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Procedure for Granting / Extending an A/2 Residence Permit for Students

and Foreign Students in Institutes of Higher Education

A. <u>Purpose of the Procedure</u>

The purpose of this procedure is to establish the process for submitting an application for a residence visa and license in Israel for students enrolled in accredited institutions (Jewish Agency programs, yeshiva students) and for foreign students wishing to enter degree programs in accredited institutes of higher education in Israel (hereinafter: the "Applicant" and the "Institute," respectively) as well as for their extension, as well as to standardize processing of such applications both in Israeli diplomatic missions abroad (hereinafter: "Israeli Mission") as well as in the Authority's regional offices (hereinafter: the "Offices").

B. <u>General</u>

- B.1 As a rule, an application for an A/2 residence license (hereinafter: the "License") in Israel for a foreign national shall be submitted at an Israeli Mission in the applicant's country of origin or by the Institute at the regional offices of the Population and Immigration Authority (hereinafter: the "Authority") prior to the applicant's entry into Israel, including in the event the foreign national comes from a country that is exempt from the requirement for a preapproved entry visa.
- **B.2** In exceptional cases in which the applicant is present in Israel on a different residence license of any kind whatsoever, he may submit an application for an A/2 license under this procedure and must personally appear in the Authority's Office. The decision on such application shall fall within the authority of the regional Authority Office's director.
- **B.3** The license will be issued to a student who presents confirmation that he has been accepted for enrollment at an accredited Institute or to a degree student or a student in an academic or preacademic program or in a postdoctoral program at an accredited institute of higher education.
- **B.4** As a rule, during the course of the period of study, the applicant is prohibited from working in Israel. An exception to the above shall apply when the applicant meets the conditions specified in sections D.18 and D.19 of this procedure, below.
- B.5 The license will be issued for one year only each time for a cumulative period of four years only for that same degree, and five cumulative years in the case of a doctoral or postdoctoral student. An extension of the duration of the license for an additional period of time for continued studies



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exceeding four or five years (according to the degree type) for that same degree is subject to approval by the Office director.

- **B.6** A multiple entry visa may be approved for the duration of the license.
- **B.7** An application to extend the license shall be submitted by the applicant or an approved representative of the Institute at the Authority's Office in Israel.
- **B.8** The institute of higher education will work on a regular basis with a fixed Office, based on the Institute's address, and the Institute shall have one body that shall coordinate handling foreign students vis-à-vis the Authority's Office.
- **B.9** In cases in which the country of origin/citizenship of the invitee has been designated as a country under scrutiny by the security establishment, the applicant's personal details will be provided to the security establishment for assessment and for its recommendation **prior** to approval of the application for a visa and license.
- B.10 Submission of an application for accompanying persons will be made according to the provisions of procedure 5.10.0001 Procedure for Issuing an A/4 Accompanying Person Residence License. The accompanying person may obtain the license in the consulate overseas subject to fulfilling the requirements.
- **B.11** The provisions of this procedure do not derogate from the provisions stipulated in the Law or the regulations enacted thereunder and the relevant governmental decisions.
- **B.12** In the event of failure to follow procedures, and/or a failure to submit complete and comprehensive information is discovered, and/or a detailed recommendation was received to revoke the license, the Population and Immigration Authority (hereinafter: the "Authority") is entitled, subject to holding a hearing for the license holder, to immediately revoke any license issued based on this procedure.

C. Conditions and Requirements

The applicant must fulfill the following conditions:

- C.1 Initial submission of an application will be done in one of the following manners:
 - At an Israeli Mission abroad The applicant's presence is mandatory, including when he is a passport holding citizen of one of the countries listed in the Entry into Israel Order (Visa Exemption), 1974 (hereinafter: "Country Exempt from Preapproved Tourist Visa") that is



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exempt from a preapproved tourist visa, and in accordance with the arrangement stipulated by the Israeli Mission.

• At the Authority's regional Office in Israel by the Institute.

C.2 Application to extend the license – The application shall be submitted by the applicant at the Authority's Office or by means of an accredited and approved representative of the Institute.

C.3 <u>When submitting an application and an Israeli Mission/an Authority Office, the applicant must</u> provide the following documents:

- C.3.a An application form (Application for an Israeli Entry V/1 / application for Residence License V/3).
- C.3.b The applicant's foreign passport that is valid for a period of more than 6 months (at least) after the duration of the requested stay.
- C.3.c The applicant's birth certificate. If an original document is presented it need not be verified. If a public document is presented, it must be verified and translated. This need only be attached to the original application.
- C.3.d A recent forward-facing photograph of the applicant.
- C.3.e A letter of invitation from the Institute and confirmation of having been accepted to this Institute, signed by a representative of the Institute, specifying the purpose of the applicant's arrival in Israel and the expected duration of his stay.
- C.3.f Proof of the applicant's means of support to the extent necessary (confirmation of scholarships, tuition payment, bank statement, etc.).
- C.3.g If the applicant is a minor approval signed by both parents is required (overseas must be signed before an Israeli Consul or the second parent's signature must be before a notary and verified; in Israel must be signed in the Office) or approval by the legal guardian is required, including cases in which the applicant is from a country that is exempt from the requirement for a preapproved visa for entry into Israel.
- C.3.h Payment of a fee the service is subject to payment of a fee as specified in the fee schedule (an applicant entitled to "Return" shall be exempt from payment of the fee).

D. Processing

D.1 When an application is submitted at the Israeli Consulate abroad, a decision on the application for a license will be made by the Consulate subject to the applicant meeting the conditions specified in this procedure and based on the Consul's professional judgment. To the extent that the application is approved, the residence license that is granted shall be an A/2 temporary



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residence license, and a multi-entry visa will be approved that will permit entry and exit from Israel during the course of the license's duration. The maximal duration of the license issued in the Consulate shall be up to one year.

- **D.2** When the application is submitted in Israel, the application will be reviewed subject to the applicant meeting the conditions specified in this procedure. The Authority employee receiving the application form will identify the applicant by means of his passport and photo, will check the applicant's details against the Aviv System, including entry and exit details, the "Visas" tab, the foreign case file in the Aviv System (refusals and approvals by the Israeli Mission abroad), whether the invitee has previously submitted additional applications for a residence license as along with their processing status, and will ensure that the application have been provided. Similarly, he will update the registration sheet to show that an application has been submitted for status, and will check whether there are restrictions in place on the applicant. If the employee finds a restriction, he will act in accordance with the "Procedure for Provision of Services Requiring Preliminary Clarification" no. 1.2.2001.
- **D.3** It is necessary to ensure that the applicant possesses a foreign passport valid for a period of at least six months after the expiration of the requested license.
- **D.4** The Authority employee will link between the file of the applicant and that of the inviting Institute under "Employer File." If the employer's details do not appear in "Employer File," the employer's details must be added and the files linked.
- **D.5** The Authority's employee will ensure that the applicant has filled out all required details in order to contact him during the course of his stay in Israel, including addresses for places where he expects to stay, hosts' addresses/the address of the Institute where he will stay, if any, telephone numbers for family members and relatives, ways to make contact, email addresses, etc.
- **D.6** If the Authority employee finds that the applicant is present in Israel under any other kind of residence license, the application shall be transferred for adjudication by the director of the Authority's regional Office with the authority to decide the application.
- D.7 If the applicant stated in Israel for a period of more than six months, the Authority employee will send an inquiry to the police prior to approving the application with regard to criminal history or intelligence information and, to the extent required, to the security establishment as well. If a





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security and/or criminal impediment is discovered, the application must be transferred to the relevant desk at the Authority's headquarters prior to a decision being made.

- **D.8** If the visa branch head at the Office is persuaded, and no impediment is found to approving the application in accordance with the provisions of this Procedure, he will approve granting/extending the duration of the license and will update the registration sheet regarding the decision. If the applicant was invited for the first time as a student from overseas, a telex will be sent to the Israeli Mission overseas in the visa system, a copy will be filed and an additional copy sent to the inviting Institute. If the applicant is present in Israel, he will be summoned to the Office and a license sticker will be issued, which shall be affixed to the applicant's foreign passport.
- **D.9** A multiple entry visa (inter visa) may be approved for the duration of the approved license.
- **D.10** If the head of the visa department did not see fit to approve the application, he will transfer it for review by the Office's visa center.
- **D.11** If the visa center decides to approve the application, further processing shall be in accordance with section D.7, above. In the event the visa center finds that the applicant does not meet the required conditions and/or the applicant has restrictions (Kerem, Rotem, Border Control Registration, etc.) or has been previously deported from Israel, or entered Israel unlawfully, or is present/was present in Israel unlawfully, or previously received status in Israel based on marriage or cohabitation and his status was revoked because of a fraudulent relationship, or his application for status was denied based on a different procedure and he was required to leave Israel, or that there are other relevant circumstances in his past, the application will be transferred for adjudication by the Office's director.
- **D.12** The Office's director has the authority to determine, according to the relevant circumstances, whether to approve or deny the application for the license in accordance with this procedure. If the Office's director decides to approve the application, further processing shall be in accordance with section D.8. If the Office's director decides to deny the application, a detailed letter will be sent to the Institute and the applicant regarding the decision. If the applicant is present in Israel, he will be required to leave Israel within 14 days (unless he is present in Israel based on another type of lawful residence license). The decision will be entered on the computerized registration sheet and a copy of the letter sent to the Enforcement and Foreigners Administration.





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- D.13 The residence license will be granted for one year only, each time, subject to fulfillment of the conditions in this procedure and in accordance with the period of time with regard to which the required confirmation of studies has been provided. The license will be granted for a cumulative period of four years only for that same degree, and five cumulative years in the case of a doctoral or postdoctoral student. The above will not apply to one who is entitled to "Return" and processing thereof shall be in accordance with section D.19 of this procedure.
- D.14 In addition to the above, proof of completion of studies during the previous year will be attached to an application to extend a license (confirmation from the Institute regarding completion of studies, confirmation from the Institute regarding continued studies and their scope, proof of means of support, etc.).
- **D.15** It is emphasized that for every license extension, an inquiry must be submitted to the police in relation to criminal history or intelligence information and to the extent necessary, to the security establishment as well, as well as to check registration in the applicant's name and his status in Israel (for example: a student who during the course of his studies changed his status to "Oleh").
- **D.16** Extension of the duration of the license for an additional period of time **for continued studies in excess of four or five years** (according to the degree type) **for the same degree**, as well as an application to extend a license in order to enroll in studies for an additional/different degree in the same Institute requires attaching confirmation from the Institute's director to the application, and the application will be sent for decision by the director of the Authority's regional Office who has the authority to decide the application. In cases in which the Office's director is impressed that receipt of the license for the purpose of continued studies will be utilized for: the purpose of settlement [in Israel]/abusing the terms of the degree/for an unreasonable duration of studies, he is authorized to deny the application.
- D.17 If it is found that that the applicant possesses the status of Israeli citizen/resident or a person whose visa was revoked (citizenship symbol 28). his application shall be denied, and he shall be notified of same in writing. The entry visa in his foreign passport shall be revoked by means of two diagonal lines, and the visa shall be revoked in the file.
- D.18 As a rule, the applicant is prohibited from working in Israel during the course of his studies. An exception to this shall be when the applicant meets the cumulative conditions specified in Article 13(c)3 of the Entry into Israel Regulations, 1974 as amended by the Entry into Israel Regulations (Amendment), 2014 (hereinafter: the "Entry Relations") published on October 6, 2014:



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- (a) The applicant is a student at one of the universities in Israel that is an accredited institution as defined in section 9 of the Counsel for Higher Education Law, 1958;
- (b) The applicant is enrolled in at least a master's degree program;
- (c) The employment is training or instruction in the applicant's field of studies and at the university where he is studying;
- (d) the work is part-time only.

If the Institute wishes to employ the student during the course of his studies, the authorized actor at the Institute must submit a detailed letter to the Authority's Office, from the Institute, specifying the field in which the applicant will be employed and that employment of the applicant shall be subject to the conditions specified in the Entry Regulations.

Should the Authority employee find that the applicant meets all of the conditions specified both in the Entry Regulations as well as the conditions in this Procedure, he will approve the application for a maximum period of one year each time and will make an entry in the computerized registration sheet that the applicant is entitled to work at the academic institution, and will enter the necessary details, name of the Institute, position, and so forth.

Should the Authority employee find that the applicant does not meet the requirements specified in the Entry Regulations, the application shall be transferred for decision by the Office's director. If the Office's director finds that the application does not meet the conditions of the procedure and the Regulations, the application will be denied, a letter of explanation will be sent to the Institute, the computerized registration sheet will be updated, and a copy of the letter will be transferred to the Foreigners and Enforcement Administration.

D.19 Student Entitled to Return:

In the case a student who is <u>recognized as "Entitled to Return"</u> by the Office in accordance with the "Adjustment of Status from Tourist to Oleh 5.2.001" Procedure, it is necessary to proceed as follows:

D.19.a Once satisfying the conditions of section C, above, and once no impediment has been found to approval of the application in accordance with the provisions of this procedure, an A/2 residence license may be approved for the applicant. The license will be granted for one year, but a license may be approved for a continuous period of up to three years in accordance with the applicant's request and for the period of time for which the approvals required for studies at an accredited Institute in Israel were furnished.



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D.19.b Upon expiration of the applicant's license, the license may be extended in accordance with the period of time the applicant has requested, and once no impediment has been found to approval of the application in accordance with the provisions of this Procedure and in accordance with the period of time for which the approvals required for studies at an accredited Institute in Israel were furnished, extension of the license will be approved and the registration sheet will be updated with regard to the decision. The maximum period of time that may be approved by authority of the head of the visa department shall be in accordance with the Entry into Israel Law (Amendment Number 23), 2012, for a period of up to five continuous years for each extension and subject to the validity of the applicant's foreign passport.

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- D.19.c A multiple entry visa may be approved for the entire duration of the approved license.
- D.19.d It is emphasized that prior to approving the application for an A/2 license for the first time, the Authority employee will send an inquiry to the police regarding criminal history and intelligence information and, to the extent necessary, to the defense establishment as well. If no comments are received, the application may not be denied but rather the applicant must be summoned to the Office and his case sent for consultation with the visa desk at the Authority's headquarters.
- D.19.e An employee of the Authority's Office will ensure that the applicant filled out all of the details required in order to contact him during the course of his stay in Israel, including addresses of the places where he is expected to stay, hosts' addresses/the address of the Institute where he will stay, if any, telephone numbers of family members and relatives, methods of contact, email addresses, etc.
- D.19.f The license holder who is entitled to "Return" is entitled to work in Israel in accordance with Article 13(c)2 of the Entry into Israel Regulations, 1974, and an Israeli employer may employ him if the applicant proves that he meets all of the following conditions:
 - a. The applicant is entitled to "Oleh" status under the Law of Return.
 - b. The work is part-time employment only.
 - c. His employment will not interfere with his orderly studies.

If the applicant is approved to work in Israel, the Authority employee will update this on the computerized registration sheet.

D.19.g An applicant who is entitled to "Return" shall be exempt from payment of the fee including payment with respect to a return visa.



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D.19.h If the accredited institution of a student who is entitled to "Return" wishes to extend the license duration for 10 or more applicants at the Authority's Office, a representative of the institution may send a completed Appendix A to this Procedure together with an accompanying request letter by the Institute, and confirmation of payment of the fee if required. After performing the required checks in the Authority's Office as specified in this procedure, a representative of the institution will be summoned to continue the processing.

E. <u>The Law</u>

- E.1 Article (6) of the Entry into Israel Regulations, 1974
- **E.2** Article 13 of the Entry into Israel Regulations, 2011

F. <u>Appendices</u>

- F.1 Entry Visa Application Form, V/1
- F.2 Application Form to Extend Residence License, V/3
- F.3 <u>Submission of a Group Application to Extend a License for Persons Entitled to Return</u>

