

 רשות האוכלוסין וההגירה	Field: Visas
	Subject: foreign experts for a period of up to 45 days

Procedure No.: 5.3.0040
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Procedure for the expedited handling of applications to employ a foreign expert who is a citizen of a country whose citizens are exempt from obtaining a tourist visa prior to entering Israel, who is invited to Israel for a period of up to 45 days per year:

a. Aim of the procedure

This procedure sets out an expedited procedures for legal employment of a foreign expert holding a valid passport of a country whose citizens are exempt from obtaining a type B/2 tourist visa prior to entering Israel, and who is invited to Israel to perform a temporary task in his unique field of expertise for a period or periods not exceeding 45 days per year.

This procedure is intended to balance international economic needs in a global age, which sometimes require the entry and employment of foreign experts for short periods and within short timeframes, and the duty of the immigration authorities to properly supervise the entry and employment of foreign nationals in Israel, as well as to collect any fees prescribed by law. Following its original six month trial run, it has been decided to extend the application of the procedure for a further period of 12 months. At the end of this period, the amendment, extension or cancellation of this procedure shall be considered.

b. General

1. According to the Foreign Workers Law, 1991, and the Entry into Israel Law, 1952, the employment of a foreign expert requires receipt of an employment permit in accordance with section 1m of the Foreign Workers Law (hereinafter, "employment permit"), as well as issuance of a (b/1) visa and stay/work license (hereinafter: "work license") to the foreign expert, after payment of the fees prescribed by law for filling an application for a foreign expert employment permit, as well as for the issuance of the work license.
2. In general, according to the procedures of the Population and Immigration Authority, a foreign national arriving in Israel for the purpose of work shall enter Israel with a type B/1 work license, and may not request a B/1 license after arrival in Israel on a different type of visa or license. Nevertheless, considering today's global economy, in which the entry of foreign experts into Israel is sometimes required for short periods, it has been decided to publish a procedure for an expedited process of issuing work licenses to foreign experts for short periods and within limited schedules, for foreign nationals exempt from type B/2 tourist visas in accordance with the Entry into Israel Order (Visa Exemption), 1974. As part of this experiment, a foreign national for the purpose of whose employment an employment permit has been issued prior to his arrival in Israel, shall be allowed to enter Israel without a work license on condition that he

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obtain such work license at the offices of the Authority within two workdays after his arrival in Israel, as specified exclusively in this procedure.

3. A foreign national for whom an employment permit and work license have been issued in accordance with this procedure may stay and work in Israel exclusively for the purpose set out in the employment permit, during the period specified in such permit, and the expert may not perform any other work or work for any other person, or transfer to a different economic field, and the employment permit or work license issued in accordance with this procedure shall not be extended beyond the 45 day period stipulated in this procedure. The foreign expert shall not be allowed to transfer to another field of work or to another employer, or to change his status in Israel, as long as he is in Israel, so that prior to filing any such request, the foreign expert must leave Israel.
4. An employer wishing to employ an expert who has entered Israel in accordance with this procedure for a period exceeding 45 days, may submit an application in accordance with procedure 5.3.0041 (Employment Permit and Stay and Work License for Foreign Experts) only after such expert has left Israel.
5. An employment permit or a work license issued to a foreign expert does not authorize such expert to engage in Israel in any work or profession requiring a license by any other law, and the responsibility to obtain such license prior to the performance of any work lays with the foreign expert and employer alone. It should be emphasized that nothing in this procedure shall derogate from any authority of the Population and Immigration Authority, including the authority to reject a permit application, to set special terms for a permit or to cancel a permit, to refuse entry to Israel to any person, to set special terms for the entry into Israel of any person or to deport a person from Israel.
6. It should be emphasized that a foreign national who wishes to enter Israel for a short period for business purposes such as investigating investment opportunities, participating in business negotiations, meetings etc., may carry out such activities during his stay in Israel under a B/2 (tourist) visa and permit of stay, without need for carrying out the process set out in this procedure.

c. Cumulative conditions for expedited handling of a request to employ a foreign expert in accordance with this procedure

Meeting all of the following cumulative conditions is a prerequisite for obtaining an employment permit in accordance with this procedure:

1. The foreign expert whose employment is requested is a citizen holding a passport of any of the countries specified in the first addendum to the Entry into Israel Order (Visa Exemption), 1974,

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or holding a biometric passport of any of the countries specified in the second addendum to such regulations, and such passport is valid for at least 6 months from the end of the employment permit period (a list of countries with which a type B/2 visiting visa exemption arrangement exists in accordance with the Entry into Israel Order (Visa Exemption), can be found at www.mfa.gov.il – “Consular Services”).

2. The foreign expert is invited to work in Israel for a short period not exceeding 45 days.
3. The foreign expert has not stayed and will not stay in Israel for a consecutive or cumulative period exceeding 45 days per calendar year.
4. The work of the foreign expert is required for a temporary or provisional task requiring the special expertise or skill of such expert, such as repair of equipment provided by the company employing such expert abroad.
5. No other grounds exist to reject the request in accordance with the procedures of the Population and Immigration Authority or in accordance with the discretion of the competent official of the Authority, and, under the circumstances of such request, a competent official of the Authority did not find any grounds to not handle the request by an expedited procedure.
6. The application fee prescribed by law has been paid in accordance with section 1j of the Foreign Workers Law, 1991, and as updated from time to time regarding each foreign expert whose employment is required.

d. Handling an work license request by the Employer Services Administration – Permit Department

1. In order to submit an application for an employment permit in accordance with this procedure, the “Request for a Permit to Employ a Foreign Expert Form” should be completed and submitted to the Authority, including a relevant signed letter of undertaking (appendix H of the request form), published on the website of the Authority at www.piba.gov.il.
2. In general, an application for a permit to employ a foreign expert in accordance with this procedure shall be submitted by a company / partnership / licensed business lawfully registered in Israel (hereinafter, the “Employer”). The Employer must attach to its request an extract of registration of such company / partnership / business, as the case may be. If the requesting Employer is a foreign company with no branch / office in Israel (hereinafter, a “Foreign Company”), a power of attorney signed in the presence of a representative of Israel aboard, or a power of attorney signed in the presence of a notary abroad and certified by apostille (for countries parties to the Apostille Convention), or a legal power of attorney signed and certified in Israel, shall be required, authorizing the applicant to handle the application procedure on behalf of the such Employer. It should be emphasized that in cases where the application is

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submitted by a foreign company, the Authority, at its sole discretion, may require that a concurrent request be submitted by the relevant Israeli company.

3. Notwithstanding the explanation given in the Application for a Permit to Employ a Foreign Expert Form, when submitting an application in accordance with this expedited procedure, attaching a form 102 or an accountant certification regarding the activity of the company in Israel, is not required.
4. In addition to the application form, the following documents should be provided:
 - 1) If the application is submitted by a foreign company, a letter of explanation from the company receiving the service in Israel.
 - 2) A copy of the receipt for payment of the application fee through the internet at www.piba.gov.il.
 - 3) Photocopies of the foreign national's passport.
 - 4) Certificates confirming the expertise / education of the foreign national (such documents should be translated to Hebrew or English).
5. The request form and its appendixes should be submitted by electronic mail to the address: mumhim@piba.gov.il.
6. Any request submitted in accordance with this procedure shall be reviewed within 6 working days from the date of its receipt, if possible, and a response shall be sent to the applicant by mail / fax. To clarify, a concurrent application in accordance with procedure 5.3.0041 for the employment of a foreign expert by the Employer for a period exceeding 45 days shall not be allowed. If any such concurrent application is found to have been submitted, the application in accordance with this procedure shall be rejected.
7. If a decision is made to approve an application, an employment permit shall be issued with the details of the foreign expert and the Employer. Such permit shall be sent by electronic mail to the Employer. The application approval and its details shall be updated accordingly in the "Aviv" system in the foreign file and the employer file.
8. The Employer of a foreign expert is required to meet all the requirements of an employer of a foreign expert towards the foreign expert, including ensuring that the foreign expert is covered by a health insurance as required by law.
9. An official of the Authority may, inter alia, decide, not to handle an application submitted in accordance with this expedited procedure, and may transfer such application to a regular

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procedure for handling permits for the employment of foreign experts, and request additional documents, all at his discretion, considering the circumstances of the application.

- Following the issue of an employment permit, the foreign expert whose details are specified in such permit may enter Israel at the Ben Gurion Airport entry point in accordance with the Entry into Israel Order (Visa Exemption), 1974, at the dates specified in the permit. To clarify, an expert entering Israel after the issue of a permit in accordance with this procedure may work in Israel immediately upon his entry, even if the B/1 license sticker has not yet been issued in accordance with section e of this procedure.

e. Submitting a request for a work license at the offices of the Authority

- After the entry of a foreign expert into Israel with an employment permit issued in accordance with this procedure, the Employer and/or foreign expert and/or their attorney shall be required to arrive at the bureau of the Population Administration in the area of the Employer (hereinafter, the "Bureau") within two work days from the arrival of the foreign expert in Israel, for the purpose of submitting an application for a work license.
- An appointment is not required in order to submit an application for a work license for a foreign expert for whom an employment permit has been issued in accordance with this procedure, and such request shall be handled on the day it is submitted to the Visa Department at the Bureau.**

The following is required when submitting an application for a work license at the Bureau:

- The presence at the Bureau of the foreign expert or the Employer or a representative thereof with a lawful power of attorney as of the time of submitting the application .
 - An application form for changing visa type VIS/3 (3/שז).
 - The passport of the foreign expert. The passport should be valid for at least six months after the end of the requested license period.
 - A photocopy of the permit.
 - Payment of the annual fee in accordance with section 1j of the Foreign Workers Law, 1991, and a license issuance fee in accordance with the fees table.
- The official of the Authority handling the application shall verify that a valid permit exists for the employment of the foreign worker provided in accordance with this procedure, and that the details of the foreign expert and his request match the details of the permit.
 - An official of the Authority shall verify that the details of experts are entered into the "Aviv" system in accordance with the information of the submitted passport, that files of the expert,

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the Employer and the permit are linked, and whether the expert has stayed in Israel in the past. If the expert has stayed in Israel in the past, his previous files will be linked, and the following information will be checked – the legality of his entries into Israel, the length of his stays in Israel in the previous calendar year, the legality of his stays in Israel, the type of license held by him and the method of his exit from Israel. In case of any limitation, the “procedure for service provision requiring advance clarification” no. 1.2.0001 shall be applied. The official shall also check whether experts previously invited by the Employer have duly left Israel and met the terms of the request submitted regarding them, update the record sheet regarding the submission of the request and transfer the request to the head of the Visa Department at the Bureau for a decision.

5. If the head of the Visa Department finds that the application meets the terms and conditions specified above and matches the employment permit in the Aviv system, that all of the required documents specified above have been submitted and that no grounds exist to reject the request in accordance with this procedure or any other grounds, he shall update the record sheet regarding the approval of the request and the approved period of stay, issue a type B/1 license sticker for the foreign expert in accordance with the period of the permit and attach the license to the passport of the expert.
6. If the head of the Visa Department finds grounds to reject the application regarding the Employer and/or the foreign expert, including that the foreign expert has entered Israel illegally, his entry into Israel has been rejected in the past, has stayed in Israel illegally, has been arrested and deported, has attempted to obtain a legal status in Israel, has provided false information, is suspected of attempting to settle in Israel, is suspected of arriving for a different purpose than the purpose declared, or that the Employer has previously invited experts who failed to meet the terms of their license, has submitted a concurrent permit application or abuse this procedure, etc. he shall transfer the request to the Visa Center at the Bureau that is authorized to reject the request. The decision shall be updated in the record sheet and a letter of refusal explaining the grounds for the refusal, with a request to leave Israel, will be delivered to the applicant.
7. A multiple entry visa may be approved for a foreign expert for the duration of the license with the payment of fees in accordance with the fees table.
8. The foreign expert shall be required to leave Israel at the end of the work license period.

f. The law and its sections

The Foreign Workers Law, 1991

The Entry into Israel Law, 1952

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The Entry into Israel Order (Visa Exemption), 1974

g. Supplements

Request form for changing visa type VIS/3

Employer statement (supplement A)

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רשות האוכלוסין
וההגירה

The State of Israel
Population and Immigration Authority

**Affadavit by an employer of a foreign expert who is a citizen of a
country to which a visa exemption applies, for a period of up to
45 days**

(supplement A of Procedure 5.3.0040)



מדינת ישראל

I, the undersigned _____, I.D. _____ / Passport No. _____ (if the undersigned is a representative of a foreign company), having been cautioned that I am required to state the truth, and that if I fail to do so I shall be liable to the punishments prescribed by law, hereby states as follows:

1. I hold the position of _____ in the company _____ Co. No. _____ (hereinafter, the "**Requester**"), on whose behalf an application has been submitted to employ the foreign expert, Mr. / Mrs. _____, _____ Passport (country), No. _____ (hereinafter, the "**Foreign Expert**"), and this statement is given on my behalf and on behalf of the Requester in support of the application .
2. I hereby state that the Foreign Expert whose employment is requested is required for the performance of a temporary and provisional task for a period not exceeding 45 days per year, as follows (specify the work to be performed by the foreign expert and the special requirement of employing such foreign expert, the address of the business where the foreign expert is to be employed and the period of time required for the work – make sure to provide all of the information specified above):

3. To the best of my knowledge, the Foreign Expert is not suspected and has never been convicted of a criminal offense the circumstances of which should prohibit his entry into Israel.
4. I hereby state and undertake, that the Foreign Expert for whom the application has been submitted shall be employed only in the profession / work specified in the request and approved by the permit unit. I am aware that employing the Foreign Expert in any other work or transferring the Foreign Expert to another employer, in contradiction to the terms specified in the request, is a violation of the terms of the employment permit.
5. I hereby state that the Foreign Expert has been advised, in his own language, about the period of the work, the nature of the work, the details of the employer and the type of work for which he has been invited to Israel, that he is required to leave Israel at the end of the permit and license period, that he will not be allowed to work in another field of employment or for another employer and that his license to stay will not be extended beyond 45 days per calendar year, while he is still in Israel.

6. I hereby state that I have carefully examined the qualifications of the Foreign Expert subject of this request, and found him to hold the required qualifications and expertise for the work for which this application has been submitted.
7. I am aware that the labour laws protecting Israeli workers also apply to the employment of a foreign worker, and that, in addition, the provisions of the Foreign Workers Law, 1991, apply to the employment of a foreign worker. I am aware that any violation of the labour rights of the Foreign Expert is a violation of the terms of the permit and will result in its cancellation (for more information on this issue refer to "Rights of Foreign Workers" on the Authority's website at www.piba.gov.il).
8. I hereby state that all the information provided in this application and any accompanying documents is accurate and true.
9. This statement is given on my behalf and on behalf of the Requester in support of the application for a permit to employ a Foreign Expert for the performance of temporary work for a period of up to 45 days per calendar year.

Date

Signature

I, the undersigned, _____, Advocate, hereby confirm that on _____, Mr. / Mrs. _____, I.D. No. _____ / passport No. _____, appeared before me, and after being cautioned that he /she is required to state the truth, and that if he / she fails to do so he / she shall be liable to the punishments prescribed by law, signed this statement in my presence.

Stamp

Signature

Attorney / CPA confirmation

I hereby confirm that Mr. / Mrs. _____, I.D. No. _____, is authorized to assume obligations by signature on behalf of the requesting company _____, Co. No. _____.

Stamp and signature

Date