

BASIC LAW: THE GOVERNMENT (5761 - 2001)

(Unofficial translation by Dr. Susan Hattis Rolef)

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| The essence | 1. The Government is the Executive Branch of the State. |
| The location | 2. The seat of the Government is Jerusalem. |
| Confidence of the Knesset in the Government | 3. The Government holds office by virtue of the confidence of the Knesset. |
| Responsibility | 4. The Government is collectively responsible to the Knesset. A Minister is responsible to the Prime Minister for the tasks over which the Minister is in charge. |
| Make-up of the Government
(Amendments Nos. 1 & 3) | 5. (a) The Government is made up of the Prime Minister and other Ministers.

(b) The Prime Minister shall be from among the Knesset Members. A Minister need not be from among the Knesset Members.

(c) A Minister shall be responsible for a Ministry, but may also be a Minister without Portfolio.

(d) One of the Ministers, who is a member of the Knesset, may substitute for the Prime Minister.

(e) A Minister may be Deputy Prime Minister.

(f) The number of Government members, including the Prime Minister, shall not exceed 19, unless the Knesset has expressed confidence in the Government, or has decided to approve the addition of Ministers to the Government, by a majority of at least seventy Members |

of the Knesset.

(Temporary instruction, passed on May 13, 2015 - The provisions of this article shall not apply to the Government formed during the term of the 20th Knesset)

Eligibility of the
Ministers

6. (a) A person who is not an Israeli citizen and a resident of Israel shall not be appointed as Minister.
- (b) A person who serves in an office or position enumerated in article 7 of Basic Law: the Knesset, shall not be appointed as Minister, unless he has ceased to serve in that office or that position upon or prior to his appointment, as shall be determined by law.
- (c) (1) A person who has been convicted of an offence, and has been sentenced to imprisonment, and on the day of his appointment seven years have not gone by since he finished serving the punishment of imprisonment, or from the day that the sentence was delivered, whichever is later, shall not be appointed as Minister, unless the Chairman of the Central Elections Committee has ruled that there is no moral turpitude involved in the circumstances of the offence for which he was convicted.
- (2) The Chairman of the Central Elections Committee shall not rule as stated in clause (1), if the court has ruled that the offence for which he was sentenced involves moral turpitude.
- (d) A person shall not be appointed as Minister if he has a citizenship that is other than Israeli, if the laws in the country of which he is a citizen enables his release from this citizenship, only after he has done whatever is necessary on his part to be released from it.

- (e) A member of the Knesset who has left his Parliamentary Group, and did not resign from his office soon after leaving, shall not be a Minister during the term of that Knesset. This provision shall not apply to a Parliamentary Group that has split in accordance with the conditions laid down by law. For the purpose of this clause, "leaving a Parliamentary Group" - as defined in article 6a of Basic law: The Knesset.

Assigning of task to form a government

- 7. (a) Once a new government must be formed, after consulting the representatives of the Parliamentary Groups, the President of the State shall assign the task of forming a Government to one of the Knesset Members, who has agreed to do so. The President shall assign the said task within seven days from the publication of the election results, or from the day on which the need to form a new government was created, and in the case of the death of the Prime Minister - within 14 days of his death.
- (b) Should these consultations take place before the new Knesset has convened, the President shall consult with the representatives of the lists of candidates, which shall be represented in the new Knesset.
- (c) This article shall not apply to the formation of a Government following the expression of no-confidence, on the basis of article 28, or following the submission of a request to the President of the State on the basis of article 29(b), and the provisions elaborated in the relevant articles shall apply.

Period for formation of a Government

- 8. The Knesset Member to whom the President of the State has assigned the task of forming a Government on the basis of article 7, has 28 days in which to fulfill his task. The President is entitled to prolong this period by additional periods, as long as they shall not together exceed 14 days.

- Reassignment of task
9. (a) Should the period mentioned in article 8 have gone by, and the Knesset Member has not informed the President of the State that he has formed a Government, or has informed him before hand that he is unable to form a Government, or that he has presented a Government, and the Knesset rejected the request to expressed confidence in it, on the basis of article 13(d), the President shall assign the task of forming a Government on another Member of the Knesset, who has informed the President that he is willing to assume the task, or shall inform the Speaker of the Knesset that he sees no possibility of arriving at the formation of a Government, and all within three days from the day on which the period ended, or from the day on which the Knesset Member announced that he is unable to form a Government, or from the day on which the request to express confidence in the Government was rejected, as the case may be.
- (b) Before assigning the task of forming a Government on the basis of this article, or before informing the Speaker of the Knesset that he sees no possibility of reaching the formation of a Government, the President is entitled to once again consult the representatives of the Knesset Parliamentary Groups..
- (c) The Knesset Member to whom the task of forming a Government was assigned on the basis of this article, has a period of 28 days to accomplish his task.
- Assigning the task on the basis of a majority of the Knesset Members
10. (a) Should the President of the State inform the Knesset Speaker, on the basis of article 9(a), that he sees no possibility of arriving at the formation of a Government, or that he assigned the task of forming a Government on a Knesset Member on the basis of that article, and the Knesset Member did not inform the President within 28 days that he has formed a Government, or he informed him before hand that he is unable to form a Government, or he presented a Government and the Knesset rejected the request to expressed confidence in it on the basis of article 13(d), a majority of the Knesset Members are entitled to ask the President of the State, in writing, to assign the task on a certain Knesset Member, who has agreed to it in writing, and all within 21 days from the

announcement of the President, or from the day on which the period mentioned in article 9(c) has gone by, or from the day of the announcement of the Knesset Member that he is unable to form a Government, or from the day on which the request to express confidence in the Government was reject, as the case may be.

- (b) If a request has been submitted as stated in clause (a), the President shall assign the task of forming a government on the Knesset Member mentioned in the request within two days.
- (c) The Knesset Member upon whom the task of forming a government on the basis of this article has been vested, has 14 days to fulfill his task.

Early elections in the absence of a Government

- 11. (a) Should a request not have been submitted as stated in article 10(a), or should the Knesset Member failed to form a Government in the period assigned to him on the basis of article 10(c), or should he inform the President before hand that he is unable to form a Government, the President of the State shall inform the Knesset Speaker thereof.
- (b) Should the President announce, as stated in clause (a), or if the Knesset Member charged with the task of forming a Government, on the basis of article 10(a), presented a Government, and the Knesset rejected the request to express confidence in it, on the basis of article 13(d), the Knesset shall be deemed to have decided to dissolve itself before the end of its term, and the elections to the Knesset shall take place on the last Tuesday before the end of the 90 days from the announcement of the President, or from the day on which the request to express confidence in the Government was rejected.

Cessation of proceedings to form a Government

- 12. Once a law has been adopted for the dissolution of the Knesset, the proceedings for the formation of a Government shall cease.

- Establishment of the Government
13. (a) Once the President of the State has assigned to a Knesset Member the task of forming a Government, he shall inform the Speaker of the Knesset, and the Speaker of the Knesset shall notify the Knesset thereof.
- (b) Once the Knesset Member has formed a Government, he shall inform the President of the State and the Speaker of the Knesset thereof, and the Speaker of the Knesset shall notify the Knesset thereof, and set a sitting for the purpose of forming the Government, within seven days from the day of the notification of the Knesset on the basis of this clause.
- (c) The Knesset Member who formed a Government shall head it.
- (d) Once the Government has been formed, it shall present itself before the Knesset, announce the guidelines of its policy, its make-up, and the distribution of functions among the Ministers, and shall request the expression of confidence. the Government shall be established once the Knesset has expressed confidence in it, and the Ministers shall thereupon assume office.
- Declaration of allegiance
14. Once the Knesset has expressed confidence in the Government, or as soon as possible thereafter, the Prime Minister shall make the following declaration of allegiance to the Knesset: "I (the name) hereby undertake as Prime Minister to remain faithful to the State of Israel and its laws, and faithfully fulfill my office as Prime Minister, and abide by the resolutions of the Knesset". And each of the other Ministers shall make the following declaration of allegiance: "I (the name) undertake as a member of the Government to remain faithful to the State of Israel and its laws, to faithfully fulfill my position as a member of the Government, and abide by the resolutions of the Knesset".
- Addition of a Minister
15. The Government is entitled, on the basis of a proposal by the Prime Minister to add an additional Minister to the Government. Once the Government has decided to add a Minister, it shall inform the Knesset thereof, and of the function of the additional Minister. Upon the approval of the notification

by the Knesset, the additional Minister shall take office, and as soon as possible after the approval shall make the declaration of allegiance.

Substituting the Prime Minister

16. (a) Should the Prime Minister be absent from the country, his substitution shall convene the Government meetings and run them.
- (b) Should the Prime Minister be temporarily unable to discharge his duties, his position shall be filled by the substitute Prime Minister. After the passage of 100 consecutive days on which the substitute Prime Minister acted in the place of the Prime Minister, and he did not return to discharge his duties, he shall be considered to be unable to discharge his duties on a permanent basis.
- (c) Should there be no substitute for the Prime Minister, or if the substitute Prime Minister is unable to discharge his duties on the basis of clauses (a) and (b), the Government shall designate another Minister, who is a Knesset Member, to discharge these duties.

Interrogation of the Prime Minister during and after his tenure of office, prosecution and conviction

17. (a) A criminal investigation shall not be opened against the Prime Minister save with the consent of the Attorney General.
- (b) A criminal investigation shall not be opened against whoever served as Prime Minister, due to a suspicion of the performance of an offence that was performed during his tenure of office, or during the year after he ceased to serve, save with the consent of the Attorney General.
- (c) An indictment against the Prime Minister shall be filed by the Attorney General to the District Court in Jerusalem, which shall be made-up of three judges. Provisions regarding an indictment that was filed before the Prime Minister took office, shall be prescribed by law.

- (d) The court that convicted the Prime Minister for an offence, shall determine in its verdict whether the offence involves moral turpitude.

Termination of service of the Prime Minister due to an offense

- 18. (a) The Knesset is entitled, by means of a resolution by the majority of its Members, to remove from office the Prime Minister, who was convicted of an offence, and the court decided in its verdict that it involves moral turpitude.
- (b) Within 30 days of the day on which the verdict as stated in clause (a), the Knesset House Committee shall decide on its recommendation regarding the removal of the Prime Minister from office, and shall bring its recommendation to the Knesset Plenum. Should the House Committee fail to bring its recommendation within the prescribed period, the Speaker of the Knesset shall raise the issue for debate in the Knesset Plenum.
- (c) The House Committee and the Knesset shall not decide on the removal of the Prime Minister from office, before he has been given the opportunity to state his case to them.
- (d) Should the Prime Minister not be removed from office under this article, and the verdict as stated in clause (a) has become final, the service of the Prime Minister shall be terminated, and the Government shall be deemed to have resigned on the day on which the verdict became final.
- (e) The provisions of articles 42a and 42b of Basic Law: the Knesset shall not apply to the Prime Minister.

Resignation of the Prime Minister

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

Government.

- A Prime Minister who has passed away or is unable to fulfill the office permanently
20. (a) Should the Prime Minister pass away, the Government is considered to have resigned on the day of his passing.
- (b) Should the Prime Minister be unable to fulfill his office on a permanent basis, the Government is considered to have resigned on the 101st day on which a replacement serves in his place.
- A Prime Minister or his replacement, who have ceased to be Knesset Members
21. (a) The Prime Minister, who has ceased to be a Knesset Member, shall be deemed to have resigned from his office on the day that his membership in the Knesset ceased. The resignation of the Prime Minister is equivalent to the resignation of the Government.
- (b) A Minister, who is serving as a replacement for the Prime Minister, who has ceased to serve as Member of the Knesset, shall cease to serve as the replacement for the Prime Minister.
- Termination of service of a Minister
(Amendment No. 2)
22. (a) A Minister, save the Prime Minister, is entitled to resign from the Government by submitting a letter of resignation to the Prime Minister, after giving notice to the Government of his intention to do so. His service in the Government shall end 48 hours after the letter of resignation was submitted to the Prime Minister, unless the Minister retracted his resignation beforehand. Should the said period end on a rest-day, its end shall be put off to the next day that is not a rest day, all as prescribed by law.
- (b) The Prime Minister is entitled to remove a Minister from office, after giving notice to the Government of his intention to do so. The office of the Minister shall terminate 48 hours after the letter of the removal from office has been submitted to him, unless the Prime Minister has retracted beforehand. Should the said period end on a rest-day, its end shall be put off to the next day that is not a rest day, all as prescribed by law.

- (c) The service of a Minister in the Government shall end upon his being elected or appointed to one of the positions whose holders are barred from being candidates for the Knesset.
- Termination of service of a Minister due to an offence 23. (a) An indictment against a Minister, except for offences prescribed by law, shall be submitted to and dealt with in a District Court. Provisions regarding an indictment that was submitted before the Minister started to serve in his office shall be prescribed by law.
- (b) The court that convicted a Minister for an offence, shall state in its verdict whether that offence involves moral turpitude. Should the court rule as stated, the office of the Minister shall cease on the day that the verdict was delivered.
- (c) This article shall not apply to the Prime Minister.
- Replacement of Minister 24. (a) Should a Minister, excluding the Prime Minister, be absent from the country, the Government may decide that another Minister shall replace him. The replacement shall discharge all or part of the duties of the Minister, as determined by the Government.
- (b) Should a Minister temporarily cease to discharge his duties, or be incapable of doing so, the Prime Minister or another Minister designated by the Government, shall fill the position.
- (c) The period in which the position of the Minister, who ceased to serve as provided in clause (b), shall be filled shall not exceed three months.
- Deputy Ministers (Amendment No. 1) 25. (a) A Minister in charge of a Ministry may, with the consent of the Prime Minister and the approval of the

Government, appoint one Deputy Minister to that Ministry from among the Knesset Members. A Deputy Minister shall enter office once the Government has notified the Knesset of the appointment. A Deputy Minister appointed by the Prime Minister shall be called "Deputy Minister in the Prime Minister's Office".

- (b) A Deputy Minister shall act in the Knesset and in the Ministry to which he was appointed, in the name of the Minister who appointed him, within the framework of the matters delegated to him.
- (c) A Member of the Knesset, who left his Parliamentary Group shall not be appointed as Deputy Minister during the term of that Knesset. This provision shall not apply to the splitting of a parliamentary group under conditions prescribed by law. For the purpose of this clause "leaving a Parliamentary Group" - as defined by article 6a of Basic Law: the Knesset.
- (d) The number of Deputy Ministers shall not exceed four.

(Temporary instruction, passed on May 13, 2015: The provisions of this clause shall not apply to the Government formed during the term of the 20th Knesset)

Expiration of service of a Deputy Minister

26. The office of a Deputy Minister shall terminate in each of the following situations:
- (1) The Deputy Minister resigned by submitting a letter of resignation to the Minister who appointed him;
 - (2) The Minister who appointed him ceased being a Minister, or being in charge of the said Ministry;
 - (3) The Prime Minister, the Government, or the Minister

who appointed the Deputy Minister, decided to terminate his service. However, the Prime Minister shall not dismiss a Deputy Minister from his office before informing the Government or the Minister who appointed the Deputy Minister of his intention to do so.

- (4) A new Government has been formed.
- (5) The Deputy Minister ceased being a Knesset Member.

Terminating the service of a Deputy Minister due to an offence

27. The court that convicted a Deputy Minister of an offence, shall state in its verdict whether that offence involves moral turpitude. Should the court rule as stated, the service of the Deputy Minister shall cease on the day that the verdict was delivered.

Expression of no-confidence in the Government

(Amendment No. 1)

28. (a) The Knesset is entitled to express no-confidence in the Government.
- (b) The expression of no-confidence in the Government shall be done by means of a resolution of the Knesset, adopted by a majority of its Members to express confidence in another Government that announced the basic guidelines of its policy, its make-up and the distribution of functions among the Ministers, as stated in article 13(d). The new Government shall be established once the Knesset has expressed confidence in it, and from that time the Ministers shall go into office.
- (c) Details regarding the submission of a motion to express no-confidence in the Government, and the debate on it shall be prescribed by law or the Knesset Rules of Procedure. Should the motion be submitted by 61 Members of the Knesset, a debate shall take place as soon as possible, and no later than a week from the day of its submission.

Authority to dissolve the Knesset

29. (a) Should the Prime Minister realize that there is a majority in the Knesset, which opposes the Government, and that

(Amendment No. 1)

that effective action by the Government is prevented, he is entitled, with the consent of the President of the State, to dissolve the Knesset with an order to be published in the Official Gazette. The order shall enter into force 21 days after its publication, unless a request has been submitted, on the basis of clause (b), and the Government is deemed to have resigned on the day the order was published.

- (b) Within 21 days of the publication of the order, the majority of the Knesset Members are entitled to request the President of the State in writing to assign to a certain Knesset Member, who agreed to it in writing, and who is not the Prime Minister, to form a Government.
- (c) Should a request be submitted to the President of the State as aforesaid in clause (b), the President shall notify the Speaker of the State thereof. Within two days the President shall assign the task of forming a Government to the Knesset Member named in the request, within two days.
- (d) The Knesset Member to whom the task of forming a Government on the basis of this article was assigned by the President of the State has 28 days to fulfill his task. The President is entitled to prolong this period by additional periods, as long as they shall not together exceed 14 days.
- (e) Should no request have been submitted as stated in clause (b), or should the period mentioned in clause (d) have gone by, and the Knesset Member has not informed the President that he has formed a Government, or should he have informed him beforehand that he is unable to form a Government, the President of the State shall notify the Speaker of the Knesset thereof.
- (f) Should the President of the State give notice as stated in clause (e), or should the Knesset Member to whom the task of forming a Government on the basis of this article was assigned have presented a Government, and the

Knesset rejected the request to express confidence in it on the basis of article 13(d), the Knesset shall be deemed to have decided to dissolve itself before the end of its term, and elections to the Knesset shall be held on the last Tuesday before the end of the 90 days from the day the order came into force, or from the day on which the period for forming the Government ended, or from the day of the notification of the President, or from the day on which the request to express confidence in the Government was rejected, as the case may be.

- (g) The Prime Minister shall not be entitled to use his authority on the basis of this article -
 - (1) From the beginning of the term of a new Knesset, until the formation of the new Government;
 - (2) *Deleted*
 - (3) After the resignation of the Prime Minister, or from the day on which a verdict was given in which it was determined that he was responsible for an offence that involves moral turpitude, until the day on which the Knesset adopted a resolution on the basis of article 18(a).
- (h) A Minister who is replacing the Prime Minister shall not be entitled to exercise the authority granted the Prime Minister on the basis of this article.

Continuity of the
Government
(Amendment No. 1)

- 30. (a) Upon the election of a new Knesset, or the resignation of the Government as stated in articles 18, 19, 20 or 21, or upon the submission of a request on the basis of article 29(b), the President of the State shall begin proceedings for the formation of a new Government, as stated in this Basic Law.

- (b) Upon the election of a new Knesset, or the resignation of the Government as stated in articles 18, 19, 20, 21 or 29, the outgoing Government shall continue to fulfill its functions until the new Government is formed.
- (c) The resigning Prime Minister shall continue to fulfill his office until the new Government is formed. Should the Prime Minister pass away, should he be permanently unable to fulfill his office, or should his term be terminated due to an offence, the Government shall designate another Minister, who is a Member of the Knesset, and a member of the Prime Minister's Parliamentary Group, to serve as acting Prime Minister until a new Government is formed.
- (d) A Government serving on the basis of clause (b), is entitled to appoint a Member of the Knesset to be a Minister in place of the Minister who ceased to serve. The appointment of a Minister under this clause does not require the approval of the Knesset.

Functioning of the Government

- 31.
- (a) The Government is entitled, with the approval of the Knesset, to change the distribution of functions among the Ministers, except for the function of the Prime Minister.
 - (b) The Government is entitled, with the approval of the Knesset, to transfer a power given by law to one Minister to another Minister, or a duty assigned to him by law, either completely or partially, to another Minister.
 - (c) The Government is entitled, with the approval of the Knesset, to unite Ministries, divide them, abolish them, or establish new Ministries.
 - (d) The Government is entitled, with the approval of the Knesset, to transfer areas of activity from one Ministry

to another.

- (e) The Government is entitled to appoint permanent or temporary Ministerial Committees, or Ministerial Committees for specific matters. Once a Committee has been appointed, the Government may operate by its means.
- (f) The Government shall lay down procedures for its sittings and work, its manner of deliberations, and the way its resolutions shall be adopted, whether regularly or on a certain matter.

Residual powers of the Government 32. The Government is authorized to perform in the name of the State, subject to all laws, any act, which is not assigned by law to another authority.

Delegation of powers (Amendment No. 5) 33. (a) A power conferred by law upon the Government may be delegated by the Government to one of the Ministers. This article shall not apply to powers of the Government based on this Basic Law, save powers under article 32.

(b) A power conferred upon a Minister by law, or transferred to him in accordance to him on the basis of article 31(b), save the power to issue regulations, may be delegated by the Minister, in full, or partially, or with reservations, to a civil servant.

(c) A power delegated by the Government to a Minister, save the power to issue regulations, may be delegated by the Minister, in full, or partially, or with reservations, to a civil servant if authorized by the Government to do so.

(c1) Should the Prime Minister serve as the Minister appointed to a ministry, he is entitled to delegate his power, in accordance with the provisions of clauses (b)

and (c), to a deputy minister in that ministry as well.

- (d) For the purpose of this article, a power conferred upon the Government or a Minister, refers also to a duty assigned to them.
- (e) The provisions of this article shall apply if there is no other intention implied by the law, which confers the authority or assigns the duty.

Assumption of powers 34. A Minister, who is in charge of implementing a law, is entitled to assume any power, with the exception of powers with a judicial nature, which is conferred by that law upon a civil servant, unless another intention is implied in the law. The Minister is entitled to act as stated with regards to a particular matter, or a specific period.

Confidentiality 35. (a) The deliberations and decisions of the Government and Ministerial Committees regarding the following matters are confidential, and their disclosure and publication is forbidden:

- (1) State security;
- (2) Foreign relations of the State;
- (3) Other matters, which the Government considered their confidentiality as essential to the State, and declared them as such in an order, for the purpose of this article;
- (4) A matter, which the Government decided to keep confidential, as long as disclosure and publication of such a matter is not forbidden, except to those who knew of the decision.

approved or revoked beforehand by the Knesset, in a resolution of a majority of its Members. Should the Knesset fail to convene, the Government is entitled to repeat its declaration on a state of emergency, as provided for in this clause.

- (d) Declarations by the Knesset or the Government regarding a state of emergency, shall be published in the Official Gazette. Should it not be possible to publish the declaration on the state of emergency in the Official Gazette, the declaration shall be published in some other suitable manner, as long as it shall be published in the Official Gazette as soon as it shall be possible to do so.
- (e) The Knesset is entitled, at any time, to revoke a declaration on a state of emergency. Notice of the revocation shall be published in the Official Gazette.

Issuing Emergency Regulations.

- 39. (a) In a state of emergency the Government is entitled to issue Emergency Regulations in order to defend the State, public security, and the maintenance of supply and vital services. Emergency Regulations shall be laid on the table of the Knesset Foreign Affairs and Defense Committee, as soon as possible after they have been issued.
- (b) Should the Prime Minister deem it impossible to convene the Government, and that there is an urgent and vital need to issue Emergency Regulations, he is entitled to issue them, or authorize a Minister to issue them.
- (c) Emergency Regulations have the power to change any law, and temporarily suspend it, or set conditions to it, as well as to impose or increase taxes or other compulsory payments, and all as long as there is no other provision in the law.

- (d) Emergency Regulations cannot prevent recourse to the courts, prescribe punishment in advance, or permit an infringement of human dignity.
- (e) Emergency Regulations shall not be prescribed, and arrangements, measures and powers shall not be implemented under them, unless the state of emergency warrants this.
- (f) The force of Emergency Regulations shall expire three months after they are issued, unless their force has been extended by law, or they have been revoked by the Knesset by law, or by resolution of a majority of the Knesset Members.
- (g) Emergency Regulations shall go into force upon their being published in the Official Gazette. should publication in the official Gazette not be possible, they shall be published by other suitable means, provided they are published in the Official Gazette as soon as it will be possible to do so.
- (h) Should the state of emergency cease to exist, the Emergency Regulations shall remain in force for their prescribed duration, but no more than 60 days after the state of emergency came to an end. Emergency Regulations whose force was prolonged by law, shall remain in force.

Declaration of war , or
the initiation of a
significant military
action (Amendment
No. 6)

- 40. (a) The State shall not start a war, and shall not initiate a significant military operation, which is liable to lead, at a level of probability close to certainty to war, save by force of a Government decision.
- (a1) Despite what is said in clause (a) and article 33(a), the Government is entitled to decide to delegate its authority on the basis of clause (a), in general or in a particular case, to a ministerial committee determined by law. Should the Government decide to delegate its

authority to the Ministerial Committee, the Ministerial Committee shall use its authority only if the Prime Minister has decided that using the authority by the Committee, instead of the Government, is required, in the specific circumstances, due to reasons of State security or its foreign relations, including reasons of secrecy involved in them.

- (a2) Should the Government have delegated its authority as stated in clause (a1), the legal quorum for the adoption of the decision in the Ministerial Committee shall be half the Government members serving on the Committee. However, in extreme circumstances, and for reasons that will be written, and if this is necessary due to reasons of urgency that do not enable the convention of the legal quorum as mentioned, the Prime Minister and Minister of Defense are entitled to adopt the decision in a more limited legal quorum.
- (b) Nothing in this article can prevent other military actions required for the purpose of defense of the State and public security.
- (c) Notification of a Government decision to start a war, or to initiate a significant military operation on the basis of clause (a) shall be submitted to the Knesset Foreign Affairs and Defense Committee as soon as possible, and should the decision be taken by the Ministerial Committee as stated in clause (a1), a notice shall be given thereof, as soon as possible, to the Government and to the Subcommittee of the Foreign Affairs and Defense Committee of the Knesset. The Prime Minister shall notify the Knesset Plenum as well, as soon as possible. The notification on other military actions, as stated in clause (b), shall be submitted to the Knesset Foreign Affairs and Defense Committee as soon as possible.

Non-applicability of
Emergency Regulation

- 41. Notwithstanding the provision of any law, Emergency Regulations do not have the power to change this Basic Law, temporarily suspend its validity, or subject it to conditions.

The Government and
the Knesset
Committees

42. (a) The Government shall submit to the Knesset and its Committees information at their request, and shall assist them in the fulfillment of their duty. Special provisions shall be laid down by law for the classification of information, when this is required for the protection of the security of the State and its foreign relations, or for the protection of its international trade relations, or for the protection of a privilege or confidentiality sanctioned by law.
- (b) The Knesset is entitled, by the demand of at least forty of its Members, to hold a debate with the participation of the Prime Minister on a topic decided upon. Such a demand may be submitted no more than once a month.
- (c) The Knesset, and each of its Committees are entitled to require the appearance of a Minister before them, within the framework of their fulfillment of their duties.
- (d) Any of the Knesset Committees is entitled, within the framework of fulfilling its duties, to require a civil servant, or anyone else prescribed by law, to appear before it, by means of the Minister concerned, or with his knowledge.
- (e) A Minister may speak before the Knesset and its Committees,
- (f) Details regarding the implementation of this article may be prescribed by law, or in the Knesset Rules of Procedure.

Changing the election
date (Amendment No.
1)

43. Should the date of elections to the Knesset be set on the basis of articles 1, 28 and 29, the Knesset may, within five days after the grounds for the holding of the elections were created, decide by means of a resolution adopted by a majority of its Members, that due to the proximity of the elections to a holiday, festival or day of commemoration, the elections should

be deferred to a date that it shall decide upon, which is no later than 100 days from the date on which the grounds were created.

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| Stability of the law | 44. | (a) This Basic Law can only be changed by a majority of the Knesset Members. The majority required on the basis of this clause will be required for the decisions of the Knesset Plenum in First Reading, Second Reading, and Third Reading. For the purpose of this article "change" - whether explicit or implicit. |
| | | (b) The provisions of this article shall not apply to articles 45 and 46. |
| Amendment of Basic Laws: the Knesset - No. 30 | 45. | [Was introduced to Basic Law: the Knesset] |
| Repeal of Basic Law: the Government (5752-1992) | 46. | Basic Law: the Government (5752-1992) is repealed. |
| Going into effect and application | 47. | (a) The provisions of this Basic Law shall apply to the elections, and the formation of the Government, as of the elections to the Sixteenth Knesset. |
| | | (b) Subject to the provisions of clause (a), this Basic Law shall go into effect on the day that the Government shall be formed, as stated in clause (a). |
| | | (c) Despite the provisions of clause (b), article 44 shall go into effect on the day that this Basic Law shall be published. |