

## **Basic Law: The Knesset - 1958**

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| 1. What the Knesset is  | The Knesset is the parliament of the State.  |
| 2. Place of sitting   | The place of sitting of the Knesset is Jerusalem.  |
| 3. Composition  | The Knesset shall, upon its election, consist of one hundred and twenty members.   |
| 4. Electoral system   | The Knesset shall be elected by general, national, direct, equal, secret and proportional elections, in accordance with the Knesset Elections Law; this section shall not be varied save by a majority of the members of the Knesset.  |
| 5. The right to vote  | Every Israeli citizen of or over the age of eighteen years shall have the right to vote in elections to the Knesset, unless a court has deprived him of that right by virtue of any Law; the Elections Law shall determine the time at which a person shall be considered to be eighteen years of age for the purpose of the exercise of the right to vote in elections to the Knesset.  |
| 5A. The right to present a list of candidates<br>(Amendments 19 and 21) | A list of candidates for the Knesset shall be submitted only by a party; The means of association and registering of parties and the conditions for submitting a list of candidates shall be determined by law.  |
| 6. The right to be elected<br>(Amendments 8, 10, 22, and 26)            | <p>a. Every Israeli citizen who on the day of the admission of a candidates list containing his name is twenty-one years of age or over shall have the right to be elected to the Knesset, unless a court has deprived him of that right by virtue of Law, or he has been sentenced, by a final judgment, to a penalty of actual imprisonment for a term exceeding three months and on the day of submission of the list of candidates seven years have not yet passed since the day when he terminated his period of imprisonment, unless the chairman of the Central Elections Committee has determined that the offence of which he has been convicted, in accordance with the circumstances, does not bear moral turpitude.</p> <p>b. [Annulled]</p> |

c. A candidate for the Knesset who has been sentenced as specified in subsection (a) and whose judgment has become final after the submission of the list of candidates and before he has assumed tenure as a Knesset member, will be deemed to have withdrawn from the list of candidates that includes his name, or from his tenure in the Knesset, as relevant, unless the chairman of the Central Elections Committee has determined that the offence of which he has been convicted, in accordance with the circumstances, does not bear moral turpitude.

d. The determination of the chairman of the Central Elections Committee under subsections (a) and (c) is not required if the court has stated by law that the offence, in accordance with the circumstances, does bear moral turpitude.

e. For the purpose of this section –

- "Actual imprisonment" means the sum of all terms of actual imprisonment the convicted person must serve in a single continuous period, even if ordered in different sentences, including suspended sentences that have been activated;
- "Offence" means each of the offences for which a period of actual imprisonment has been ordered.

a. A Knesset member seceding from his faction and failing to tender his resignation as a Knesset member in close proximity to his secession, shall not be included, in the election for the next Knesset, in the list of candidates submitted by a party that was represented by a faction of the outgoing Knesset; This provision does not apply to the splitting of a faction under the conditions prescribed by law.

b. For the purposes of this section –

- "Secession from a faction " - including voting in the Knesset plenum not in accordance with the faction's position regarding the expression of confidence or no confidence in

6A. Restriction on the candidacy of a Knesset member seceding from his faction  
(Amendments 12, 21 and 36)

the government; however, such voting shall not be deemed as secession if the Knesset member has not received any consideration in exchange for his vote;

- "Consideration " – means directly or indirectly, by a promise or future commitment, including the assurance of a place on a list of candidates for the Knesset, or the appointment of the Knesset member himself or someone else to a certain position.

The following shall not be candidates for the Knesset:

1. the President of the State;
2. the two Chief Rabbis;
3. a judge (shofet);
4. a judge (dayan) of a religious court;
5. the State Comptroller;
6. the Chief of the General Staff of the Defense Army of Israel;
7. rabbis and ministers of other religions, while holding paid office;
8. senior State employees and Army officers of such grades or ranks and in such functions as shall be determined by Law.
9. policemen and prison warders of such ranks and positions as shall be determined by law;
10. employees of corporations established by law of such ranks and positions as shall be determined by law.

Unless they have ceased to serve in the aforementioned position or office, prior to the date for submitting the lists of candidates for the Knesset, and if an earlier date has been set by law prior to the set date.

7. Who shall not be a candidate (Amendments 2, 21, and 33)

7A. Prevention of participation of candidates' list

- a. A candidates' list shall not participate in elections to the Knesset, and a person shall not be a candidate for election to the Knesset, if the objects or actions of the list or the actions

(Amendments 9,  
35, and 39)

of the person, expressly or by implication, include one of the following:

1. negation of the existence of the State of Israel as a Jewish and democratic state;
2. incitement to racism;
3. support of armed struggle, by a hostile state or a terrorist organization, against the State of Israel.

a1. For the purposes of this section, a candidate that was at a hostile state unlawfully within the seven years preceding the date for submitting the candidates' list, is deemed a person whose actions express support of armed struggle against the State of Israel, as long as he has not proven otherwise.

b. The decision of the Central Elections Committee that a candidate is prevented from participating in the elections requires the affirmation of the Supreme Court of Israel.

c. A candidate will make a declaration for the purposes of this section.

d. Particulars regarding the hearing at the Central Elections Committee and at the Supreme Court of Israel, as well as regarding a declaration under subsection (c) shall be prescribed by law.

8. Term of office of  
the Knesset

The term of office of the Knesset shall be four years from the day on which it is elected.

9. Date of  
elections  
(Amendment 1)

The elections to the Knesset shall take place on the third Tuesday of the month of Cheshvan in the year in which the tenure of the outgoing Knesset ends, But if the year which preceded that year was a leap year, the elections shall take place on the first Tuesday of that month.

9A. Extending the  
Knesset's term  
(Amendment 15)

a. The Knesset shall not extend its term except by law passed by a majority of eighty members of the Knesset and only if special circumstances exist that prevent holding the elections at their proper time; the period of extension shall not exceed

the time necessary due to the aforementioned circumstances;  
the election date shall be fixed by the aforementioned law.

b. Without prejudice to the provisions of section 34, the Knesset may, by a resolution passed by the majority of its members, advance the date of elections fixed under subsection (a), provided that the new date is no earlier than the date fixed for Knesset elections under section 9.

10. Election day to be a public holiday

Election Day shall be a public holiday, but transport services and other public services shall function normally.

11. Publication of election results  
(Amendment 20)

The results of the elections shall be published in "Reshumot" within eight days from Election Day.

12. Convening of the Knesset  
(Amendment 37)

The Knesset shall convene for its first meeting, after the election results are published, within fourteen days of Election Day on the date fixed by law, unless an earlier date is prescribed by law due to a rest day, holiday, festival day, memorial day, or due to proximity to one of them, or due to the intermediate days of certain Jewish festivals.

13. Amendments 27, and 37

[Annulled]

14. The opening meeting  
(Amendment 23)

The procedures of the opening meeting shall be prescribed by law and shall express the character of the State of Israel and its heritage.

15. Declaration of allegiance by members of the Knesset  
(Amendment 23)

a. A Knesset member shall make a declaration of allegiance; the declaration shall read as follows:

"I pledge myself to bear allegiance to the State of Israel and faithfully to discharge my mandate in the Knesset."

b. Procedures for the declarations shall be prescribed by law.

16. Failure to make declaration

Where the Chairman of the Knesset has called upon a member of the Knesset to make his declaration of allegiance and the member has not done so, the member shall not enjoy

the rights of a member of the Knesset so long as he has not made the declaration.

16A. Failure to make declaration due to dual citizenship (Amendment 22)

Has the Knesset member been the holder of an additional non-Israeli citizenship, and the laws of the country whose citizenship he holds permit his release from such citizenship, he shall not declare allegiance until after he has done everything required on his part to be released from such citizenship, and he shall not enjoy the rights of a Knesset member until he makes his declaration.

17. Immunity of Knesset members

The members of the Knesset shall have immunity; particulars shall be prescribed by Law.

18. Immunity of Knesset buildings

The building of the Knesset shall have immunity; particulars shall be prescribed by Law.

19. Procedure and rules

The Knesset shall itself prescribe its procedure; in so far as such procedure has not been prescribed by Law, the Knesset shall prescribe it by its Rules; so long as the procedure has not been prescribed as aforesaid, the Knesset shall follow its accepted practice and routine

20. Chairman and Vice-Chairmen (Amendments 24, 27, 34 and 37)

a. The Knesset shall elect from among its members a Chairman and Vice-Chairmen. Until the Chairman is elected, the most senior Knesset member who is not the Prime Minister, a Minister or Deputy Minister, shall serve as Interim Chairman. In this section, "senior" means the one whose term of office in the Knesset is the longest, consecutively or non-consecutively, and among those with equal seniority - the oldest.

b. The Knesset may, in its Rules, set restrictions on the election of a Knesset member to serve as Chairman or Vice-Chairman.

c. The Knesset may, by a resolution passed by a majority of its members, suspend the Chairman or a Vice-Chairman or set restrictions on their post; particulars to be set by law.

d. The Knesset may, by a resolution passed by a majority of

its members or by a larger majority as may be prescribed by law, to remove from post the Chairman or a Vice-Chairman; particulars to be set by law.

a. Whenever the Chairman of the Knesset leaves the territory of the State, a Vice-Chairman shall serve as Acting Chairman until his return.

b. Whenever the Chairman of the Knesset notifies the House Committee, or if the House Committee decides, that for reasons of health the Chairman of the Knesset is temporarily unable to carry out his functions, or the Chairman announces that he is temporarily unable to perform his duties and the House Committee acknowledges his announcement, a Vice-Chairman shall serve as Acting Chairman until the Chairman notifies the House Committee or until the House Committee decides that the Chairman is no longer unable to carry out his functions.

20A. Acting  
Chairman and  
Interim Chairman  
of Knesset  
(Amendments 4,  
24 and 27)

c. When the post of Chairman of the Knesset has fallen vacant - because the Chairman has resigned or has died or because the House Committee has decided that for reasons of health he is permanently unable to carry out his functions - a Vice-Chairman shall serve as Interim Chairman until the Knesset elects a new Chairman.

c1.

1. If the Chairman of the Knesset is suspended from his post by a decision under Section 20(c), a Vice-Chairman shall serve as Acting Chairman until the suspension is lifted or until the election of a new Chairman, as relevant.

2. If the Chairman of the Knesset is removed from his post by a decision under Section 20(d), a Vice-Chairman shall serve as Acting Chairman until the election of a new Chairman.

d. The Vice-Chairman who is to serve as Acting Chairman or Interim Chairman of the Knesset shall be elected in that behalf by the House Committee.

e. During his tenure as Acting Chairman or Interim Chairman of the Knesset, the Vice-Chairman shall serve in every capacity assigned to the Chairman of the Knesset by law, shall carry out every function imposed upon the Chairman of the Knesset by law and shall exercise every power vested in the Chairman of the Knesset by law.

f. The provisions of this section shall also apply, mutatis mutandis, if the circumstances envisaged in subsection (a), (b), (c) or (c1) with regard to the Chairman of the Knesset exist with regard to a Vice-Chairman who is serving as Acting Chairman or Interim Chairman.

a. The Knesset shall elect from among its members permanent committees, and it may elect from among its members committees for specific matters; the functions, powers and procedure of the committees shall, in so far as they are not prescribed by Law, be prescribed by the Rules.

b. The Rules may prescribe provisions concerning the committees' authority to summon an office holder or a functionary of the Civil Service, municipal authority, religious council, corporation established by law or government corporation, and to oblige him to provide information on the activity of the body in which he serves, unless such disclosure entails a violation of a law, or of a professional duty or an obligation of trust to which he is bound by law, and he shall be assured the rights of a witness before a court; the summon shall be issued under the auspices of the relevant Minister or with his knowledge, and for someone who is not in the Civil Service under the auspices of the head of the body in which the invitee serves; However, the appointed Minister or the head of the body in which the invitee serves may inform the committee that he himself will appear in place of the invitee.

c. [Annulled]

21. Committees  
(Amendments 13,  
14, 16, and 28)

21A. Knesset  
supervision of  
secondary

a. Regulations enacted by a Minister whose violation entails criminal punishment shall not enter into force, unless they have been approved prior to publication by a committees of



legislation  
(Amendment 30)

the Knesset committees responsible for that matter; should the committee fail to approve or reject the regulations within 45 days of receiving the regulations, the regulations will be deemed approved.

b. The provisions of this subsection do not prejudice the provisions of any Basic Law or other law regarding regulations.

22. Commissions  
of inquiry

The Knesset may appoint commissions of inquiry - either by empowering one of the permanent committees in that behalf or by electing a commission from among its members - to investigate matters designated by the Knesset; the powers and functions of a commission of inquiry shall be prescribed by the Knesset; every commission of inquiry shall include also representatives of factions which do not participate in the Government, in accordance with the relative strength of the factions in the Knesset.

23. Government  
member who is  
not a member of  
the Knesset

A member of the Government who is not a member of the Knesset shall, as to everything relating to the Knesset, have the same status as a member of the Government who is a member of the Knesset, except that he shall not have the right to vote.

24. Quorum  
(Amendment 6)

The Knesset shall hold debates and pass decisions whatever the number of members present, save as otherwise provided by Law.

25. Majority

Save as otherwise provided by Law, the Knesset shall pass its decisions by a majority of those participating in the voting - those abstaining not being reckoned as participating - and the voting procedure shall be prescribed by the Rules.

26. Meetings

The meetings of the Knesset shall be held at its place of sitting: Provided that in special circumstances the Chairman of the Knesset may, in consultation with the Vice-Chairmen, convene the Knesset elsewhere. The meetings of the Knesset shall take place on workdays.

27. Publicity of

The Knesset shall sit in public.

meetings  
(Amendment 17)

28. Publication  
(Amendment 17)

The publication of proceedings taken and utterances made at an open meeting is not restricted and does not entail any criminal or civil liability.

29. Amendment  
17

[Annulled]

30. Amendment  
17

[Annulled]

31. Sessions  
(Amendments 5  
and 29)

Orders concerning the periods of Knesset sessions and the convening of the Knesset out of session shall be prescribed by law.

32. Amendment  
31

[Annulled]

33. Amendments  
25, 27, and 29

[Annulled]

34. Dissolution of  
the Knesset  
(Amendment 15)

The Knesset shall not decide to dissolve itself before the expiration of its term of office save by adopting a Law for that purpose passed by a majority of the members of the Knesset.

35. Date of  
elections after  
dissolution of the  
Knesset  
(Amendment 30)

The Law concerning the dissolution of the Knesset shall contain a provision as to the date of the elections to the next Knesset, which shall be no later than five months from the day the law is passed.

36. Term of office  
of the Knesset  
after dissolution

If the Knesset decides to dissolve itself, the term of office of the next Knesset shall run until the month of Cheshvan next following the termination of four years from the day of its election.

36A. Dispersion  
due to failure to  
adopt budget  
(Amendments 30

a. 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, on the day following the

and 40)

end of this period (hereafter: the determining date), and early elections will be held on the last Tuesday before the end of 90 days of the determining date, unless the Knesset decides by a majority vote of its members, within five days of the determining date, that because of the proximity of the date of elections to a holiday, festival day or memorial day, to postpone the elections to a date no later than 100 days from the determining date.

b. Notwithstanding the provisions of subsection (a), should the President of the State begin procedures to form a new Government under section 30 of The Basic Law: The Government, or should a law be adopted to disperse the Knesset, or should elections to the Knesset be held, after the date for submission of the Draft Budget under section 3 of The Basic Law: The State Economy and before the passage of three months from the beginning of the fiscal year, the determining day under subsection (a), shall be three months from the beginning of the fiscal year or 45 days from the constitution of the Government, whichever is later.

*Amendment to Subsection (b), as of the elections for the 20th Knesset:*

*After "of Basic Law: The Government" shall come "the Knesset expressed confidence in the new government, in accordance with section 28 of Basic Law: The Government"; instead of "45 days" shall come "100 days", and at the end shall come "the government placed the Budget Bill on the Knesset's table prior to the 55th day of its establishment, the decisive day will be 45 days from the day the government submitted the bill."*

37. Continuity of the Knesset

The outgoing Knesset shall continue to hold office until the convening of the incoming Knesset.

38. Extension of validity of enactments

Any enactment due to expire during the last two months of the term of office of the outgoing Knesset or within four months after the Knesset has decided to dissolve itself or during the first three months of the term of office of the incoming Knesset shall continue in force until the expiration of the said three

months.

39. Remuneration  
of members of the  
Knesset

The members of the Knesset shall receive a remuneration as provided by Law.

40. Resignation of  
member of the  
Knesset

A member of the Knesset may resign his office; resignation shall be by personal presentation of a letter of resignation by the resigning member to the Chairman of the Knesset or, if the member is unable to present the letter of resignation personally, by transmission thereof in the manner prescribed by the Rules; the letter of resignation shall be signed on the day of the presentation or transmission.

41. Consequences  
of resignation  
(Amendment 41)

A Knesset Member who has tendered his resignation, his membership in the Knesset is terminated 48 hours after the resignation letter reaches the Speaker of the Knesset, unless he withdrew his resignation beforehand; should the said period end on a public holiday, its conclusion will be delayed until the next day that is not a public holiday, and all this according to what will be determined by law.

42. Termination of  
tenure or  
candidacy  
(Amendment 33)

If a member of the Knesset, or a candidate to the Knesset, is elected or appointed to one of the posts the holders of which are debarred from being candidates for the Knesset, his membership of the Knesset or his candidacy to the Knesset, as relevant, shall cease upon his election or appointment to one of the above positions; For this purpose, "a candidate for the Knesset" – means one whose name is included in the candidates' list for the Knesset, from the day the list is submitted until the day of the beginning of his tenure as a member of the Knesset.

42A. Knesset  
member who has  
been convicted  
(Amendments 7,  
18, 26, and 32)

a. Should a Knesset member be convicted, by final judgment, of a criminal offence, and the court, by its own initiative or at the request of the Attorney-General has stated that the offence carry moral turpitude, his membership of the Knesset shall end on the day the judgment becomes final, no matter if the offence was committed when he was a member of that same Knesset, a member of a previous Knesset, or before he was a member of the Knesset.

b. Subsection (a) shall apply also to a Knesset member whose judgment became final after he began to serve as a member of the Knesset; the request of the Attorney-General in accordance with subsection (a) may be submitted as long as the judgment has not become final; the request shall be submitted to the court that handed the judgment, and if an appeal has been filed, to the court of appeal.

a. Where a Knesset member has been convicted of a criminal offence, and the court, by its own initiative or at the request of the Attorney-General has stated that the offence carry moral turpitude, he shall be suspended from office as a Knesset member from the day the court's judgment was handed and until the time when the judgment becomes final.

42B. Suspension  
(Amendments 7,  
26 and 38)

b. Where a Knesset member has been convicted of a criminal offence and sentenced to imprisonment, he shall be suspended from his office as a Knesset member for the period during which he is undergoing his penalty of imprisonment.

b1. The orders of this section shall also apply to a Knesset member who has been convicted of an offence as stated in Subsection (a) or (b) before becoming a Knesset member.

a. If the seat of a member of the Knesset falls vacant, it shall be filled by the candidate who, in the list of candidates which included the name of the late member, figured immediately after the last of the elected candidates.

43. Replacement  
of Knesset  
member  
(Amendment 7)

b. Where a person's membership of the Knesset has been suspended under section 42B, his seat shall become vacant for the period of the suspension and his place shall be taken by the candidate referred to in subsection (a). If he resumes his seat, the last of the list of candidates who became a Knesset member shall cease to hold office, but his right to become again a Knesset member thereafter, by virtue of the provision of subsection (a), shall not be affected thereby.

44. Law not to be

Notwithstanding the provision of any other law, this Law

affected by  
emergency  
regulations

cannot be varied, suspended, or made subject to conditions,  
by emergency regulations.

45. Entrenched  
sections

Section 44, or this section, shall not be varied save by a  
majority of eighty members of the Knesset.

45A. Application of  
entrenchment  
(Amendment 15)

Section 45 shall also apply with regard to variation of Section  
9A(a).

46. Special  
majority when  
required  
(Amendments 3,  
11, and 15)

The majority required by this Law for a variation of section 4,  
9A, 34, 44 or 45 shall be required for decisions of the Knesset  
plenary at the first, second and third readings. In this section,  
"variation" means both an express and an implicit variation.