

Israel Lands Law (Amendment No. 3), 5771-2011*

Addition of
Section 2A

1. In the Israel Lands Law 5720-1960¹ (hereinafter – the primary legislation), after Section 2 will come:

“Restricting the purchase or transfer of land rights to foreigners

2A. (A) In this section –

“Land rights” – a right of ownership, or a right to lease for periods that total more than five years or that entail an option to extend its duration for an overall period of more than five years, including a right based on a commitment to grant or transfer ownership or leasing for this period;

“Foreign” – Any of the following:

(1) An individual who is not one of the following:

(A) An Israeli citizen or Israeli resident;

(B) A person who is entitled to immigrate to Israel under the Law of Return, 5710-1950²;

(2) A corporation controlled by one person or more who is not one of those stipulated in paragraph (1);

(3) A person who acts on behalf of an individual or corporation as stated in paragraphs (1) or (2);

“Israel Lands Authority Law” – Israel Lands Authority Law, 5720-1960³;

“Chairman of the Israel Lands Council” – as

* Enacted by the Knesset on 23 Adar Bet, 5771 (29 March 2011). The proposed legislation and explanatory remarks were published in Knesset Bills – 359, 5 Shvat 5771 (10 January 2011), p. 43.

¹ Book of Laws 5720, p. 56; 5769, p. 326.

² Book of Laws, 5710, p. 159.

³ Book of Laws, 5720, p. 57.

stipulated in the Israel Lands Authority Law;

“State” – including each of the following:

- (1) A union, confederation or organization established by at least two states, or by organizations established by at least two states;
- (2) An agency, authority or delegation of a state or of a union of states;
- (3) A non-state political entity declared by the Minister of Justice, with the approval of the Knesset’s Constitution, Law and Justice Committee;

“Director of the Israel Lands Authority” – as stipulated in the Israel Lands Authority Law;

“Israel lands” – including lands whose ownership rights were accorded under the Israel Lands Authority Law;

“Control” – as stipulated in the Banking (Registry) Law, 5741-1981.⁴

- (B)
- (1) A person may not grant or transfer rights to Israel lands to a foreigner, whether in exchange or not in exchange, except in accordance with the directives of this law.
 - (2) A person wishing to grant or transfer rights to Israel lands to a foreigner will submit a request for approval for granting or transferring to the Chairman of the Israel Lands Council.
 - (3) The Chairman of the Israel Lands Council is entitled to issue an approval for granting or transferring rights to lands in Israel to a foreigner in accordance with a recommendation by a subcommittee of the Israel Lands Council, and after consulting with the Minister of Defense and Minister of Foreign Affairs, and in accordance with the designation of the land and the identity of the applicant – also with additional entities as defined in regulations, as stated in Section 4(B).

⁴ Book of Laws, 5741, p. 232.

(4) When deciding whether to grant an approval as stipulated in paragraph (3), the Chairman of the Israel Lands Council will take into account, inter alia, the following considerations:

(A) The welfare and security of the public;

(B) The foreigner's connection to Israel, including his personal information, the periods of his residence in Israel, and his family relationship with someone who is not a foreigner;

(C) The objective for which the foreigner seeks to have the lands granted or transferred to him;

(D) The scope of the lands purchased by the foreigner or transferred to him prior to the date of the request;

(E) The features of the desired land, including the size of the desired territory, the location of the lands, and their designation.

(5) Notwithstanding the stipulations of paragraphs (1) and (3), the Director of the Israel Lands Authority or someone he duly authorizes among the Authority's employees, is entitled to approve the granting or transferring of rights to Israel lands to one of the following:

(A) A foreigner who is not a corporation, who seeks to acquire one residential unit on lands designated for residence according to a plan, provided that he does not own rights to lands in another residential unit; for this matter, "plan" – as stipulated in the Planning and Construction Law, 5725-1965⁵;

(B) A foreigner for whom the

⁵ Book of Laws, 5725, p. 307.

Administration of the Investments Center approved a grant under the Encouragement of Capital Investments Law, for the purpose of implementing a plan for which the grant was approved; for this matter –

“Encouragement of Capital Investments Law” - Encouragement of Capital Investments Law, 5719-1959⁶;

“Administration of the Investments Center” – as defined in the Encouragement of Capital Investments Law;

(C) A state, in accordance with a commitment of the State of Israel in an international agreement, for the purpose of managing the affairs of that state in Israel within the framework of the commitment that was given.

(C) The directives of Subsection (B) will also apply to the granting or transferring of rights to lands via the sale of foreclosed lands, the execution of a mortgage, the implementation of a court ruling or other document issued for implementation as a court ruling, or the sale of a property by the Execution Office or by another authority according to the law. . .

(D) (1) The granting or transferring of land rights or a commitment to such grant or transfer that was conducted in violation of the directives of this section will be invalid.

(2) No transaction will be recorded in the Land Registry in violation of the directives of this section.

(3) The Attorney General or his representative, or an interested party, is entitled to petition the court for a declaration of non-validity of a

⁶ Book of Laws 5719, p. 234.

transaction conducted in violation of the directives of this section, or to request another remedy as appropriate in the circumstances of the case, including deleting the record from the Land Registry.”

Amendment of
Section 4

2. Section 4 of the primary legislation will be marked “(A)” and will be followed by:

“(B) The Minister of Justice is entitled, with the approval of the Knesset’s Constitution, Law and Justice Committee, to issue regulations for implementing the directives of Section 2A, including in regard to the method of submitting a request to receive approval for granting or transferring land rights to foreigners, the identity of the entities to be consulted as stipulated in Section 2A(B)(3), in accordance with the designation of the land and the identity of the applicant, the method of consultation and the dates for issuing responses to consultation and the dates for providing a response to a request.”

Amendment of the
Israel Lands
Authority Law
[No. 8]

3. In Section 4S of the Israel Lands Authority Law, 5720-1960⁷ –

(1) In Subsection (B), after “Subsection (A)” will come “or (C) as applicable”.

(2) After Subsection (B) will come:

“(C) Without detracting from the directives of Subsection (A), the Israel Lands Authority will condition the granting of ownership of a land asset under the directives of Section 4Q, under the terms and restrictions according to the directives of Section 2A of the Israel Lands Law, 5720-1960.”

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Housing

Yuval Steinitz
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Benjamin
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Reuven Rivlin
Speaker of the
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Shimon Peres
President of the
State

⁷ Book of Laws 5720, p. 57; 5769, p. 318.