

Field: Visas	Field code: 5
Subject: Application Intake and Appeal Submission	Subject Code: 1

Procedure No: 5.1.0001
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Last revised: 17.11.2009

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## **General Procedure for the Intake of all Application Types and the Submission of Appeals against Decisions**

### **A. Procedure purpose**

- A1. To determine the method for application intake by the branch offices, and regulate the filing and processing of appeals.
- A2. To stress to all branch officers that they may not refuse to intake any application of any type, even if the receiving officer is certain the application will be denied.
- A3. No enforcement action may be taken against applicants pending a decision on an initial application/appeal/application to the appellate committee.

### **B. Conditions and requirements**

#### **B1. When filing an application:**

The required application form for the requested service must be filled out by the applicant, and all required documents must be enclosed. It is emphasized that the application must be filled out by the applicant and not by the officer.

#### **B2. When submitting an appeal:**

1. A single appeal may be submitted to PIA\* headquarters, regardless of the rank of the officer who ruled on the appeal [*sic*].
2. The appeal must be submitted to PIA headquarters within no more than three months from the date of issuance of the branch office decision.
3. An appeal against a decision made by a branch officer shall be submitted to the branch office manager, who will review it at the branch office level.
4. An appeal against an branch office level decision will be submitted to the relevant desk by the branch office/applicant/applicant's counsel via the branch office or directly to the desk.

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\* PIA - Population and Immigration Authority [translator note]

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### C. **Processing**

- C1. Even if the branch officer is certain that the application will be denied, he must receive the application. However, the officer may inform the applicant that according to the criteria, the application will likely not be approved. If the applicant still wishes to proceed with submission of the application, it must be received as appropriate and processed according to ordinary procedure.
- C2. **An appeal against a decision made by a branch officer:** will be submitted to the branch office manager who will review it at the branch office level. In case of a refusal, the applicant must be informed of the response and the relevant reasons in writing.
- C3. **An appeal against a branch office level decision:** will be submitted in writing to the relevant desk by the branch office/applicant/applicant's counsel via the branch office or directly to the desk. The response will be sent directly to the branch office, which will notify the applicant.
- C4. **Appeals against PIA headquarters level decisions:** An applicant who wishes to appeal after receiving a decision from the registry/visa/citizenship department at PIA headquarters, may submit an appeal to the director of the Status and Registry Division at PIA headquarters.
- C5. **An appeal against a decision made by the Status and Registry Division director:** will be transferred to the director of the PIA. Such appeal will be processed by PIA headquarters, in coordination with the ombudsman.
- C5.<sub>[sic]</sub> **Every proceeding in a file must be updated in the "registry file" in the registry database.**