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Relaxation of Requirements for the Issuance of Israeli Passports

On June 26, 2017, an amendment to the Passports Law 5712-1952 (the “**Amendment**”) was passed, which entitles a new Israeli immigrant (“**Oleh**”) to receive an Israeli passport contemporaneously with the receipt of citizenship.

Prior to the amendment, an Israeli passport was generally issued only to an Israeli citizen who has settled in Israel. The question of a new immigrant settling in Israel was examined according to his personal circumstances, including the number of days he actually spent in Israel (the “**Residency Test**”). Therefore, a passport for a new immigrant was not usually issued during his first year in Israel, and even afterwards, the passport was often issued for relatively short periods of time.

Notwithstanding the above, the Minister of Interior has the authority to issue a passport to an immigrant who has not settled in Israel, under special circumstances. For instance, in cases where an individual has made a significant contribution to Israel’s economy or has acted to promote fields such as science, culture, art or sports in Israel.

If the passport has not yet been issued, the Oleh is entitled to a Laissez Passer (a temporary document called a “**Teudat Ma’avar**”) limited to 5 years, which only allows the Oleh to enter and exit Israel, but does not allow the Oleh to enjoy all the benefits granted to an Israeli citizen holding an Israeli passport. For example, a holder of a Teudat Ma’avar will be required to obtain a visa when entering another country, even in cases where Israel has an agreement with the destination country which does not require visas for Israeli passport holders.

This regime limits the Oleh's ability to travel during his first year in Israel, inter alia, due to the inherent limitations of the Teudat Ma'avar and since travel will negatively impact the Oleh's ability to meet the residence test when applying for an Israeli passport. Throughout the years, an Oleh has had to deal with many difficulties following his immigration to Israel, such as leaving family members behind in his country of origin or continuing to run a business in his country of origin, both of which require frequent trips back and forth. In such cases, the Oleh found himself having to deal not only with the difficulty of being far from his relatives, but with the fact that traveling in order to reunite with family is bound to have negative implications on his ability to obtain a passport as he may fail to meet the residence test.

The Amendment eliminates the abovementioned requirement that an Oleh must wait one year in order to receive an Israeli passport, regardless of whether or not he meets the residency test. In addition, the Amendment provides that the Minister of Interior shall not refuse to grant an Israeli passport to an Oleh who has already received Israeli citizenship.

The Amendment came into effect at the end of July 2017 and also applies to an Oleh who immigrated to Israel prior to the passing of the amendment.

The law will now allow every Jew, not only to become an Israeli citizen, but also to receive an Israeli passport even if he chooses not to permanently move to Israel. This is bound to have wide implications that may significantly assist those who wish and are entitled to make Aliya.

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