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[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor born abroad to a permanent resident parent

Procedure No: 5.2.0030
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## **Procedure for Processing Applications for Israeli Residency Visas for Minors Born Outside Israel with Only One Parent Registered as a Permanent Resident of Israel**

### **A. Procedure Purpose**

- A.1 To determine the procedure for submission and processing of applications for grant of status to a minor child who was born in Israel and has only one parent who is registered as a permanent resident of Israel.
- A.2 To determine the type of residency visa for such minor upon satisfaction of the conditions and requirements as detailed below.

<b>Note: All provisions of this procedure are subject to proof of paternity or maternity as per the relevant Population and Immigration Authority procedures.</b>
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### **B. Conditions and Requirements**

- B.1 Submission of an application for family unification for a minor (ages 0-18), enclosing payment of permanent residency visa fee.
- B.2 In-person presence of permanent resident parent – mandatory.
- B.3 Notice of birth, certified and original. See Procedure No. 1.3.0001.
- B.4 ID card of permanent resident parent.
- B.5 ID card of “Area” resident parent / foreign passport.
- B.6 Payment of fee for application for permanent residency visa and a fee for every temporary residency visa issued to the applicant.
- B.7 Proof of the resident parent’s and minor’s center-of-life in Israel in the two years preceding application submission, as per Procedure 1.13.0001. In the even the minor is under **two years**

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old, proof of center-of-life in Israel of the resident parent in the two years preceding the application and proof of center-of-life in Israel with the minor from the date of birth will be required. **Taking into account the provision set in section C.6.7 of this procedure regarding applications submitted after September 1, 2013.**

- B.8 A minor over age 14 will be required to fill out a full curriculum vitae form for the purpose of security screening. Said form will be required as a rule in cases where the application concerns a resident of the Area or a person originating from a screening country.

**C. Processing**

- C.1 The authority branch officer receiving the application form will identify the applicants, locate their file in the “Aviv” system, check the application details and the appended documents and enter it into the Aviv system in a registry sheet and in the applications file, and attach all the required documents to the file. If the minor’s specifics are not included in the file, the information will be updated and the files must be linked.
- C.2 If the minor is over age 14, a query must be sent to the police regarding criminal record and intelligence information, and also to security officials.
- C.3 A query must be sent to the National Insurance Institute and the Ministry of Education and/or the local education authority (as relevant) for details on center-of-life.
- C.4 Review of full center-of-life in Israel for the permanent resident parent and the minor in the two years preceding application submission, as per Procedure 1.13.0001, as well as review of the permanent resident parent’s status.
- C.5 Where the minor is under two years old, proof of the resident parent’s center-of-life in Israel in the two years preceding application submission and center-of-life in Israel with the minor from the date of birth will be required.

**C.6 Determination of residency visa type:**

If it is found, subsequent to the examination of all the relevant factors, that it is possible to grant the minor an Israeli residency visa, the following parameters must be referred to and examined in order to determine the type of residency visa to be given to the minor:

**C.6.1 Place of birth**

- C.6.1.1 Whether the minor born outside Israel abroad/in the Area.
- C.6.1.2 Whether the minor is registered in another population registry or has lived abroad on a permanent basis – in the Area or in another country.
- C.6.1.3 Whether the minor is subject to the Citizenship and Entry into Israel Law (Temporary Order) 5763-2003 (hereinafter: Temporary Order).

- C.7 The following table lists the type of visa to be granted to a minor found eligible for a residency visa, and this according to the following parameters:

C.7.1 :

	<b>Not yet registered</b> No ID number	<b>Registered abroad</b> Foreign passport or resided abroad on a	<b>Registered in the Area, or residing in the Area despite not being</b>	<b>Registered in the Area, or residing in the Area despite not being</b>
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		permanent basis	<b>registered in the population registry of the Area, except for a resident of an Israeli community in the Area</b> Territories ID number <b>(Under age 14)</b>	<b>registered in the population registry of the Area, except for a resident of an Israeli community in the Area</b> Territories ID number <b>(Over age 14)</b>
	↓	↓	↓	↓
<b>Born outside limits/abroad/in the Area</b> <b>Fee payment as required by law, see Sec. B.6 above</b>	Application for Israeli residency visa** A two year center-of-life in Israel*. A/5 for two years followed by permanent (see Sec. C.3.7 below)	Application for Israeli residency visa** A two year center-of-life in Israel*. A/5 for two years followed by permanent (see Sec. C.3.7 below)	Application for Israeli residency visa** A two year center-of-life in Israel*. A/5 for two years, followed by Permanent subject to Temporary Order restrictions (see Sec. C.3.7 and subsections)	Application for Israeli residency visa** A two year center-of-life in Israel*. DCO only. see Sec. C.3.7 and subsections

\* A two year center-of-life in Israel with the permanent resident parent (see also Sec. C.3.7)

\*\* Children family unification

#### C.7.2 Processing manner and table interpretation:

- C.7.2.1 As a rule, if there is an application for family unification with the spouse, and the children are included in the same application, the application is examined as a whole.
- C.7.2.2 Upon application submission, the application for the sponsored parent and minors over age 14 must be transferred for the purpose of obtaining the positions of the agencies (ISA, police).
- C.7.2.3 As a rule, upon application submission, it is possible to file a joint application for grant of residency visa for minors both over age 14 and under age 14. However, grant of residency visa for minors under age 14 will not be subject to the agencies' (ISA and police) screening of the parent (foreign national) or the minors over age 14, regardless of whether or not an application was filed on their behalf, subject to satisfaction of all other conditions for application approval under the procedure in effect.
- C.7.2.4 Inasmuch as a single application is filed for a spouse and minors and there is an objection regarding the parent and/or one of the minors over age 14 – a letter must be issued pursuant to Security Agency Comments Procedure 5.2.0015 about that minor or parent (foreign national), as relevant, and the application's processing continued for the remaining sponsored individuals.

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To clarify, a new application must be submitted for the sponsored individual (spouse or minor) whose application has been denied, inasmuch as s/he wishes to reapply, and it will be reviewed in accordance with his/her age at the time of the new application submission.

C.7.2.5 The duration of review until reply is given to an application for a **minor** is six months from the application submission date, as a rule, and subject to the application containing all relevant documents, and to the applicant's full cooperation in the examination of center-of-live vis-à-vis the authorities.

In cases requiring examinations for longer than half a year (according to circumstances such as: the minor's age at the time of the application submission, the need to obtain the positions of authorities and other entities and the inquiries required thereby, and so on). In these cases, the duration will exceed half a year.

\* With respect to a minor over age 14 at the time of the application's submission, before any certificate is issued, receipt of the position of security officials must be verified.

C.7.2.5 [sic] In the event that a decision is not made within the period stated in the section above of held a year and the decision delay lies with the respondent and not the applicants, proceed as follows:

- A minor who has not been registered in a registry outside Israel will be given a permit of stay by the Population Authority for a period of six months. The permit will be stamped on the application submission receipt form.
- A minor with a foreign passport, including a minor registered in another population registry, will be given a residency visa type B/2 stamped on her/his foreign passport.
- A minor who comes under the scope of the Citizenship and Entry into Israel Law (Temporary Order) 5763-2003 **will remain in Israel by way of temporary permits to be issued by the military commander of Judea and Samaria pursuant to a referral by the Population Authority.**

Note that the above stated is subject to full provision of documents required and complete cooperation. A permit of temporary stay will not be given to a minor who is over age 14 upon application submission, on whom a security officials' position has not yet been received.

C.7.3 Subsequent to submission of all relevant documents and proof of center-of-life in Israel as required, and in the absence of a police or security preclusion, an examination as to whether the minor and his/her permanent-resident parent do in fact reside in Israel and

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maintain a center-of-life, which continues over a period (regardless of whether [s/he] was registered/resided abroad) and this is because the minor was born outside Israel. In the process, the minor will receive an A/5 temporary residency visa for two years; upon proof of continued center-of-life in Israel with the permanent resident parent and in the absence of a police- or security-based preclusion, at the end of the two years, the minor will receive a permanent residency visa.

**C.7.3.1    Insofar as the matter involves a minor subject to the Temporary Order –**

With regard to a minor who was registered in the Area or resides there despite not being registered in the population registry of the Area, and except for a resident of an Israeli community in the Area:

C.7.3.1.1.    A minor under age 14 (the minor's age will be examined in view of his/her age on the date of applying to submit the application and provided s/he submitted it on the date scheduled for him/her): the minor will receive A/5 for two years, and upon proof of continued center-of-life in Israel with the permanent resident parent, will receive a permanent residency visa.

C.7.3.1.2.    A minor over age 14 (the minor's age will be examined in view of his/her age on the date of applying to submit the application), will receive a referral to obtain DCO permits only, subject to a review of the position of police and security officials; and [status] will not be upgraded.

C.7.4    At the time of issuing the temporary residency visa (A/5), the applicant parent will be notified in writing, in Hebrew and Arabic, that documents and proof of center-of-life in Israel must be submitted for examination by the branch office three months before the end of the two-year period, and this before a permanent residency visa is issued

C.7.5    A residency visa permit issued to a minor will not be extended if the minor does not live with the custodial parent in Israel on a permanent basis.

C.7.6    A minor to whom the Temporary Order applies who has reached age 18, will continue receiving the same visa/permit s/he had prior to reaching age 18 and will not be upgraded.

The visa/permit will be extended subject to the absence of criminal/security preclusion, center-of-life, and all subject to the circumstances, the law and procedures.

**C.7.7    Applications filed after September 1, 2013**

C.7.7.1    All required documents have been submitted and center-of-life has not been proved as required (for two years prior to the application's submission), the application will remain pending and will not be rejected. Near the end of two consecutive years of center-of-life in Israel, the permanent resident parent should provide proof of center-of-life in Israel with the minor in the preceding two years. Proof of center-of-life was not provided as required,

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and the permanent resident parent did not apply near the end of two consecutive years of center-of-life, the application will be denied.

Subsequent to proof of center-of-life as required, and in the absence of a police or security preclusion: proceed as per section C.7.3 and on. To clarify, the application date to be considered is the first submission date of the application that will not be denied under this section.

**\*\*\* To clarify, there is a difference between processing of an application under Regulations 12 of the Entry into Israel Regulations 5734-1974** (see Procedure No. 5.2.0029 – Procedure for Processing of Applications for Israeli Residency Visas for Minors Born in Israel with Only One Parent Registered as a Permanent Resident of Israel under Regulation 12 of the Entry into Israel Regulations 5734-1974) and processing of applications for registration and grant of Israeli residency visas for minors born outside Israel with only one parent registered as a permanent resident of Israel (the procedure herein).

**D. The Law and Relevant Sections**

- D.1. Entry into Israel Law 5712-1952.
- D.2. Entry into Israel Regulations 5734-1974.
- D.3. Citizenship and Entry into Israel Law (Temporary Order) 5763-2003.