

Basic Law: The Government (2001)
(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 Government.

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.

*Assignment of
task at the
request of
party groups.*

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.

Early elections in the event of failure to form a government.

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.

Discontinuance of proceedings for formation of Government.

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

Formation of Government.

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.

Declaration of allegiance.

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 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."

Cooptation 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.

Termination of tenure of Minister pursuant 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

to an offense.

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*

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

Minister

- (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.

Authority to disperse the Knesset.

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 feffect 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

32. The Government is authorized to perform in the name of the

Government 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 Knesset, or a public committee appointed by the Knesset 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 Knesset ascertain that the State is in a state of emergency, it may, of its own initiative or, pursuant to a Government proposal, declare that a state of emergency exists.

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

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

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

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

State of emergency

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 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 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 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.

Change in election date.

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 .

Permanence of the Law.

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.

Amendment of Basic Law: The Knesset - No. 30

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.

46. The Basic Law: The Government (1992) is repealed.

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 Hatz'a'ot Chok No. 2756 of 5758, p. 72.