft and registration marks; c) date and time of arrival at, and departure from, the airport concerned; d) place or places of embarkation or disembarkation abroad, as the case may be, of passengers and/or freight; e) purpose of flight and number of passengers and/or nature and amount of freight; and f) name, address and business of charterer, if any. Note — It is the intent of this provision that applications in advance for special permission should be acted upon expeditiously on the basis of the above standard information. As an example to illustrate the intent of this provision, a State which requires applications in advance could provide that whenever applications contain all of the above standard -information they need not reach the appropriate agency more than two full business days in advance of the intended landing of the aircraft in the territory of that State.



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	Standard or Recommended rractice	Australian Difference
3.7	Recommended Practice —Contracting States should extend to the maximum number of countries the practice of abolishing, through bilateral or multilateral arrangements or through unilateral action, entrance visas for visitors.	3.7* The Australian Government maintains a universal, non-discriminatory, computerised visa system that requires all non - Australian citizens, including those who have lawful permanent residence permits, to hold a visa before travelling to Australia. The visa system is both a means of maintaining border integrity and passenger facilitation as it allows passengers to be electronically processed quickly and efficiently at the Australian border.
		Expected date of compliance: Nil.
3.8	In cases where a Contracting State continues to require entrance visas from visitors, it shall adout the practice of issuing such visas without	3.8 A charge is levied for Australian visas.
	charge through reciprocal or other acceptable arrangements.	Expected date of compliance: Nil.
3.8.4	Recommended Practice — In exceptional circumstances, when a visitor,	3.8.4* Australian non-citizens are required to hold a valid visa.
	contracting States should authorize entry and enable the visitor to regularize his position.	Expected date of compliance: Nil.
3.8.6	Recommended Practice — Contracting States should not require visas for report from their resident aliens who have lawful residence permits	3.8.6* Australian non-citizens are required to hold a valid visa.
	of 10-61th from their resident and to make tawn in established permits.	Expected date of compliance: Nil.
හ. ල	Recommended Practice — Contracting States should not require either from visitors travelling by air, or from operators on their behalf, any	3.9* Australia requires Embarkation and Disembarkation Cards and Travellers Statements on entry.
	presented in their identity documents.	Expected date of compliance: to be advised.
3.10	A Contracting State which continues to require written supplementary information from visitors travelling by air shall limit its	3.10 The content and form of Australian Embarkation/Disembarkation Cards differ from Appendix 5 of Annex 9.
	5 — Embarkation/Disembarkation Card.	Expected date of compliance: to be advised.
3.12	Recommended Practice — Medical examination of persons arriving by air should normally be limited to those disembarking and coming within the incubation period of the disease concerned, as stated in the International Health Beaulations (1060) from an area inferted with one of	3.12* Australian health authorities reserve the right to examine medically any person arriving by air who is subject to the Australian Quarantine Act 1908. A review of the Act is currently underway which may enable
	the three quarantinable diseases (plague, cholera and yellow fever).	Australia to comply with tills recommended practice in the futtire

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Expected date of compliance: 1998

	Standard or Recommended Fractice	Australian Difference
3.16	Contracting States shall accept an oral declaration of baggage from passengers and crew	3.16 A Travellers Statement is to be completed by passengers on arrival. A written declaration on Australian Customs Form 5 (Aircraft) is required in respect of goods in the possession of crew members. Expected date of compliance: to be advised.
3.23 purp servi flight	 3.23 Contracting States shall provide facilities which will enable crew members of their airlines to obtain without delay and without charge crew members' certificates valid for the crew member's term of employment. Note — The CMC was developed as a card for use for identification purposes by both flight crew and cabin attendants, leaving the crew licences to serve their primary purpose of attesting to the professional qualifications of the flight crew. 	3.23 The Australian Government does not provide crew member certificate (CMC) facilities. Expected date of compliance: Nil
3.24	In the case of airline flight crew and cabin attendants who retain their crew member certificates in their possession when embarking and disembarking, remain at the airport where the aircraft has stopped or within the confines of cities adjacent thereto, and depart on the same aircraft or their next regularly scheduled flight, each Contracting State shall accept such crew member certificates for temporary admission to the State and shall not require a passport or visa.	3.24 Australia does not accept crew member certificates for temporary admission to the country. Expected date of compliance: Nil.
shal natin to di resik disp	Note 1 — It is the intent of this provision that a crew member certificate shall be recognized as a satisfactory identity document even if the holder is not a national of the State of Registry of the aircraft on which he serves. It is not desired to discourage Contracting States from issuing such crew member certificates to resident alien crew members if they are willing to do so. Note 2 — The implementation of 3.24 permits rapid and efficient disposition of personnel by airlines. The full benefit cannot be derived from these provisions while some States withhold acceptance of them.	



3.25 The Australian Government does not provide crew member certificate (CMC) facilities. Expected date of compliance: Nil	3.40.1 Proof of negligence is not an element of defence in Australian Immigration law when a carrier brings an undocumented person to Australia. In practice, however, prosecution or service of an infringement notice is not initiated if the carrier was not negligent.	3.43* Australia retains the right to determine who shall or shall not enter its territory. A person who holds correct travel documentation for Australia would normally be expected to be admitted. However, there are situations where such persons will be denied entry. Australia holds operators responsible for detention and travel costs where a person is denied entry.	4.41 In the case of the importation of any animal into Australia by air, it will be the operator's responsibility to be in possession of the appropriate import permit or a copy of it. Expected date of compliance: Nil.
When it is necessary for an airline crew member, in the exercise of his duties, to travel to another State as a passenger by any means of transportation in order to join an aircraft, each State shall accept from that crew member, in lieu of a passport and visa for temporary admission and for the necessary freedom of movement within its territory to join such aircraft, a crew member certificate as specified in 3.23.1 and 3.24 together, where required, with a document from the crew member's employer certifying the purpose of the journey.	Contracting States shall not fine operators in the event that passengers are found inadmissible unless there is evidence to suggest that the carrier was negligent in taking precautions to the end that the passengers complied with the documentary requirements for entry into the receiving State.	Recommended Practice — In the event that the precautions referred to in 3.40 have been taken but the passenger is nevertheless not admitted for reasons beyond the control of the operator, the operator should not be held directly responsible for any costs related to official detention of the passenger.	Where a Contracting State has requirements for documents such as the commercial invoice, declaration forms, import licence and the like, it shall not make it the obligation of the operator to ensure that these documentary requirements are met, nor shall the operator be held responsible, fined or penalized for inaccuracies or omissions of facts shown on such documents, unless he is, or is acting for, the importer or exporter.
3.25	3.40.1	3.43	4.41

Australian Difference

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with the regulations of the Contracting State concerned. Such regulations service operated by that airline should be admitted free of customs duties and, as far as possible, other taxes and charges, subject to compliance should not unreasonably interfere with the necessary use by the airline mported into the territory of a Contracting State by an airline of another Recommended Practice — Ground equipment and security equipment Contracting State for use within the limits of an international airport in connection with the establishment or maintenance of an international concerned of such ground equipment and security equipment. 4.48

discourage a Contracting State from allowing once-admitted items to be used by Note.— It is the intent of this provision that items such as the following should be admissible under the above provision, and it is not desired to another foreign airline or at a location other than an international airport.

Repair, maintenance and servicing equipment:

all repair and maintenance material for airframes, engines and instruments:

specialized aircraft repair kits;

starter batteries and carts;

maintenance platforms and steps;

test equipment for aircraft, aircraft engines, and aircraft

aircraft engine heaters and coolers; instruments;

ground radio equipment.

Passenger-handling equipment: passenger-loading steps;

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specialized passenger-weighing devices;

specialized catering equipment.

Cargo-loading equipment:

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vehicles for moving or loading of baggage, cargo,

equipment or supplies;

specialized cargo-weighing devices. specialized cargo-loading devices;

Component parts for incorporation into ground equipment ত

ncluding the items listed above.

weapon-detecting devices; Security equipment:

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explosives-detecting devices;

intrusion-detecting devices.

Component parts for incorporation into security equipment. \Box

nsofar as customs duties are concerned, Australia will implement this paragraph, wherever possible, subject only to its international trade Certain items in this category are subject to duties andlor sales tax. agreements and other obligations arising out of the Australian Government's policy to protect existing Australian industries. 4.48*

Expected date of compliance: Nil.

4.49* Australian law does not provide for complete exemption from customs duties and sales tax on instructional material and training aids. Expected date of compliance: Nil.		5.4 All Australian non-citizens require a visa when transiting/transferring flights in Australia except nationals of gazetted countries provided they meet the conditions specified.	Expected date of compliance: Nil	6.62.1 Australia is not bound by the International Health Regulations referred to in Note 1. These regulations are incompatible with provisions in its Quarantine Act 1908. However, a review of the Act is currently underway which may enable Australia to comply with this recommended practice in the future. In the meantime, Australia complies with the International Health Regulations wherever possible. Expected date of compliance: 1998.
4.49 Recommended Practice — Instructional material and training aids imported by an airline of another Contracting State into the territory of a Contracting State for use in connection with the technical training of ground and flight personnel required to establish and maintain an international service operated by that airline should be admitted free of customs duties and other taxes and charges, subject to compliance with the regulations of the Contracting State concerned.	Note — It is the intent of this provision that items solely identified with aviation and aeronautical education and training such as the following should be admissible under the above provisions: — flight simulators; — link-trainers; — mock-ups; — cutaway engines and parts; — cutaway engines and parts; — charts showing the functioning of various technical systems.	5.4 Contracting States shall not require any documents or visas in respect of traffic being transferred to another flight at the same airport, except in special circumstances determined by the public authorities concerned.	Note — For connecting traffic at the same airport, the operator who disembarked the passenger has the obligation for his custody and care.	and thus uthorities. ordance nird e made by e e e e e e e e e e e e e e e e e e

Australian Difference

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Australian Difference	8.12 Australia is not bound by International Health Regulations. These regulations are incompatible with provisions in its Quarantine Act 1908. However, a review of the Act is currently underway which may enable Australia to comply with this recommended practice in the future. In the meantime, Australia complies with the International Health Regulations wherever possible.	35	8.13* Australia is not bound by International Health Regulations. These regulations are incompatible with provisions in its Quarantine Act 1908. However, a review of the Act is currently underway which may enable Australia to comply with this recommended practice in the future. In the meantime, Australia complies with the International Health Regulations wherever possible.	Expected date of compliance: 1998.	8.30* There are no set down points reserved specifically for the disabled as quarantining a large section of kerbside immediately in front of the terminal would not be the most efficient use of this space. However, parking officers patrol the fronts of the terminals and are trained to assist where needed. Every effort is made to ensure access paths within terminals are free of obstacles subject to the need for other bodies, such as the border agencies and security, to carry out their legitimate functions.	Expected date of compliance: Nil.	8.38* The proposed Australian standards provide that all passengers must be prepared to pay fares. Due to the competitive nature of the industry, heavily discounted seasonal excursion fares are already offered to all members of the public. Further discounts would make it difficult for airlines to comply with Australia's own standards and those of ICAO.	Expected date of compliance: Nil.
Standard or Recommended r-ractice	Contracting States shall comply with the pertinent provisions of the current edition of the International Health Regulations of the World Health Organization. In accordance with Article 23 of the said Regulations, Contracting States shall apply as a maximum the health measures permitted therein for the entry, departure and transit of passengers and their baggage, cargo and other articles.		Recommended Practice — In cases where epidemiological conditions permit and it will result in reducing or eliminating the number of sanitary measures required, Contracting States should, pursuant to Article 85, paragraphs 1 and 1 d) of the International Health Regulations, Third Annotated Edition (1983), combine their territories or make agreements for the purpose of sanitary control.	W .	Recommended Practice — For elderly and disabled persons being set down or picked up at a terminal building, reserved points should be located as close as possible to main entrances. To facilitate movement to the various areas of the airport, access routes should be free of obstacles.	¥	Recommended Practice — If the presence of an escort is required, Contracting States should encourage airlines to offer discounts for the carriage of that accompanying person.	A A
	8.12	0	<u>7</u> 6		8.30		8.38	



Document 2





FOR IMMEDIATE RELEASE

DATE:

28 February, 2000

NO:

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SIMPLIFYING PASSENGER TRAVEL INTEREST GROUP FORMED Making Air Travel Easier - The Next Step

A group of airlines, airports, government authorities, integrators and vendors today formally launched an Interest Group to move forward a new vision to Simplify Passenger Travel.

This vision of a future system to streamline air travel has already been outlined by a coalition of organisations* representing airports, airlines, custom authorities, immigration authorities, and the users. This sees application of emerging technology to compress current procedures into a single "one-stop" process.

Launch Members of the Interest Group are AIT, ARINC, Atraxis AG, Delta Air Lines, Frankfurt Airport, Genicom, Imaging Automation Inc., KLM, Lufthansa Consulting, MDC Ticket Group, Motorola, Qantas Airways, Sabre Group, SITA, Swiss Air, UNISYS, U.S. Immigration & Naturalization, and Virgin Atlantic Airways. IATA will be providing Program Management.

The SPT Interest Group, which is self funding, remains open to new members.

Partners who wish to jointly develop projects to test products and concepts will be working on various initiatives to improve the departure and control processes of airlines, airports and national control anthorities by linking systems and combining technology. Technical solutions such as machine-readable biometrics will be part of the proposed solutions.

According to IATA's Director General, Pierre Jeanniot "The SPT Interest Group offers a unique opportunity to take the vision of a hassle-free passenger journey from theory to practice."

For progress on this initiative check the SPT Web Site planned for implementation in the spring.

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**Airports Council International (ACI)
Air Transport Users Council (AUC)
Control Authorities Working Group (CAWG)
International Air Transport Association (IATA)
International Civil Aviation Organization (ICAO)
Société Internationale de Télécommunications Aéronautiques (SITA)
World Customs Organisation (WCO)

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SIMPLIFYING PASSENGER TRAVEL (SPT)

The Simplifying Passenger Travel Interest Group (SPTIG) was developed as an initiative of the International Air Transport Association (IATA). Membership in the SPT is open to airlines, airports, industry suppliers, system integrator, consultants, customs and immigration authorities; there is a participation fee.

The aim of the group is to

"Promote, test and develop the concept of future passengers, equipped with a multi-functional smart card (or other device) including a biometric ID, to provide information in a "one-stop" check process which together with other information generated from the journey and shared between all involved parties, would facilitate subsequent processing, and allow controls to be effected on a risk assessment basis."

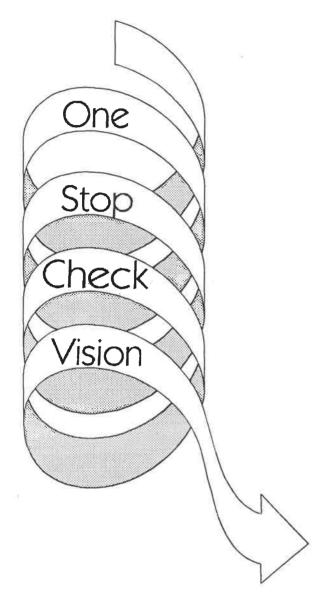
As can be seen the SPTIG is future oriented.

The inaugural meeting of the group occurred in Geneva on the 23 February. At that stage there were 4 airline, 1 control authority, 1 airport and 9 system providers and 1 consulting company. There are also 3 airlines, 8 airports and numerous consultants/service suppliers who have expressed considerable interest in the project.

The next meeting is in Geneva on the 20 Jun 2000.

The attached IATA Press Release may be useful.

Distributed order Hem R.



Simplifying Passenger Travel

SPT Program

Description Document

SIMPLIFYING PASSENGER TRAVEL (SPT) PROGRAM

DESCRIPTION DOCUMENT

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Simplifying Passenger Travel (SPT) Program Program Description

Introduction:

The SPT Program is a joint initiative amongst a number of organisations¹, representing airlines, airports, control authorities, passengers and broad government interests, to improve passenger satisfaction and ensure that growth in air travel is not handicapped by congestion and delay in passenger handling. Together they form the SPT Board, overseeing the program.

Core to the program is a "vision" of the future whereby all of today's passenger checks and controls are compressed into a single "one-stop" check at point of departure. By linking systems, combining information and using technology to automatically identify passengers and their baggage, the processes of airlines, airports and national control authorities can be made faster and more efficient, while at the same time the passenger can enjoy an unimpeded journey. The SPT 'Vision' is summarised in the following statement

The SPT Vision

Passengers, equipped with a multi-functional smart card (or other device) including a biometric ID, provide information in a "one-stop" check process which, together with other information generated from the journey and shared between all involved parties, would facilitate subsequent processing, and allow controls to be effected on a risk assessment basis.

The SPT *Vision* is intended as a blue-print for development, ensuring that progress is spread through the interdependent air transport system, and that it does not remain as a series of sub-optimal solutions to local problems. The *Vision* will change and mature as technology offers new possibilities and practical experiment refines concepts. However, the fact that it is there and that it is shared amongst all the key parties will be its greatest value.

This "big picture" approach means that the program is concerned with the long-term, looking well into this new century to provide a "vision" of what can and should be achieved by combining technology with co-operation. Such a vision may seem remote to some people, but its value lies in providing context and a goal for the many individual improvements, which are already on drawing boards around the world, or even being tested.

^{&#}x27;Airports Council International (ACI)
Air Transport Users Council (AUC)
IATA/Control Authorities Working Group (IATA/CAWG)
International Air Transport Association (IATA);
International Civil Aviation Organisation (ICAO)
Société Internationale de Télécommunications Aéronautiques (SITA)
World Customs Organisation (WCO)

It is suggested that anyone coming into contact with the SPT for the first time should read the SPT Vision Overview document in order to understand the basic concept of the program. This document has taken the Vision statement and expanded it into a step-by-step description of the passenger's experience and a supporting process map.

In order to promote, test and develop the SPT Vision and quantify its benefits through practical application of technology and related processes an SPT Interest Group has been formed. The SPT Interest Group² which is self funding brings together parties who are interested in active involvement with SPT related projects and who have technical and other resources to drive forward practical application. Its membership consists of airlines, airports, government authorities, integrators and vendors and it is presently still open to new members.

Why the SPT Program is Unique

This initiative is unique since it brings together all the key parties involved in the passenger's journey with the objective of *collectively* working to move passengers through airports faster and without hassle, using automation *co-operatively*.

- Airlines want to offer better service to their customers
- Airports want better and more efficient use of their facilities
- Customs and Immigration want improved controls and more efficient use of their resources
- Governments want an efficient transport system and protection of the public
- · Passengers themselves want hassle-free travel

And they all want to save money.

All those involved are already spending heavily to improve processes and the supporting infrastructure. What is different about this program is its focus on the whole journey, not on the individual elements for which each party is responsible. By "owning" the overall process a different perspective can be developed which centres on the total experience of the passenger.

Along with the *Vision* goes a need to improve the whole environment for co-operation in developing and implementing standards and common practices. In this respect the SPT program also involves working with governments and others concerned, to update the facilitation infrastructure, co-operating through ICAO to provide practical standards and supporting guidelines³.

As a starting point for this the organisations involved in SPT conducted an extensive survey of their individual members aimed at identifying present shortcomings. There

² Ait, ARINC, Atraxis AG, Delta Air Lines, Frankfurt Airport Main Ag, Genicom Sweden Ab, Imaging Automation Inc., KLM Systems Services, Lufthansa Consulting, MDC Ticket Group, Motorola Market Solutions Division, Qantas Airways Limited, Sabre Group, SITA, Swiss Air, Texas Instruments; UNISYS Corporation, (Us Immigration & Naturalization – Advisory Member), and Virgin Atlantic Airways.

³ Essentially a complete revamping and simplification of Annex 9 to the Chicago Convention.

were over two hundred responses and careful analysis showed that almost all the problems identified fell into three categories:

- Lack of staff and financial resources.
- Outdated procedures.
- Lack of clearly defined service standards.

This will assist in efforts through ICAO to produce straightforward and practical guidance material, aimed at improving today's situation. This activity will provide a concrete and practical support when implementing the SPT 'vision'.

The SPT Work Program

The SPT Board has agreed that the Work Program should now focus on five key areas:

- **Providing "Big Picture" Context:** Projecting the total journey, one-stop check "vision" and keeping it updated to reflect technology and practical experience. The vision should be viewed as a way of providing a broad context for individual initiatives, some of which, like common use self checkin systems, are already underway.
- Expanding Awareness: Communicating and promoting the vision (and the program) to build high-level support and an environment for experiment and change.
- Collecting, Assessing and Disseminating SPT-Related Information:

 Tracking developments and providing a network of interested parties, details of who is doing what, where and with what result in context of the overall vision.
 - This activity lies at the heart of the next phase of the program and involves establishing an SPT database with a front-end website for access. In this way a network of interested parties can be developed providing and receiving information on projects, technology and other SPT issues.
- Catalyst for Action: Promoting change and bringing parties together to find common approaches and to resolve potential conflicts. This will need to involve a variety of "players" with a global and multi-sectoral vision to take the lead and promote action. It is the opportunity to effect real change and innovation.
- **Practical Support:** In such areas as the development and propagation of standards and best practice guidance material. And, where appropriate, offering expert consulting/support services.

The **SPT Board** will concentrate on the first two activities, becoming the "keeper" of the vision, promoting its implementation and overseeing its evolution. The SPT Board may need to eventually expand to cover other sector interests with representative organisations from perhaps car rental companies, hotels, financial services etc.

The SPT Interest Group will address the remaining key activities and in broad terms their role will include providing advice on:

- content and format of the database/website
- criteria for determining the SPT context of projects and technology
- project reviews
- proactive initiatives to test and implement the SPT vision

The first meeting of the SPTIG, held on February 23rd agreed to build the initial Action Plan around the first level of deliverables - Website, Business Models, Pilot Projects, plus Promotional Activities. Small working groups have been formed to further the work plan. The second meeting of the SPTIG is planned for June 20th in Geneva. The SPTIG work program is supported by a part time Program Director and a full time Project Manager funded by the SPTIG and supplied by IATA.

Involving Control Authorities (Immigration & Customs) in the SPTIG Work Plan

It is considered essential to involve the Control Authorities in the work program of the SPTIG. However, due to certain legal and monetary constraints which would in some cases prevent their involvement, it has been agreed to create a special "Advisory Member" Category which requires neither membership fee nor signature of the MoU. The Control Authorities wishing to join the SPTIG will sign a special Proforma Agreement for Control Authorities relating to confidentiality and Intellectual Property Rights (IPR) as covered in the MoU.

SPT Database/Website

SITA, as an SPT Board Member, are funding the design and hosting of the SPT website and are working with IATA and the Interest Group members to launch this April 2000. The web-site will include an inventory of the technology available today which will fulfil the objectives of the SPT Vision. In order to be included in the SPT inventory a technology should be applied (in use rather than just on the drawing board) and it must move the vision concepts forward. The database will also include an inventory of pilot projects where tests of technology and processes related to the SPT vision are taking place.

Standards

There are many existing standards, such as those for ICAO Machine Readable Travel Documents and the IATA Common Use Self Service Checkin Kiosks, which will feed into the SPT Program. However, there are also standards yet to be developed and agreed, such as those for biometric identification, which will be key to the success of the SPT Program. All developments initiated by the SPT Program will be designed with the goal of using existing standards where possible, and where none exist to recommend the standards required. As work progresses it will be necessary to create a link to technological standards-setting organisations to ensure harmonisation beyond the air transport field.

Next Steps

The future of the SPT Program lies in the work programs of the SPT Board and SPT Interest Group. Key areas that have been targeted are the content and format of the database/website; establishing the criteria for determining the SPT context of projects and technology; identification of projects and proactive initiatives to test and implement the SPT vision; and the promotion of the SPT Program. The launching of the SPT Database/Website targeted for early April is key fist step. The next meetings of the SPT Board and Interest Group are planned for June 2000 in Geneva. Meanwhile many other opportunities to explain and promote the SPT Program at industry forums will be taken.

Contact Details

For Further Information Please Contact:

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Telephone: +1 (514) 874 0202 Ext. 3682

Fax: +1 (514) 874 2662 Email: beaudetb@iata.org

Mr. Mark Hawes Relationship Director Industry Affairs, IATA Centre, Route de lÁeroport 33 P.O. Box 416 CH-1215 Geneva 15 Airport Switzerland Telephone: +41 22 799 2942

Fax: +41 22 799 2653 Email: hawesm@iata.org

SPT PROGRAM ORGANIZATION

Overall Policy

SPT Board - the "keeper" of the SPT Vision, promoting its implementation and overseeing its evolution

Membership: restricted to international representative associations of parties involved in the "vertical strategy" of SPT (primarily travel industry related). This may eventually expand from its current founding membership to cover other interest groups such as Car Rentals, Hotels, Financial Services etc.

Meetings: regular annual meetings (perhaps with occasional seminars) supplemented by special sessions as required.

Information and Projects

SPT Interest Group - the engine of SPT experiment and practical progress also overseeing the SPT website

Membership: airlines, airports, industry suppliers, system integrators, consultants etc. and anyone else who has the expertise, resources and interest to help move the program forward.

Meetings: regular structured meetings 2 to 3 times per year, with "virtual" sessions more frequently.

Technical Support and Standards

SPT - Technology Advisory Group⁴ - to create links to other technological standardssetting organisations and industry associations (reflecting "horizontal strategies" - non travel industry)

Membership: International and sectoral associations with standard-setting roles such as the International Biometric Industry Association (IBIA) etc.

Meetings: as required.

⁴ To be established later

SPT INTEREST GROUP

Mission

To promote, test and develop the SPT Vision and quantify its benefits through practical application of technology and related processes

Terms of Reference

- 1. Identify, initiate and, where appropriate, guide projects aimed at testing and developing elements of the SPT *Vision*.
 - Develop criteria for determining the SPT context of projects and technology.
 - Develop business models to promote and support SPT project development.
 - Assist in the generation of Requests for Information (RFIs) or Requests for Proposals (RFPs) related to actual or potential SPT projects.
- 2. Provide advice on the format and development of the SPT website and supporting database.
- Including appointing representatives to monitor and report on the quality of website and its content.
- 3. Provide continuous review of the SPT *Vision* and offer ideas and proposals to the SPT Board as technologies continue to emerge and new procedures are developed and tested.
- 4. Recommend "standards" to the SPT Board and other relevant bodies that support the evolution of the SPT Vision.
 - These standards may cover such areas as interface (physical, electrical, and logical) and include human-machine interface, protocols, message formats, data types, etc.
- 5. Promote the Principles of the SPT Program.
 - Support the efforts of the SPT Board to promote the SPT Vision, including presentation of the SPTIG's mission, ongoing activities and findings to various industry fora.
- 6. Create working groups as necessary to discuss and develop concept and standard proposals for consideration by the full SPTIG

* * * * *

SPT INTEREST GROUP

MEMBERSHIP

Costs Of Becoming An Interest Group Member

One-time Entrance Fee:

Members and affiliates of organisations represented on the SPT Board
Others
US\$ 7,500
US\$10,000

In year 2000 this fee will be used to cover the initial budget agreed by the SPTIG at its launch meeting 23 February 2000.

Annual Subscription

This will be determined annually by the Interest Group itself, before 30 September of the preceding year.

Benefits of Becoming an Interest Group Member (SPT Stakeholder)

Pilot Projects:

- provides a forum for partners who wish to jointly develop projects and test products and concepts within an international multi-sectoral umbrella;
- provides a forum where local pilots/projects once tested and proven functional have an automatic possibility of expanding into the international market place.

Technical Influence:

- on the development of current and future **International Standards**;
- on **interconnectivity** issues among airlines and other network partners (customs, immigration, airports, airlines, and users).

SPT Database/website:

 be involved in the development of the SPT Website and supporting database and have a dedicated page on this website to advertise products and services and hot button to your own web-site.

Networking:

- gain access to key international/local representatives from customs, immigration, airports, users and airlines;
- gain access to industries developing compatible or add-on products.

Advanced Knowledge:

- gain access to the current and future plans of industry partners (customs, immigration, airports, airlines, users);
- the capacity to **provide expertise/advice/products** that could influence future plans of industry partners.

Procedure to Become A Member of the Interest Group

In order to become a member of the SPT Interest Group two conditions must be met, the payment of the one-time entrance fee and the signing of the Memorandum of Understanding for the SPT Interest Group.

Payment of one-time Entrance Fee

A US\$ account has been set up with UBS in Geneva, under the name SPTIG. The address for payment is:

UBS SA 8 Rue du Rhone P.O. Box 2600 1211 Geneve 2

SWIFT Code: UBSWCHZH12A

Account Name: SPTIG

Account Number: 240-332.208.67 H.

Currency: US Dollar

Payments to be made by US Dollar Bank Transfer

Signing of Memorandum of Understanding

The signed Memorandum of Understanding must be sent to the attention of the Program Director, Mr. Mark Hawes, whose contact details are contained on page 6. A copy of the MoU is contained in Annex 3 of this document.

Current Membership (as at 9 March 2000)

AiT, ARINC, Atraxis Ag, Delta Air Lines, Flughafen Frankfurt Main Ag, Genicom Sweden Ab, Imaging Automation Inc, KLM Systems Services, Lufthansa Consulting Gmbh, MDC Ticket Group, Motorola Market Solutions Division, Qantas Airways Limited, SITA, Swissair, Sabre Group, Texas Instruments; UNISYS Corporation, Virgin Atlantic Airways Ltd.

Advisory Members: US INS

SPT INTEREST GROUP

Agreed Initial Budget

Covering the Period 23 February - 31 December 2000

ITEM	COST in US\$
Program Manager and part-time Program Director costs (all-	103,500
inclusive)**	
Travel	20,833
Telecommunications	1,000
IT Support	4,166
Distribution	1,000
Printing and Office Supplies	1,666
Consulting Fees	8,333
Miscellaneous	1,666
TOTAL	142,164

^{**} Part-time Program Director costs: Billed at USD 840.00 per day; and Full-time Program Manager costs: Estimated at USD 8,605 per month.

* * * * *

SPT "VISION" OVERVIEW

SPT Vision

Core to the program is a "vision" of the future whereby all of today's passenger checks and controls are compressed into a single "one-stop" check at point of departure. This is summarised in the following statement.

Passengers, equipped with a multi-functional smart card including a biometric ID, provide information in a "one-stop" check process which, together with other information generated from the journey and shared between all involved parties, would facilitate subsequent processing, and allow controls to be effected on a risk assessment basis.

It is important to stress that the "vision" is not a fixed idea of how the future will look. The "vision" described is dynamic and it is based upon a belief that the key to any long-term improvements will be through co-operation and the use of technology in a standardised and integrated manner. We are not confined to the technology described, but it was considered important to put a 'stake in the ground' based upon the knowledge that we have today.

The evolution and implementation of the *One-Stop Check Vision* will require an iterative process of communication and feedback as practical experience is gained. This is why the SPT Interest Group has been formed to test the practical application of many of the concepts and the SPT Database and Website will provide the possibility for the communication of results and tests.

The SPT "Vision" Overview document has taken the "vision" and expanded it into a description of the passenger process flow. This is based upon the following assumptions:

- This paper is a step by step description of the journey from the airline passenger's perspective.
- The one-stop check concept is built around a passenger "travel card" which facilitates all aspects of the journey from initial enquiry/reservation through to baggage pick-up and exit at final destination. The card will be a "smart-card" holding secure personal data, including a machine-readable biometric, and passport/visa information⁵. Formal passports may still need to be carried.
- This *travel smart card* will allow the passenger to perform a simple but comprehensive automated "check-in" process at the airport of departure. Subsequently physical interface with airline/airport staff would be initiated by the passenger needing information. Similarly the need to directly interface with

⁵ In the longer term other functionalities may be integrated and the card itself could be multi-functional, with credit card, bankcard, electronic purse applications. Indeed it may well not be a card, but some other easy to carry smart device.

- control authority personnel would be on an exceptional basis only; otherwise all controls would be automated.
- The passenger will normally have an electronic ticket, although ATB or some subsequent form of smart card ticket could also be handled. It is possible that the ticket could eventually be held in the travel smart card, but that is not addressed in this scenario.
- Airlines and all other parties involved in the journey will be linked electronically and will share passenger information on an "as needed" basis. Some databases will be shared and others will continue to be proprietary but with limited and controlled outside access possible.
- Based upon these assumptions it is envisaged the one-stop check process would proceed as follows:

Description of Passenger Process Flow

Passenger Check-in at Airport - One-Stop Check:

- 1. The Passenger⁶ enters the airport and proceeds to the *one-stop* gate at which point he inserts his *travel smart card* into a reader and enters his flight number on an inter-active screen. The screen welcomes the passenger by name and asks him to complete a biometric scan. A successful match of his biometric with the *travel smart card* will verify the passenger's identity. The airline passenger reservation record has been accessed by the system and the screen confirms the boarding details such as gate and seat assignment.
- 2. If the passenger has baggage that has not already been checked⁷ he places it on an automated device which registers the number of pieces/weight and produces a baggage tag containing a Radio Frequency (RF) chip which will be used to track the bag to destination⁸. The tag will be attached to the bag either by the passenger or by airline staff who will be monitoring multiple check-in stations for several passengers at the same time. The system will also assess any excess baggage charge, which would be paid automatically by credit card.
- 3. At this point the system prints a boarding card/baggage receipt⁹ which will also cover any connecting flights and the passenger, along with his carry-on luggage, passes through a security check and proceeds to the departure area¹⁰.
- 4. In some countries it may still be necessary for exit control authorities to interface with passengers on departure. This process will be integrated into the *one-stop check* and the passenger's details passed automatically to the control authority's

See Baggage Check-In prior to departure - paragraph 9 below.

⁶ A definition of which segments of the total population eventually enjoy the simplified process captured in the *vision* will depend upon practical questions of cost and efficiency. At the outset however, limited user populations will be involved, but all initiatives should be *modular* allowing easy expansion to ever-larger groups.

⁸ Many bags may already contain an embedded RF chip with a unique identifier that can be used to supplement, or even replace, the label system.

Passengers would still need a paper boarding card as the most efficient way of storing temporary detail. It would also allow flight crews to sort out any discrepancies on the aircraft without having to use some form of automated storage which would then need a machine reader on the aircraft.

¹⁰ It is quite feasible that the *travel smart card* would itself contain an RF chip that would be used to track and even guide the passenger through the terminal to the departure gate.

system for review. If more extensive information is required the passenger will be moved into a separate area controlled by the authorities next to the *one-stop check* for examination. It is envisaged that this kind of exchange would be the exception rather than the norm and would be exercised with a very small portion of the travelling public.

- 5. In general the check-in will automatically provide passenger and flight details to the control authorities at destination. This may however require some interaction between the passenger and the destination control authority, e.g. in the case of customs, passengers may have to make a formal declaration, in which case the passenger will respond to a series of simple on-screen questions. This interaction with destination authorities will facilitate and fast track the majority of the passengers at the destination airport. In exceptional circumstances it may also allow for the destination control authority to advise the airline not to board the passenger.
- 6. For those passengers wishing to shop and those wishing to use a fast track process to go directly to the aircraft there would be two different check-in areas. Shoppers, for example, would check in at normal positions at least 45 minutes prior to departure. Fast track passengers would check in at special counters 30 minutes (or perhaps even less) prior to departure, but might pay a premium for this service.

Reservation:

- 7. The passenger will make the airline reservation using his *travel smart card* through his own PC or the PC/Terminal of an intermediary. Thus the passenger's personal information, including nationality, age etc. is automatically collected and can be used to effect initial controls such as the need for a visa¹¹, unaccompanied minor arrangements, or emergency contact details. The card will also contain an optional area of information identifying the passenger's preferences, frequent flyer memberships and other related travel information¹².
- 8. Many features such as seat selection, check-in location and time, document requirements, conditions of contract, ticket notices and other necessary travel information will be provided to the passenger through the screen inter-action. Once the reservation is completed the passenger pays for his ticket with a credit card or direct bank transfer. All of the information regarding the passenger's itinerary will be held in the airline reservation system. If the passenger wishes he could print out his itinerary for his records. However, this is not essential as the insertion of his *travel smart card* during the *one-stop check* will immediately access his reservation file.

In the future visas might be obtained automatically through the airline and added to the passenger's travel smart card at the time of the one-stop check. Passengers would be advised before travel time if the visa were refused.

¹² It is envisaged that the *travel smart card* would include the following data fields:

Passport Information - read only, with key back to issuing authority database

[•] Visa Information - write-to facility with key back to issuing authority database

[•] Biometric - read only, with key back to issuing authority database

[•] Traveller Profile - write-to facility with key back to "sponsor" database (could be airline - frequent flyer membership, or corporate entity etc.)

Other fields are possible, but risk overcomplicating the concept.

Annex 1

Remote Baggage Check-in Prior to Departure:

9. The passenger who wishes to check his baggage before leaving for the airport may take it to a designated off-airport secure baggage check-in facility. He will insert his *travel smart card* into a reader and key in flight number and date. This will activate a match with the passenger reservation. The passenger then loads his baggage on an automated device that performs the same functions as at the *one-stop check* (see paragraphs 2 and 3 above).

Aircraft Boarding:

- 10. The passenger will enter the final departure lounge or, depending upon the airport layout, board the aircraft, by inserting his *travel smart card* and completing a biometric scan. A successful match shows he is where he should be and allows him through the door to the aircraft. Simultaneously this confirms to the automated baggage reconciliation system that the passenger is aboard the aircraft and checked baggage is authorised to travel. If the passenger does not board the aircraft the baggage would be off-loaded prior to departure in support of industry reconciliation requirements.
- 11. If, following the process described in paragraph 3 above, the destination control authority wishes to advise the airline not to board the passenger this is the point at which entry would be denied. A gate agent would need to be on hand to deal with the passenger and his baggage.

Transit/Transfer Process:

12. Passengers transferring from other flights will proceed to the appropriate departure gate where the process is the same as for Aircraft Boarding (see above).

Arrival at Destination/Airport Exit:

- 13. The passenger will pick up his luggage in the baggage hall and proceed to an electronic exit gate which, unless he needs examination or there is some discrepancy with his bags or other details, will be the only barrier to exiting the airport¹³. At the gate he will insert his travel smart card and this will be verified with a biometric check. At the same time the RF chip in, or attached to, his baggage will be read and matched to his airline record to ensure he has all his correct bags. Any discrepancy will be advised on a screen and the passenger will be directed to a special area¹⁴.
- 14. If none of the control authorities¹⁵ wishes to interview the passenger, the screen will carry a message to that effect and a gate will open into the arrivals hall. In the event that an interview is required the gate will not open and the passenger will be directed to a special area for a secondary processing. If the passenger himself wishes to declare something to customs or meet with any other control authority he can indicate this through the interactive screen, and again he will be directed to a special area.
- 15. The interactive screen can also be used to provide any further information such as ground transport arrangements, meeting details etc.

agriculture etc.)

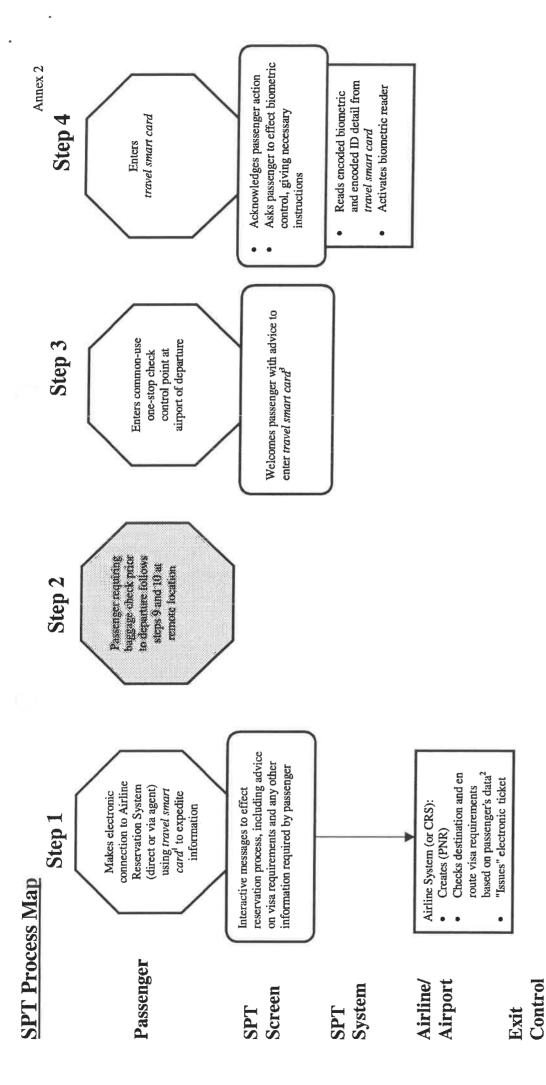
¹³ This exit may still integrate a customs red/green channel process if this remains the easiest method of making a declaration.

¹⁴ Details of missing bags can be documented automatically, avoiding a separate reporting process.
¹⁵ This single control can be used by ALL the relevant control authorities (customs, immigration,

Annex 1

Process Map

A Process Map showing the interface of the parties with the passenger, and with each other, including the data and communications required is at Annex 2



Additional Information

¹ Travel smart card (or smart device) contains a biometric to uniquely identify the holder. It provides personal passport information and passenger profile details (e.g. frequent flyer information). It could also contain electronic visas.
² Airline system may interface with Destination Control Authority system for

issuance of electronic visa.

It is possible that the *travel smart card* (or device) is read using no-touch technology, e.g. RF chip. In which case the passenger will be welcomed by name as soon as he approaches the screen and this and subsequent reads of the data and biometric will be automatic.

*Shaded boxes denote optional elements

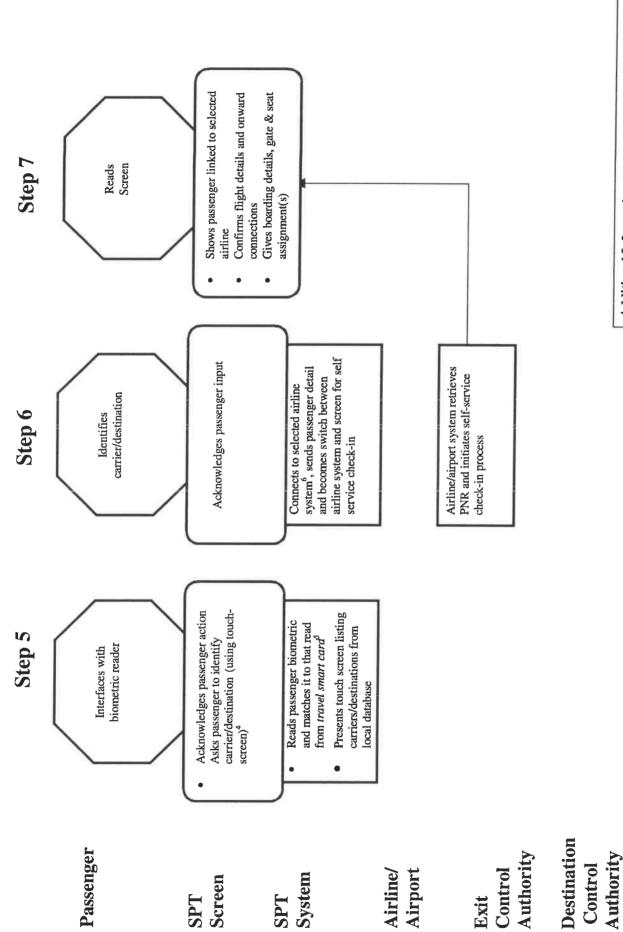
Other Parties

Destination

Control Authority

Authority

35



Additional Information

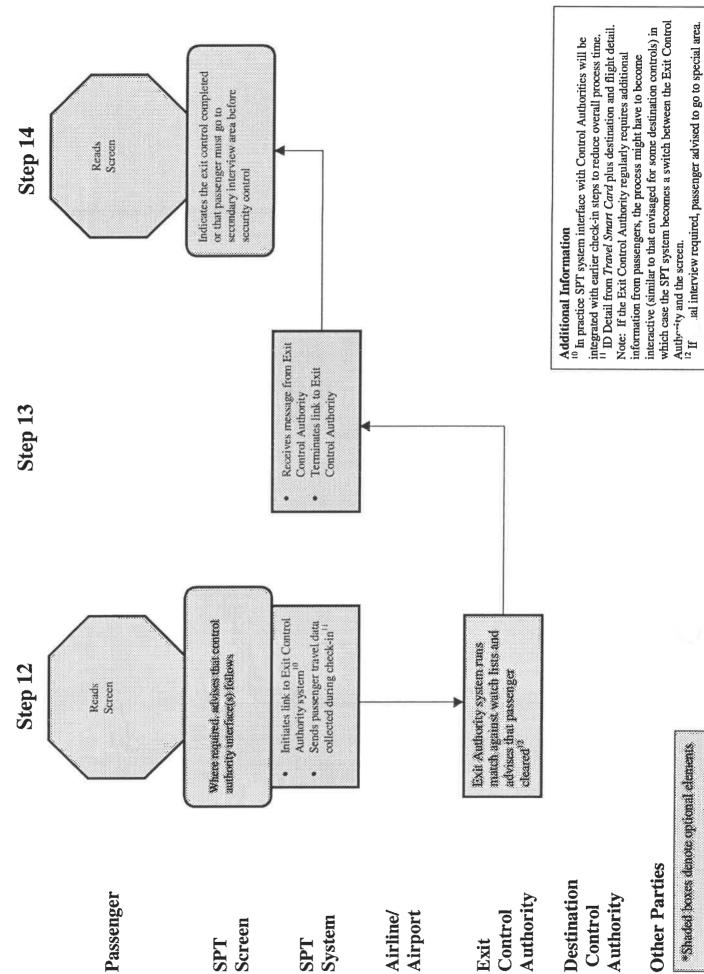
- ⁴ Travel Smart Card might contain travel details in which case this step would be unnecessary.

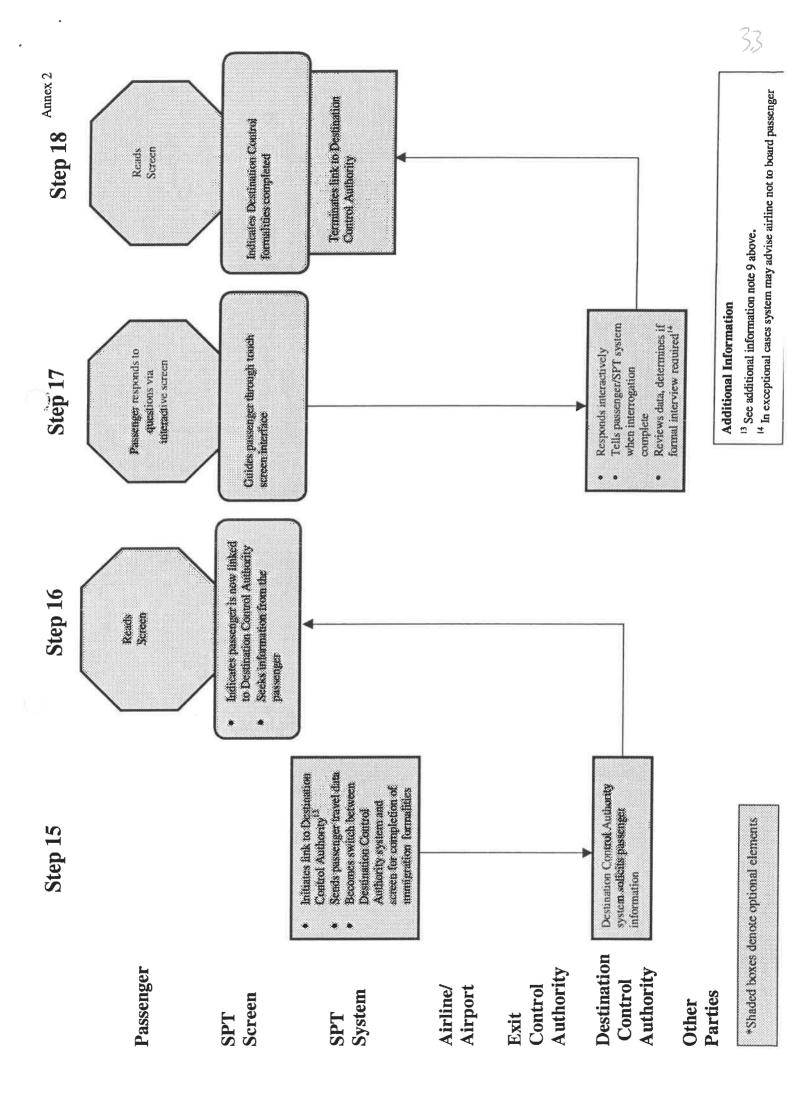
 If no match, system summons check-in control staff.

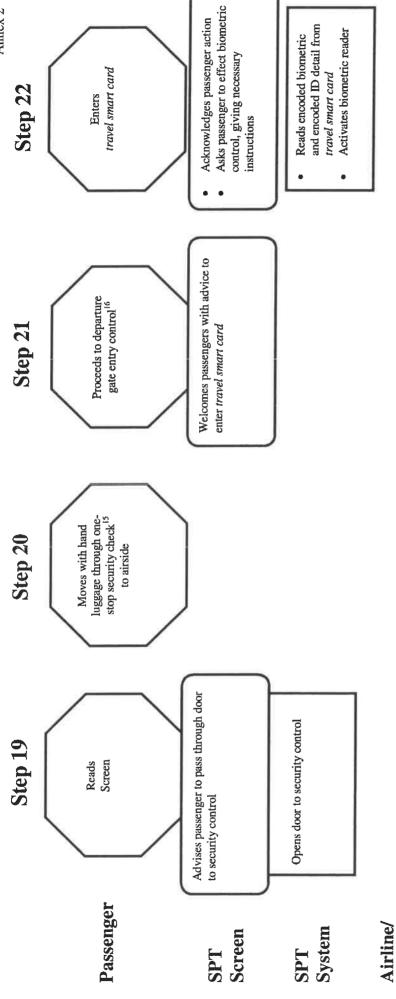
 System may be that of airport/handling agent

Other Parties

34







Additional Information

¹⁵ Once cleared through the security check, and subject to the passenger remaining in sterile areas, under the concept of one-stop security, whereby States recognise each other's checks, no further controls should be necessary.

controls should be necessary.

It is quite feasible that the *Travel Smart Card* would itself contain

"" RF chip that would be used to track and even guide the passenger

sugh the terminal to the departure gate.

Other Parties

Destination

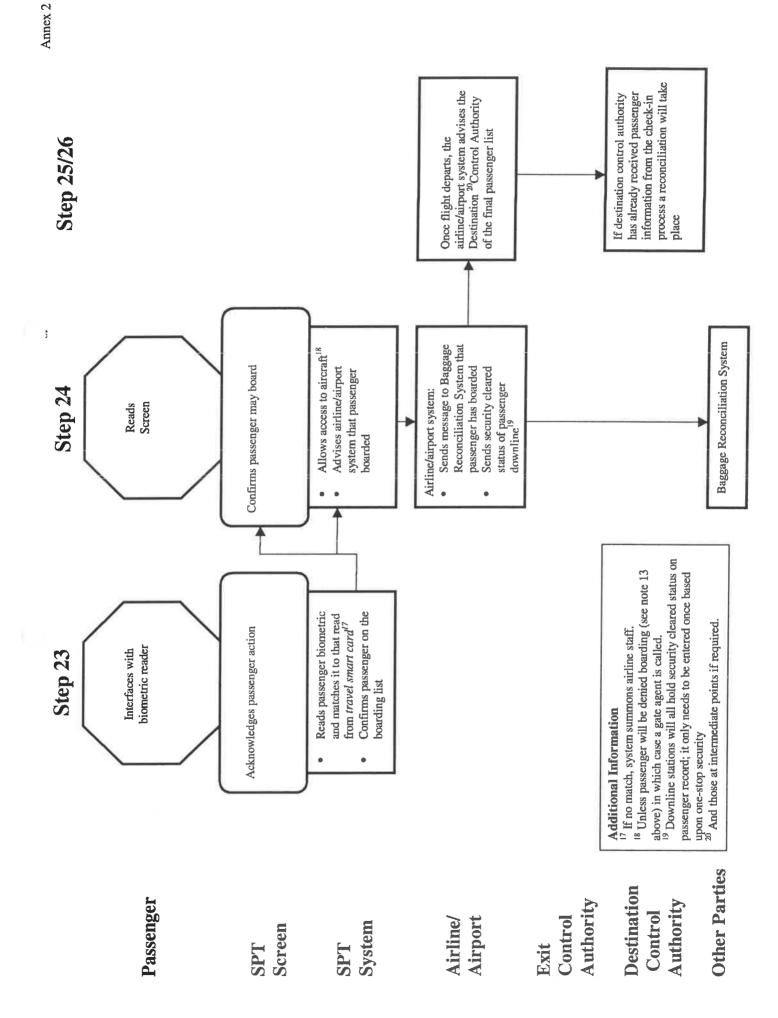
Control Authority

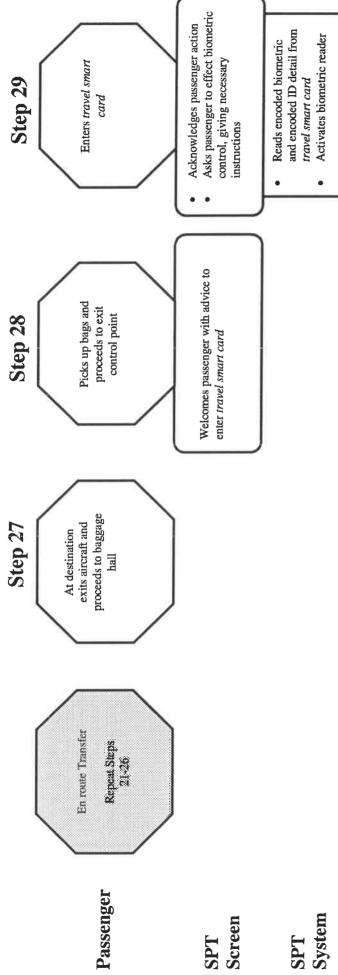
Authority

Control

Exit

Airport





Screen

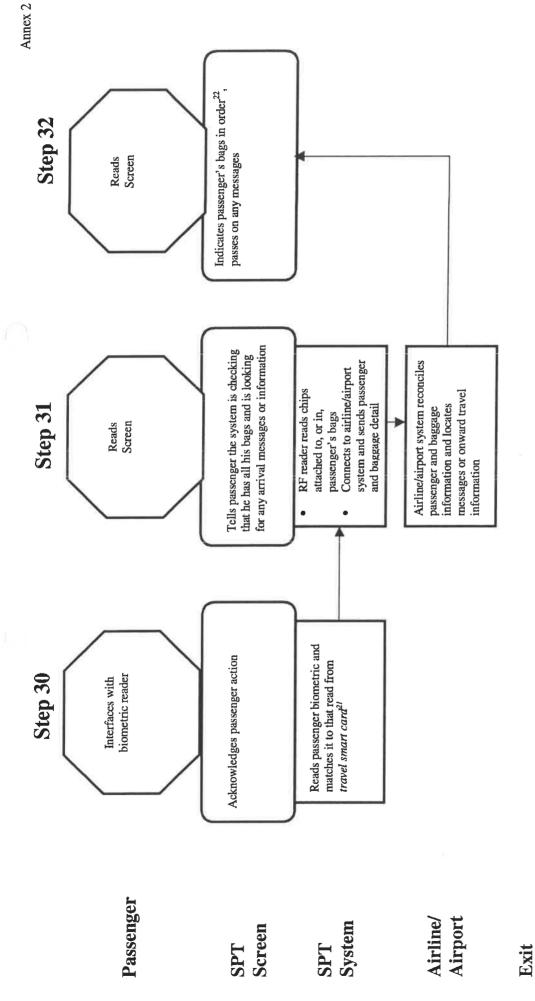
SPT

Airline/ Airport

Authority Control Exit

Destination Authority Control

Other Parties



Additional Information

Other Parties

Destination

Control

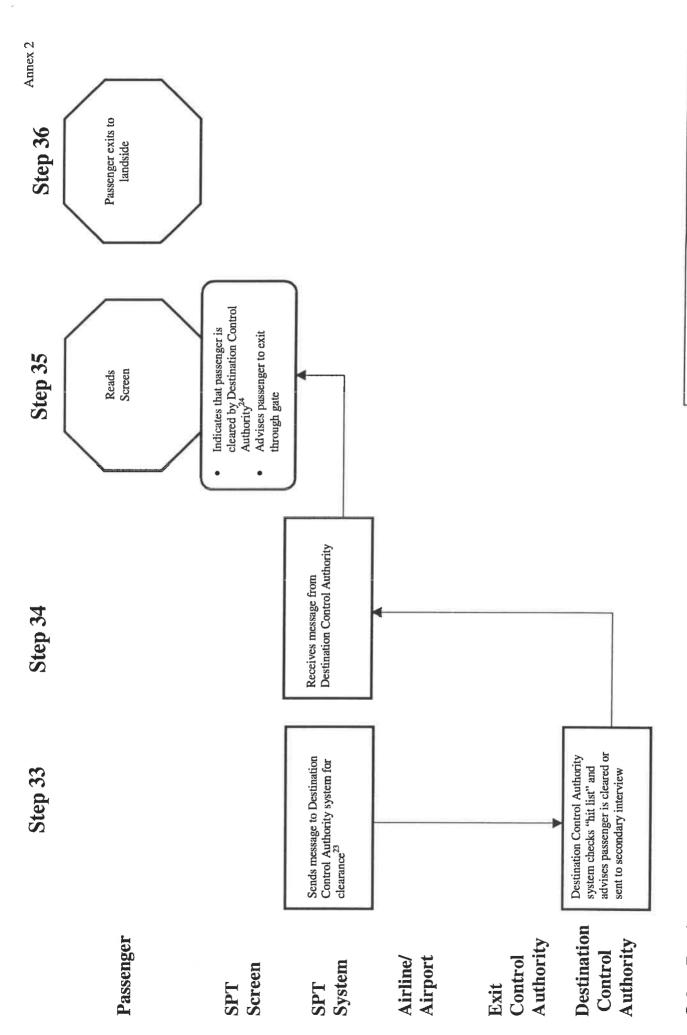
Authority

Control

Authority

If no match system summons airline/airport staff

²² Any baggage discrepancy would be advised on the screen and the passenger directed to a special area



Other Parties

Additional Information

Macrice this will be taking place in parallel with airline/airport sy interface to minimize process time.

If formal interview required, passenger directed to special area.



MEMORANDUM OF UNDERSTANDING for the SPT INTEREST GROUP

This Memorandum of Understanding ("MOU"), by and between the undersigned Member of the SIMPLIFYING PASSENGER TRAVEL ("SPT") INTEREST GROUP ("SPTIG") and all the other SPTIG Members (the "Members"), shall become effective in accordance with the terms set forth in Article XII below.

I. OBJECTIVE AND ORGANIZATION

- 1. The Objective of the SPTIG (the "Objective") shall be to promote, test and develop the SPT *Vision** and quantify its benefits through practical application of technology and related processes.
- 2. Ultimately, the *Vision* is intended to produce the following three-fold result:
 - a. Improvement of passenger satisfaction;
 - b. Reduction of costs for all parties involved; and
 - c. Avoidance of costs for new facilities and additional manpower.
- 3. In seeking to achieve the Objective, the SPTIG shall carry out the SPT Program (the "Program") as set forth in the Terms of Reference contained in *Exhibit A*, which is attached to and is an integral part of this MOU. Members shall have the authority to amend the Terms of Reference in accordance with the voting procedures set forth in Article X(3) of this MOU.
- 4. In furtherance of its mandate, the SPTIG shall receive the assistance of the SPT Board (the "Board"). Membership in the Board shall be limited

^{*} Passengers, equipped with a multi-functional smart card (or other device) including a biometric ID, provide information in a "one-stop" check process which, together with other information generated from the journey and shared between all involved parties, would facilitate subsequent processing, and allow controls to be effected on a risk assessment basis.

- to international associations representing entities connected with international passenger air transport*.
- 5. The Board shall act in an advisory rather than supervisory role vis à vis the SPTIG, and shall be responsible for overseeing and promoting the evolution of the Vision. In carrying out its responsibilities, the Board shall:
 - a. Update the *Vision* on the basis of experience gained by and advice received from the SPTIG; and
 - b. Ensure that the actions and decisions of the SPTIG remain within the parameters of the *Vision*, as they may be amended from time to time.

II. SPTIG MEMBERSHIP

- 1. Membership shall be open to IATA Member and non-member airlines, airports, industry suppliers, system integrators, consultants, customs and immigration authorities ("Control Authorities"), and any other person who has the expertise, resources and interest to contribute to the success of the Program.
- 2. Each Member shall designate in writing to the Program Director a representative vested with the requisite authority to act, negotiate and enter into commitments on behalf of his/her company. Each Member may also designate an alternate, who shall have the same authority as the representative. The Program Director periodically will update and distribute to all Members the list(s) of authorised representatives and alternates.
- 3. Each Member shall support financially, to the extent required by Article III and in accordance with the terms and conditions provided for hereunder, the objective of the SPTIG and the Terms of Reference set forth in *Exhibit A*, as these may be amended from time to time. Each Member, at its sole discretion, may contribute employee time and equipment in furtherance of the SPTIG's objectives. Provided, that no financial support shall be required from Control Authorities.
- 4. Except as and to the extent otherwise provided hereunder, each Member shall have the opportunity to participate in the SPTIG on terms not less favourable than those offered to any other signatory to the MOU.
- 5. Signature of this MOU shall not impose on any of the Members any obligation to participate in any stages of the Program beyond those in *Exhibit A*, or in any expenditures over and above those that will be agreed

Airports Council International (ACI)
Air Transport Users Council (AUC)
Control Authorities Working Group (CAWG)
International Air Transport Association (IATA);
International Civil Aviation Organization (ICAO)
Société Internationale de Télécommunications Aéronautiques (SITA)
World Customs Organisation (WCO)

^{*} As at 21 January 1999 the SPT Board consists of the following representative organisations:

at the first meeting of the SPTIG ("Launch Meeting") based on the proposals outlined in *Exhibits A* and *B*. Moreover, each Member shall have the right to withdraw at any time without further obligation to the SPTIG or to any of the other Members, subject to the terms and conditions provided for hereunder. It is understood that, except as otherwise provided hereunder, Members and withdrawing Members shall have no liability to the SPTIG, any other Members or IATA.

III. FUNDING

- 1. The SPT Program in calendar year 2000 shall be funded with an amount of money sufficient to cover the estimated cost of labour and reasonable expenses. The estimated proposed budget for year 2000 is USD 170,600 ("Initial Budget"), as set forth in detail in *Exhibit B* attached hereto.
- 2. The proposed Initial Budget shall be finalised and agreed by the SPTIG at its Launch Meeting, and shall be funded through an initial SPTIG membership fee ("Membership Fee"), to be assessed at the following levels:
 - a. Members and affiliates of organisations represented on the SPT Board:

USD 7,500

b. Others (except for Control Authorities):

USD 10,000

c. Control Authorities:

--0--

The Membership Fee shall be payable to IATA upon signature of the MOU.

- 3. It is understood that
 - a. No expenditures beyond the Initial Budget may be made by the Program Director without the express approval of the SPTIG pursuant to the voting procedures of Article X(3).
 - b. Any surplus shall be carried forward and applied to the budget for the following year.
- 4. The SPTIG shall adopt an annual budget for a work program for calendar year(s) subsequent to year 2000, as provided in Article X(2)(c), and on the basis of that budget it shall determine the level of an annual subscription fee ("Annual Fee") that shall be payable by each Member. The Annual Fee for any given year shall be remitted to IATA by no later than 1 December of the preceding year.
- 5. The annual budget for any calendar year subsequent to year 2000 shall be adopted by Members by no later than 30 September of the preceding year.

IV. THE ROLE OF IATA

- 1. IATA will provide Secretariat services and support to the SPTIG under the direction of a Program Director (who in turn may appoint a Program Manager), and will coordinate and supervise, as necessary and appropriate, the activities to be undertaken by the SPTIG as authorised by this MOU and by the SPTIG.
- 2. The Program Director will report to the SPTIG. Within IATA, he reports to the Vice-President, Member Relations and Communications.
- 3. Services provided by the Program Director and Program Manager will be billed at cost against the agreed Initial Budget (the proposal for which is set forth in *Exhibit B*) or, for years beyond 2000, against the annual budget. Any work to be assigned, and remuneration to be paid, to additional IATA staff shall be agreed by the SPTIG as necessary and appropriate. Normal expenses for hotel and *per diem* allowances will be reimbursed in accordance with IATA practice and policy. Members shall reimburse IATA in full for expenses incurred for services provided by external consultants/contractors pursuant to agreements between IATA and said consultants/contractors duly authorised by the SPTIG.

V. ADMINISTRATION

- 1. The Program Director shall have no authority to enter into any agreements with, or otherwise bind the SPTIG to, third-parties, except as expressly and duly authorised by the SPTIG pursuant to the voting procedures set forth in Article X(3) of this MOU.
- 2. The Program Director shall be accountable to the SPTIG for the disbursement of any and all funds, and shall document and report to the SPTIG on a quarterly basis all expenses incurred.

VI. TERMINATION

- 1. Withdrawal from the MOU by any Member is permissible at any time on written notice to the program director, provided that under no circumstances a withdrawing Member shall be entitled to a refund of any part or all of its Membership and/or Annual Fee(s) paid pursuant to Article III. The Program Director shall inform all Members of the withdrawal of any Member, within one month of receiving such Member's notice of intent to withdraw or, if no notice was given, promptly upon its actual withdrawal, whichever occurs first.
- 2. The activities of the SPTIG shall continue unless and until the Members agree by a simple majority vote of all funding Members to terminate the SPTIG. It is understood that any funding Member at any time may call

- for a vote to elect to terminate the SPTIG pursuant to the voting procedures set forth in Article X(3).
- 3. Upon termination of the SPTIG, any remaining funds, including ongoing or residual revenues, shall be distributed in equal amounts to Members providing Program funding under Article III (hereafter "funding Members") who at the time of termination have full voting rights under the MOU.

VII. ADDITIONAL MEMBERS

- 1. Subsequent to the effective date of this MOU, additional persons may become Members to the MOU by consent of a simple majority of the then-current Members.
- 2. Each additional Member (other than Control Authorities) shall contribute toward the funding of the Program an amount to be determined by the then-current Members to the MOU. Such determination shall be based on objective criteria, including (but not limited to) the reasonable estimate of
 - a. The current Members' investment in the SPTIG; and
 - b. The accrued value of the SPT Program at the time of entry.
- 3. It is expressly understood and agreed that under no circumstances shall current Members exclude or attempt to exclude from membership any prospective additional Member in order to gain or retain a position of competitive advantage with respect to that prospective Member.

VIII. CONFIDENTIALITY OF INFORMATION

- 1. It is anticipated that, in carrying out the objective set forth in Article I, it may be necessary and desirable for Members to disclose to the SPTIG and/or other individual Members information of a proprietary and/or confidential nature ("Confidential Information"). For purposes of this MOU, Confidential Information is defined as information and documentation which, at the time of disclosure, the disclosing Member identifies in writing as "Confidential Information", and shall include (but not be limited to) Information as defined in Article IX below. Provided, that Confidential Information shall exclude information or documentation which is:
 - a. Already known to the recipient at the time of disclosure;
 - b. Generated by the recipient independently and not derived from the Confidential Information supplied by the disclosing Member;
 - c. Known or available to the public, except where such knowledge or availability results from recipient's unauthorised disclosure of Confidential Information:

- d. Disclosed to the recipient by a third party who is not in breach of any disclosure restrictions and has the right to make such disclosure; or
- e. Required to be disclosed by the recipient by law, regulation, court order or other legal process.
- 2. The Confidential Information provided hereunder may be used by the SPTIG, its Members and IATA only in activities and for purposes connected with the furtherance of the objective set forth in Article I.
- 3. Each Member shall use the same reasonable efforts to protect any other Member's Confidential Information as it uses or would use to protect its own, but to that end it shall use at least reasonable care. No Member shall disclose to third-parties any Confidential Information provided by any other Member without the prior written consent of the latter.
- 4. The provisions and obligations of this Article VIII shall survive for a period of five (5) years the expiration and/or termination of this MOU.

IX. INTELLECTUAL PROPERTY RIGHTS

Intellectual Property Rights ("IPR") in any and all information, documentation, know-how, systems, software, drawings, manuals, specifications, and/or data (collectively "Information") produced by or on behalf of the SPTIG shall vest in and shall be owned by the SPTIG, and shall be available for use by the SPTIG, its Members and/or IATA solely for the purposes of the SPTIG Objective (as set forth in Article I), unless and to the extent otherwise agreed by the SPTIG, and subject to the following:

- 1. IATA shall administer the IPR in any SPTIG work-product for and on behalf of the SPTIG, its Members and IATA;
- 2. The copyright in any IATA resolutions, recommended practices, standards or manuals developed and adopted by the SPTIG shall vest in and shall be owned by IATA; and
- 3. The IPR in any Information provided to the SPTIG by any Member or IATA who expressly reserves the IPR in said Information by appropriate notice to the SPTIG and prompt subsequent written confirmation to the Program Director shall be excluded and shall remain the sole property of the disclosing Member.

X. MEETINGS AND VOTING

1. Meetings of the SPTIG shall be held as often as a simple majority of the SPTIG Members shall deem necessary and appropriate, provided that there shall be at least two meetings per calendar year (date, time and place to be determined by the SPTIG).

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- 2. Meetings of the SPTIG shall be responsible for:
 - a. Electing a Chairman and a Vice-Chairman and, if appropriate, an Executive Committee;
 - b. Establishing, defining and, as necessary and appropriate, modifying the scope of the Program;
 - c. Approving Program budgets and expenditures, and monitoring performance relative to budget;
 - d. Providing guidance and advice to the Program Director;
 - e. Approving for publication any report or certification;
 - f. Determining how any revenues earned through the activities of the SPTIG shall be distributed among the Members; and
 - g. Determining the level of the Annual Fee under Article III(4).
- 3. Any issue which the Members present at any given meeting are unable to resolve by consensus shall be submitted to a vote (each Member having one vote) and, unless and to the extent otherwise provided hereunder, shall be determined by a two-thirds majority of the Members present and voting. It is understood that:
 - a. Meetings may be held through electronic media ("virtual meetings"), as necessary and appropriate, in which case the required two-thirds majority shall be based on the number of Members participating and voting in any given meeting;
 - b. No decision taken at any meeting shall be binding on the SPTIG or any of its Members if less than fifty percent of the Members attend or, in the case of a virtual meeting, participate in that meeting;
 - c. All decisions for the approval of Program budgets and expenditures or of the distribution of revenues among Members, (sub-paragraphs 2.c and 2.f above, respectively, and hereafter referred to as "financial matters") shall require a two-thirds' majority of all funding Members.
 - d. Control Authorities shall have no right to vote on issues pertaining to financial matters; and
 - e. The Program Director shall document and distribute to Members all decisions of the SPTIG.
- 4. Any member of the SPT Board may attend SPTIG meetings as an observer and without any voting rights.
- 5. The meeting and voting rules set forth in this Article X may be amended by a two-thirds' majority of all funding Members.

XI. ACCEPTANCE OF PROGRAM TERMS OF REFERENCE AND FUNDING

- 1. At the Launch Meeting, the SPTIG shall review, finalise and agree the Terms of Reference (a draft for consideration is provided in *Exhibit A*), as well as the Initial Budget and the project deliverables.
- 2. Prior to the Launch Meeting, the Program Director will establish a mechanism for receiving the SPTIG Membership and Annual Fees and for administering the payment of invoices duly approved by the SPTIG.
- 3. Prior to the Launch Meeting, the Program Director will establish a mechanism for entering into agreements with service providers as may be required by the SPTIG.
- 4. At the Launch Meeting, the Program Director will explain these mechanisms to Members, and ask Members to approve them in accordance with the Article X(3) voting procedures.

XII. EFFECTIVE DATE, TERM AND SIGNATURE

- 1. This MOU shall become effective on the date of the Launch Meeting of the SPTIG, and upon condition that a minimum of 15 (fifteen) Members providing Program funding under Article III shall each have submitted to IATA an executed MOU.
- 2. Unless otherwise decided by the SPTIG, the term of this MOU shall expire on 31 December 2001. By no later than 30 June 2001, the SPTIG shall review the terms of this MOU vis à vis its past experience and future anticipated activities. Based on such experience and activities, the SPTIG shall determine the type of legal entity it should become, as well as the most appropriate legal instrument to formalise the rights and obligations of the Members participating in said legal entity.
- 3. Parties who wish to become signatories to this MOU (and Members of the SPTIG) shall return a signed original of the MOU to the Program Director, together with full payment of the Membership Fee as provided for in Article III or, in the case of additional Members, as may be determined by the SPTIG pursuant to the terms of Article VII. Provided, that members of the IATA Clearing House may effect payment of Membership and/or Annual Fees by authorising the Program Director, in writing, to collect the amount(s) due from their Clearing House account. A list of the signatories of the MOU will be provided to each Member as *Exhibit C* attached to a fully executed original of this MOU (see Article XIII), and will be updated by the Program Director as necessary and appropriate.
- 4. Participation in the Launch Meeting and in all subsequent meetings of the SPTIG by any Member shall be conditional upon timely payment of all applicable Membership and Annual Fees. Provided, that any Member that fails to remit payment for any overdue fee within thirty (30) days following the date of IATA's overdue written notice to that Member shall