

DAVID BEN-GURION LAW, 5737 — 1976 *

The Law. 1. In memory of David Ben-Gurion and his work, and to transmit his heritage to future generations, the Knesset hereby enacts the David Ben-Gurion Law.

CHAPTER ONE: THE INSTITUTIONS

Three institutions. 2. The institutions for perpetuating the memory of David Ben-Gurion shall be David Ben-Gurion House, the Institute for the Heritage of David Ben-Gurion and the Desert Research Institute.

Article One: David Ben-Gurion House

Establishment. 3. There is hereby established an institution named David Ben-Gurion House.

Location. 4. David Ben-Gurion House shall be in Sderot Ben-Gurion, Tel Aviv, in the house which David Ben-Gurion bequeathed to the State.

Objects. 5. David Ben-Gurion House shall be open to the public and shall be —
(1) a museum in David Ben-Gurion's memory;
(2) a centre for reading, study, research and publishing in fields designated by the board of the institution.

Organs. 6. (a) David Ben-Gurion House shall have a board and a managing committee.
(b) The board shall consist of thirteen members, viz. —
(1) seven members designated by David Ben-Gurion in his will; if one of them is unable or does not wish to serve, the others shall appoint another member in his stead;
(2) six members appointed by the Government.
(c) The board shall elect from among its members a managing committee, half from among the members mentioned in subsection (b) (1) and half from among those mentioned in subsection (b) (2). A chairman, also elected by the board from among its members, shall be added to the above.

* Passed by the Knesset of the 29th Cheshvan, 5737 (22nd November, 1976) and published in *Sefer Ha-Chukkim* No. 831 of the 10th Kisleav, 5737 (2nd December, 1976), p. 10; the Bill and an Explanatory Note were published in *Hatzaot Chok* No. 1246 of 5736, p. 289.

Article Two: The Institute for the Heritage of David Ben-Gurion

7. There is hereby established an institution named the Institute Establishment for the Heritage of David Ben-Gurion.

8. (a) The Institute shall be at Sde Boker and shall comprise the hut in which David Ben-Gurion lived at Kibbutz Sde Boker and his library in the place where it was at the time of his death. Location and composition.

(b) The Institute shall also comprise archives and a research, teaching and conference centre.

9. The Institute shall occupy the premises mentioned in section 8 and shall serve — Objects.

(1) for the collection of literary, scientific and documentary material connected with David Ben-Gurion's personality and epoch, his thought and work and his mission in the ranks of labour, the Zionist Movement and the State;

(2) for study and research on the Jewish people's renaissance in Eretz Israel and the publication of the results of such study and research.

10. (a) The Institute shall have a board, a managing committee and a management of David Ben-Gurion's residential hut. Organs.

(b) The board shall consist of seventeen members, of whom —

(1) the Minister of Education and Culture shall appoint seven, provided that they shall not include more than four State employees;

(2) Ben-Gurion University of the Negev shall appoint four;

(3) Yad Ben-Gurion shall, until the 5th Nisan, 5761 (31st December, 2000), appoint three;

(4) the Company for the Dissemination of David Ben-Gurion's Teachings (Collection, Publication and Dissemination of Writings) shall appoint two;

(5) Kibbutz Sde Boker shall appoint one.

(c) The board shall appoint the managing committee and, in consultation with the Rector of Ben-Gurion University of the Negev, the Director of the Institute.

(d) The management of David Ben-Gurion's residential hut shall consist of five members, of whom —

(1) Yad Ben-Gurion shall, until the 5th Nisan, 5761 (31st December, 2000), appoint two;

- (2) Kibbutz Sde Boker shall appoint two;
- (3) the Minister of Education and Culture shall appoint one.

(e) In so far as no appointments are made by the bodies mentioned in this section, the Minister of Education and Culture shall appoint the missing members.

Transfer of functions.

11. The Institute may transfer to Ben-Gurion University of the Negev any of its functions connected with study and research, except those connected with the keeping of archival material. The particulars of the transfer shall be laid down by a covenant.

Article Three: General Provisions

Status.

12. (a) David Ben-Gurion House and the Institute for the Heritage of David Ben-Gurion (in this article referred to as "the institutions") shall be bodies corporate.

(b) The Desert Research Institute shall form part of Ben-Gurion University of the Negev.

Expenditure and inspection.

13. The State shall supplement the income of the institutions as far as is requisite for their preservation, maintenance and development, and they shall be subject to inspection by the State Comptroller.

Budget.

14. The managing committee of each institution shall prepare a draft annual budget for a budget year coincident with the budget year of the State and shall submit it to the Minister of Education and Culture. The budget shall require the approval of the Government; the other proceedings for fixing the budget shall be prescribed by regulations.

Rules.

15. The boards of the institutions, in consultation with the Committee on Education and Culture of the Knesset, shall, each within one year after its formation, make rules containing, *inter alia*, provisions as to the term of office of members and as to changes in the rules.

Employees.

16. The conditions of employment of the employees of the institutions shall *mutatis mutandis* be the same as those of State employees in corresponding functions, with such adaptations as the Minister of Education and Culture may prescribe upon the recommendation of the board of each institution after consultation with the Minister of Finance.

17. For the purposes of the Income Tax Ordinance¹⁾, the institutions shall be regarded as public institutions for educational and cultural purposes, and their immovable property and transactions in any such property shall be exempt from any tax, fee or other compulsory payment due to the State or a local authority.

Exemption from taxes.

18. Until the 5th Tevet, 5761 (31st December, 2000), Yad Ben-Gurion shall act as an advisory and auxiliary body to the institutions.

Function of Yad Ben-Gurion.

CHAPTER TWO: ARCHIVAL MATERIAL

19. The ownership of material left by David Ben-Gurion and the copyright in which he willed to the Company for the Dissemination of David Ben-Gurion's Teachings (Collection, Publication and Dissemination of Writings) is hereby vested in the said company for twenty years from the coming into force of this Law and shall thereafter pass to the State.

Material left by David Ben-Gurion.

20. (a) The archives of the Institute for the Heritage of David Ben-Gurion shall form part of the State Archives, and the provisions of the Archives Law, 5716—1955²⁾, shall apply thereto: Provided that the powers of the State Archivist shall be exercised in co-ordination with the board of the Institute.

Archives of Institute for the Heritage of David Ben-Gurion.

(b) The director of the archives shall be appointed by the State Archivist in consultation with the board of the Institute, and the provisions of section 16 shall apply to him.

21. The archival material connected with David Ben-Gurion's personality, work and creative endeavour shall be kept in the archives of the Institute, and material as aforesaid in the State Archives or in the possession of other institutions, bodies or persons, except material in the possession of private persons, shall be transferred to the archives of the Institute in the original or in transcript, as the State Archivist may direct.

Archival material.

CHAPTER THREE: MEMORIAL DAY

22. (a) The date of David Ben-Gurion's death, the 6th of Kislev, shall be a State memorial day. It shall be marked in the institutions of the State, IDF bases and schools.

Memorial Day.

¹⁾ *Dinei Medinat Yisrael (Nusach Chadash)* No. 6, p. 120; *NV* vol. I, p. 145.

²⁾ *Sefer Ha-Chukkim* of 5715, p. 14; *LSI* vol. IX, p. 12.

(b) If the 6th of Kislev falls on the eve of Sabbath or on a Sabbath, the memorial day shall be observed on the following Sunday.

CHAPTER FOUR: BURIAL SITE

Burial site. 23. The burial site of David Ben-Gurion and Paula Ben-Gurion at Sde Boker shall be maintained by the State or a body empowered in that behalf by the Government.

CHAPTER FIVE: MISCELLANEOUS PROVISIONS

Transitional provisions. 24. The assets and liabilities of the David Ben-Gurion Reading, Study and Research Centre shall upon the coming into force of this Law pass to David Ben-Gurion House.

Implementation. 25. The Minister of Education and Culture is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation, as well as regulations as to the maintenance of the premises referred to in section 9.

YITZCHAK RABIN
Prime Minister

AHARON YADLIN
*Minister of Education
and Culture*

EFRAYIM KATZIR
President of the State