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Nationality and Entry into Israel Law (Temporary Order) (Amendment), 5765 – 2005

Amendment of Article 1

1. In Hoq ha-Ezrahut weha-Kenisa le-Yisra'el (Hora'at Sha'a) [the Nationality and Entry into Israel Law (Temporary Order)], 5763–2003¹ (hereinafter: **the Temporary Order**), in Article 1,–
 - (1) Instead of the definition “**regional commander**” shall come:

“‘regional commander’ – regarding Judea and Samaria – the commander of the forces of the Israel Defense Forces in Judea and Samaria, and regarding the Gaza Region – the commander of the forces of the Israel Defense Forces in the Gaza Region or a person empowered by the Minister of the Interior, with the consent of the Minister of the Defense”;
 - (2) In the definition of “resident of the region,” instead of “includes” shall come “a person who is registered in the Population Registry of the region, and also”.

Substitution of Article 3 and addition of Articles 3A to 3D

2. Instead of Article 3 of the Temporary Order shall come:

“Permit regarding spouse
3. Notwithstanding the provisions of Article 2, the Minister of the Interior may, at his discretion, approve the request of a resident of the region to be granted a permit to stay in Israel by the regional commander -
 - (1) as regards a male resident of the region who is over 35 years of age – to prevent the separation from his female spouse who is staying lawfully in Israel;

¹ Sefer ha-Huqqim 5763 [2003], p. 544.

- (2) as regards a female resident of the region who is over 25 years of age – to prevent the separation from her male spouse who is staying lawfully in Israel

Permit regarding children

- 3A. Notwithstanding the provisions of Article 2, the Minister of the Interior may, at his discretion –
 - (1) grant a minor who is a resident of the region and under 14 years of age a permit to reside in Israel in order to prevent his separation from his custodial parent who is staying lawfully in Israel;
 - (2) approve a request that a permit to stay in Israel be granted by the regional commander to a minor who is a resident of the region and is over 14 years of age in order to prevent his separation from his custodial parent who is staying lawfully in Israel, provided that the said permit shall not be extended if the minor does not reside permanently in Israel.

Other permits

- 3B. Notwithstanding the provisions of article 2, the regional commander may grant [a resident of the region] a permit to stay in Israel for the following purposes:
 - (1) medical treatment;
 - (2) work in Israel;
 - (3) for a temporary purpose, provided that the permit to stay that is granted for the said purpose does not exceed a total of six months.

Special permit

- 3C. Notwithstanding the provisions of Article 2, the Minister of the Interior may grant citizenship or grant a permit to reside in Israel to a resident of the region, and the regional commander may grant to a resident of the region a permit to stay in Israel, if they are convinced that the resident of the region identifies with the State of Israel and its goals, and that the resident or a member of his family performed a material act to advance the security, economy, or another matter important to the State, or that granting citizenship, giving the permit to reside in Israel, or giving the permit to stay in Israel, as applicable, are of special interest to the state; in this paragraph, 'member of family' means spouse, parent, child.

Security impediment

- 3D. A permit to stay 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 if, based on the opinion of the competent security officials, the Minister of the Interior or the regional commander as applicable, determined that the resident of the region or a member of his family is liable to constitute a security threat to the State of Israel; in this article, 'member of family' means spouse, parent, child, brother, sister, and their spouses."

Amendment of Article 4

3. In Article 4 of the Temporary Order, at the end of paragraph (1), shall come "taking into account, *inter alia*, the existence of a security impediment as stated in Article 3D;"

Amendment of Article 5

4. In Article 5 of the Temporary Order, instead of "for one year from the day of its publication" shall come "until 2 Nisan 5766 (31 March 2006)".