

Israel: Law No. 5712-1952, Entry into Israel Law

PART ONE: PERMISSION OF ENTRY AND RESIDENCE

1. General Provisions

(a) The entry into Israel of a person, other than an Israel national, shall be by oleh's visa or by a visa under this Law.

(b) The residence in Israel of a person, other than an Israel national or the holder of an oleh's visa or oleh' certificate, shall be by permit of residence, under this Law.

2. Categories of visas and permits of residence

(a) The Minister of the Interior may grant:

- (1) a visa and permit of transitory residence, up to 5 days;
- (2) a visa and visitor's permit of residence, up to 3 months;
- (3) a visa and permit of temporary residence, up to 3 years;
- (4) a visa and permit of permanent residence.

(b) A visa and permit of transitory residence or visitor's permit of residence may be issued to a group of persons jointly.

3. Extension of visas and permits of residence

The Minister of the Interior may extend -

- (1) a permit of transitory residence, provided that the aggregate period of extensions shall not exceed ten days;
- (2) a visitor's permit of residence, provided that the aggregate period of extensions shall not exceed two years;
- (3) a permit of temporary residence, provided that the period of any extension shall not exceed two years.

4. Substitution of permits of residence

The Minister of the Interior may substitute for a permit of residence of a shorter-term category a permit of residence of a longer-term category or a permit of permanent residence.

5. Return visas

The Minister of the Interior may grant a return visa to a person who, being permitted to reside in Israel permanently-

- (1) wishes to leave Israel with the intention of returning; or
- (2) is abroad and wishes to return to Israel.

6. Prescribing of conditions

The Minister of the Interior may

- (1) prescribe conditions for the grant of a visa and for the grant, extension or substitution of a permit of residence;
- (2) prescribe, in a visa or permit of residence, conditions upon the fulfilment of which the validity of such visa or permit shall depend.

PART TWO: PROCEDURE OF ENTRY

7. Frontier Stations

No person, whether or not he is an Israel national, shall enter Israel otherwise than at one of the frontier stations prescribed by the Minister of the Interior by order published in Reshumot and after reporting there to a frontier control officer and producing to him a valid passport of laissez-passer. The Minister of the Interior may exempt a person from the provisions of this section if in his opinion special circumstances justify his doing so.

8. Frontier control

(a) The master of any ship or the person in charge of any aircraft, train, motor-car or other means of transportation which has come to Israel shall deliver to a frontier control officer, on his demand, a list of the persons in such means of transportation, including the personnel thereof; the list shall contain the particulars prescribed by the Minister of the Interior by regulations under this Law.

(b) A frontier control officer may enter and carry out an inspection in any means of transportation which has come to Israel; and any person therein, including any member of the personnel thereof, shall produce to such frontier control officer, on his demand, any

documents, and shall give him any information, relevant to the implementation of this Law.

9. Verification of permission of entry

Where a person comes to Israel and wishes to enter it, a frontier control officer may delay his entry until it has been ascertained whether he is permitted to enter, and he may indicate a place where such person shall stay until completion of such ascertainment or until his departure from Israel.

10. Removal of person who is not permitted to enter

(a) Where a person comes to Israel and it is found that he is not permitted to enter, the Minister of the Interior may remove him from Israel.

(b) A frontier control officer may detain such a person, in such place and manner as the Minister of the Interior may prescribe, until his departure or removal from Israel.

(c) The master of any ship or the person in charge of any aircraft, train, motor-car or other means of transportation which has come to Israel shall, on the demand of a frontier control officer, take out of Israel any person who has arrived by that means of transportation with the intention of entering Israel, if it has been found that he is not permitted to enter.

PART THREE: MISCELLANEOUS PROVISIONS

11. Cancellation of visas etc.

(a) The Minister of the Interior may at his discretion

(1) cancel any visa granted under this Law, either before or on the arrival of the visa holder in Israel;

(2) cancel any permit of residence granted under this Law.

(b) The Minister of the Interior may by reasoned decision cancel any oleh's visa or oleh's certificate granted under the Law of the Return, 5710-1950, if it has been obtained by the supply of false information.

12. Offences

Any person who-

(1) enters or resides in Israel in contravention of the law; or

(2)supplies false information in order to obtain, for himself or for another, a visa for a permit of residence in Israel; or

(3)infringes any of the conditions prescribed in the visa or permit of residence granted him under this Law; or

(4)contravenes any other provision of this Law or any regulations made thereunder

is liable to imprisonment for one year.

13. Deportation

(a)In respect of a person other than an Israel national or an oleh under the Law of the Return, 5710-1950, the Minister of the Interior may issue an order of deportation if such person is in Israel without a permit of residence.

(b)A person in respect of whom an order of deportation has been issued shall leave Israel and shall not return so long as the order of deportation has been cancelled.

(c)Where an order of deportation has been issued in respect of any person a frontier control officer or police officer may arrest him and detain him in such place and manner as the Minister of the Interior may prescribe, until his departure or deportation from Israel.

(d)The Minister of the Interior may direct that an order of deportation shall be carried out at the expense of the person in respect of whom it has been issued or at the expense of the employer who employed him in Israel without first receiving the permit of the Minister for the said employment or after the expiry of the said permit.

14. Regulations

The Minister of the Interior may make regulations as to any matter relating to the implementation of this Law, including, inter alia, regulations as to the following:

(1)categories of persons who shall be disqualified for the receipt of a visa or permit of residence under this Law;

(2)conditions to be fulfilled prior to the grant of a visa, or the grant, extension or substitution of a permit of residence, under this Law;

(3)the medical examination, medical treatment and sanitary inspection of persons entering Israel, and the disinfection of their clothing and effects;

(4)fees payable in respect of the grant of a visa and the grant, extension or substitution of a permit of residence.

The methods of collecting the expenses incurred in a deportation carried out at the expense of the employer, as provided in section 13(d).

15. Implementation

(a)The Minister of the Interior is charged with the implementation of the Law.

(b)The Minister of the Interior may appoint frontier control officers for the purposes of this Law; notice of such appointments shall be published in Reshumot.

16. Delegation of powers

(a)The Minister of the Interior may delegate to another person all or any of his powers under this Law, except the power to make regulations; notice of any such delegation of powers shall be published in Reshumot.

(b)A person who considers himself aggrieved by a decision under section 11 or 13, made in exercise of a power delegated by the Minister, may apply to the Minister for a final decision.

17. Exemption

(a)The provisions of this Law shall not apply to the entry into Israel of a person who comes to Israel on a diplomatic or service visa or to the residence in Israel of a person as aforesaid in possession of a valid foreign diplomatic or service passport. The Minister of the Interior may, by order, in accordance with international conventions or agreements to which Israel is a party or international procedure recognised by Israel, and on condition of reciprocity, exempt additional categories of representatives of foreign states having diplomatic or consular status, or on special mission, from the provisions of this Law relating to entry into and residence in Israel.

(b)The Minister of the Interior, after consultation with the Home Affairs Committee of the Knesset, may, by order published in Reshumot, exempt additional categories of persons, either completely or with restrictions, from all or any of the provisions of this Law.

(c)The Minister of the Interior may permit a passenger in transit, who has arrived in Israel by ship or aircraft, to stay in Israel without a visa or permit of residence until the departure of such ship or aircraft.

18. Application and transitional provisions

(a)This Law shall apply to a person who enters Israel after the coming into force thereof and to the residence of such a person in Israel.

(b)With regard to a person who entered Israel prior to the coming into force of this Law, the position shall be the same as it would have been had this Law not been enacted. This provision shall not prevent the Minister of the Interior from granting a permit of permanent residence to a person who entered Israel as aforesaid, and when such a person has been granted such a permit, the provisions of this Law shall apply to him.

(c)Where any person, on the 16th Kislev, 5708 (29th November, 1947), was an inhabitant of the area which has become Israel territory, and he left such area prior to that date, and he applies, within two years from the coming into force of this Law, for permission to return to Israel, the Minister of the Interior may grant him a visa for that purpose.

19. Repeal and validation

The Immigration Ordinance, 1941, is hereby repealed. The Immigration Rules set out in the Schedule of the said Ordinance, as well as regulations, orders and notices made or given, and visas, permits and certificates granted thereunder shall have effect as if they had been made, given or granted under this Law.