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## **Nationality and Entry into Israel Law (Temporary Order) (Amendment No. 2), 5767-2007**

### **Amendment of Section 1**

1. In Hoq ha-Ezrahut weha-Kenisa le-Yisra'el (Hora'at Sha'a) [the Nationality and Entry into Israel Law (Temporary Order)], 5763–2003<sup>1</sup> (hereinafter: **the principal law**), in Section 1, in the definition “regional commander”, the words, “the commander of the forces of the Israel Defense Forces in the Gaza Region or” shall be deleted.

### **Amendment of Section 2**

2. In section 2 of the principal law, the words “to a Resident of the Region” shall be followed by “or a citizen or resident of a country listed in the annex”, and “such a Resident” shall be replaced by “a resident of the Region”

### **Addition of Section 3A1**

3. Section 3A of the principal law shall be followed by:

#### **Permits for residency and stay permits in special humanitarian cases**

3A1. (a). Notwithstanding the provisions of Section 2, the Minister of the Interior may, for special humanitarian reasons, at the recommendation of a professional committee appointed by him for this purpose (in this Section, the committee) –

- (1) grant a permit for temporary residency in Israel to a resident of the Region or a citizen or resident of a country listed in the annex whose family member is lawfully present in Israel;
- (2) approve an application for a stay permit for Israel granted by the regional commander to a resident of the Region whose family member is lawfully present in Israel.

(b). The Minister of the Interior may decide to establish several committees for

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<sup>1</sup> Passed by the Knesset on 2 Nisan 5767 (31 March 2007); the proposed law and notations were published in Government Bills – 273 dated 27 Kislev 5767 (18 December 2006), p. 182. Sefer ha-Huqqim 5763 [2003], p. 544. 5765 [2005], p. 730.

Sefer ha-Huqqim 2092, 9 Nissan 5767, 28 March 2007

purposes of this Section, whose composition shall be as prescribed in Subsection (c).

- (c). The composition of the committee shall be:
- (1) a person eligible to be appointed judge of the District Court, appointed by the Minister of the Interior, who shall chair the committee;
  - (2) a representative appointed by the Minister of Defense;
  - (3) a representative appointed by the head of the Israel Security Agency from among the Agency's employees;
  - (4) a representative appointed by the Minister of the Interior from among the employees of his office;
  - (5) a public representative, appointed by the Minister of Justice and the Minister of the Interior.
- (d). The Minister of the Interior shall provide a written decision whether to grant a permit for residency or approve an application, as relevant, as stated in Subsection (a) within six months of the date on which all requisite documents are presented to the committee; the Minister's decision shall be detailed.
- (e). For purposes of this section –
- (1) The fact that the family member of the person applying for a residency or stay permit, who is lawfully present in Israel is his or her spouse, or that the couple have children, shall not, of itself, constitute a special humanitarian reason;
  - (2) If the person applying for a permit is resident of Syria and his or her spouse a member of the Druze community who is lawfully present in Israel and who resides in the territory of the Golan Heights, to which the law, jurisdiction and administration of the State of Israel was applied under the Golan Heights Law 5742-1981<sup>2</sup>; the Minister of the Interior may consider this a special humanitarian reason.
- (f). The Minister of the Interior may determine by order, with the approval of the government, a maximum annual quota for permits for residency or stay permits to be granted or approved under this Section.
- (g). In this Section, "family member" – spouse, parent or child."

### **Amendment of Section 3C**

4. In Section 3C of the principal law, the words "in Israel to a resident of the Region" shall be followed by "or a citizen or resident of a country listed in the annex" and the words "that a resident of the Area" shall be replaced with "that such resident or citizen".

### **Amendment of Section 3D**

5. In Section 3D of the principal law –
- (1) The section beginning with the words "A permit to stay in Israel" and ending with the words "shall not be granted to a resident of the Region", shall be replaced by "A permit

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<sup>2</sup> 68, 5742 [1981], p.6.

- to stay in Israel or a permit to reside in Israel pursuant to Article 3, 3A(2), 3B(2) and (3) and 4(2) shall not be granted to a resident of the region and a permit to reside in Israel shall not be granted to any other applicant who is not a resident of the Region”;
- (2) The words “or a member of his family” shall be replaced by “or another applicant or a member of their family”;
- (3) The following shall be added at the end of the Section: “for this purpose, the Minister of the Interior may determine that a resident of the Area or another applicant is liable to constitute a security threat to the State of Israel, based on, *inter alia*, the opinion of the competent security officials that activity which may pose a threat to the security of the State of Israel or its citizens is taking place in the country or area where the resident of the Area or another applicant resides.”

### **Addition of Section 3E**

6. Section 3D of the principal law shall be followed by:

#### **Amendment to the annex**

3E. “The government may amend the annex by order.”

### **Amendment of Section 5**

7. In Section 5 of the principal law, the section beginning with the word “until” and ending with the word “however”, shall be replaced by “until 28 Tamuz 5768 (31 July 2008); however”.

### **Addition of annex**

8. Section 5 of the principal law shall be followed by:

**Annex**  
(Sections 2, 3A1, 3C, 3E)

“Iran, Lebanon, Syria, Iraq”

### **Publication of announcement regarding contacting the committee**

9. The Minister of the Interior shall publish an announcement regarding ways of contacting the committee as defined in Section 3A1 of the principal law, as phrased in Section 3 of this law, within 45 days of publication of this law.

Ehud Olmert  
Prime Minister

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Minister of the Interior

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Knesset Speaker