

**NATIONALITY
LAW, 5712-1952***

PART ONE: ACQUISITION OF NATIONALITY

1. Israel nationality is acquired-

Preliminary.

- by return (section 2),
- by residence in Israel (section 3),
- by birth (section 4) or
- by naturalisation (section 5 to 9).
- There shall be no Israel nationality save under this Law.

2.

Nationality
by Return.

- (a) Every '*oleh*** under the Law of Return, 5710-1950⁽¹⁾, shall become an Israel national.
- (b) Israel nationality by return is acquired-
 - (1) by a person who came as an '*oleh* into, or was born in, the country before the establishment of the State - with effect from the day of the establishment of the State;
 - (2) by a person having come to Israel as an '*oleh* after the establishment of the State - with effect from the day of his '*aliyah***;
 - (3) by a person born in Israel after the establishment of the State - with effect from the day of his birth;
 - (4) by a person who has received an '*oleh*'s certificate under section 3 of the Law of Return, 5710-1950 - with effect from the day of the issue of the certificate.
- (c) This section does not apply-
 - (1) to a person having ceased to be an inhabitant of Israel before the coming into force of this Law;
 - (2) to a person of full age who, immediately before the day of his '*aliyah* or the day of his '*oleh*'s certificate is a foreign national and who, on or before such day, declares that he does not desire to become an Israel national;
 - (3) to a minor whose parents have made a declaration under paragraph (2) and included him therein.

3.

Nationality
by Residence
in Israel.

- (a) A person who, immediately before the establishment of the State, was a Palestinian citizen and who does not become a Israel national under section 2, shall become an Israel national with effect from the day of the establishment of the State if -
 - (1) he was registered on the 4th Adar, 5712 (1st March 1952) as an inhabitant under the [Registration of Inhabitants Ordinance](#), 5709-1949⁽²⁾; and
 - (2) he is an inhabitant of Israel on the day of the coming into force of this Law; and
 - (3) he was in Israel, or in an area which became Israel territory after the establishment of the State, from the day of the establishment of the State to the day of the coming into

force of this Law, or entered Israel legally during that period.

- (b) A person born after the establishment of the State who is an inhabitant of Israel on the day of the coming into force of this Law, and whose father or mother becomes an Israel national under subsection (a), shall become an Israel national with effect from the day of his birth.

Nationality
by Birth.

4. A person born while his father or mother is an Israel national shall be an Israel national from birth; where a person is born after his father's death, it shall be sufficient that his father was an Israel national at the time of his death.

5.

- (a) A person of full age, not being an Israel national, may obtain Israel nationality by naturalisation if -
 - (1) he is in Israel; and
 - (2) he has been in Israel for three years out of five years proceeding the day of the submission of his application; and
 - (3) he is entitled to reside in Israel permanently; and
 - (4) he has settled, or intends to settle, in Israel, and
 - (5) he has some knowledge of the Hebrew language, and
 - (6) he has renounced his prior nationality or has proved that he will cease to be a foreign national upon becoming an Israel national.
- (b) Where a person has applied for naturalisation, and he meets the requirements of subsection (a), the Minister of the Interior, if he thinks fit to do so, shall grant him Israel nationality by the issue of a certificate of naturalisation.
- (c) Prior to the grant of nationality, the applicant shall make the following declaration:

Naturali-
sation.

"I declare that I will be a loyal national of the State
of Israel."

- (d) Nationality is acquired on the day of the declaration.

6.

- (a)
 - (1) A person who has served in the regular service of the Defence Army of Israel or who, after the 16th Kislev, 5708 (29th November 1947) has served in some other service which the Minister of Defence, by declaration published in *Reshumot*, has declared to be military service for the purpose of this section, and who has been duly discharged from such service; and
 - (2) a person who has lost a son or daughter in such service, are exempt from the requirements of section 5 (a), except the requirement of section 5 (a) (4).
- (b) A person applying for naturalisation after having made a

Exemption
from con-
ditions of na-
turalisation.

declaration under section 2 (c) (2) is exempt from the requirement of section 5 (a) (2).

- (c) A person who immediately before the establishment of the State was a Palestinian citizen is exempt from the requirement of section 5 (a) (5).
- (d) The Minister of the Interior may exempt an applicant from all or any of the requirements of section 5 (a) (1), (2), (5) and (6) if there exists in his opinion a special reason justifying such exemption.

Naturalisation of husband and wife.

7. The spouse of a person who is an Israel national or who has applied for Israel nationality and meets or is exempt from the requirements of section 5 (a) may obtain Israel nationality by naturalisation even if she or he is a minor or does not meet the requirements of section (5) (a).

Naturalisation Minors.

8. Naturalisation confers Israel nationality also upon the minor children of the naturalised person.

9.

- (a) Where a minor, not being an Israel national, is an inhabitant of Israel, and his parents are not in Israel or have died or are unknown, the Minister of the Interior, on such conditions and with effect from such day as he may think fit, may grant him Israel nationality by the issue of a certificate of naturalisation.
- (b) Nationality may be granted as aforesaid upon the application of the father or mother of the minor or, if they have died or are unable to apply, upon the application of the guardian or person in charge of the minor.

Grant of Nationality to Minors.

PART TWO: LOSS OF NATIONALITY

10.

- (a) An Israel national of full age, not being an inhabitant of Israel, may declare that he desires to renounce his Israel nationality; such renunciation is subject to the consent of the Minister of the Interior; the declarant's Israel nationality terminates on the day fixed by the Minister.
- (b) The Israel nationality of a minor, not being an inhabitant of Israel, terminates upon his parents' renouncing their Israel nationality; it does not terminate so long as one of his parents remains an Israel national.

Renunciation of Nationality.

11.

- (a) Where a person, having acquired Israeli nationality by naturalisation -
 - (1) has done so on the basis of false particulars; or
 - (2) has been abroad for seven consecutive years and has no effective connection with Israel, and has failed to prove that his effective connection with Israel was severed otherwise than by his own volition; or
 - (3) has committed an act of disloyalty towards the State of Israel, a District Court may, upon the application of the

Revocation of Naturalisation.

Minister of the Interior, revoke such person's naturalisation.

- (b) The Court may, upon such application, rule that the revocation shall apply also to such children of the naturalised person as acquired Israel nationality by virtue of his naturalisation and are inhabitants of a foreign country.
- (c) Israel nationality terminates on the day on which the judgment revoking naturalisation ceases to be appealable or on such later day as the Court may fix.

Saving of Liability.

12. Loss of Israel nationality does not relieve from a liability arising out of such nationality and created before its loss.

PART THREE: FURTHER PROVISIONS

13. In this Law -

"of full age" means of the age of eighteen years or over;

Interpretation.

"minor" means a person under eighteen years of age;

"child" includes an adopted child, and "parents" includes adoptive parents;

"foreign nationality" includes foreign citizenship, and "foreign national" includes a foreign citizen, but does not include a Palestinian citizen.

14.

Dual nationality and dual residence.

- (a) Save for the purposes of naturalisation, acquisition of Israel nationality is not conditional upon renunciation of a prior nationality.
- (b) An Israel national who is also a foreign national shall, for the purposes of Israel law, be considered an Israel national.
- (c) An inhabitant of Israel residing abroad shall, for the purposes of this Law, be considered an inhabitant of Israel so long as he has not settled abroad.

Evidence of Nationality.

15. An Israel national may obtain from the Minister of the Interior a certificate attesting his Israel nationality.

Offence.

16. A person who knowingly gives false particulars as to a matter affecting his own or another person's acquisition or loss of Israel nationality is liable to imprisonment for a term not exceeding six months or to fine not exceeding five hundred pounds, or to both such penalties.

17.

Implementation and regulations.

- (a) The Minister of the Interior is charged with the implementation of this Law and may make regulations as to any matter relating to its implementation, including the payment of fees and exemption from the payment thereof.
- (b) The Minister of Justice may make regulations as to proceedings in District Courts under this Law, including appeals from decisions of such Courts.

Repeal, adaptation

18.

of laws and validation.

- (a) The Palestinian Citizenship Orders, 1925-1942⁽³⁾, are repealed with effect from the day of the establishment of the State.
- (b) Any reference in any provision of law to Palestinian citizenship or Palestinian citizens shall henceforth be read as a reference to Israel nationality or Israel nationals.
- (c) Any act done in the period between the establishment of the State and the day of the coming into force of this Law shall be deemed to be valid if it were valid had this Law been in force at the time it was done.

19.

Commencement.

- (a) This Law shall come into force on the 21st Tammuz, 5712 (14th July, 1952).
- (b) Even before that day, the Minister of the Interior may make regulations as to declarations under section 2(c)(2).

MOSHE SHARETT MOSHE SHAPIRA
Minister of Foreign Affairs *Minister of the Interior*

YOSEF SPRINZAK
Chairman of the Knesset
Acting President of the State

* Passed by the Knesset on the 6th Nisan, 5712 (1st April, 1952). and published in *Sefer Ha-Chukkim* No. 95 of the 13th Nisan, 5712 (8th April, 1952), P. 146; the Bill was published in *Hatza'ot Chok* No. 93 of the 22nd Cheshvan, 5712 (21st November, 1951), p. 22.

** Translator's Note: '*oleh*' and '*aliyah*' mean respectively a Jew immigrating, and the immigration of a Jew, into the Land of Israel.

⁽¹⁾ *Sefer Ha-Chukkim* No. 51 of the 21st Tammuz, 5710 (6th July, 1950), p. 159.

⁽²⁾ *I.R.* No. 48 of the 5th Shevat, 5709 (4th February, 1949), Suppl. I, p. 164.

⁽³⁾ *Palestine Gazette* No. 1210 of the 16th July, 1942, Suppl. 11, p. 1193 (English Edition).

**NATIONALITY
(AMENDMENT
NO. 2) LAW,
5728—1968***

1. In section 1 of the Nationality Law, 5712-1952⁽¹⁾ (hereinafter referred to as "the principal Law"), the line "or by naturalisation (sections 5 to 9)" shall be replaced by the lines:

Amendment of
section 1.

- "by birth and residence in Israel (section 4A)
- by naturalisation (sections 5 to 8) or
- by grant (section 9)"

2. In section 2 of the principal Law -

- (1) paragraphs (2) and (3) of subsection (c) shall be replaced by the following paragraphs:

"(2) to a person of full age who immediately before the day of his *aliyah* or immediately before the day of the issue of his *oleh's* certificate was a foreign national and who, on or before that day or within three months thereafter and while still a foreign national declares that he does not wish to become an Israel national; a person as aforesaid may, by written notice to the Minister of the Interior, waive his right to make a declaration under this paragraph;

(3) to a minor of foreign nationality born outside Israel whose parents have made a declaration under paragraph (2) and included him therein; for this purpose, a declaration by one parent shall be sufficient if the written consent of the other parent has been attached thereto or if the declarant is entitled to have sole possession of the minor;

(4) to a person born in Israel after the establishment of the State to a diplomatic or consular representative of a foreign state, other than an honorary representative." ;

Amendment of
section 2.

- (2) the following subsection shall be inserted after subsection (c) ;

"(d) An Israel resident on whom Israel nationality has not been conferred by reason of a declaration under subsection (c) (3) may, in the period between his eighteenth birthday and his twenty-first birthday, declare that he wishes to become an Israel national, and from the day of his declaration he shall be an Israel national by virtue of return."

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3. The following section shall be inserted after section 4 of the principal Law :

Addition of section **4A**.

<p>"Nationality by birth and residence in Israel.</p>	<p>4A.</p> <ul style="list-style-type: none"> • (a) A person who was born after the establishment of the State in a place which was Israel territory on the day of his birth, and who has never had any nationality, shall become an Israel national if he applies for it in the period between his eighteenth birthday and his twenty-first birthday and if he has been an Israel resident for five consecutive years immediately preceding the day of the filing of his application. • (b) Where a person who has filed an application under subsection (a) meets the conditions set out in that subsection, the Minister of the Interior or a person empowered by him in that behalf shall grant the application : Provided that he may refrain from granting the application if the applicant has been convicted of an offence against the security of the State or has been sentenced to imprisonment for five years or more for another offence. • (c) Nationality under this section is acquired from the day of the grant of the application."
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4. Section 8 of the principal Law shall be replaced by the following section :

Replacement of section **8**.

<p>"Naturalisation of minors.</p>	<p>8.</p> <ul style="list-style-type: none"> • (a) The naturalisation of a person confers nationality also on his minor child who is an Israel resident, and of whom he is entitled to have possession, on the day of the naturalisation. • (b) Where the minor is a foreign national and both his parents are entitled to have possession of him but only one of them has become
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	naturalised, nationality shall not be conferred upon the minor under subsection (a) if one of the parents declares that he does not wish him to become an Israel national."
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5. Section 9 of the principal Law shall be replaced by the following section:

Replacement of section **9**.

"Grant of nationality to minors.	<p>9.</p> <ul style="list-style-type: none"> • (a) Where a minor who is not an Israel national is an Israel resident, the Minister of the Interior may, if he sees fit to do so, grant him Israel nationality ; if the minor is the child of an Israel national, the Minister of the Interior may grant him nationality even if he is not an Israel resident. • (b) Nationality under this section shall be granted upon the application of the representative of the minor, within the meaning of the Capacity and Guardianship Law, 5722-1962⁽²⁾. • (c) Nationality under this section is conferred by the issue of a certificate from the Minister of the Interior and with effect from the day prescribed by the Minister in the certificate."
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6. In section 10 of the principle Law -

Amendment of section **10**.

- (1) the words "Subject to the provisions of subsection (f) shall be inserted at the beginning of subsection (e)";
- (2) after the words "justifying it" in subsection (f), there shall be inserted the words "or if the minor has remained an Israel resident".

7.

- (a) Section 11 of the principal Law shall be replaced by the following section:

Replacement of section **11**.

"Annulment of nationality.	<p style="text-align: center;">11.</p> <ul style="list-style-type: none"> ○ (a) Where an Israel national <ul style="list-style-type: none"> - ▪ (1) became an Israel national on the basis of false particulars; or
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	<ul style="list-style-type: none"> ▪ (2) has been abroad for seven consecutive years and has no effective connection with Israel, and has not proved that his effective connection with Israel was severed otherwise than by his own volition; or ▪ (3) has committed an act constituting a breach of allegiance to the State of Israel, <p>the District Court may, on the application of the Minister, annul his nationality.</p> <ul style="list-style-type: none"> ○ (b) Where an Israel national who is abroad has not notified the Minister of the Interior, at the time and in the manner prescribed by regulations, that he wishes to remain an Israel national, such fact shall, for the purposes of subsection (a) (2), be <i>prima facie</i> evidence that he has no effective connection with Israel. ○ (c) The Court may, upon the same application, decide that the annulment shall apply also to the minor child of the national if the minor is a non-resident. ○ (d) Israel nationality terminates on the day on which the judgment annulling nationality ceases to be appealable or on such later day as the Court may fix. ○ (e) A person's nationality shall not be annulled under this section until the Court has given him a suitable opportunity to present his arguments."
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8.

Commencement.

- (a) This Law shall come into force on the 9th Tishri 5729 (1st October, 1968).
- (b) The provisions of section 2 (c) (2) of the principal Law in the

form enacted by this Law, shall apply to a person who immigrated as an *oleh* or received an *oleh's* certificate on or after the 9th Tishri, 5729 (1st October, 1968).

9.

- (a) Where by reason of a declaration made by an Israel resident under section 2 (c) (2) of the principal Law before the coming into force of this Law, Israel nationality has not been conferred upon him -
 - (1) he may, in the period between the coming into force of this Law and the 12th Nisan, 5729 (31st March, 1969) give notice to the Minister of the Interior that he annuls such declaration ;
 - (2) the Minister of the Interior or a person empowered by him in that behalf may, in the same period, annul such declaration if it has been proved to his satisfaction that it was made erroneously.
- (b) A person whose declaration has been annulled under subsection (a) shall, notwithstanding anything provided in the principal Law, become an Israel national by virtue of return on the day of the annulment.
- (c) Annulment of a declaration under subsection (a) confers Israel nationality by virtue of return also upon a minor who was included in the declaration provided that on the day of the annulment he is still a minor and an Israel resident. Where the declaration by only one parent has been annulled, the provision of this subsection shall apply if that parent is entitled to have sole possession of the minor or if the other parent has given his written consent.
- (d) An Israel resident on whom Israel nationality has not been conferred by reason of a declaration made under section 2 (c) (3) of the principal Law before the coming into force of this Law and who on the day of the coming into force of this Law has completed his 21st year may make the declaration referred to in section 2 (d) of the principal Law in the period between the coming into force of this Law and the 12th Nisan, 5729 (31st March, 1969).

Temporary provisions.

LEVI ESHKOL YAAKOV S. SHAPIRO
Prime Minister Minister of Justice

SHNEUR ZALMAN SHAZAR
President of the State

* Passed by the Knesset on the 13th Av, 5728 (7th August, 1968) and published in *Sefer Ha-Chukkim* No. 538 of the 22nd Av, 5728 (16th August, 1968), p. 212 ; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 707 of 5727, p. 15.

⁽¹⁾ *Sefer Ha-Chukkim* of 5712, p. 146 - *LSI* vol. VI, p. 50; *Sefer Ha-*

Chukkim of 5718, p. 84- *LSI* vol. XII, p. 99.

⁽²⁾ *Sefer Ha-Chukkim* of 5722, p. 120 ; *LSI* vol. XVI, p. 106.

NOTE: Section 5 sub-title double 'of' is present in the original text. Section 9 (c) misspelling of "annulment" is present in the original text.

Fuente de ambas leyes:

"Laws of the State of Israel: Authorized Translation from the Hebrew, Volume 6". Government Printer, Jerusalem, Israel (1948-1987), p. 50-3.

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