

Law for the Prevention of Harm to the State of Israel through Boycotts - 2011

(unofficially translated by NGO Monitor)

Definition

1. In this law, "boycott of the State of Israel" - deliberate abstention from economic, cultural or academic ties with a person or with another body, only due to their affinity to the State of Israel, its institutions or an area that is under its control, in such a way that may harm him economically, culturally or academically.

Boycott - a civil wrong

2. (a) He who knowingly publicizes a public call for boycotting the State of Israel, and according to the content of the call and the circumstances in which it has been publicized there is a reasonable possibility that the call will lead to the imposition of a boycott, and the he who published the call was aware of this possibility, does a civil wrong and civil tort law [new version] will be applied to him.

(b) With regard to clause 62 [A] of the civil tort law [new version], he who causes a binding legal agreement to be breached by calling for a boycott against the State of Israel will not be viewed as someone who operated with sufficient justification.

(c) If the court finds that a civil wrong according to this law was intentionally carried out, the court is authorized to charge the civil wrongdoer with the payment of compensations that are not dependant on the damage (in this clause - damages for example); when determining the amount of damages for example, the court will take in to account, among others, the circumstances in which the civil wrong had been carried out, its severity and its scope.

Regulations pertaining to limitation on participation in tenders

3. The Finance Minister with the consent of the Minister of Justice and with the approval of the Constitution, Law and Justice Committee of the Knesset, is authorized to set regulations as to the limitation of the participation in a tender, of he who knowingly publicized a public call for boycotting the State of Israel or he who has promised to participate in such a boycott, including pledging not to acquire products or services that are produced or provided in the State of Israel, one of its institutions or in an area that is under its control; in this clause "tender" - a tender that needs to be held according to the Law of Requirement for Tenders 1992.

Regulations pertaining to the suspension of benefits

4. The Finance Minister, in consultation with the Minister of Justice, is permitted to decide concerning someone who has knowingly publicized a public call for imposing a boycott on the State of Israel or he who has committed to participate in such a boycott, that:

(1) He will not be considered a public institution with regard to clause 46 of the income tax ordinance;

(2) He will not be eligible to receive funds from the Council for the Regulation of Gambling in Sports according to clause 9 of the law on Regulation of Gambling in Sports 1967; implementing the authority according to this clause requires the approval of the Minister of Culture and Sports;

(3) He will not be considered a public institution according to clause 3a of the Budget Foundations Law 1985 with regard to receiving support according to a budgetary clause; implementing the authority according to this clause requires the approval of the minister that

has been assigned responsibility by the government for that budgetary clause, as stated in paragraph (2) above of the definition "person responsible for a budgetary clause" in the aforesaid law;

(4) He will not be eligible for a guarantee according to the Law of Guarantees on behalf of the State 1958.

(5) He will not be entitled to benefits according to the Law for Encouraging Capital Investments - 1959 or according to the Law for Encouraging Research and Development in Industry 1984; implementing the authority according to this clause requires the approval of the Minister of Industry, Trade and Employment."

Implementation

5. The Minister of Justice is appointed to implement this law.