Orders for businesses requiring licensing (Amendments 1972, 1974, 1994)

1. (a) The Minister of the Interior may, by orders, designate and define businesses that require licensing, in order to assure all or some of the following objectives for them:
   (1) proper quality of the environment and prevention of hazards and nuisances;
   (2) prevention of danger to public peace and protection against robbery and break in;
   (3) safety of persons at and near the place of business;
   (4) prevention of danger of livestock diseases and prevention of pollution of water sources with pesticides, fertilizers or pharmaceuticals;
   (5) public health, including proper sanitary conditions;
   (6) compliance with laws related to planning and building and to fire fighting services

   (b) If one of the objectives of licensing is an objective specified below, then the order requires consultation -
   (1) in subsection (a) (1) - with the Minister of Environmental Protection;
   (2) in subsection (a) (2) - with the Minister of Police;
   (3) in subsection (a) (3) - with the Minister of Labor and Social Welfare;
   (4) in subsection (a) (4) - with the Minister of Agriculture;
   (5) in subsection (a) (5) - with the Minister of Health.

License and temporary permit (Amendment 1998)

4. No person shall engage in a business that requires licensing, unless he holds a license or a temporary permit under this Law and in accordance with its conditions; in case of a business which is not mobile, a person shall only work in it if the premises in which he works are described in the license or in the temporary permit which he holds.
5. (a) The Licensing Authority for a business that requires licensing is -
(1) within the jurisdiction of a local authority - the head of the local
authority or a person authorized by him for that purpose;
(2) outside the jurisdiction of a local authority - a person authorized by
the Minister of the Interior for that purpose.
(b) If the business that requires licensing is a mobile business, which is
conducted both within the jurisdiction of a certain local authority and
outside of it, then the Licensing Authority for it shall be the head of the local
authority within whose jurisdiction the center of the business is located, or a
person authorized by him for that purpose.

Prior approval (Amendment 1994, 1998)
6. (a) A license or a temporary permit under this Law for a business which - in
consultation with one or several Ministers - was determined to be a
business requiring licensing in order to assure the objectives said in section
1, shall only be granted if each of the Ministers, or the persons whom they
authorized for that purpose, gave approval (hereafter: the approver); for
purposes of this section the Ministers may authorize, inter alia, an employee
of the local authority within whose jurisdiction the business is located, or an
(b) An application for a license or temporary permit shall be submitted to the
Licensing Authority, and if the Licensing Authority did not decide to reject it,
then it shall transfer it to whomever is required to approve the grant of the
license or of the temporary permit in accordance with subsection (a).

Licensing without approval (Amendment 1994, 1998)
6A. (a) Notwithstanding the provisions of section 6, the Minister of the Interior may
- with the consent of each of the Ministers consulted in determining a
business requiring licensing - designate in an order categories of businesses
requiring licensing, in respect of which the grant or renewal of a license or of
a temporary permit does not require approval by some or all of the
approvers.
(b) A designation said in subsection (a) shall not derogate from the other
authorities of the approver under this Law in respect of that business,
including his authority to add conditions to the license or temporary permit
that was granted, as said at the end of section 7(a).

Application documents (Amendment 1998)
6B. (a) An environmental diagram, a situational map and a business plan shall be
attached to the application for a license or for a temporary permit as shall
be prescribed by the Minister of the Interior; in regulations under this
section the Minister may also prescribe what constitutes an environmental
scheme, a situational map and a business plan, the particulars that must be
included in each of them and their scale.

(b) The documents specified in subsection (a) shall be drawn up and signed by a professional whom the Minister of the Interior authorized to do so in accordance with the provisions of this section.

(c) The Minister of the Interior shall designate the professions for the purposes of this section, and he may prescribe in regulations the professional training, qualifications and professional experience required of the professionals.

Additional application documents prescribed by the Ministers (Amendment 1998)

6C. (a) In this section and in section 6D -
"additional documents" - including approvals, reports, opinions, plans and schemes;
"the Ministers" - the Ministers enumerated in section 1(b), each for purposes of those businesses, which in consultation with him were determined to be businesses requiring licensing.

(b) (1) The Minister of the Interior and also the Ministers with the consent of the Minister of the Interior may prescribe documents in addition to those said in section 6B, which must be attached to an application for a license or temporary permit, and the particulars that must be included in them;

(2) The position of the Minister of the Interior shall be stated within 45 days after a Minister applied to him; if the Minister of the Interior did not communicate his position within the said time, then it shall be deemed as if the Minister of the Interior has given his consent.

(c) The Minister of the Interior shall, with the consent of the Minister of Transport, prescribe additional documents that must be attached to an application for a license or temporary permit for a business that has implications for the safety of users of the road or for the safety of the vehicle, and the particulars that must be included in them.

(d) (1) In regulations under this section the Minister of the Interior, or the Ministers with the consent of the Minister of the Interior, all as the case may be, or the Minister of the Interior with the consent of the Minister of Transport, may prescribe that the additional documents be drawn up and signed by persons designated by them; if they prescribed that the additional documents be drawn up and signed by professionals, then they shall designate the professions and they may prescribe the professional training, qualifications and professional experience required of the professionals;

(2) If regulations were made under the end of paragraph (1), then the additional documents shall be drawn up and signed by a professional authorized for this purpose by the Minister of the Interior or by the Ministers with the consent of the Minister of the Interior, or by the Minister of the Interior with the consent of the Minister of Transport, all as the case may be.
Additional documents as per the demand of the Licensing Authority or the license giver (Amendment 1998)

6D. The Licensing Authority or the approver may demand from the person who applies for a license or a temporary permit additional documents that are not prescribed under section 6C, which in their opinion are necessary for an examination of the application, and they may demand that the said documents be drawn up and signed by a person designated under section 6C, as the case may be.

Preliminary opinion (Amendment 1998)

6E. (a) At an applicant's request, the Licensing Authority or the approver shall give a preliminary opinion about the compliance of the proposed business with the requirements of the law and the regulations within the scope of authority of the Licensing Authority or of the approver, and about the preconditions that must be met before an approval, a license or a temporary permit is given to the proposed business.

(b) (1) The documents specified in section 6B shall be attached to a request for a preliminary opinion; however, the Licensing Authority or the approver may exempt an applicant from the submission of a document under section 6B, if it is not necessary for giving a preliminary opinion;

(2) The Licensing Authority or the approver may demand additional documents, which they need in order to give a preliminary opinion.

Auxiliary examinations (Amendment 1998)

6F. The Licensing Authority or approver may draw on the help of professionals qualified under this Law, who are not State or local authority employees, on the matter of compliance of a business with conditions prescribed under section 7 and with the requirements of the Law and of the regulations applicable to it.

Precondition, condition in a license and additional condition (Amendment 1998)

7. (a) The Licensing Authority or approver may make the grant of the license, the temporary permit or the approval, as the case may be, conditional on conditions that must be complied with before the license or the temporary permit is granted (in this Law: precondition), or they may make the license or temporary permit subject to conditions (in this Law: license condition), and they may add conditions to a license or to a temporary permit that is granted (in this Law: additional license condition), all in order to advance the objectives of licensing.

(b) The validity of an additional condition said in subsection (a) shall begin six months after the day on which the license or temporary permit holder was informed about it, or on an earlier date prescribed by the Licensing Authority or by the approver in order to prevent immediate danger to the public peace, its health or security, or risk of harm to the environment, or
unreasonable disturbance to a certain person or the public; the Licensing Authority shall send to the approver who set a license condition or an additional license condition under subsection (a) a notice of the date on which the said condition first becomes valid.

(c) If an approver added an additional condition to the license granted, then he shall transfer notice of the additional condition to the Licensing Authority and it shall transfer it to the license or temporary permit holder.

(d) An applicant for a license or a licensee may request the reasons for every condition under this section.

Validity of license (amendment 1998)
7A. (a) A license shall be granted for a period that is not limited in advance.

(b) Notwithstanding the provisions of subsection (a), the Minister of the Interior may -
   (1) set a validity period for a license for certain categories of businesses, either in general or under circumstances which he shall specify, on condition that the period is not less than one year;
   (2) determine categories of businesses, which shall not require a new license under this Law when ownership or control of them is transferred.

(c) Notwithstanding the provisions of subsection (a), a Licensing Authority may set a validity period for a business license, on condition that the period in each instance shall not be less than one year; if the business is temporary by its nature, the Licensing Authority may set a shorter period.

Validity of a temporary permit (Amendment 1998)
7B. (a) A Licensing Authority shall set the validity period of a temporary permit, and it may extend it from time to time, on condition that the total of periods not exceed one year.

(b) A temporary permit shall expire even before the end of its validity period, if the conditions set under section 7(a) have not been met by the time set for compliance.

(c) If the Licensing Authority concluded that the validity of a temporary permit expired before the end of its validity period, as said in subsection (b), it shall so inform the temporary permit holder; not giving a notice shall not derogate from the provisions of subsection (b).

Cancellation of a license and temporary permit (Amendment 1998)
7C. (a) A Licensing Authority may cancel a license or a temporary permit on its initiative or on the initiative of the approver.

(b) A license or a temporary permit shall be canceled at the Licensing Authority’s initiative only after consultation with the approver who is responsible for ensuring compliance with one of the objectives said in section 1(a), noncompliance with which serves as grounds for cancellation.
(c) A license or a temporary permit shall be canceled only after the license or temporary permit holder was given an opportunity to present his arguments.

(d) If a license or a temporary permit was canceled under this section, then the Licensing Authority shall send notice thereof to the license or temporary permit holder, and the cancellation shall come into force 60 days after the day of notification of the cancellation.

(e) The provisions of this section shall not derogate from the provisions of sections 16, 17 and 20 to 23.

7D. Repealed (Amendment 2005)

7E. Repealed (Amendment 2005)

Businesses requiring licensing under another law (Amendment 1998)

8. If a licensing obligation was prescribed by another law for a business requiring licensing, then the Licensing Authority may refrain from granting it a license or a temporary permit under this Law, as long as the business has not been licensed under the other law; and the Minister of the Interior may, by order, prescribe categories of businesses that shall not be given a license or a temporary permit under this Law, as long as they have not been licensed under the other law.

Business in which people engage in work requiring licensing (Amendment 1977, 1998)

8A. The Licensing Authority shall issue a license or temporary permit under this Law to a business, in which people engage in work that requires a license under the Artisans Licensing Law 5737-1977, only if the owner of the business has met all the conditions prescribed in the said Law and in regulations under it.

Fire prevention regulations

9. The Minister of the Interior may make regulations for businesses requiring licensing, or for categories thereof, to assure arrangements appropriate to the prevention and the extinguishing of fire on the premises of the business and in its environs, including the obligation to keep fire fighting equipment, installations and materials.


10. (a) The Minister of Health may, in consultation with the Minister of Environmental Protection, make regulations for all businesses requiring licensing or for categories thereof for the protection of public health, including the maintenance of appropriate sanitation conditions and including regulations that deal with provisions for the training of employees for the purpose of assuring the said objectives.

(b) The Minister of Health may, by regulations for all businesses requiring licensing, prohibit use of a business name which may encourage or justify
the use of a dangerous drug.
For purposes of this section -
"use of a business name" – including advertising the business or stating its name on a sign;
"dangerous drug" – as per its meaning in the Dangerous Drugs Ordinance (New Version) 5733-1973.

Regulations on the quality of the environment (Amendment 1994, 1998)
10A. The Minister of Environmental Protection may, in consultation with the Minister of Health, make regulations for all businesses requiring licensing or for categories thereof to assure proper quality of the environment, in order to prevent hazards and nuisances, and including regulations on provisions for the training of employees for the purpose of assuring the said objectives.

11A. (a) For businesses requiring licensing as said in section 1(a)(3) or for categories thereof the Minister of Labor may make regulations about the safety of persons present in the place of business or its environs, and including regulations on provisions related to the training of employees for the purpose of assuring the said objective.

Regulations on the prevention of livestock diseases and water pollution (Amendment 1974, 1998)
11B For businesses requiring licensing as said in section 11(a) (4) or for categories thereof the Minister of Agriculture may make regulations on the prevention of livestock diseases and on the prevention of the pollution of water sources by pesticides, fertilizers or pharmaceuticals, including regulations on provisions relating to the training of employees for the purpose of assuring the said objectives.

Saving of authority (Amendment 1974, 1977)
12. Nothing in the regulations or by-laws under sections 9 to 11C shall derogate from the authority under section 7 to set special conditions for a certain business, which constitute the imposition of additional obligations to the obligations in the regulations or by-laws.

Regulations on licenses, temporary permits and preliminary opinions (Amendment 1974, 1998)
13. The manner of renewing licenses or temporary permits whose validity has expired or which were canceled, the fees payable for applications for a license, temporary permit or preliminary opinion and exemption from them shall be prescribed in regulations; these regulations may be general or for categories of businesses.

Penalties for doing business without a license or temporary permit and

14. (a) If a person without a license or a temporary permit worked in a business requiring licensing, or if he failed to comply with a condition of the license or temporary permit, or failed to comply with provisions of a regulation under sections 9 to 11B, then he shall be liable to 18 months imprisonment but if he failed to comply with a condition said in section 2f(a) and (c), then he shall be liable to the fine set in section 61(a)(1) of the Penal Law, 1977 (in this section – the Penal Law); and if he worked or failed to comply as aforesaid after he received warning from the district supervisor, district physician as per its meaning in the Public Health Ordinance 1940 (hereafter: District Physician), a person authorized for this purpose by the Minister of Environmental Protection (hereafter: environmental supervisor), the District Police Commander or the head of the local authority, then he shall be liable to an additional fine as said in section 61(c) of the Penal Law for each day on which the offense continued after the warning was given.

(b) For the purpose of this section it shall not matter -

(1) whether the person worked in person or through his employee or agent;
(2) whether he worked in his own business or that of another;
(3) whether he was responsible for managing the business of another, whether for pay or without pay, and for this matter a person who managed the business of another in practice shall be deemed the person responsible for the management of the business, as long as the opposite has not been proven;
(4) whether the business was time limited in advance or was one-time.

(c) A person shall not be accused of an offense under this section, if he acted as a sleeping partner or without having a share in the profits of the business.

Offense committed from a vehicle or by use of a vehicle (Amendment 1998)

14A. If an offense under section 14 was committed from a vehicle or by use of a vehicle, then the owner of the vehicle or the person in possession of it shall be deemed as if he had conducted the business in person, unless he proved that he did not do so and identified the person in whose possession the vehicle was when the offense was committed, or if he proves that the vehicle was taken without his consent.

Liability of a body corporate

15. If an offense under section 14 was committed by a body corporate -

(1) the Court may impose on it a fine of not more than double the amount of the fine which it would have had the authority to impose, if not for this section;
(2) any person who, when the offense was committed, was an active director or a director registered under any law, a partner - other than a limited partner
- or a senior administrative employee of that body corporate and
responsible for the matter at hand, shall also be accused of the offense,
unless they proved that the offense was committed without their
knowledge or that they took all reasonable steps to assure compliance with
this Law. (Amendment 1998)

Additional means
16. If a person was convicted of an offense under section 14 or under a provision in
another law that sets rules about work in a business requiring licensing under this
Law, then the Court may, in addition to any other penalty imposed by it -
(1) order that he cease work in the business, either completely or during a
period which it shall set, either by closing the premises or by any other
method it deems appropriate in order to bring the business to a real stop;
(2) order the person on trial to refrain from any activity in that business, which
the Court specified in the order;
(3) order that no person carry on a business requiring licensing on the premises
covered by the indictment, unless he has a lawful license or temporary
permit, and that he shall not transfer to any other person the ownership or
possession of the business, unless that person has a lawful license or
temporary permit to manage that business. (Amendment 1988)

Authority of the Court after the indictment
17. If an indictment was brought for an offense under section 14, then the Court
before which the indictment was brought may issue an order as said in section 16,
and its validity shall expire when the indictment is canceled, or when sentence is
pronounced or when the accused is fully acquitted, or at any earlier time set in the
order.

Noncompliance with Court order (Amendment 1998)
18. If a person fails to comply with a Court order under sections 16, 17 or 22A, then he
is liable to two years imprisonment and to an additional fine said in section 61(c)
of the Penal Law, or to 7 days imprisonment for every day on which the offense
continued after the order was served; if a person was convicted of an offense
under this section, then the Court shall have all the additional powers under
section 16.

Contempt of Court
19. Nothing in this Law shall be interpreted as derogating from the Court’s authority
under the Contempt of Court Ordinance, and in the case of orders by a Municipal
Court the Magistrates Court shall have all the authorities under the said
Ordinance, as if those orders had been handed down by the Magistrates Court;
however, a person shall not bear responsibility under this Law and also under the
Contempt of Court Ordinance.
Administrative stop order (Amendment 1994)
20. If the District Commissioner, environmental supervisor, the District Physician or the head of the local authority has reasonable grounds to assume that an offense under section 14 was committed in or in connection with a business, then he may order, in writing, a temporary stop in the work of the business, whether by closing the premises or by any other means he deems appropriate under the circumstances of the case, in order to bring about a real stop in the work (hereafter: administrative stop order).

Validity period of stop order
21. An administrative stop order shall remain in effect for 30 days after the day on which it was issued, if it was not canceled earlier by whoever issued it or by the Court; at the end of the 30 day period the person who issued the administrative stop order may extend it for an additional 30 day period, if an indictment for the offense that served as grounds for the issue of the order was brought before the Court; the provisions of this section shall not derogate from the authorities of the Court under section 17.

Court review of stop order (Amendment 1998)
22. (a) If a person deems himself injured by an administrative stop order, he may apply for its cancellation by the Magistrates Court or by the Municipal Court within whose jurisdiction the business for which the order was issued is located, and the Court may cancel the order or approve it, with or without changes; submitting the application shall not stay implementation of the order as long as the Court has not decided otherwise.
(b) An application under subsection (a) shall be heard in the presence of both parties within seven days after the application was submitted.

Order to restrain activity (Amendment 1998)
22A. If in a certain place preparations were made in order to manage or to open a business, or to use buildings, premises or real estate for the purpose of managing a business requiring licensing, without a license or a temporary permit having been granted or in divergence from the license or temporary permit, then the Magistrates Court or the Local Court may issue an order that those enumerated in section 14 or the person who has rights to the property or any person on their behalf, abstain from an activity in that place, buildings, premises or real estate (in this Law: order to restrain activity); the Court may issue a said order subject to conditions it deems appropriate under the circumstances of the case.

Implementation of order (Amendment 1998)
24. In the case of an order under sections 17, 20 or 22A, it is permissible to order the police or any person specified in it to enter the premises for which the order was issued and to remove from them all the goods within them, and it is permissible to use any means - including use of reasonable force, such as is necessary under the
circumstances - in order to assure compliance with the provisions of the order.

**Noncompliance with an order (Amendment 1998)**

25. If a person does not comply with an administrative stop order, with an order to restrain activity, with an order under section 23 or with any of their provisions, then he shall be liable to eighteen months imprisonment.

**Right of entry (Amendment 1998)**

28. (a) The persons enumerated below may at any reasonable time enter premises where people work in a business requiring licensing, or if there are reasonable grounds to believe that work is carried on in such a business, in order to check whether the provisions of this Law and of regulations under it are being complied with, including conditions of a license or of a temporary permit set under section 7:

   (1) the District Commissioner or a State employee whom he authorized for this purpose;
   (2) the District Physician or a State employee whom he authorized for this purpose;
   (3) the head of the local authority, within whose jurisdiction the premises are located, or a local authority employee whom he authorized for this purpose;
   (4) the person authorized to approve the grant of a license or a temporary permit, as said in section 6;
   (5) the environmental supervisor or a State employee whom he authorized for this purpose;
   (6) The Chief Medical Officer of the Israel Defense Forces or a person whom he authorized for this purpose, if the business is carried on in a military camp;
   (7) a professional authorized under sections 6B or 6C, acting by virtue of the provisions of section 6F and for the purpose of performing his duty under the said section.

   (b) An employee authorized under subsection (a) shall exercise his authority only after presenting his written authorization, if requested to do so.

   (c) A policeman also has the right to enter premises under subsection (a), and he shall be entitled to enter aforesaid premises at any time also in order to prevent any violation of the public peace; the policeman may also enter a bank, in order to examine whether the provisions of regulations under section 11, which apply to it, are complied with.

   (d) (1) A professional said in subsection (a) (7), who enters premises as said in the beginning of subsection (a) in order to supervise compliance with conditions of the license and with requirements of the Law and of the regulations, shall be accompanied by one of the officials specified in paragraphs (1) to (6) of subsection (a), unless the person who lawfully occupies the premises agreed that the professional enter without
being accompanied as aforesaid.

(2) An aforesaid professional shall not enter premises in order to assist in preparations for giving a preliminary opinion or in order to supervise preliminary conditions without having received the consent of the person who lawfully occupies the premises in advance.

Disturbance

29. (a) If a person disturbs a person who was authorized under this Law and the regulations under it, including license conditions under it, or who was charged with any task under them, to use his authority or to perform the task, or if he prevents him from doing so, then he is liable to one year imprisonment.

(b) If a person refuses to show the business license to a person who entered the premises by virtue of section 28, then he is liable to three months imprisonment.

CHAPTER TWO: LICENSING OF DEFENSE PLANTS

Declaration of a defense plant (Amendment 1994)

29A. (a) The Minister of Defense may, for reasons of national security, determine that a business requiring licensing in which the work involves the development, production, processing, packaging, maintenance or storage of explosives, propellants or combat equipment or the repair of combat equipment, is a defense plant.

(b) (1) A determination under subsection (a) does not require publication in Reshumot; notice thereof shall be delivered to the owner or manager of the business, the head of the local authority within whose jurisdiction all or part of the business is located, and the Head of the Defense Plants Licensing Unit said in section 29B;

(2) the Head of the Defense Plants Licensing Unit shall inform the members of the Unit of a determination said in subsection (a).

(c) Notice of a determination in respect of a business that is completely or partly outside the jurisdiction of a local authority shall also be delivered to the person authorized by the Minister of the Interior under section 5(a) (2).

(d) The determination of a business as a defense plant - or the cancellation of a said determination - shall come into force 30 days after notice thereof was delivered to the owner or the manager of the business.

Defense Plant Licensing Unit (Amendment 1994)

29B (a) A Defense Plant Licensing Unit (hereafter: the Unit) shall be set up for the purposes of this Chapter, composed of the following:

(1) a representative of the Minister of the Interior, and he shall be the
director of the Unit;

(2) a representative of the Minister of Health;
(3) a representative of the Minister of Environmental Protection;
(4) a representative of the Minister of Police;
(5) a representative of the Minister of Labor and Social Welfare;
(6) a representative of the Minister of Defense;
(7) a representative of the local authorities, whom the Minister of the Interior shall appoint from among the heads of local authorities.

(b) Without derogating from the provisions of sections 6, 7 and 7A, the head of the Unit may consult with the Unit on anything that relates to the performance of his tasks.

Licensing Authority for defense plants (Amendment 1994)
29C Notwithstanding any of the provisions of section 5, the head of the Unit is the Licensing Authority for defense plants.

Authorities of the Ministers' representatives in the Unit
29D For purposes of a defense plant -

(1) a Minister's representative in the Unit shall be deemed the person exclusively authorized by that Minister for purposes of sections 6, 7 and 7A; if one of the said Ministers' representatives is unable to perform his functions, then the Minister may appoint some other person as his representative in the Unit;

(2) the representative of the Minister of Defense in the Unit shall have the authorities of a person authorized by the Minister under sections 6, 7 and 7A, all for the purposes of protecting national security.

Hearing the head of the local authority (Amendment 1994, 1998)
29E. A preliminary approval under section 6, a license or a temporary permit shall be given to a defense plant only if the head of the local authority, within whose jurisdiction all or part of the defense enterprise is located, or his representative, was given an opportunity to state their case before the Unit.

Validity of license (1994)
29F. (a) A license issued to a business, which was valid immediately before a determination under section 29A(a) came into effect, shall remain in effect and it shall be deemed as if it had been issued by the head of the Unit.

(b) A license given to a defense plant, which was valid immediately before the determination under section 29A (a) was canceled, shall remain in effect and it shall be deemed as if it had been issued by a Licensing Authority under section 5.

Warning (Amendment 1994)
29G Notwithstanding the provisions of section 14, the authority to issue warnings
under this Law shall be held by the head of the Unit; a said warning may be issued either at the initiative of the head of the Unit or at the demand of a Minister's representative in the Unit.

**Administrative stop order (Amendment 1994)**

29H. (a) Notwithstanding the provisions of section 20, the head of the Unit alone shall have the authority to issue an administrative stop order, either at his initiative or at the request of a Minister's representative in the Unit.

(b) If the head of the Unit refused to issue an administrative stop order at the request of a Minister's representative in the Unit, then the head of the Unit shall bring the matter before the Minister of the Interior, who shall decide the matter after consultation with the Minister of Defense and with the Minister whose representative requested that the order be issued; the head of the Unit shall act on the decision of the Minister of the Interior.

**Right of entry (Amendment 1994)**

29I. (a) Notwithstanding the provisions of section 28, the head of the Unit or a person he authorized for this purpose, as well as the members of the Unit - and only them - may enter a defense plant in order to set conditions for granting a license to that plant, or in order to check whether the provisions of this Law and of regulations under it, including license conditions granted under it, are complied with.

(b) The members of the Unit may propose to the head of the Unit persons to authorize for purposes of subsection (a).

**Procedures of the Unit (Amendment 1994)**

29J. (a) The Minister of the Interior may, in consultation with the Minister of Defense, prescribe rules for -

1. work procedures of the Unit, in respect of the protection of records and information;
2. the manner in which the security clearance of members of the Unit and of persons who work within it or on its behalf shall be determined;
3. procedures for entering defense plants.

(b) Rules under subsection (a) do not require publication in Reshumot.

**Regulations for defense plants (Amendment 1994)**

29K. Regulations under this Law for defense plants shall only be made after consultation with the Minister of Defense.
CHAPTER THREE: MISCELLANEOUS PROVISIONS

Burden of proof (Amendment 1998)
30. If a person claims that he has a license or a temporary permit under this Law, then the burden of proof is on him.

Payment of fees and fines (Amendment 1998)
31. (a) The fee for a license or temporary permit under this Law, which was issued by the head of a local authority or by a person whom he authorized to do so, shall be paid to the treasury of the local authority; if the license or temporary permit was issued by another, then the fee shall be paid to the State Treasury. The fee for a preliminary opinion by an approver or by a Licensing Authority in respect of a business outside the jurisdiction of a local authority, or given by the Head of the Defense Plant Licensing Unit shall be paid to the State Treasury; the fee for a preliminary opinion given by a Licensing Authority in respect of a business within the jurisdiction of a local authority shall be paid to the treasury of that local authority.

(b) A fine paid in connection with an offense under this Law committed within the jurisdiction of a certain local authority shall be transmitted to the treasury of that local authority.

Business of a body of persons
32. For purposes of this Law, any activity of a body of persons - incorporated or not incorporated - shall also be deemed a business, even if it is not for the purpose of making a profit, if one of the following applies to it:
   (1) its only beneficiaries are its members, whose participation depends in practice only on the payment of membership fees;
   (2) if the place of activity were open to the general public, then it would be deemed a business.

Activity as part of a main business
33. For the purposes of this Law a person is deemed to be engaged in a certain business, even if that activity is only part of his main business or is intended to help him to achieve the objective of his main business; it does not matter whether the main business does or does not require licensing.

Written documents
34. Appointments, authorizations and approvals under this Law shall be in writing.

Business of a local authority (Amendment 1974)
36. (a) If a local authority within its jurisdiction engages in a business requiring licensing, then the person who would be authorized to approve the grant of a license under section 6, if the activity were not that of a local authority, may prescribe the same conditions for its activity, which he would have
been authorized to impose under section 7, if the activity were not that of a local authority, and the local authority must comply with those conditions and with the regulations prescribed for the business as aforesaid under sections 9 to 11B.

(b) Without derogating from any consequence prescribed by another law for failure to comply with an obligation imposed on a local authority, a local authority's failure to comply with aforesaid regulations or conditions shall be deemed as a failure to comply with regulations or license conditions on the part of a person engaged in a business requiring licensing.

Saving of authorities and obligations

37. Authorities under this Law do not derogate from authorities under any other law and compliance with obligations under this Law does not exempt compliance with obligations under any other law.

Saving of authorities of Municipal Courts

38. Nothing in this law shall be interpreted as intended to add to the authorities of a Municipal Court to impose fines or imprisonment under the Municipal Courts Ordinance.

Law procedure regulations (Amendment 1974)

38A. The Minister of Justice may make law procedure regulations for proceedings under this Law.

Regulations (Amendment 1998)

38B The Minister of the Interior may make regulations - with the approval of the Knesset Interior and Environment Committee - on the setting of times for the handling of applications for licenses or temporary permits, including the setting of times for handing down decisions by the Licensing Authority under section 5 and by the approver under section 6, and also on setting times for the delivery of preliminary opinions; in regulations under this section the Minister of the Interior may prescribe that, once the time he set has passed, the approval under section 6 shall be deemed to have been given for the purpose of a temporary permit, or the application for a license or temporary permit as if the grant of a temporary permit had been approved.

Implementation (Amendment 1974)

39. The Minister of the Interior is responsible for the implementation of this Law and he may - subject to the provisions of sections 10 to 11B - make regulations for its implementation.

Repeal

40. The following ordinances (hereafter: repealed ordinances) are repealed:

(1) The Regulation of Crafts and Industries Ordinance;
(2) the Sale of Intoxicating Beverages Ordinance 1935;
(3) the Public Entertainment Ordinance 1935.

Transitional provisions
42. (a) The crafts and businesses classified as Category One in the Schedule to the Regulation of Crafts and Industries Ordinance, as per their wording immediately before this Law went into effect, shall be deemed as businesses requiring licensing that were set by an order under section 1 in consultation with the Minister of Health; those classified as Category Two in the said Schedule shall be deemed as businesses requiring licensing by an order under section 1 also in consultation with the Minister of Police, and those classified as Category Three in the said Schedule shall be deemed as businesses requiring licensing by an order under section 1 also in consultation with the Minister of Agriculture.
(b) A license, which was in effect immediately before this Law went into effect and which was granted under one of the repealed ordinances for a business requiring licensing under this Law shall be considered - from the day on which this Law went into effect - as if it had been issued under this Law, and every condition of a said license shall be deemed as a condition of a license under this Law; however, the validity of a said license shall expire not later than it would have expired under the repealed ordinances.

Saving the validity of special conditions
43. The special conditions prescribed by virtue of section 7 of the Regulation of Crafts and Industries Ordinance, copies of which were deposited in the office of the Director General of the Ministry of Health and in the District Health Offices, shall remain in force and they shall be considered as if they had been prescribed under section 7 of this Law, as long as they have not been replaced or changed under this Law.

Commencement
44. This Law shall enter into force on January 1, 1969.