1. The Government is the executive authority of the State.

2. The seat of the Government is Jerusalem.

3. The Government holds office by virtue of the confidence of the Knesset.

4. The Government is collectively responsible to the Knesset.

5. (a) The Government consists of the Prime Minister and other Ministers.
   (b) The Prime Minister shall be a member of the Knesset. Another Minister need not be a member of the Knesset, but he must be an Israel national and an Israel resident. When a person becomes a Minister while holding one of the offices the holders of which are debarred from being candidates for the Knesset, his tenure of that office ceases upon his becoming a Minister.
   (c) A Minister shall be in charge of a Ministry: Provided that he may be a Minister without Portfolio. One of the Ministers may be Deputy Prime Minister.

6. When a new Government has to be constituted, the President of the State shall, after consultation with representatives of party groups in the Knesset, assign the task of forming a Government to a Knesset Member who has notified him, within three days from the day on which he was asked, that he is prepared to accept the task.

7. The Knesset Member to whom the President has assigned the task of forming a Government shall have a period of twenty-one days for the fulfillment of such task. The President of the State may extend the period by additional periods not in the aggregate exceeding twenty-one days.

8. (a) Where the periods referred to in section 7 have passed and the Knesset Member has not notified the President of the State that he has formed a Government, or where he has notified him before then that he is unable to form a Government, the President may assign the task of forming a Government to another Knesset Member who has notified him that he is prepared to accept the task.
   (b) The President of the State may do again as specified in subsection (a) as often as the situation indicated therein recurs.
   (c) Before assigning the task of forming a Government under this section, the President may again consult with representatives of party groups in the Knesset.
   (d) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have the period specified in section 7 for the fulfillment of the task, and the President may extend the period as specified in that section.

9. (a) Where the President of the State has not assigned the task of
forming a Government under section 8, or where he has assigned it under that section and the Knesset Member has not notified him within twenty-one days that he has formed a Government or has notified him before then that he is unable to form a Government, representatives of party groups in the Knesset whose members constitute a majority of the members of the Knesset may request the President of the State in writing to assign the task to a particular member of the Knesset.

(b) Where a request as aforesaid, accompanied by the written consent of the candidate, has been submitted to the President, the President shall assign the task of forming a Government to that Knesset Member.

(c) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have a period of fourteen days for its fulfilment.

(d) Where a request as aforesaid is submitted during an additional period allowed to a Knesset Member to whom the President assigned the task under section 8, the President shall notify such Knesset Member of such request, and upon such notification the task of such Knesset Member shall terminate.

10. (a) Where the President of the State has assigned the task of forming a Government under section 6 or 8 and the period allowed to the Knesset Member for the fulfilment of the task has passed without his having informed the President that he has formed a Government, or he has informed the President before then that he is unable to form a Government, the President may give notice to the Chairman of the Knesset that he sees no way of achieving the formation of a Government.

(b) Notice to the Chairman of the Knesset under subsection (a) shall not prevent the application of section 9.

11. When a Law for the dissolution of the Knesset has been adopted, the proceedings for the formation of a Government shall cease.

12. When a new Knesset has been elected, the President of the State may open a proceeding for the formation of a Government after the results of the elections have been published in Reshumot and before the new Knesset has convened. The consultation referred to in section 6 shall in this case be held with the representatives of candidates' lists.

13. (a) Where the President of the State has assigned to a Knesset Member the task of forming a Government, he shall notify the Chairman of the Knesset to such effect, and the Chairman of the Knesset shall notify the Knesset.

(b) Where the Knesset Member has formed a Government, he shall notify the President of the State and the Chairman of the Knesset to such effect, and the Chairman of the Knesset shall notify the Knesset.

14. The Knesset Member who has formed a Government shall head it.
Government and Premiership.

Constitution of Government.

15. When a Government has been formed, it shall present itself to the Knesset, shall announce the basic lines of its policy, its composition and the distribution of functions among the Ministers, and shall ask for an expression of confidence. The Government is constituted when the Knesset has expressed confidence in it, and the Ministers shall thereupon assume office.

Declaration of allegiance.

16. As soon as, or as soon as possible after, the Knesset has expressed confidence in the Government, the Prime Minister shall make before the Knesset the following declaration of allegiance:

"I (name) pledge myself as Prime Minister to bear allegiance to the State of Israel and to its laws, to carry out faithfully my functions as Prime Minister and to comply with the decisions of the Knesset";

and each of the other Ministers shall make the following declaration of allegiance:

"I (name) pledge myself as a member of the Government to bear allegiance to the State of Israel and to its laws, to carry out faithfully my functions as a member of the Government and to comply with the decisions of the Knesset."

Change in distribution of functions.

17. (a) The Government may change the distribution of functions among the Ministers. The change shall require the approval of the Knesset.

(b) This section shall not apply to the function of Prime Minister.

Cooptation of Minister.

18. The Government may, upon the proposal of the Prime Minister, coopt a Minister to the Government. When the Government has decided to coopt a Minister, it shall notify such fact and the function of the additional Minister to the Knesset. Upon the approval of the notification by the Knesset, the additional Minister shall assume office, and as soon as possible after the approval he shall make his declaration of allegiance.

Acting Prime Minister.

19. If the Prime Minister is absent from Israel or is temporarily unable to carry out his functions, the Government shall designate another of the Ministers who are members of the Knesset to act in his place until he returns to Israel or again carries out his functions.

Minister acting for other Minister.

20. If a Minister, other than the Prime Minister, is absent from Israel or is temporarily unable to carry out his functions, the Government shall designate another Minister to act in his place until he returns to Israel or again carries out his functions. So long as the Government has not done so, the Prime Minister shall act in the place of that Minister.

Termination of tenure of Minister.

21. (a) A Minister, other than the Prime Minister, may, after notifying the Government of his intention to do so, resign from the Government by submitting a letter of resignation to the Government. His tenure in the Government ceases forty-eight hours after the letter of resignation reaches the Government, unless he has withdrawn his resignation before them.
(b) Where a Minister who is a member of the Government resigns from the Knesset, his tenure in the Government ceases on the day on which his membership in the Knesset ceases.

(c) The tenure of a Minister in the Government ceases upon his election or appointment to one of the function the holders of which are debarred from being candidates for the Knesset.

(d) When the tenure of a Minister, other than the Prime Minister, in the Government ceases, the Government shall designate an other Minister to carry out his functions; such designation shall require the approval of the Knesset. So long as the Government has not done as aforesaid, the Prime Minister shall carry out the functions of that Minister.

22. (a) The Government may resign. If it decides to do so, the Prime Minister shall submit its letter of resignation to the President of the State.

(b) When a new Knesset has been elected, the Government shall be deemed to have resigned on the day of the election.

23. (a) The Prime Minister may, after notifying the Government of his intention to do so, resign by submitting a letter of resignation to the President of the State. The resignation of the Prime Minister shall be deemed to be the resignation of the Government.

(b) If the Prime Minister dies, the Government shall be deemed to have resigned on the day of his death.

24. If the Knesset has expressed non-confidence in the Government, the Chairman of the Knesset shall notify the President of the State to such effect, and the Government shall be deemed to have resigned on the day of the expression of non-confidence.

25. (a) When a new Knesset has been elected or the Government has resigned or the Prime Minister has resigned or died or the Knesset has expressed non-confidence in the Government, the President of the State shall begin proceedings for the formation of a new Government. The outgoing Government shall continue to carry out its functions until the new Government is constituted.

(b) A Prime Minister who has resigned shall continue to carry out his functions pending the constitution of the new Government. If the Prime Minister has died, the Government shall designate another of the Ministers who are members of the Knesset to be Interim Prime Minister pending the constitution of the new Government.

(c) The provisions of sections 18 and 21 (a) and (b) shall not apply when the Government is continuing to carry out its functions in accordance with this section.

26. The Government shall itself prescribe the procedure for its meetings and work, the modes of its deliberations and the manner of passing its decisions, either permanently or in respect of a particular
27. The Government may act through committees of Ministers which may be permanent, temporary or for particular matters.

28. (a) The deliberations and decisions of the Government and of the committee of the Ministers on the following matters are secret and their publication is prohibited:

1. the security of the State;
2. foreign relations of the State;
3. any other class of matters whose secrecy the Government regards as vital to the State and which it has proclaimed, by order, for the purposes of this section;
4. a matter which the Government has decided to keep secret: Provided that the disclosure and publication of such a matter shall only be prohibited to a person who knew about the decision.

(b) The provisions of subsection (a) shall not apply to things whose publication has been permitted by the Government, the Prime Minister or a person empowered by it or him in that behalf or is required under any law.

29. The Government is competent to do in the name of the State, subject to any law, any act the doing of which is not enjoined by law upon another authority.

30. Any power vested in or duty imposed on a Minister under any Law may be transferred by the Government, wholly or in part, to another Minister; a decision under this section requires the approval of the Knesset.

31. (a) A power vested in the Government under any Law may be delegated by it to one of the Ministers.

(b) A power vested in one of the Ministers under any Law or transferred to him under section 30, other than a power to make regulations with legislative effect, may be delegated by him, wholly, in part or subject to restrictions, to a public servant.

(c) A power delegated to a Minister by the Government under subsection (a), other than a power to make regulations with legislative effect, may be delegated by him to a public servant, wholly, in part of subject to restrictions, if the Government has empowered him to do so.

(d) Any reference in this section to a power vested in the Government or a Minister shall be taken to include a duty imposed on it or him.

32. A Minister charged with the implementation of any Law may, in so far as no contrary intention appears from that Law, assume any power, other than a power of a judicial character, vested in a State employee under that Law; he may do so in respect of a specific matter or for a specific period.
33. (a) The Government may merge, divide and abolish Ministries and set up new Ministries. A decision under this provision shall require the approval of the Knesset.

(b) The Government may transfer areas of activity from one Ministry to another.

34. A Minister in charge of a Ministry may, with the approval of the Government, appoint from among the members of the Knesset one Deputy Minister or two Deputy Ministers for that Ministry. A Deputy Minister shall assume office when the Government has announced his appointment in the Knesset. A Deputy Minister appointed by the Prime Minister shall be called a "Deputy Minister at the Prime Minister's Office".

35. A Deputy Minister shall, in the Knesset and in the Ministry for which he has been appointed, act in the name of the Minister who appointed him and within the scope of the matters entrusted to him by that Minister.

36. The tenure of a Deputy Minister shall terminate when -

(1) he resigns by submitting a letter of resignation to the Minister who appointed him; or

(2) that Minister ceases to be a Minister or to be in charge of that Ministry; or

(3) the Government or the Minister decides to terminate his tenure; or

(4) a new Government is established; or

(5) he ceases to be a member of the Knesset.

37. Ministers and Deputy Ministers shall receive such remuneration and other payments as shall be fixed by decision of the Knesset. The Knesset may empower the Finance Committee in that behalf.

38. The Government shall, upon the proposal of the Prime Minister, appoint the Government Secretary and prescribe his functions.

39. (a) A document issued by the Government shall be signed by the Prime Minister or by such other Minister as the Government has empowered in that behalf or by the Government Secretary.

(b) A written confirmation by the Government Secretary that the Government has done a certain thing shall be evidence that such thing has been done as stated in the confirmation.

40. (a) The Government shall give notice to the Knesset of the following:

(1) the designation of an Acting Prime Minister or Interim Prime Minister;

(2) the resignation of the Government;
(3) the resignation or death of the Prime Minister;

(4) the resignation or death of a Minister; (5) the transfer of areas of activity from one Ministry to another;

(6) the termination of the tenure of a Deputy Minister under section 36 (1) or (3).

(b) Notice as aforesaid shall be given in the Knesset or, during a recess of the Knesset, to the Chairman of the Knesset, who shall bring it to the knowledge of the members of the Knesset.

41. (a) Notice of the following shall be published in in Reshumot. Reshumot on behalf of the Knesset:

(1) the constitution and composition of the Government, and the distribution of functions among the Ministers, under section 15;

(2) the approval of a change in the distribution of the functions of the Ministers, under section 17;

(3) the approval of the co-optation of a Minister to the Government, under section 18; (4) the approval of a decision under section 30 or 33 (a);

(5) a decision under section 37.

(b) Notice of the following shall be published in Reshumot on behalf of the Government:

(1) decisions by the Government under sections 19, 20, 21 (d), 25 (b), 31 (a) or (b) or 33 (a);

(2) the assumption of a power under section 31 for a specific period;

(3) the appointment of a Deputy Minister under section 34 and the termination of his tenure under section 36(1) or (3);

(4) the appointment of a Government Secretary under section 38 and the termination of his tenure.

42. Notwithstanding anything contained in any other law, this Law cannot be varied, suspended, or made subject to conditions, by emergency regulations. This section may be varied only by a majority of the members of the Knesset.

LEVI ESHKOL
Prime Minister

SHNEUR ZALMAN SHAZAR
President of the State
Basic Law: The Government (Amendment)*

Amendment of section 5. 1. In the Basic Law: The Government the following shall be added at the end of section 5(b):

"But a person serving in the capacity of Judge, dayyan of a religious court or officer in the permanent service of the Defence Army of Israel shall not become a Minister unless he ceased to serve in that capacity at least 100 days previously."

GOLDA MEIR
Prime Minister

EFRAYIM KATZIR
President of the State

Basic Law: The Government (Amendment No. 2)*

Amendment of section 5. 1. In section 5 of the Basic Law: The Government the words "One of the Ministers may be Deputy Prime Minister" in subsection (c) shall be deleted and the following subsection shall be added: "(d) One or two of the Ministers may be a Deputy Prime Minister or Deputy Prime Ministers."

Commencement. 2. This Law shall come into force upon its adoption by the Knesset.

MENAHEM BEGIN
Prime Minister

YITZCHAK NAVON
President of the State
Basic Law: The Government (Amendment No. 3)*

**Amendment of section 4.**

1. In section 4 of the Basic Law: The Government (hereinafter referred to as "the principal Law"), the words "A Minister is responsible to the Prime Minister for the functions with which the Minister is charged" shall be added at the end.

**Addition of section 21A.**

"Removal of Minister from office.

21A.(a) The Prime Minister may, after notifying the office. Government of his intention to do so, remove a Minister from office. The tenure of the Minister ceases forty-eight hours after the letter of removal from office is delivered to him, unless the Prime Minister reverses his decision before then.

(b) The Prime Minister shall notify the Knesset of the removal of a Minister from office.".

MENAHEM BEGIN
Prime Minister

YITZCHAK NAVON
President of the State

* Passed by the Knesset on the 15th Iyar, 5741 (19th May, 1981) and published in Sefer Ha-Chukkim No. 1026 of the 23rd Iyar, 5741 (27th May, 1981), p. 280; the Bill and an Explanatory Note were published in Hatza'ot Chok No. 1537 of 5741, p. 370.

Sefer Ha-Chukkim of 5728, p. 226 - LSI vol. XXII p. 257; Sefer Ha-Chukkim of 5733, p. 236 - LSI vol. XXVII, p. 265; Sefer Ha-Chukkim of 5740, p. 6 - LSI vol. XXXIII, p. 6.

Basic Law: The Government (Amendment No. 4)*

**Amendment of section 5.**

1. In section 5 of the Basic Law: The Government, subsection (d) shall be re-marked as subsection (e) and the following subsection shall be inserted before it:

"(d) A Minister who is a member of the Knesset may be Vice-Premier."

Section 19 of the Basic Law: The Government shall be replaced by the following section:

"Acting Prime 19. If the Prime Minister is absent from Israel Minister. or is temporarily unable to carry out his functions, the Vice-Premier shall act in his place until he returns to Israel or again carries out his functions; if there is no Vice-
Premier or if the Vice-Premier is absent from Israel or is temporarily unable to carry out his functions, the Government shall designate another Minister who is a member of the Knesset to act in place of the Prime Minister.”.

SHIMON PERES
Prime Minister

CHAIM HERZOG
President of the State

* Passed by the Knesset on the 16th Elul, 5744 (13th September, 1984) and published in Sefer Ha-Chukkim No. 1124 of the 24th Elul, 5744 (21st September, 1984), p. 220; the Bill and an Explanatory Note were published in Hatza'ot Chok No. 1694 of 5744, p. 296.

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

Nature
1. The Government is the executive authority of the State.

Seat of power
2. The seat of the Government is Jerusalem.

Source of authority and composition
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.

Election date
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.

Special elections
5. In the cases specified in this Basic Law separate elections will be held for the election of the Prime Minister (hereinafter - special elections).

The right to vote.
6. Persons entitled to vote in the elections to the Knesset shall be entitled to vote in the elections for the Prime Minister.

Period of service
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.

Eligibility of Prime Ministerial candidates
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.

The right to propose a candidate
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 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.

(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
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.

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.

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

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.

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
(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.

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.

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.

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;

39. (a) The Prime Minister may:
(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;

(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.

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.
Assumption of powers

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.

Exclusivity of office

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.

Secrecy

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:

1. State security;
2. Foreign relations of the State;
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;
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.

(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.

Salaries and pensions

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.

Government Secretary

46. The Government will, according to the proposal of the the Prime Minister, appoint a Government Secretary and specify his duties.

Regulations

47. (a) The Prime Minister or the Minister charged with the implementation of a law, is empowered to make regulations for its implementation.

(b) A law may empower the Prime Minister or a Minister to make regulations in a matter specified in the authorization.

Knesset supervision of subsidiary legislation

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.

(b) Nothing in the provisions of this section shall derogate from the provisions of a basic law or another law relating to regulations.

Declaration of a state

49. (a) Should the Knesset ascertain that the State is in a state of
of emergency

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.

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.

56. (a) This Basic Law may not changed unless by a majority of the Knesset members; however, a provision prescribing that 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

60. In Article 3 chapter 2 of the Evidence Ordinance (New Version) 5731- 1971 prior to section 20 shall come:
No. 10

"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 nerve an proof that the action was performed as indicated in the authorization.


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 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 amendments were incorporated into the same law.
(This law entered into effect with the January 2003 Knesset elections.)

What the Government is.
1. The Government is the executive authority of the State.

Seat of Government.
2. The seat of the Government is Jerusalem.

Confidence of the Knesset.
3. The Government holds office by virtue of the confidence of the Knesset.

Responsibility.
4. The Government is collectively responsible to the Knesset; each Minister is responsible to the Prime Minister for the field of responsibility with which the Minister has been charged.

Composition.
5. (a) The Government is composed of a Prime Minister and other Ministers.
   (b) The Prime Minister shall be a member of the Knesset. A Minister need not be a member of the Knesset.
   (c) A Minister shall be in charge of a Ministry; there may be Ministers without Portfolio.
   (d) One of the Ministers who is a member of Knesset may be designated as Acting Prime Minister.
   (e) A Minister may be Deputy Prime Minister.

Eligibility of Ministers.
6. (a) A Minister must be an Israeli citizen and a resident of Israel.
   (b) A person shall not be appointed Minister if he is serving in a position or role as specified in section 7 of The Basic Law: The Knesset, unless he ceased functioning in the said position or role upon or prior to his appointment, as prescribed by law.
   (c) (1) If a person was convicted of an offense and sentenced to prison and if seven years have not yet passed since the day he on which he finished serving his period of punishment, or since the handing down of his sentence - whichever was later - shall not be appointed Minister, unless the Chairman of the Central Election Committee states that the circumstances of the offense do not involve moral turpitude.
   (2) The Chairman of the Central Election Committee shall not so rule if the court determined that the offense involved moral turpitude.
   (d) If a person holds a citizenship other than Israeli, and if the law of the country of which he is a citizen allows him to be released from such citizenship, he shall be appointed Minister only after he has taken all measures necessary to be released from such citizenship.
   (e) 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. This does not apply to the splitting of a faction as defined by law. “Secession from a faction” is defined in section 6(a) of The Basic Law: The Knesset.

Assignment of task of forming
7. (a) When a new Government has to be constituted, the President of the State shall, after consultation with representatives of party groups in
the Knesset, assign the task of forming a Government to a Knesset Member who has notified him that he is prepared to accept the task; the President shall do so within seven days of the publication of the election results, or should the need arise to form a new government; and in the case of the death of the Prime Minister, within 14 days of his death.

(b) Should these consultation take place before the new Knesset is convened, the President will consult the representatives of the lists of candidates to be represented in the new Knesset.

(c) This section shall not apply to the formation of a Government following a no confidence vote according to section 28; in the event of an application to the President under section 29(b), the provisions specified in those sections shall apply.

Periods for formation of Government.

8. The Knesset Member to whom the President has assigned the task of forming a Government under section 7 shall have a period of 28 days for the fulfilment of such task. The President of the State may extend the period by additional periods not exceeding in the aggregate 14 days.

Re-assignment of task.

9. (a) Where the periods referred to in section 8 have passed and the Knesset Member has not notified the President of the State that he has formed a Government, or where he has notified him before then that he is unable to form a Government, or where he presented a Government and the Knesset rejected his request for confidence under section 13(d), the President may assign the task of forming a Government to another Knesset Member who has notified him that he is prepared to accept the task, or may inform the Speaker of the Knesset that he sees no possibility of forming a Government - all within three days from the end of the period, or from the day of the Knesset member’s statement that he cannot form a government, or from the rejection of confidence in the Government, as applicable.

(b) Before assigning the task of forming a Government under this section, or before he informm the Speaker of the Knesset that he sees no possibility of forming a Government, the President may again consult with representatives of factions in the Knesset.

(c) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have 28 days in which to do so.

10. (a) Where the President of the State has informed the Speaker of the Knesset, under section 9(a) that he sees no possibility of forming a Government, or where he has assigned the task of forming a Government to a Knesset Member under the same section and the Knesset Member has not notified him within 28 days that he has formed a Government, or has notified him before then that he is unable to form a Government, or presented a Government and the Knesset rejected his request for confidence under section 13(d), a majority of the members of the Knesset may request, in writing, that the President of the State assign the task to a particular member of the Knesset, who so agreed in writing, all within 21 days of the President's announcement, or from the end of the period designated in section 9(c), or from the statement by the Knesset Member that he cannot form a Government, or from the rejection of confidence in the Government, as relevant.

(b) Where a request as aforesaid has been submitted to the President,
the President shall assign the task of forming a Government to that Knesset Member within two days.

(c) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have a period of fourteen days for its fulfilment.

11. (a) Should no request be submitted under section 10(a), or should a Knesset Member fail to form a Government within the period defined in section 10(c), or if he should prior to that time inform the President that he cannot form a Government, the President shall so inform the Knesset Speaker.

(b) Should the President so inform the Knesset Speaker, or should a Knesset Member charged with forming a Government under section 10(a) present a Government and fail to win the confidence of the Knesset under section 13(d), then the Knesset shall be deemed to have decided to disperse prior to the completion of its period of service, and elections for the Knesset will be held on the last Tuesday before the end of 90 days of the President's announcement, or of the rejection of the request for confidence in the Government, as relevant.

12. When a Law for the dissolution of the Knesset has been adopted, the proceedings for the formation of a Government shall cease.

13. (a) Where the President of the State has assigned to a Knesset Member the task of forming a Government, he shall notify the Speaker of the Knesset to such effect, and the Speaker of the Knesset shall notify the Knesset.

(b) Where the Knesset Member has formed a Government, he shall notify the President of the State and the Speaker of the Knesset to such effect, and the Speaker of the Knesset shall notify the Knesset and set a date for the presentation of the Government to the Knesset within seven days of such notification.

(c) The Knesset Member who has formed a Government shall head it.

(d) When a Government has been formed, it shall present itself to the Knesset, shall announce the basic lines of its policy, its composition and the distribution of functions among the Ministers, and shall ask for an expression of confidence. The Government is constituted when the Knesset has expressed confidence in it, and the Ministers shall thereupon assume office.

14. As soon as, or as soon as possible after, the Knesset has expressed confidence in the Government, the Prime Minister shall make before the Knesset the following declaration of allegiance:

"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";

and each of the other Ministers shall make the following declaration of allegiance:

"I (name) as a member of the Government, undertake to uphold the
Cooption of a Minister.

15. The Government may, upon the proposal of the Prime Minister, coopt an additional Minister to the Government. When the Government has decided to coopt a Minister, it shall notify such fact and the function of the additional Minister to the Knesset. Upon the approval of the notification by the Knesset, the additional Minister shall assume office, and as soon as possible after the approval he shall make his declaration of allegiance.

Acting Prime Minister.

16. (a) Should the Prime Minister be absent from Israel, meetings of the Government will be convened and conducted by the designated Acting Prime Minister.

(b) Should the Prime Minister be temporarily unable to discharge his duties, his place will be filled by the Acting Prime Minister. After the passage of 100 days upon which the Prime Minister does not resume his duties, the Prime Minister will be deemed permanently unable to exercise his office.

(c) Failing the appointment of a designated Acting Prime Minister, or should the Acting Prime Minister be prevented from fulfilling his duties under sections (a) and (b) above, the Government shall designate another Minister to exercise that office.

Interrogation and impeachment of the Prime Minister

17. (a) Criminal proceedings shall not be commenced against the Prime Minister save with the agreement of the Attorney General.

(b) Criminal proceedings shall not be commenced against someone who served as Prime Minister on suspicion of an offense committed while in office or within a year after serving in office, save with the consent of 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; proceedings regarding an indictment filed before the Prime Minister begins his term of office shall be prescribed by law.

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

Removal from office pursuant to an offense

18. (a) Should the Prime Minister be convicted of an offense which the court defined as involving moral turpitude, the Knesset may remove him from office, pursuant to a decision of a majority of the Knesset members. Should the Knesset so decide, the Government shall be deemed to have resigned.

(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, and shall present its recommendation to 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.

(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 not to remove the Prime Minister from office, and should the verdict as per section (a) above become final, the Prime Minister will cease to serve in office and the Government shall be deemed to have resigned.

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

Resignation of Prime Minister.

19. The Prime Minister may, after notifying the Government of his intention to do so, resign by submitting a letter of resignation to the President of the State. The resignation of the Prime Minister shall be deemed to be the resignation of the Government.

Death or permanent incapacity of Prime Minister.

20. (a) If the Prime Minister dies, the Government shall be deemed to have resigned on the day of his death.

(b) Should the Prime Minister be permanently incapacitated, the Government shall be deemed to have resigned on the 101st day during which the Acting Prime Minister served in his place.

Prime Minister or Acting Prime Minister ceasing to function as member of Knesset.

21. (a) Should the Prime Minister cease to function as a member of the Knesset, he will be deemed to have resigned; the Government shall be deemed to have resigned the same day.

(b) Should an Acting Prime Minister cease to be a Knesset Member, he shall cease to serve as Acting Prime Minister.

Termination of tenure of Minister.

22. (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 tenure of a Minister in the Government ceases upon his election or appointment to one of the function the holders of which are debarred from being candidates for the Knesset.

23. (a) An indictment against a Minister, except for offenses to be determined by law, will be presented and judged in a district court; procedures regarding indictments filed before a Minister assumed tenure will be determined by law.

(b) Should a Minister be convicted by the court, it shall state in its verdict whether the offense involves moral turpitude; should the court so state, the Minister's tenure shall cease on the day of such verdict.

(c) This section does not apply to the Prime Minister.

Acting Minister.

24. (a) Should a Minister, except for the Prime Minister, be absent from the country, the Government can charge another Minister to take his place. The Acting Minister will discharge the Minister's duties, in all or in part, as determined by the Government.
(b) Should a Minister be temporarily incapable of discharging his duties, the Prime Minister or another Minister appointed by the Government will discharge his duties.

(c) The period of tenure of an Acting Minister under subsection (b) will not exceed three months.

Deputy Ministers

25. (a) The Minister in charge of an office, may, with the consent of the Prime Minister and the approval of the Government, appoint one Deputy Minister for the office from among the Knesset members. 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".

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

(c) A Knesset member seceding from his faction may not be appointed to the position of Deputy Minister during the period of service of the same Knesset. This provision does not apply to the splitting of a faction under the conditions prescribed by law; for the purposes of this subsection, "secession from a faction" is defined by section 6(a) of The Basic Law: The Knesset.

Termination of service of a Deputy Minister

26. 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 Minister who appointed him;

(2) The same Minister ceased being a Minister or being in charge of the same office.

(3) The Prime Minister, the Government or the appointing Minister decide to terminate the service of the Deputy Minister; however, the Prime Minister will not dismiss a Deputy Minister without first informing both the Government and the appointing Minister of his intention to do so.

(4) A new Government was formed.

(5) The Deputy Minister ceased being a Knesset member.

Termination of tenure of Deputy Minister pursuant to an offense.

27. Should a Deputy Minister be convicted by the court, it shall state in its judgment whether the offense involves moral turpitude; should the court so state, the Deputy Minister's tenure shall cease on the day of the judgment.

Expression of no confidence in the Government.

28. (a) The Knesset may adopt an expression of no confidence in the Government.

(b) An expression of no confidence in the Government will be by a decision adopted by the majority of the Members of Knesset to request that the President assign the task of forming a Government to a certain Knesset member who gave his written consent thereto.
(c) If the Knesset has expressed no confidence in the Government, the Government shall be deemed to have resigned on the day of the expression of no confidence. The President will, within two days, charge the Knesset Member so named with the task of forming a Government.

(d) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have a period of 28 days for its fulfilment. The President of the State may extend the period by additional periods not in the aggregate exceeding 14 days.

(e) Where the periods referred to in subsection (d) have passed and the Knesset Member has not notified the President of the State that he has formed a Government, or where he has notified him before then that he is unable to form a Government, the President will so notify the Speaker of the Knesset.

(f) If the President so informed the Speaker of the Knesset as per subsection (e) or where he presented a Government and the Knesset rejected his request for confidence under section 13(d), it will be deemed to be a Knesset decision to disperse prior to the completion of its period of service, and elections to the Knesset will be held on the last Tuesday before the end of 90 days of the President's announcement, or of the rejection of the request for confidence in the Government, as relevant.

29. (a) 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. The order will enter into effect 21 days after its publication, unless a request is submitted under subsection (c), and the Government will be deemed to have resigned on the day of the order's publication.

(b) Within 21 days of the publication of the order, a majority of the Knesset Members may request that the President charge one of its members, who has so agreed in writing and who is not the Prime Minister, with the task of forming a government.

(c) Where a request as aforesaid has been submitted to the President, the President shall inform the Speaker of the Knesset. The President shall assign the task of forming a Government to the Knesset Member named in the request within two days.

(d) A Knesset Member to whom the task of forming a Government has been assigned under this section shall have a period of 28 days for its fulfilment. The President of the State may extend the period by additional periods not in the aggregate exceeding 14 days.

(e) Should no such request be submitted under subsection (b), or if the period defined in subsection (d) passed, and the Knesset Member did not inform the President that he formed a government or where he presented a Government and the Knesset rejected his request for confidence under section 13(d), it will be deemed to be a Knesset decision to disperse prior to the completion of its period of service, and elections to the Knesset will be held on the last Tuesday before the end
of 90 days of the President's announcement, or of the rejection of the request for confidence in the government, as relevant.

(f) If the President gave notice under subsection (3) or if the Knesset member presented a Government and the Knesset rejected the request that it express confidence in it under section 13(d), then the Knesset is deemed to have decided to disperse before the end of its term of office, and elections to the Knesset will be held on the last Tuesday before the end of 90 days of the President's announcement, or of the rejection of the request for confidence in the government, as relevant.

(g) 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) After the Knesset has expressed no confidence in the Government under section 28.

(3) After the resignation of the Prime Minister, or 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 section 18(a).

(h) An Acting Prime Minister shall not be entitled to exercise the authority of the Prime Minister under this section.

Continuity of Government.

30. (a) When a new Knesset has been elected or the Government has resigned under sections 18, 19, 20, 21 or 29, or if a request is submitted under section 29(b), the President of the State shall begin proceedings for the formation of a new Government, as laid out in this Basic Law.

(b) When a new Knesset has been elected or the Government has resigned (sections 18, 19, 20, 21 or 29), the outgoing Government shall continue to carry out its functions until the new Government is constituted.

(c) A Prime Minister who has resigned shall continue to carry out his functions pending the constitution of the new Government. If the Prime Minister has died, or is permanently incapacitated, from carrying out his duties, or if his tenure was ended because of an offense, the Government shall designate another of the Ministers who is a member of the Knesset and of the Prime Minister's faction to be Interim Prime Minister pending the constitution of the new Government.

(d) A Government that serves under subsection (b) may appoint a Knesset Member as a Minister in place of a Minister who has ceased to serve; the appointment of a Minister under this subsection does not require the approval of the Knesset.

Functioning of the Government

31. (a) The Government may, with the approval of the Knesset, change the division of roles among the Ministers, with the exception of the role of the Prime Minister.
(b) The Government may, with the approval of the Knesset, transfer authorities and duties legally belonging to one Minister, in all or in part, to another Minister.

(c) The Government may, with the approval of the Knesset, unite or divide Government ministries, abolish or establish new ministries.

(d) The Government may transfer areas of actions from one ministry to another.

(e) The Government may establish permanent or temporary Ministerial committees, or for particular matters; after the appointment of a committee the Government may conduct its operations through it.

(f) The Government will set work and debate procedures, and decision-making processes in the Government, whether permanent or for a specific matter.

Residual powers of Government

32. 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

33. (a) Powers granted by law to the Government may be delegated to one of the Ministers; this does not apply to powers granted in accordance with this Basic Law, except for powers under section 32.

(b) Powers granted to a Minister by law, transferred to him under the provisions of section 31(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, the power granted to the Government or a Minister also refers to duties incumbent upon them.

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

Assumption of powers

34. A 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.

Secrecy

35. (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:

(1) State security;

(2) Foreign relations of the State;

(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;

(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.

(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.

Salaries and pensions

36. The salaries of 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 Knnesset, or a public committee appointed by the Knnesset for that purpose.

Regulations

37. (a) The Minister charged with the implementation of a law, is empowered to make regulations for its implementation.

(b) A law may empower the Prime Minister or a Minister to make regulations in a matter decided by agreement.

Declaration of a state of emergency

38. (a) Should the Knnesset 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 Knnesset 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 Knnesset, 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 Knnesset, pursuant to a decision by a majority of its members; should the Knnesset fail to convene, the Government may make a renewed declaration of a state of emergency as stated in this subsection.

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

State of emergency

39. (a) During a state of emergency the Government may make emergency regulations for the defense 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 Knnesset, 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

40. (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 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.

Inapplicability of
emergency laws

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

The Government and
Knesset committees

42. (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) 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.

43. When a the date for elections to the Knesset has been set under sections 11, 28, and 29, the Knesset may - by a majority vote adopted within five days after grounds for holding the elections arose - decide that because of the proximity of the date of elections to a holiday or memorial day, the elections will be postponed to a date no later than 100 days after the day on which such grounds arose.

44. (a) This Basic Law can only be changed by a majority of the Knesset members; the majority under this subsection will be required for decisions of the Knesset plenum in the first, second and third readings; for purposes of this subsection, "change" is either explicit or by implication.

(b) The provisions of this subsection will not apply to sections 45 and 46.

45. In the Basic Law: The Knesset -

(1) The following will be added after section 21:

"Knesset supervision of secondary legislation

21(a). (a) Regulations enacted by a Minister whose violation entails criminal punishment shall not enter into force until they have been approved by a responsible Knesset committee; 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."

(2) Section 35 shall conclude "not later than five months from the adoption of the law."

(3) The following will be added after section 36:

36(a). "Dispersion due to failure to adopt budget"
(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 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, within five days of the determining date, may decide that because of the proximity of the date of elections to a holiday 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 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 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."

**Repeal of The Basic Law: The Government.**


**Effect and applicability.**

47. (a) The provisions of this Basic Law shall apply to elections and to formation of the Government, beginning with elections to the 16th Knesset.

(b) Subject to the provisions of subsection (a), this Law shall go into effect on the day the Government is formed as said in subsection (a).

(c) Notwithstanding the provisions of subsection (b), section 44 shall go into effect on the day on which this Law is published.

ARIEL SHARON  
Prime Minister

MOSHE KATSAV  
President of the State

AVRAHAM BURG  
Speaker of the Knesset

* Passed by the Knesset on the 12th Adar, 5761 (7th March, 2001) and published in Sefer Ha-Chukkim No. 1780, p. 158; the Bill and an Explanatory Note were published in Hatza'ot Chok No. 2756 of 5758, p. 72.

Fuente: Parlamento de Israel