

# Basic Law: The Government (1992)

(Direct Elections for the Prime Minister - Repealed in 2001)

<i>Nature</i>	1. The Government is the executive authority of the State.
<i>Seat of power</i>	2. The seat of the Government is Jerusalem.
<i>Source of authority and composition</i>	3. (a) The Government is comprised of the Prime Minister and Ministers.  (b) The Prime Minister serves by virtue of his being elected in the national general elections, to be conducted on a direct, equal, and secret basis in compliance with The Election Law (The Knesset and The Prime Minister).  (c) The Ministers will be appointed by the Prime Minister; their appointment requires the approval of the Knesset.  (d) Should the Knesset reject the Prime Minister's proposal regarding the composition of the Government, it will be regarded as an expression of no confidence in the Prime Minister, and the provisions of section 19(b) will apply.
<i>Election date</i>	4. Whenever elections are being conducted for the Knesset, the same date will also be determined for the elections for the Prime Minister, excepting when new elections are held pursuant to an election appeal.
<i>Special elections</i>	5. In the cases specified in this Basic Law separate elections will be held for the election of the Prime Minister (hereinafter - special elections).
<i>The right to vote.</i>	6. Persons entitled to vote in the elections to the Knesset shall be entitled to vote in the elections for the Prime Minister.
<i>Period of service</i>	7. The period of service of the Prime Minister and the Ministers shall be equal to the period of service of the Knesset to which they were elected; in special elections for the period of service of the Knesset serving at that time, unless specified differently in this Basic Law.
<i>Eligibility of Prime Ministerial candidates</i>	8. (a) Persons fulfilling the following conditions are eligible candidates for the Prime Ministership  (1) Eligible for candidacy to the Knesset and at least thirty years old on the day of submission of candidacy.  (2) Should the elections for the Prime Minister be conducted at the same time as the Knesset elections - the candidate for Prime Minister will head the list of candidates for the Knesset.  (3) Should special elections be held - he will be a member of Knesset.
<i>The right to propose a candidate</i>	9. (a) The following bodies may propose Prime Ministerial candidates:  (1) A faction of the outgoing Knesset, with no less than ten members, having submitted a list of candidates to the Knesset.  (2) A few factions of the outgoing Knesset, with not less than ten members, having submitted a list of candidates or lists of candidates to the Knesset.  (3) Fifty thousand enfranchised persons.  (b) In special elections, a candidate may be proposed by a faction or

factions of the Knesset, the total number of members of the faction or factions not being less than ten members.

*Election date for special elections*

10. (a) Should this Basic Law give cause for the conducting of special elections, the said elections will be conducted on the last Tuesday preceding the passage of sixty days from the day that the cause for the elections was created.

(b) Should this Basic Law give cause for the conducting of special elections and the date thereof is one year or less prior to the conducting of Knesset elections according to section 9 of The Basic Law: The Knesset, the Knesset elections will be brought forward, and the Knesset elections and the Prime Ministerial elections will be conducted on the date initially determined for the special elections.

*Postponement of elections due to day of rest*

11. Should the date of the Knesset elections or the date of the Prime Ministerial elections according to this Basic Law, fall on a day of rest, the eve of a day of rest or the day after a day of rest, the elections will then be held on the first subsequent Tuesday that is not a day of rest, the eve of a day of rest or the day after a day of rest.

*Death of candidate or cessation of candidacy*

12. (a) In the event of a candidate's death or if reasons of health prevent him from being a candidate, after the final date specified by law for the submission of candidacy, the elections for the Knesset and the Prime Minister or the special elections will accordingly be postponed accordingly.

*Election of the Prime Minister*

13. (a) The elected Prime Minister will be the candidate receiving more than half of the valid votes, provided that he is also a Knesset Member.

(b) If no one of the candidates receives the number of votes prescribed in section (a), repeat elections will be held on the first Tuesday after the passage of two weeks from the publication of the results of the first elections.

(c) In the return elections the candidates standing for election will be the two candidates who received the largest number of valid votes in the first elections, and who are Knesset Members; in the return elections, the candidate receiving the largest number of valid votes will be the chosen candidate.

(d) In the event of the death of one of the candidates before the conducting of the return elections, or if he is unable for reasons of health to stand for election therein, the person who proposed him may propose another candidate in his place, provided that the said proposal be made not later than 96 hours before the repeat elections, and the provisions of section 12(c) will apply mutatis mutandi; should the candidate for the repeat elections resign, his place will be taken by that candidate who, in the first elections received the next largest amount of valid votes, and is a Knesset Member.

(e) Should there be a sole candidate, whether in the first elections or in the return elections, the elections will be conducted by way of a vote either for him or against him, and he will be elected if the number of valid votes for him exceeds the number of valid votes against him.

(f) If no candidate is elected according to the provisions of this section,

special elections will be held.

(g) The results of the elections for the Prime Minister will be published in Reshumot within 14 days of the election day.

*Beginning of service*

14. (a) Within 45 days of the publication of the election results the Prime Minister elect will appear before the Knesset, present the Ministers of the Government, announce the division of tasks and the guiding principles of the Government's policies, and the Prime Minister and the Ministers will begin their service, provided that the provisions of section 33(a) and (b) have been complied with. As soon as possible after that the Prime Minister and the Ministers will make their declarations of allegiance before the Knesset in the version specified in subsection (c).

(b) The Prime Minister elect will give the Speaker of the Knesset preliminary notice of his intention to appear before the Knesset not later than seven days before the termination of the period specified in subsection (a); should the notification be not be given during one of the Knesset sessions, the Knesset Speaker will convene the Knesset for that purpose.

(c) This is the text of the declaration of allegiance of the Prime Minister:

*"I (name) as Prime Minister undertake to uphold the State of Israel and its laws, to faithfully fulfil my role as the Prime Minister and to comply with the decisions of the Knesset."*

This is the text of the declaration of allegiance of the Ministers:

*"I (name) as a member of the Government, undertake to uphold the State of Israel and its laws, to faithfully fulfil my role as a member of the Government, and to comply with the decisions of the Knesset."*

*Failure to present Government*

15. (a) Should the Government not be presented in accordance with the provisions of section 14, special elections will be held.

(b) Should the Prime Minister elect fail to present the Government as stated, and is again elected Prime Minister and again fails to present a Government, he may not submit his candidacy in the subsequent special elections.

*Eligibility of Ministers*

16. (a) A person ineligible for candidacy to the Knesset may not be appointed as a Minister; however, a person having served in a position or role as specified in section 7 of The Basic Law: The Knesset, may be appointed as Ministers, provided that he cease functioning in the said position or role prior to his appointment.

(b) A person convicted of an offence involving moral turpitude, prior to the passage of ten years from the day he completed his period of punishment, may not be appointed as a Minister.

(c) A Knesset member seceding from his faction and failing to tender his resignation as a Knesset member may not be appointed as a Minister during the period of service of that Knesset.

*Publication of agreements*

17. (a) Should a written agreement be drawn up pertaining to the election of the Prime Minister or the establishment of the Government, or relating an expression of no confidence therein, or pertaining to the adding of

Ministers to the Government after its establishment, or pertaining to the appointment of a Deputy Minister, the sides to the agreement shall then submit its complete text to the Secretary of the Knesset within three days of signing, and not later than 48 hours before the election day or 24 hours before the presentation of the Government or the no confidence vote, respectively; in the figuring of days and hours, legally endorsed days of rest or religious holidays shall not be included; should an agreement be drawn up by a list of candidates to the Knesset, the sides will immediately submit a copy thereof to the Secretary of the Knesset.

(b) The Secretary of the Knesset will immediately notify the Knesset of any agreement submitted to him according to this section, and during an Knesset election period he shall also bring them to the attention of the representatives of the candidates, lists.

(c) After the time period specified in subsection (a) no agreement pertaining to any of the stated issues shall signed unless a new period has been specified for the same issue allowing publication of the agreement as specified in this section.

*Restrictions of the agreement*

18. (a) Where the Law confers authority to remove persons from any position in the Knesset, the Government, the civil service, a statutory company, a Government company or any other public body, no agreement shall be made nor shall any commitment be given regarding the permanence of that person in his role.

(b) No guarantee shall be granted either directly or indirectly in money, its equivalent, via services or any other kind of benefit, for the ensurance of the performance of an agreement or commitment as specified in this section, and such guarantees will not be valid.

*Expression of no confidence*

19. (a) The Knesset may by means of a majority of its members adopt an expression of no confidence in the Prime Minister.

(b) An expression of no confidence in the Prime Minister will be deemed to be a Knesset decision to disperse prior to the completion of its period of service.

*Dispersion due to failure to adopt budget*

20. Non-adoption of the Budget Law within three months subsequent to the beginning of the fiscal year will be considered to be a Knesset decision on its dispersion, prior to the completion of its term of service.

*Early elections*

21. (a) Should the Knesset express no confidence in the Prime Minister, or fail to adopt the Budget Law under the provisions of section 20, elections to the Knesset and to the position of Prime Minister will be conducted on the last Tuesday before the passage of 60 days after the expression of no confidence, or upon the completion of the period as stated in section 20.

(b) Sections 34 and 35 of the Basic Law: The Knesset, will not apply to the dispersion of the Knesset in accordance with sections 19 and 20.

(c) The Speaker of the Knesset will give notice in Reshumot of an expression of no confidence or of failure to adopt the Budgetary Law.

*Dispersion of the Knesset by the Prime Minister*

22. Should the Prime Minister ascertain that a majority of the Knesset opposes the Government, and that the effective functioning of the Government is prevented as a result, he may, with the approval of the President of the State, disperse the Knesset by way of an order to be

published in Reshumot; a decision to disperse the Knesset will be regarded as a decision of the Knesset to disperse prior to the completion of its term of service, and new elections for the Knesset and the Prime Minister, will be conducted on the last Tuesday before the passage of 60 days from the day of the dispersion of the Knesset.

(b) The Prime Minister may not exercise his authority according to this section -

1. From the beginning of the period of service of the incoming Knesset and until the establishment of the new Government.

2. From the day on which the Knesset committee of the Knesset decided to recommend that he be removed from service and until the day the Knesset plenum renders its decision in the matter in accordance with the provisions of sections 26 and 27.

*Resignation of Prime Minister*

23. (a) The Prime Minister may, after notifying the Government of his decision to do so, resign by way of submitting his written resignation to the President of the State; the resignation will go into force 48 hours after the letter of resignation is submitted to the President, unless the Prime Minister retracts prior to such time.

(b) A Prime Minister who has resigned will give notice thereof to the Speaker of the Knesset, and the Speaker of the Knesset will then give notice to the Knesset.

(c) Should the Prime Minister resign, special elections will be conducted.

*Prime Minister ceasing to function as member of Knesset*

24. Should the Prime Minister cease to function as a member of the Knesset, he will be deemed to have resigned.

*Interrogation and impeachment of the Prime Minister*

25. (a) Criminal proceedings shall not be commenced against the Prime Minister save with the agreement of the Attorney General, and the Prime Minister may only be impeached by the Attorney General.

(b) An indictment against the Prime Minister will be filed and presided over in the Jerusalem District Court, in a presidium of three judges.

(c) Should the Court convict the Prime Minister of an offence, it will state in its decision whether the offence involved moral turpitude.

*Removal from office pursuant to an offence*

26. (a) Should the Prime Minister be convicted of an offence involving moral turpitude, the Knesset may remove him from office, pursuant to a decision of a majority of the Knesset members.

(b) Within 30 days of the verdict becoming final, the Knesset Committee of the Knesset will render its decision regarding its recommendation pertaining to the removal of the Prime Minister from office; a committee decision to remove the Prime Minister from office shall be a majority decision of its members; should the committee recommend that the Prime Minister be removed from his office, its decision will be brought before the Knesset plenum; should the committee fail to bring its recommendation to the plenum during the prescribed period, the Speaker will raise the issue in the Knesset plenum at the earliest date possible.

(c) No decision shall be made by either the Knesset or the Knesset

Committee regarding the removal of the Prime Minister from office, before the Prime Minister has been given an opportunity to state his case before them.

(d) Should the Knesset decide to remove the Prime Minister from office, special elections will be conducted.

(e) The provisions of sections 42a and 42b of the Basic Law: the Knesset, shall not apply to the Prime Minister.

*Removal from office not pursuant to an offence* 27. (a) The Knesset may, pursuant to a vote of 80 of its members, remove the Prime Minister from office.

(b) A motion to remove the Prime Minister from office will be submitted by at least 40 Knesset members to the Speaker of the Knesset, and the Speaker will submit it for debate in the Knesset Committee of the Knesset.

(c) The Knesset Committee will decide regarding the motion and present its recommendation to the Knesset plenum within 30 days of the motion being submitted to it; should the Committee fail to present its recommendation in the specified period, the Speaker of the Knesset will bring the matter to debate in the Knesset plenum at the earliest possible date.

(d) Neither the Knesset Committee nor the Knesset itself may decide to remove the Prime Minister unless the Prime Minister has been first given an opportunity to state his case before them.

(e) Should the Knesset decide to remove the Prime Minister from his office, special elections will be conducted.

*Death of the Prime Minister*

28. Should the Prime Minister die or be permanently incapacitated, special elections will be held.

*Acting Prime Minister*

29. (a) Should the Prime Minister die, be permanently incapacitated, or be removed from office, the Government will empower one of the Ministers who is also a Knesset member, to serve as acting Prime Minister until the new Prime Minister takes office.

(b) The acting Prime Minister will have all the powers of the Prime Minister, except for the power to disperse the Knesset.

*Inability to function*

30. (a) Should the Prime Minister be absent from the country, meetings of the Government will be convened and conducted by the Minister delegated by the Prime Minister.

(b) Should the Prime Minister be temporarily unable to discharge his duties for a period not exceeding 100 consecutive days, his place will be filled by a Minister who is also a Knesset member and appointed by the Prime Minister; failing the appointment of a Deputy, or should the appointed person not be able to perform his duties, a Minister who is a Knesset member shall be appointed by the Government as acting Prime Minister until either the Prime Minister or permanent acting Prime Minister resumes his functions.

(c) The provisions of subsection (a) shall apply to the acting Prime

Minister during the period in which he acts in that capacity.

(d) After the passage of one hundred days upon which the Prime Minister does not resume his duties, the Prime Minister will be deemed to have permanently ceased to discharge his duties and the provisions of sections 28 and 29 shall apply.

*Continued functioning of the Prime Minister and Ministers* 31. (a) A Prime Minister who has resigned or in whom the Knesset expressed no confidence, will continue in office until the newly elected Prime Minister assumes office.

(b) In the event of the Prime Minister's death, permanent incapacitation, resignation, removal from office, or an expression of no confidence by the Knesset, the Ministers will continue in office until the newly elected Prime Minister assumes office.

*Continuity of Government* 32. During the election period for the Knesset and the Prime Minister or during special elections, the Prime Minister and the Ministers of the outgoing Knesset will continue in office until the Prime Minister and the Ministers of the new Government assume office.

*The Ministers* 33. (a) The Government shall not exceed eighteen members in number and not be less than eight.

(b) At least one half of the Ministers shall be Knesset members.

(c) A Minister shall be appointed over an office, but a Minister may be a Minister without portfolio.

(d) The Prime Minister may also function as a Minister appointed over an office.

(e) Subject to the provisions of subsections (a) and (b), the Prime Minister may add extra Ministers to the Government after its establishment; the commencement of service of a Minister so added to the Government shall be with the submission of notice from the Prime Minister to the Knesset regarding his appointment; immediately afterwards, the new Minister will submit his declaration of allegiance in accordance with the version prescribed in section 14 (c).

*The required minimum of Ministers* 34. (a) In a Government in which the number of Ministers including the Prime Minister does not exceed eight, no Minister may be removed from his post.

(b) Should the number of Ministers in the Government including the Prime Minister be less than eight, the Prime Minister will appoint a Minister or Ministers to complement the required minimum; the appointment shall be made within 72 hours and until such time he may not remove any Minister from his post; if the required minimum is not complemented in accordance with these provisions, special elections will be conducted.

*Termination of service of a Minister* 35. (a) A Minister may resign from the Government by submitting a letter of resignation to the Prime Minister. His service in the Government will be terminated upon the passage of 48 hours from the time the letter of resignation reached the Prime Minister, unless he retracts prior to such time.

(b) The Prime Minister may, by way of written notification, remove a Minister from his post; the removal of Minister will take effect 48 hours

after the letter notifying thereof was given to the Minister, unless the Prime Minister retracts prior to such time.

(c) The Knesset may remove a Minister from his post, by way of a decision of a majority of seventy of its members; the Knesset will not debate the removal of a Minister from his post unless the initial recommendation of a majority of the Knesset committee members is received and after the Minister has been provided with an opportunity to state his case before the Knesset Committee and before the Knesset plenum.

(d) The Prime Minister will give notice of the termination of the service of a Minister to both the Government and to the Knesset, at a meeting or in another manner.

*Acting Minister*

36. Should the Minister cease to serve, be absent from the country, or be temporarily incapable of discharging his duties, the Prime Minister or another Minister appointed by the Prime Minister will discharge his duties until the Minister resumes his regular duties or until the appointment of his replacement; the Prime Minister will give notification to the Government and to the Speaker of the Knesset regarding the appointed acting Minister, and the Speaker of the Knesset will give notice to the Knesset.

*Deputy Ministers*

37. (a) The Minister in charge of an office, may, with the approval of the Prime Minister, appoint a Deputy Minister for the office, the Deputy having been appointed from amongst the Knesset members; the Prime Minister too may appoint a Deputy in the stated manner; a Deputy Minister shall assume his role after notice of his appointment has been given by the Government to the Knesset; a Deputy Minister appointed by the Prime Minister shall be entitled "a Deputy Minister in the Prime Minister's office"; the number of Deputy Ministers shall not exceed six.

(b) The Deputy Minister shall act both in the Knesset and in office, on behalf of the Knesset member who appointed him and within the parameters allocated to him.

(c) A Knesset member seceding from his faction without resigning from his position subsequent to his secession, may not be appointed to the position of Deputy Minister during the period of service of the same Knesset.

*Termination of service of Knesset member*

38. The service of a Deputy Minister will be terminated in any of the following cases:

(1) The Deputy Minister resigned by submitting a letter of resignation to the member of Government who appointed him;

(2) The same Minister ceased being a Minister or being in charge of the same office; or in the case of the Prime Minister ceasing to serve if the Deputy was a Deputy Minister in the Prime Minister's office;

(3) The Prime Minister or the appointing Minister decide to terminate the service of the Deputy Minister;

(4) The Deputy Minister ceased being a Knesset member;

*Prime Minister and functioning of*

39. (a) The Prime Minister may:



## *Government*

- (1) Determine the roles of the Ministers;
- (2) Change the division of roles amongst the Ministers;
- (3) Transfer authorities and duties not specified in the Law from one Minister to another;
- (4) Transfer areas of actions from one office to another;
- (5) Establish the Government offices, unite or divide them, abolish them or establish new offices, and having done so give notice thereof to the Knesset;
- (6) Establish permanent or temporary Ministerial committees for particular matters; after the appointment of a committee the Government may conduct its operations through it;
- (b) Authority granted by law to a particular Minister may be transferred by the Prime Minister either totally or partially to another Minister; a decision according to this section must be approved by the Government;
- (c) The Prime Minister will conduct the functioning of the Government and will set work procedures and voting procedures in the Government and its committees;

## *Government powers*

- (d) Government decisions will be adopted by a majority vote; should the vote be drawn, the Prime Minister will have an additional vote.

40. The Government is authorized to perform in the name of the State and subject to any law, all actions which are not legally incumbent on another authority.

## *Delegation of powers*

41. (a) with the exception of powers granted in accordance with this Basic Law, powers granted by law to the Government may be delegated to one of the Ministers.

- (b) Powers granted to a Minister by law, transferred to him under the provisions of section 39(b), with the exclusion of the authority to make regulations, may be delegated by the Minister either totally or partially or subject to conditions to a civil servant.

- (c) Powers delegated by the Government to a Minister, with the exception of the power to make regulations, may be delegated by the Minister either totally or partially or subject to conditions to a civil servant provided that the Government empowered him to do so.

- (d) For the purposes of this section and section 39(b) -

- (1) The power granted to the Government or a Minister also refers to duties incumbent upon them;

- (2) A Minister - includes the Prime Minister.

- (e) The provisions of this section will apply provided no other intention is evidenced by the law conferring the power or imposing the obligation.

<i>Assumption of powers</i>	42. A Minister, including the Prime Minister, charged the implementation of the law, may assume any power, with the exception of powers of a judicial nature, granted by law to a civil servant, provided that no other intention is evidenced by the law; the Minister may do the above for a particular matter or for a specific period.
<i>Exclusivity of office</i>	43. The Prime Minister, Ministers and Deputy Ministers will discharge their roles in good faith, and will not engage in economic or public activities save within the parameters and in compliance with the principles stipulated by the Government.
<i>Secrecy</i>	<p>44. (a) The debates and decisions of the Government and those of the Ministerial committees regarding the following matters are secret and their disclosure and publication is prohibited; and these are the matters:</p> <p>(1) State security;</p> <p>(2) Foreign relations of the State;</p> <p>(3) Matters regarding which the Government deems secrecy to be essential to the State, a notification thereof having been declared in an order, for the purposes of this law;</p> <p>(4) A matter that the Government has decided to keep secret; the disclosure and publication of such matters is forbidden only to persons who were aware of the decision.</p> <p>(b) The provisions of subsection (a) shall not apply to matters regarding which the Government or the Prime Minister, or such persons that the Government or the Prime Minister have specifically authorized, have permitted their publication or matters the publication of which is legally mandatory.</p>
<i>Salaries and pensions</i>	45. The salaries of the Prime Minister, the Ministers and the Deputy Ministers and other payments paid to them during their period of service or thereafter, or to their next of kin after their deaths, will be specified by law, or by virtue of a decision of the Knesset, or a public committee appointed by the Knesset for that purpose.
<i>Government Secretary</i>	46. The Government will, according to the proposal of the the Prime Minister, appoint a Government Secretary and specify his duties.
<i>Regulations</i>	<p>47. (a) The Prime Minister or the Minister charged with the implementation of a law, is empowered to make regulations for its implementation.</p> <p>(b) A law may empower the Prime Minister or a Minister to make regulations in a matter specified in the authorization.</p>
<i>Knesset supervision of subsidiary legislation</i>	<p>48. (a) Regulations made by the Prime Minister or a Minister and mandating penal sanctions for their violation will not come into force unless having been approved prior to their publication by the specific Knesset committee responsible for the matter treated therein, should the committee fail to render its decision either approving or rejecting the regulation within 30 days from the day the regulations were submitted, the regulations will be considered to have been approved.</p> <p>(b) Nothing in the provisions of this section shall derogate from the provisions of a basic law or another law relating to regulations.</p>

*Declaration of a state of emergency*

49. (a) Should the Knesset ascertain that the State is in a state of emergency, it may, of its own initiative or, pursuant to a Government proposal, declare that a state of emergency exists.

(b) The declaration will remain in force for the period prescribed therein, but may not exceed one year; the Knesset may make a renewed declaration of a state of emergency as stated.

(c) Should the Government ascertain that a state of emergency exists in the State and that its urgency necessitates the declaration of a state of emergency, even before it becomes possible to convene the Knesset, it may declare a state of emergency. The declaration's validity shall expire upon 7 days from its proclamation, if not previously approved or revoked by the Knesset, pursuant to a decision by a majority of its members; should the Knesset fail to convene, the Government may make a renewed declaration of a state of emergency as stated in this subsection.

(d) The Knesset and Governmental declarations of a state of emergency will be published in Reshumot; should publication in Reshumot not be possible, another appropriate manner will be adopted, provided that notification thereof be published in Reshumot at the earliest possible date.

(e) The Knesset may at all times revoke the declaration of the state of emergency; notification of its revocation will be published in Reshumot.

*State of emergency*

50. (a) During a state of emergency the Government may make emergency regulations for the defence of the State, public security and the maintenance of supplies and essential services; emergency regulations will be submitted to the Foreign Affairs and Security Committee at the earliest possible date after their enactment.

(b) Should the Prime Minister deem it impossible to convene the Knesset, given the existence of an immediate and critical need to make emergency regulations, he may make such regulations or empower a Minister to make them.

(c) Emergency regulations may alter any law temporarily suspend its effect or introduce conditions, and may also impose or increase taxes or other compulsory payments unless there be another provision by law.

(d) Emergency regulations may not prevent recourse to legal action, or prescribe retroactive punishment or allow infringement upon human dignity.

(e) Emergency regulations shall not be enacted, nor shall arrangements, measures and powers be implemented in their wake, except to the extent warranted by the state of emergency.

(f) The force of emergency regulations shall expire three months after the day of their enactment unless their force is extended by law, or they are revoked by the Knesset by law, or pursuant to a decision of a majority of the members of Knesset.

(g) Emergency regulations shall come into force on the day of their

publication in Reshumot; should publication in Reshumot not be possible another appropriate means of publication will be adopted provided that they be published in Reshumot as soon as possible.

(h) Should the state of emergency cease to exist, the regulations enacted will remain in force for the duration of the prescribed period, however not longer than for 60 days after the termination of the state of emergency; state of emergency regulations whose force was lengthened by law shall remain in force.

*Declaration of war*

51. (a) The state may only begin a war pursuant to a Government decision.

(b) Nothing in the provisions of this section will prevent the adoption of military actions necessary for the the defence of the state and public security.

(c) Notification of a Government decision to begin a war under the provision of subsection (a) will be submitted to the Knesset Foreign Affairs and Security Committee as soon as possible; the Prime Minister also will give notice to the Knesset plenum as soon as possible; notification regarding military actions as stated in subsection (b) will be given to the Knesset Foreign Affairs and Security Committee as soon as possible.

*The Government and Knesset committees*

52. (a) The Government will provide the Knesset and its committees with information upon request and will assist them in the discharging of their roles; special provisions will be prescribed by law for the classification of information when the same is required for the protection of state security and foreign relations or international trade connections or the protection of a legally mandated privilege.

(b) The Knesset may, at the request of at least forty of its members, conduct a session with the participation of the Prime Minister, pertaining to a topic decided upon; requests as stated may be submitted no more than once a month.

(c) The Knesset may obligate a Minister to appear before it, similar authority is granted to any of the Knesset committees within the framework of their tasks.

(d) Any of the Knesset committees may within the framework of the discharging of their duties, and under the auspices of the relevant Minister and with his knowledge, require a civil servant or any other person prescribed in the law, to appear before them.

(e) The Prime Minister and any Minister may speak before the Knesset and its committees.

(f) Details regarding the implementation of this section may be prescribed by law or in the Knesset articles.

*Inapplicability of emergency laws*

53. Notwithstanding the provisions of any law, emergency regulations cannot change this Basic Law, temporarily suspend it, or make it subject to conditions.

*Notifications to the Knesset*

54. (a) The Government shall notify the Knesset regarding the following matters:

(1) The appointment of an acting Prime Minister or the appointment of the Prime Minister;

(2) The resignation or the death of the Prime Minister;

(3) The resignation or the death of a Minister;

(4) Transfer of activities from one office to another;

(5) The expiration of the office of a Deputy Minister.

(b) The notification will be made in the Knesset, and, during the Knesset recess, to the Speaker of the Knesset, who will notify the Knesset members thereof.

*Publication in Reshumot* 55. (a) The Knesset shall give public notice of the following in Reshumot:

(1) Knesset expression of no-confidence in the Prime Minister;

(2) Removal of the Prime Minister from his office;

(3) The removal of a Minister from his office by the Knesset;

(4) A Knesset approval in accordance with section 39(b);

(5) A decision under section 45.

(b) The Government shall give public notice of the following in Reshumot:

(1) The presentation of the Government to the Knesset, its Ministers and the allocation of roles between them;

(2) The addition of a Minister to the Government;

(3) Assumption of powers under section 42;

(4) A Prime Ministerial decision under sections 39(a)(1) - (5);

(5) The appointment of a Deputy Minister or the expiration of his office;

(6) The appointment of the Government Secretary;

(7) The removal of a Minister from office by the Prime Minister.

*Stability of the Law*

56. (a) This Basic Law may not be changed unless by a majority of the Knesset members; however, a provision prescribing that a Knesset decision must be adopted by a specified number of the Knesset members, will not be altered unless by at least the same amount of Knesset members; the required majority under this section will be required for decisions of the Knesset during the first reading, the second reading and the third reading; "change" for the purposes of this section means both specific and by implication.

(b) The provisions of this section shall not apply to sections 57-63.

*Amendment of Basic  
Law: The Knesset*

57. In the Basic Law: The Knesset -

(1) The following section shall come after section 9:

*"Lengthening of period of service*

9A. (a) The Knesset will not lengthen its period of service save by a law adopted by a majority of eighty of the Knesset members and in special circumstances that prevent the conduct of timely elections; the period of extension shall not exceed the amount of time necessitated by the said circumstances; the stated law will state the date of the elections.

(b) Without prejudice to the provisions of section 34, the Knesset may by a decision of a majority of its members, bring forward the election date determined according to subsection (a), provided that the new date not precede the election date for the Knesset according to section 9.";

(2) Section 34 shall conclude as follows: "by a majority of the Knesset members";

(3) The following section shall follow section 45:

*"Entrenchment provision.*

45 A The provision of section 45 will also apply to a change according to section 9A(a).";

(4) In section 46 the words "the majority required under this law for the alteration of sections 4, 9A, 34, 44 or 45", shall replace the words "the majority required by this law or the alteration of sections 4, 44 or 45".

*Amendment of Basic  
Law: The State  
Economy*

58. The following section shall come after section 3A of The Basic Law: The State Economy:

*"Failure to adopt the Budget Law*

3B (a) should the Budget fail to be adopted before the beginning of the fiscal year, the Government will be permitted to spend, on a monthly basis the amount equalling one twelfth of the budget of the previous year, with the addition of linkage according to the consumer price index, published by the Central Bureau of Statistics.

(b) Moneys according to subsection (a) will be initially designated for the discharging of legal obligations, contracts and treaties; the remainder will be used by the Government exclusively for the operation of essential services and the activities included in the previous Budget Law.

(c) This section may only be amended by a majority of the Knesset members."

*Amendment of Law and  
Administration  
Ordinance No. 17*

59. Sections 8 and 9 of the Law and Administration ordinance 5718-1948 - are repealed.

*Amendment of the  
Evidence Ordinance  
No. 10*

60. In Article 3 chapter 2 of the Evidence Ordinance (New Version) 5731-1971 prior to section 20 shall come:

*"Evidence of Government action*

19A (a) A document issued by the Government shall be signed by the Prime Minister or by the Minister therein delegated by the Prime Minister or by the Government Secretary.

(b) The written authorization issued by the General secretary that the Government has performed a particular action will serve as proof that the action was performed as indicated in the authorization."

*Repeal of The Basic Law: The Government.*

61. The Basic Law: The Government\*\*\* is repealed.

*Amendment of The Elections Law - The Knesset - No. 27*

62. (The amendments to the Elections Law - The Knesset (consolidated version) 5720-1969).\*\*\*\*

*Commencement and applicability*

63. (a) The provision of this Basic Law will apply to the election of the Prime Minister and to the establishment of the Government beginning from the elections to the fourteenth Knesset.

(b) Subject to the provisions of subsection (a), this Basic Law shall come into force on the first day of service of the Prime Minister elected in accordance with the provisions of subsection (a).

*Transitional provisions*

64. (a) On the day of the coming into force of this Basic Law, a state of emergency will be deemed to have been declared according to section 49(a) of this Basic Law.

(b) Any legislation containing a provision making its continued force dependent on the continuation of the state of emergency as declared according to section 9 of the Law and Order Ordinance 5708-1948, will remain in force for as long as a state of emergency exists, in accordance to subsection (a).

(c) Any legislation referring to the state of emergency as declared according to section 9 of the Law and Order Ordinance 5708-1948, will be deemed as referring to a state of emergency declared according to section 49 of this Basic Law.

*Publication*

65. This law will come into force 30 days from the day of its adoption.

**YITZCHAK SHAMIR**  
Prime Minister

**DOV SHILANSKY**  
Speaker of the Knesset

**CHAIM HERZOG**  
President of the State

\* Published in Sefer Ha-Chukkim No. 1396 of the 17th Nisan, 5752 (14th April, 1992), p. 214.

\*\* This law, of 5752-1992 will enter into effect - as noted in par. 63 - from the elections to the 14th Knesset and henceforth. Until that time, the [Basic Law: The Government of 5728-1968](#) will remain in effect.

\*\*\* The reference is to the Basic Law: The Government, 5728-1968.

\*\*\*\* The amendments were incorporated into the same law.