
UNJUST ENRICHMENT LAW, 5739–1979

[Prepared by WIPO, 2014]
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Duty of Restitution

1(a) any person who unlawfully obtains any property, service, or other benefit (Hereinafter – the beneficiary) which extend to him from another person (Hereinafter – the benefactor) must return to the benefactor such benefit, and if restitution in kind is not possible or unreasonable – pay him in value.

(b) It is of no consequence whether such benefit was obtained due to an act by the benefactor, an act of the beneficiary or any other way.

Exemption from Restitution

2. The Court may exempt the beneficiary from duty of restitution under section 1, in whole or in part, where it is of the opinion that such benefit does not involve any detraction from the benefactor or where other circumstances render restitution unjust.

Deduction of Expenses

3. the beneficiary may detract from restitution owed any expenses made or undertaken or any reasonable investments to obtain the benefit.

Person who Pays Another Person's Debt

4. any person who pays another person's debt, without being under obligation to do so, shall not be entitled to restitution unless the beneficiary had a reasonable cause to object to the payment of such debt, in whole or in part, and may only be entitled to such restitution that does not exceed what was granted to repay the debt.

Person who Acts to Protect another Person's Interest

5. (a) Where a person who, in good faith and within reason, acted to protect the life, physical integrity, health, dignity or property of another, and where such person was under no obligation to do so, and incurred, or undertook to incur expenses in connection therewith, the beneficiary shall indemnify him for his reasonable expenses, including any obligations to a third party, and where the benefactor suffered any property damages due to such act, the Court may order the payment of compensation to the benefactor, where such order is seen as just in light of the circumstances.

(b) For the purpose of charging compensation under subsection (A), any person whose property was used for protecting the aforementioned values, shall be considered as though he acted to protect them.

(c) No duty of indemnification or compensation under this section with regards to a beneficiary who objected to any act or use of property or the rate of expenses or which had reasonable reason to object thereto, unless the act or the use of property were to protect his life his physical integrity or his health.

Scope of Application and Saving of Remedies

6. (a) the provisions of this law shall take effect where there are no special provisions in any other law with regards to the matter at hand and where no other agreement between the parties applies.

(b) This law shall apply to the State.

(c) This law shall not derogate from any other remedies.

Repeal

7. Section 3 of the Law to Amend the Civil Torts Laws (Repair of Bodily Harm), 5724-1946 - Repealed.
