

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**

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

Procedure No: 5.2.0029
Page 1 of 7 (3rd edition)
Last revised: 19.04.2015

Procedure for Processing Applications for Grant of an Israeli Residency Visa for Minors Born in Israel with Only One Parent who is Registered as an Israeli Permanent Resident under Regulation 12 of the Entry into Israel Regulations 5734-1974

A. Purpose of Procedure

- A.1 To determine the procedure for submission and processing of applications for grant of Israeli residency visa to a minor 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.

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

B. Conditions and Requirements

- B.1 Submission of an application for the minor under Regulation 12 of the Entry into Israel Regulations.
- B.2 Application form for grant of permanent residency visa (child registration) – or for receiving a temporary residency A/5 visa – Form AS/3.
- B.3 In-person presence of the permanent resident parent – mandatory.
- B.4 Notice of live birth from the hospital in Israel (original notice).
- B.5 Identity card of permanent resident parent.
- B.6 Identity card of “Area” resident parent / foreign passport.
- B.7 Proof of center-of-life in Israel of the resident parent and the minor in the two years preceding the application submission under Procedure 1.13.0001. Where the minor is under age two, proof will be required of the resident parent’s center-of-life in Israel in the two years preceding the application filing and of his/her center-of-life in Israel with the minor from date of birth. Taking into account the provision set in section C.6.7.

B.8 Where the minor is over age 14, he/she will be to fill out a curriculum vitae form for the purpose of full security screening. Said form will be required, as a rule, in cases of an application concerning a resident of the Area or a person originating from a screening country.

B.9 Payment of fee – no fee is to be charged for grant of permanent residency visa. Where an A/5 temporary visa is granted – only the A/5 fee will be charged.

C. Mode of 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, 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 details do not appear in the file, all details should be updated and the files linked.

C.2 If the minor is over age 14, a query must be sent to the police regarding a criminal record and intelligence information, and to security officials as well.

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 must be conducted as per Procedure 1.13.0001 of the permanent resident parent and the minor in the two years preceding submission of the application. Where the minor is under two years old, proof will be required of the resident parent’s center-of-life in Israel in the two years preceding the application filing and his/her center-of-life in Israel with the minor from his/her date of birth.

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 minor comes under the Citizenship and Entry into Israel Law (Temporary Order) 5763-2003 (hereinafter: Temporary Order).

C.6 Continued processing should be made 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:

	<p>Not yet registered No ID Number</p> <p style="text-align: center;">↓</p>	<p>Registered abroad Passport or resided abroad on a permanent basis</p> <p style="text-align: center;">↓</p>	<p>Registered in the Area, or residing in the Area despite not being registered in the population registry of the Area, and except for a resident of an Israeli community in the Area. Territories ID No. (Under age 14)</p> <p style="text-align: center;">↓</p>	<p>Registered in the Area, or residing in the Area despite not being registered in the population registry of the Area, and except for a resident of an Israeli community in the Area. Territories ID No. (Over age 14)</p> <p style="text-align: center;">↓</p>
<p>Born in Israel (Regulation 12) No fee (Except A/5 visa fee).</p>	<p>Grant of residency visa for the minor under Regulation 12. A two-year center-of-life in Israel*. Permanent residency visa.</p>	<p>Grant of Residency visa for the minor under Regulation 12. A two-year center-of-life in Israel*. A/5 for two years, followed by permanent [visa] subject to continued center-of-life in Israel*.</p>	<p>Grant of Residency visa for the minor under Regulation 12. A two-year center-of-life in Israel*. A/5 for two years, followed by permanent [visa] subject to continued center-of-life in Israel, Temporary Order restrictions and the stipulated in Sec. C.6.3.2.1</p>	<p>Grant of Residency visa for the minor under Regulation 12. A two-year center-of-life in Israel*. DCO [permit] only.</p>

* A two-year center-of-life in Israel with the permanent resident parent

C.6.1 Processing manner and table interpretation:

C.6.1.1 As a rule, if there is an application for family unification with the spouse and an application for residency permits for minors in the same family, the applications will be examined as a whole. However, processing and decision in the application under this procedure will not be delayed due to the examinations required only for the family unification application (of the spouse).

C.6.1.2 Upon submission of the application, the application for minors over age 14 must be transferred for obtaining the position of the agencies (police and security).

C.6.1.3 As a rule, upon submission of the application, a joint application for grant of residency visa may be filed for minors both over age 14 and under age 14. However, the issuance of a residency visa for minors under age 14 (upon the application submission date) is not subject to the (Police and security) officials screening of the foreign parent or the minors over age 14, regardless of whether an application was filed on their behalf, subject to the satisfaction of all other conditions for approving the application under prevailing procedure.

- C.6.1.4 Inasmuch as a single application is filed for several children and there is an objection (by police and security officials) regarding one of the minors who is over age 14 (upon the application submission date) – a letter concerning the minor must be issued in accordance with Security Agency Comments Procedure 5.2.0015, and processing of the application must be continued for the remaining minors. Let it be clarified that a new application must be filed for a minor whose application was denied, inasmuch as s/he wishes to reapply to have his/her case processed, and it will be reviewed in accordance with his/her age on the submission date of the new application.
- C.6.1.5 A minor up to age one who is born in Israel and not registered anywhere else: the duration of the examination until a response is given to the application will be six month from the application submission date and provided that all required relevant documents are attached to the application and that the applicant fully cooperates with the authorities in the center-of-life examination.
- C.6.1.6 The duration of examination until a response is given in an application for a minor over age one born in Israel is, as a rule, six months from the application submission date, and provided all relevant documents are attached to the application and that the applicant fully cooperates with the authorities in the center-of-life examination.

In some cases, examinations must continue for longer than six months (depending on circumstances, such as: the minor's age on the application submission date, the need to receive the positions of other authorities and agencies and the inquiries required for the purpose, etc.) In these cases, the period will exceed six months.

* In the case of a minor who is over age 14 on the application submission date, receipt of positions of the security agencies must be ensured before issuing any type of approval.

- C.6.1.7 If a decision is not made within the six-month period stipulated in the section above, and the delay is caused by the respondent rather than the applicants, the following must be done:
- A minor who has not been registered in a registry outside Israel is to be given a stay-permit by the Population Authority for a period of six months. The permit will be provided on the Application Submission Confirmation Form (appended).
 - A minor with a foreign passport, including a minor registered in another population registry, will be given a residency B/2 visa stamped on passport.
 - A minor who comes under the bounds of the Citizenship and Entry into Israel Law (Temporary Order) 5763-2003 will remain in Israel by way of temporary permits issued by the Commander of the Area of Judea and Samaria according to a Population Authority referral.

Let it be noted that the above stated is subject to the submission of all required documents and full cooperation. A temporary stay-permit will not be given to a

minor over age 14 on the application submission date, about whom the security agencies' position has not yet been received.

- 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-based preclusion, inasmuch as the minor has not been 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 has been registered in another registry, a process will be undertaken to examine the continuation of center-of-life in Israel, as detailed in the following:
- C.6.3.1 A minor registered abroad will be granted a visa type A/5 for temporary residency in Israel for two years; and upon proving the 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 subject to the Temporary Order – in the case of a minor who has been registered in the Area or resides there although s/he is not registered in the population registry of the Area, and except for a resident of an Israeli community in the Area:
- C.6.3.2.1 The minor is 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, provided s/he submitted [it] at the scheduled time): the minor will receive an A/5 residency visa for two years, thereupon, at the end of the two year period, following proof of continued center-of-life in Israel with the permanent resident parent, s/he will receive a permanent residency visa.
- Inasmuch as the minor is over age 14 at the end of the two year period, s/he will receive a permanent residency visa subject to a review of the police and security officials' positions.
- C.6.3.2.2 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 DCO permit only, subject to a review of the police and security officials' positions, and [his/her status] will not be upgraded.
- C.6.4 Upon issuance of the temporary residency A-5 visa, the permanent resident parent who filed the application will receive written notice, in Hebrew and in Arabic, whereby three months prior to the end of the two-year period, documents and proof of center-of-life in Israel must be submitted for examination by the branch office, before grant of permanent residency visa.
- C.6.5 A minor's residency visa will not be extended if the minor does not live with the custodial permanent-resident parent in Israel on a permanent basis.
- C.6.6 A minor subject to the Temporary Order who has reached age 18, will continue receiving the same visa/permit s/he has had prior to reaching age 18, and [his/her status] 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 the procedures.
- C.6.7 Applications filed prior to proof of two years of center of life as required:
- C.6.7.1 When finding that a center of life in Israel by the permanent resident parent and the minor has not been proved as stated above (for two years prior to the application

submission date), the parent will be required to furnish within 45 days the following threshold documents:

- Rental or purchase agreement in the sponsor's name for an apartment in Israel.
- Confirmations of studies and end-of-year school report cards of the children in various education frameworks in Israel from age six at the minimum.
- Affidavit signed before an attorney as to the particulars of the stay period of the sponsor and the sponsored inside Israel and outside it.

Note – additional documents may be demanded beyond the above that may indicate the start of the center of life in Israel, and this is not an exhaustive list.

C.6.7.2 If the required threshold documents are not submitted within 45 days, the application will be rejected and notice will be sent to the applicants.

C.6.7.3 If all required threshold documents have been submitted and the other provisions of procedure are met, the application will not be rejected and will remain pending until the completion of two continuous years of center of life in Israel. During this period, a minor under age 14 will receive a confirmation of the application submission stating that no enforcement measures shall be undertaken against the applicants in the duration. A minor over age 14 will receive a temporary DCO permit (each time a year-long at most) until proving two years inside Israel.

C.6.7.4 Near the end of two continuous years of center of life in Israel, the permanent resident parent must supply proof of center of life in Israel with the minor in the two preceding years. Let it be clarified that the application submission date will be calculated according to the initial date on which the application that was not rejected had been filed, and that two years of center of life in Israel will be required from this application's submission date.

C.6.7.5 Subsequent to proof of center-of-life as required, and in the absence of police- and security-based preclusion and provided the remaining conditions of the procedure are met, proceed according to section C.6.3 and on.

C.6.7.6 Proof of center-of-life has not been provided as required, and the permanent resident parent has not applied near the end of the two continuous years of center-of-life in Israel, the application will be denied, and notice will be sent to the applicants.

C.6.7.7 Applications previously filed and rejected for failure to prove two years of center of life as required, [when] near the end of two continuous years of center of life in Israel from the date of the rejected application, the permanent resident parent submits a new application and proves the existence of a continuous two-year center of life as required, the application may be reconsidered according to the minor's age on the date of the previous application that was rejected for lack of center of life, and in the absence of a police- and security-based preclusion; proceed according to section C.6.3 and on.

C.6.7.8 Let it be emphasized that applications that were rejected due to false details/false documents about habitation inside Israel, will not be returned for the above detailed processing.

D. The Law and its 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.

E. Appendixes:

E.1. Child registration form

E.2. Request to furnish center of life for child registration