

[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor under Regulation 12

Procedure No: 5.2.0029
Page 1 of 6
Last revised: 19.09.2012

Disclaimer: The following is a non-binding translation of the original Hebrew document. It is provided by HaMoked: Center for the Defence of the Individual for information purposes only. The original Hebrew prevails in any case of discrepancy. While every effort has been made to ensure its accuracy, HaMoked is not liable for the proper and complete translation nor does it accept any liability for the use of, reliance on, or for any errors or misunderstandings that may derive from the English translation. For queries about the translation please contact site@hamoked.org.il

Procedure for Processing 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

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, according to Regulation 12 of the Entry into Israel Regulations.
- A.2 To determine the type of residency visa for such minor upon satisfaction of the conditions and requirements as detailed below.

<p>Note: All provisions of this procedure are subject to proof of paternity or maternity as per the relevant procedures.</p>

B. Conditions and Requirements

- B.1 Submission of an application under Regulation 12 of the Entry into Israel Regulations.
- B.2 Application form for grant of permanent residency visa (child registration) – or for A/5 temporary residency visa – Form AS/3.
- B.3 In-person presence of permanent resident parent – mandatory.
- B.4 Notice of live birth from a hospital in Israel (original).
- B.5 ID card of permanent resident parent.
- B.6 ID card of “Area” resident parent / foreign passport.

[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor under Regulation 12

Procedure No: 5.2.0029
Page 2 of 6
Last revised: 19.09.2012

- 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. Where the minor is under 24 months, proof of the resident parent's center-of-life in Israel 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.
- B.8 A minor over age 14 will be required to fill out a curriculum vitae form for the purpose of full security screening.
- B.9 Payment of fee – no fee is charged for the grant of permanent residency. Where an A/5 temporary visa is granted – only the A/5 fee will be charged.

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 information indicated in the application, 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 a criminal record and to security officials regarding intelligence information.
- C.3 A query must be sent to the National Insurance Institute and the Ministry of Education and/or the local educational network (as relevant) for details on center-of-life.
- C.4 Review full center-of-life in Israel for the permanent resident parent and the minor in the two years preceding application submission. Where the minor is under 24 months, 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.5 **Determination of residency visa type:**
To determine the residency visa type to be granted to the minor, the following parameters must be referred to and examined:
- C.5.1.1 Whether the minor was born in Israel.
 - C.5.1.2 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.5.1.3 Whether the Citizenship and Entry into Israel Law (Temporary Order) 5763-2003 (hereinafter: Temporary Order) applies to the minor.

[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor under Regulation 12

Procedure No: 5.2.0029
Page 3 of 6
Last revised: 19.09.2012

C.6 Processing will proceed according to the attached table listing the visa type to be granted to a minor found eligible for a residency visa in accordance with the following parameters:

	Not yet registered No ID number ↓	Registered abroad Passport or resided abroad on a permanent basis ↓	Registered in the Area, or residing in the Area despite not being registered in the population registry of the Area, excluding residents of an Israeli community in the Area Territories ID number (Under age 14) ↓	Registered in the Area, or residing in the Area despite not being registered in the population registry of the Area, excluding residents of an Israeli community in the Area Territories ID number (Over age 14) ↓
	Born in Israel (Regulation 12) No fee (except A/5 visa fee). Status for the minor granted according to Regulation 12 Center-of-life in Israel for two years.* Permanent residency visa.	Status for the minor granted according to Regulation 12 Center-of-life in Israel for two years.* A/5 for two years followed by permanent subject to continued center-of-life in Israel.*	Status for the minor granted according to Regulation 12 Center-of-life in Israel for two years.* A/5 for two years, followed by permanent, subject to continued center-of-life in Israel, Temporary Order restrictions, and Sec. C.6.3.2.1	Status for the minor granted according to Regulation 12 Center-of-life in Israel for two years.* DCO only.

* Center-of-life in Israel with the permanent resident parent for two years

C.6.1 Processing methods and table interpretation:

- C.6.1.1 As a rule, when there is an application for family unification for the spouse and an application for residency permits for the minors in the same family, the applications will be examined as a whole. However, processing of applications and issuance of a decision under this procedure will not be delayed due to examinations required only for the family unification application (of the spouse).
- C.6.1.2 At the time of application submission, the application for minors over age 14 must be transferred for the purpose of obtaining the position of the agencies (ISA, police).

[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor under Regulation 12

Procedure No: 5.2.0029
Page 4 of 6
Last revised: 19.09.2012

- C.6.1.3 As a rule, at the time of 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, the issuance of a residency visa for minors under age 14 (at the time of application submission) is not subject to a security agency screening of the foreign parent, or the minors over age 14, regardless of whether or not an application was filed on their behalf and subject to satisfaction of all other conditions for application approval under the procedure in effect.
- C.6.1.4 Inasmuch as a single application is filed for a number of children and there is an objection (from police and security officials) regarding one of the minors who is over age 14 (at the time of application submission), a letter must be issued in accordance with Security Agency Comments Procedure 5.2.0015, with respect to this minor, and processing of the application for the remaining minors should be continued. To clarify – a new application must be submitted for the minor whose application has been denied, inasmuch as s/he wishes to reapply. Such application will be reviewed in accordance with his/her age at the time the new application is submitted.
- C.6.1.5 **A minor up to age one** born in Israel and not registered anywhere else: duration of the examination from application submission date to provision of a response will be six months, provided the application includes all the required relevant documents and the applicant fully cooperates with the authorities in the center-of-life examination.
- C.6.1.6 Duration of examination until provision of a response in an application for a **minor over age one**, born in Israel, will be, as a rule, six months from application submission date, provided the application includes all required relevant documents and the applicant fully cooperates with the authorities in the center-of-life examination.
In some cases, examinations may require more than six months (depending on the circumstances, such as, the age of the minor at the time of application submission, the need to receive the positions of other authorities and officials and the inquiries required for such etc.) In these cases, the examination will exceed six months.
*With respect to a minor who is over age 14 at the time of application submission, receipt of security agency positions must be ensured before issuing any type of approval.
- C.6.1.7 In cases in which a decision is not made within the six-month period stipulated in the above section, and the delay is caused by the Respondent rather than the applicants, the following steps must be taken:
- A minor who was not registered in a registry outside Israel will be granted a stay-permit by the Population Authority for a period of six months. The permit will be provided on the Application Submission Confirmation Form (attached).

[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor under Regulation 12

Procedure No: 5.2.0029
Page 5 of 6
Last revised: 19.09.2012

- A minor who has a foreign passport, including a minor who is registered in another population registry will be granted a B/2 residency visa – affixed to his/her passport.
- A minor to whom the Citizenship and Entry into Israel Law (Temporary Order) 5763-2003 applies **will remain in Israel by way of temporary permits issued by the commander of the Area in Judea and Samaria as per a referral from the Population Authority.**

Note that the above is subject to the full production of required documents and full cooperation. A minor who was over age 14 at the time of application submission and regarding whom the position of security agencies has not yet been received will not be granted a temporary stay-permit.

- C.6.2 Subsequent to submission of all relevant documents and proof of center-of-life as required and in the absence of a police or security preclusion, inasmuch as the minor was not registered in another registry, the minor will receive a permanent residency visa.
- C.6.3 Subsequent to submission of all required documents and proof of center-of-life as required, inasmuch as the minor was registered in another registry, an examination of continued center-of-life in Israel will be undertaken as detailed below:
- C.6.3.1. **A minor registered abroad** will be granted an A/5 visa for temporary residency in Israel for two years. Upon proof of continued center-of-life at the end of the two year period, s/he will receive a permanent residency visa.
- C.6.3.2. **A minor to whom the Temporary Order applies** – when the matter involves a minor who was registered in the Area or resides there despite not being registered in the population registry of the Area, other than a resident of an Israeli community in the Area:
- C.6.3.2.1. **A minor under age 14** (the age of the minor will be examined in view of his/her age at the time contact was made for the purpose of submitting the application, provided s/he submitted the application at the time scheduled): will receive an A/5 residency visa for two years, followed by a permanent residency visa, upon proof of continued center-of-life in Israel with the permanent resident parent.
Inasmuch as at the end of the two year period the minor is over age 14, s/he will receive a permanent residency visa subject to examination of the position of police and security officials.
- C.6.3.2.2. **A minor over age 14** (the age of the minor will be examined in view of his/her age at the time contact was made for the purpose of filing the application), will receive DCO permits only, subject to a review of the position of police and security officials. Status will not be upgraded.
- C.6.4 At the time of issuance of the A-5 temporary residency visa, the permanent resident applicant parent will be notified in writing, in Hebrew and Arabic, that before a

[emblem] Population and Immigration Authority	Field: Visas
	Subject: Israeli residency permit to a minor under Regulation 12

Procedure No: 5.2.0029
Page 6 of 6
Last revised: 19.09.2012

permanent residency visa can be issued, documents and evidence of center-of-life in Israel must be submitted to the branch office for examination 3 months prior to the end of the two-year period.

- C.6.5 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.6.6 A minor to whom the Temporary Order applies, who reaches age 18, will continue receiving the same visa/permit s/he had prior to reaching age 18 without upgrades. The visa/permit will be extended subject to the absence of a criminal/security preclusion, center-of-life – all subject to the circumstances, the law and procedures.

D. The Law and Relevant Sections

- D.1. Entry into Israel Law 5712-1952.
- D.2. Regulation 12 of the Entry into Israel Regulations 5734-1974.
- D.3. Citizenship and Entry into Israel Law (Temporary Order) 5763-2003.