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Legal Advisor for the Judea and Samaria Area

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ISRAEL DEFENSE FORCES

Order No. 329

Order regarding Prevention of Infiltration

Pursuant to my authority as military commander of the Area, I hereby order as follows:

Definitions

1. In this Order:

“lawfully” – as per a permit by the military commander or a person appointed by him;

“infiltrator” – a person who entered the Area knowingly and unlawfully after having been present in the east bank of the Jordan, Syria, Egypt or Lebanon following the effective date;

“resident of the Area” – a person whose permanent residence is in the Area;

“armed” – including a person armed with a device or material which may cause the death of a human being or cause him severe injury or dangerous injury despite not being a firearm, an explosive or an incendiary substance.

Sentencing of an infiltrator

2. The infiltrator shall be subject to a penalty of a term of imprisonment of fifteen years or a fine of 10,000 Israeli Lira or both.

Deportation

3. A. The military commander may order, in writing, the deportation of an infiltrator from the Area, whether charged with an offence under this Order or whether not charged and the deportation order shall serve as the legal source for holding such infiltrator in custody pending his deportation.

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B. Where a deportation order has been issued under Subsection (A) and the person against whom the deportation order had been issued is for some reason detained or incarcerated, such person shall be released from detention or incarceration for the purpose of executing the deportation, even if the detention or incarceration period has not yet ended, unless otherwise specified in the deportation order

Sentencing of an armed infiltrator

4. A person who infiltrated while armed or in the company of an armed person, or supported by an armed person shall be subject to a life sentence.

Evidence

5. In any proceeding under this Order, a person who is present in the Area without a document which allows his identification as a resident of the Area bears the burden of proving that he did not infiltrate following the entry into effect of this Order.

Presence following expiration of a permit

6. A person who has entered the Area following the effective date as per permit and remained in the Area unlawfully following expiration of the permit, or in contravention of its terms, is considered, for the purpose of Section 3 as an infiltrator.

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- Obtaining a permit under false pretenses** **7.** A person who entered the Area after the effective date as per permit that was obtained on the basis of a false affidavit is considered an infiltrator.
- Cancellation** **8.** The Order regarding Prevention of Infiltration (Judea and Samaria) (No. 125) 5727-1967 is null and void.
- Commencement of Validity** **9.** This Order shall take effect on 29 Tamuz 5729 (15 July 1969).
- Name** **10.** This Order shall be called "Order regarding Prevention of Infiltration (Judea and Samaria) (No. 329), 5729-1969".

13 Tamuz 5729

29 June 1960

**Refael Vardi, Brigadier General
Military Commander for
the Judea and Samaria Area**

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Amendments: Order No. 831 (Amendment No. 1) [18 March 1980] KMZM 46, p. 320