

(No. 110)

INTERPRETATION LAW, 5741-1981 *

Chapter One: Application

Application of Law and restrictions on its application.

1. This Law shall apply to every enactment and administrative direction, even if made or issued before its coming into force, save in so far as otherwise provided with regard to the subject-matter or as anything in the subject-matter or context is inconsistent with this Law:

Provided that section 3 shall not apply to words and expressions in enactments or administrative directions made or issued before the coming into force of this Law and that the definitions in section 1 of the Interpretation Ordinance⁽¹⁾ shall continue to apply to the same.

Application of definitions appearing in enactment.

2. A term defined in any enactment shall have the meaning assigned to it by the definition, which shall apply also to regulations made under that enactment, and every grammatical form derived from the term shall be construed in accordance with that meaning, save in so far as otherwise provided with regard to the subject-matter or as anything in the subject-matter or context is inconsistent with the definition.

Chapter Two: Interpretation of Words and Expressions

3. The following words and expressions shall have the meanings set out beside them:

Meanings of words and expressions.

- "writing" includes any other mode of presenting letters, figures or signs in visible form or so as to be capable of decipherment in visible form;
- "law" (*din*) means any of the following:
 - (1) an enactment;
 - (2) religious law, whether oral or written, as in force in the State;
 - (3)
 - (a) Acts of the British Parliament or parts of or regulations under such Acts, and Orders in Council or parts of or regulations under such Orders, and the common law and doctrines of equity of England, as in force in the State;
 - (b) Ottoman law, as in force in the State.
- "administrative direction" means a direction or appointment and includes a notice, an advertisement, a licence, a permit and the like, issued in writing by virtue of any Law and not having legislative effect;
- "contravene", in relation to any requirement or direction, includes a failure to comply therewith;
- "Law" (*chok*) means a Law of the Knesset or an Ordinance;
- "contravention" means an offence punishable with imprisonment for not

more than a month or, if with fine only, with a fine not exceeding two hundred shekalim;

- "enactment" means a Law or a regulation;
- "final", in relation to a judgment or decision of a court, means a judgment or decision of a court which is no longer subject to appeal, objection, contestation or the like;
- "day" means the period from midnight to midnight of the following night;
- "district" means one of the administrative districts into which the territory of the State is divided by the Government by virtue of Law;
- "movable property" or "goods" means tangible property other than immovable property;
- "territorial waters" means a stretch of open sea along the coast of the State, measuring six nautical miles in width from low water mark;
- "immovable property" means land, everything built or planted thereon and everything fixed thereto permanently, except separable fixtures;
- "representative (*natzig* or *ba koach*) of the Attorney-General" means an attorney in the State Attorney's Office (including its branches) or a person whom the Attorney-General has empowered to be his representative;
- "prescribed" means prescribed by the enactment in which the expression occurs or by any regulations made thereunder;
- "misdemeanour" means an offence punishable with imprisonment for more than a month and not more than three years or, if with fine only, with a fine exceeding two hundred shekalim;
- "felony" means an offence punishable with death or with imprisonment for more than three years;
- "Ordinance" means an Ordinance enacted before the establishment of the State or an Ordinance of the Provisional Council of State;
- "consul" or "consular representative" means consul-general, consul, vice-consul and any person authorised to discharge the duties of any of these, and a consular agent;
- "local authority" means a municipality, a local council, a local committee or an association of towns;
- "year" and "month" mean, respectively, a year and a month reckoned according to the Gregorian calendar or, where the beginning or end of the period is indicated according to the Jewish calendar only, according to the Jewish calendar;
- "financial year" means the period from the 1st April of any year to the 31st March of the following year;
- "body corporate" means a juristic person competent in respect of obligations, rights and legal acts;
- "occupation", in relation to immovable property, includes use, possession or enjoyment otherwise than as a mere servant or employee or for the mere purpose of the care or custody thereof;
- "affidavit" means a written declaration made and authenticated in one of

- the ways prescribed therefor by enactment;
- "regulation" means a direction issued by virtue of Law and having legislative effect.

Person.	4. A reference to a person includes any body of persons, corporate or unincorporate.
Singular and plural.	5. Words in the singular include the plural, and <i>vice versa</i> .
Gender.	6. Words importing the masculine gender include females, and words importing the feminine gender include males.
Meaning of "or", "other" etc.	7. The word "or" or "other" or a similar expression shall be construed disjunctively and not as implying similarity, unless the word "similar" or some other word of like meaning is added.
"Up to" to mean "up to and including".	8. A period of time referred to, or a citation, shall be taken to include the date, or portion of the text, described as forming the end thereof.
Meaning of "under".	9. The expression "under", or a similar expression, in relation to any enactment shall be construed as relating also to regulations made by virtue of such enactment.
	10.
	<ul style="list-style-type: none"> • (a) Where a certain period is defined as a specific number of days or weeks from a particular day, such day shall not be included in the count. • (b) A period defined as a specific number of months or years after a particular event shall end on such day of the last month as is the same day of the month as the day on which that event took place or, if the last month has no such day, on the last day thereof. • (c) Days of rest or vacation, and public holidays, prescribed by enactment, shall be included in computing the number of days of a period unless they are the last days thereof.
Periods.	

Chapter Three: Implications of Empowerment

Empowerment where no time is prescribed.	11. Any empowerment, and the imposition of any duty, to do something shall, where no time for doing it is prescribed, mean that it shall or may be done with due despatch and be done again from time to time as required by circumstances.
Power to grant exemption.	12. Any empowerment to grant an exemption, alleviation, reduction or the like means that it may be granted also partially or subject to conditions.
	13.
Modes of appointment or empowerment.	<ul style="list-style-type: none"> • (a) Where power is granted to appoint, empower or impose a duty on any person, it may be done whilst naming such person or whilst specifying the office he holds. • (b) The appointment or empowerment of or imposition of a duty on a

person whilst merely specifying the office he holds means the appointment or empowerment of or imposition of a duty on the holder of that office from time to time.

Power to make appointment. **14.** Any empowerment to make an appointment implies empowerment to suspend the validity thereof or to revoke it, to dismiss the person appointed or to suspend him from office.

Power to make regulations. **15.** Any empowerment to make regulations or to issue an administrative direction implies empowerment to amend, vary, suspend or revoke them or it in the same manner in which they or it are or is made or issued.

Power to appoint body. **16.** Any empowerment to appoint a body of several members implies empowerment to appoint a chairman for it and an alternate for each member.

17.

- Auxiliary powers.
- (a) Any, empowerment to do something or to deal with or decide a particular matter implies empowerment to prescribe work procedure and the order of deliberations in so far as these are not prescribed by enactment;
 - (b) Any empowerment to do or enforce the doing of something implies the conferment of auxiliary powers reasonably required therefor.

Powers as to contestation or objection. **18.** Any empowerment to hear and determine an objection to or any other contestation of a decision of an authority implies empowerment to confirm the decision, with or without variations, to set it aside and give another decision instead, or to return the matter, with instructions, to the authority which gave the decision.

Saving of powers and duties. **19.** The conferment of a power or imposition of a duty by an enactment shall not by itself derogate from a power conferred or duty imposed by another enactment.

Act by several persons. **20.** An act required to be done by several persons shall be valid if done by a majority of them.

Chapter Four: Provisions as to Enactments

Time of coming into force. **21.** An enactment shall come into force at 00.01 hours on the day of its coming into force.

22. The repeal of any Law shall not -

- Restrictions as to effect of repeal.
- (1) revive anything that is not valid at the time the repeal comes into force;
 - (2) affect any earlier effect of, or anything done under, the repealed law;
 - (3) affect any right or obligation under the repealed law or any sanction for an offence thereunder.

Regulations **23.** Where an enactment is repealed, the regulations and appointments made

and appointments under repealed enactment.

thereunder become void. However, if the repealing enactment enacts provisions in place of the repealed provisions, the regulations and appointments made under the repealed provisions remain in force until they are superseded by regulations and appointments under the repealing enactment.

Binding text.

24. The binding text of any law is the text in the language in which it was enacted. However, in the case of a law enacted in English before the establishment of the State of which a new version has been introduced under section 16 of the Law and Administration Ordinance, 5708-1948⁽²⁾, the new version shall be the binding text.

References how to be construed.

25. Any reference to an enactment in another enactment means the enactment referred to as currently in force, including provisions added to it and provisions of another enactment replacing it.

Deviation from form.

26. A slight deviation from a form prescribed by any enactment, not affecting the substance of the matter and not likely to mislead, shall not invalidate any thing done thereunder.

Chapter Five: Miscellaneous

27. In the Evidence Ordinance (New Version), 5731-1971⁽³⁾ -

- (1) the following sections shall be inserted after section 34:

"Reshumotto be evidence.	34A. Anything of which notice is published in <i>Reshumot</i> shall be presumed to have been properly done, and so shall anything of which notice is published by the Government Printer, even though not in <i>Reshumot</i> .
Date of publication of <i>Reshumot</i> .	34B. The stated date of an issue of <i>Reshumot</i> shall be regarded as the date of publication thereof.";

Amendment of Evidence Ordinance.

- (2) the following sections shall be inserted in Chapter Five, before section 58:

"Law to be judicially noticed.	57B. Judicial notice shall be taken of every law, unless another intention appears.
Service by post.	57C. Where any enactment authorises or requires any document to be served by post, whether the expression "serve", "give" or "send" or any other expression is used, then, unless another intention appears, the service shall be deemed to have been effected -

	<ul style="list-style-type: none"> ○ (1) if a properly addressed letter containing the document has been posted, either prepaid or free of postage or bearing a mark attesting that it is sent on State service; ○ (2) unless the contrary is proved - at the time at which the letter would be delivered in the ordinary course of post."
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28. In the State Property Law, 5711-1951⁽⁴⁾, the following section shall be inserted after section 8:

Amendment of State Property Law.

"Compulsory payments, forfeiture and recompense.	<p>8A.</p> <ul style="list-style-type: none"> • (a) Where any enactment requires a person to pay any charge, commission or other monetary recompense for an act of a public servant or public office or where the court or another authority imposes a fine or any other payment or orders a forfeiture, then, unless another intention appears, the money or the thing forfeited or the consideration therefor shall be handed over to, or placed at the disposal of, the Treasury. • (b) The provision of subsection (a) shall not derogate from any provision entitling a person to receive, or authorising a person to be paid, part of the fine or of the consideration."
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29. In the Contracts (General Part) Law, 5733-1973⁽⁵⁾, section 25(d) shall be replaced by the following subsection:

Amendment of Contracts (General Part) Law.

	"(d) Sections 2, 4, 5, 6, 7, 8 and 10 of the Interpretation Law, 5741-1981, and section 57C of the Evidence Ordinance (New Version), 5731-1971, shall apply also, <i>mutatis mutandis</i> , to the interpretation of a contract save in so far as otherwise provided with regard to the subject-matter or as anything in the subject-matter or context is inconsistent with such application."
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Amendment of Law and Administration Ordinance.

30. In section 10(a) of the Law and Administration Ordinance, 5708-1948(1), the words "the date of *Reshumot* is deemed to be the date of publication" shall be deleted.

- Repeal. **31.** The Interpretation Ordinance, except sections 16(2) and (4), 17, 19 and 42, is hereby repealed.
- Commencement. **32.** This Law shall come into force on the 3rd Tishri, 5742 (1st October, 1981).
- Publication. **33.** This Law shall be published within thirty days from the date of its if adoption by the Knesset.

YITZCHAK NAVON
President of the State

MENAHEM BEGIN
Prime Minister

* Passed by the Knesset on the 16th Iyar, 5741 (20th May, 1981) and published in *Sefer Ha-Chukkim* No. 1030 of the 13th Sivan, 5741 (15th June, 1981), p. 302; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 1456 of 5740, p. 228.

⁽¹⁾ *Dinei Medinat Yisrael (Nusach Chadash)* No. 1, p. 2; *NV* vol. I, p. 5.

⁽²⁾ *I.R.* of 5708, Suppl. I, p. 1; *LSI* vol. I, p. 7.

⁽³⁾ *Dinei Medinat Yisrael (Nusach Chadash)* No. 18, p. 421; *NV* vol. II, p. 198.

⁽⁴⁾ *Sefer Ha-Chukkim* of 5711, p. 52; *LSI* vol. V, p. 45.

⁽⁵⁾ *Sefer Ha-Chukkim* of 5733, p. 118; *LSI* vol. XXIII, p. 117.

SOURCE: "*Laws of the State of Israel: Authorized Translation from the Hebrew, Volume 35*". Government Printer, Jerusalem, Israel (1948-1989), p. 370.

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<http://www.israelawresourcecenter.org/israelaws/fulltext/interpretationlaw.htm>