This is an unofficial translation. The binding version is the official Hebrew text.

Readers are consequently advised to consult qualified professional counsel before making any decision in connection with the enactment, which is here presented in translation for their general information only.

Planning and Building Law 5725-1965
Excerpts

Chapter One: Interpretation

Definitions (Amendment 1991)

1. In this Law -
   "Licensed architect" - as per its meaning in the Engineers and Architects Law;
   "Flight safety" - includes the abatement of nuisances caused by flying;
   "Building" - any structure, whether of stone or of concrete, mud, iron, wood or any other material, including -
   (1) any part of a said building and anything permanently attached to it;
   (2) any wall, earthwork, fence or the like that encloses or delimits, or is intended to enclose or to delimit any area of land or any space;
   "Nonconforming building" - a building that does not conform to a provision of a scheme or another regulation applicable to it under this Law, whether enacted for a particular category of buildings or applicable to it by virtue of its location in a particular zone or area, or a building which does not conform with a provision of a permit issued for its construction under any law that deals with planning and building;
   "Owner" includes a long term lessee as per its meaning in the Land Law 5729-1969; (Amendment 1981)
   "Road" - a route for the passage of vehicles, pedestrians or animals, including railways, road structures, traffic islands, retaining walls, noise prevention walls or embankments, and also ditches, excavations and culverts along the side of the road or under it, including road installations; (Amendment 1994)
   "Permit" - includes authorization; (Amendment 1995)
   "Practical engineer" – as per its meaning in the Engineers and Architects Law, who is registered in the Register of Practical Engineers and Technicians as a building practical engineer or as an architectural practical engineer; (Amendment 1991)
   "Relaxation" - authorization to carry out work that requires a permit under section 145, in deviation from the provisions of a scheme or other regulation applicable in the place in question, such work not constituting nonconforming use;
"Engineers and Architects Law" - the Engineers and Architects Law 5718-1958; (Amendment 1991)


"Real Estate Appraisers Law" – the Real Estate Appraisers Law 5761-2001; (Amendment 2008)

"Chairman of the Real Estate Appraisers Council" – the person appointed under section 2(c) of the Real Estate Appraisers Law; (Amendment 2008)

"Road structure" - an interchange, bridge or tunnel, including an excavation or embankment at the beginning or end of one of these; (Amendment 1994)

"Plot" - a unit of land, established in a scheme in consequence of partition, or combination or of combination and partition, or in a partition or combination drawing, even if it has not yet been registered as a plot in the Land Registry, whether building on it is permitted or not; (Amendment 1995)

"Commission Engineer" - the engineer of a Local Planning and Building Commission; (Amendment 1991)

"Authorized Representative for Building, Infrastructure and Environmental Accessibility" and "Authorized Representative for Service Accessibility" – as per their meaning in the Equal Rights for Persons with Disabilities Law; (Amendment 2005)

"Planning agency" - any authority empowered with regard to schemes or permits;

"Railway" – as per its meaning in the introductory passage of section 2 and paragraphs (1) and (2) of the Railways Ordinance (New Version) 5732-1972, as well as installations for the purpose of a railway or in relation to it, which constitute an integral part of it; (Amendment 1994)

"Road installations" - each of the following installations along a road: curbstones, fences, barriers, railings, light poles, traffic lights, stops for collection of passengers and dropping them off, vehicle waiting stations, street benches, garbage collection installations, first aid alarm stations and traffic signs; (Amendment 1994)

"Communications installations" – broadcasting stations, as defined in the Second Authority for Television and Radio Law 5750-1950, which is used or is intended to be used for the broadcast of digital television broadcasts; (Amendment 2008)

"Infrastructure installations" - infrastructure lines and connections, as per their
meaning in section 274B(c) of the Municipalities Ordinance, as well as communication cables, gas transport lines and pipes for the transport of hazardous substances, as per their meaning of the Hazardous Substances Law 5753-1993; (Amendment 1994)

"Sheltered space" – a shelter, as defined in section 11 of the Civil Defense Law 5711-1951, in the form of a space built inside the building's envelope, intended to protect the persons sheltering there against attack and planned in accordance with the provisions under the said Law; (Amendment 2007)

"Coastal environment" – as defined in the Protection of the Coastal Environment Law 5764-2004; (Amendment 2008)

"Relative" of a certain person (Amendment 2008) –
1. spouse;
2. parent, parent's parent, offspring, spouse's offspring and the spouses of all of these, or any other person who is supported by that certain person;
3. brother or sister and their spouses;
4. a body corporate of which he is the manager or an officer, or in which his part of the share capital, of the right to profits, of the right to appoint directors or of the right to vote is greater than 5%;

"Local authority" - a municipality or local council;

"Total area permitted for building" - the total area that may be built, including areas for main purposes and areas intended for service; (Amendment 1995)

"Nonconforming use", in land or building - use for a purpose for which its use is not permitted - either specifically or by virtue of its location in a particular zone or area, according to any scheme or other regulation applicable to the land or building under this Law or according to a permit under any law that deals with planning and building;

"Scheme" - any of the schemes dealt with in Chapter Three, including a change of a scheme, its suspension or cancellation; (Amendment 1998)

"Road scheme" - a plan for a road included in a national outline scheme for roads or in a national outline scheme for railways, or a plan derived from a national outline scheme for roads, or a scheme for a road that constitutes a main traffic artery in respect of which the relevant Local Planning and Building Commission decided, with the District Commission's agreement, that it be deemed a road scheme for purposes of this Law, or in respect of which the Minister of Transport decided - after consultation with the Minister of the Interior and with the relevant Local Commission - that it be deemed a road scheme for purposes of this Law; (Amendment 1994)

"Environmental impact statement" or "statement" - a document that surveys the
link between a proposed scheme and the environment, within which it is to be implemented, including assessments of the scheme’s expected or anticipated impacts on that environment, and particulars of the means required to prevent or reduce negative effects, as shall be prescribed in regulations; (Amendment 1994)

"National infrastructures" - infrastructure installations, airports, seaports, marinas, water desalination installations, water and sewage installations, including reservoirs, waste treatment and disposal sites, communication installations, power stations, gas and fuel storage installations, or roads, all if the Prime Minister, the Minister of Finance and the Minister of the Interior declared in respect of each of them that it is of national importance. (Amendment 2002, Amendment 2008)

Publication in a newspaper (Amendment 1988)

1A. (a) "Publication in a newspaper", for purposes of this Law -

(1) publication in two Hebrew language daily newspapers, at least one of which is a widely circulated newspaper as said in subsection (b), and in a place where a local newspaper appears at least once a week - additional publication in the local newspaper;

(2) in a local planning area, in which the Arabic speaking population constitutes at least ten percent of the total population, one publication in a newspaper published in Arabic, one in a widely circulated newspaper published in Hebrew and one in a local newspaper as aforesaid;

(3) if, in the opinion of the chairman of the District Commission, there is a substantial portion of the public in a local planning area which do not read any of the three most widely circulated newspapers, as per their meaning in subsection (b), publication in one newspaper from a list determined by the Minister of the Interior for that local planning area, in one widely circulated Hebrew newspaper and in one local newspaper as aforesaid. (Amendment 1995)

(b) The Minister of the Interior shall, for this purpose, publish once a year in Reshumot, after consultation with the organization that represents a majority of advertisers in the State, a list of the three daily Hebrew newspapers that are most widely circulated in the State; publication in one of them shall be deemed publication in a widely circulated newspaper.

(c) Publication shall be in a special section of the newspaper, emphasized by an appropriate border and under the heading "Notifications on Planning and Building Matters".

(d) Every publication in a newspaper shall include a referral to the Internet sites said in section 1B, which includes the domain names of the sites. (Amendment 2008)

Obligation to publish notices on the Internet (Amendment 2008)

1B. (a) If an obligation to publish in a newspaper is prescribed under this Law, then there also shall be the obligation to publish on an Internet site in a special section entitled "Planning and Building Notices", as specified below:
(1) notices on behalf of Local Commissions or local planning authorities – on the Internet site of the Local Commission or on the Internet site of the concerned local authority;

(2) notices on behalf of other planning authorities – on the Internet site of the Ministry of the Interior.

(b) If a notice, other than a notice under section 149, was published as said in subsection (a)(1), then it shall be transmitted by the Local Commission to the Ministry of the Interior; when a notice is transmitted as aforesaid, then the Ministry of the Interior shall also publish it on its site; for this purpose, a reference on the Ministry of the Interior Internet site to the notice published on the Internet site said in subsection (a)(1) shall be deemed publication on the Ministry of the Interior Internet site under this subsection.

(c) The provisions of section 1A(a) shall apply, mutatis mutandis, to the language of publication under subsections (a) and (b).

Internet site (Amendment 2008)

1C. (a) An Internet site, on which schemes, notices and other documents shall be published under this Law, shall be accessible to all the public without payment, and postings on it shall be done in a manner that assures the availability, preservation and ability to recover the information from the site and to produce printouts from it.

(b) Schemes, notices or documents that must be published under this Law shall be published on the Internet site on the date of their first publication in a newspaper or at the time of their first publication under this Law, as the case may be, and they shall not be removed from the site, but notices under section 149 on nonconforming use may be removed at the end of the period of nonconforming use that is the subject of the notice; the date of publication on the Internet site shall not affect the periods under this Law that are counted from the date of publication.

(c) The Minister of the Interior may, with the approval of the Knesset Interior and Environment Committee – prescribe provisions on the following matters:

(1) the structure and other characteristics of the Internet site, including the technological means to be used for its operation and to make the information in it secure;

(2) the format of the schemes, notices and documents that are published on the Internet site and additional particulars about the manner of their presentation;

(3) additional documents that must be published on the Internet site;

(4) schemes, notices or documents – or parts thereof – that do not have to be published on the Internet permanently or at all, also because of concerns of privacy and other rights;

(5) an exemption for a certain Local Commission or for a category of Local Commissions from the obligation to publish on the Internet site for a period that does not exceed one year.
National Board

2. (a) A National Planning and Building Board (hereafter: National Board) shall be set up to advise the Government on everything related to general policy in the implementation of this Law, including matters of legislation, and to perform the other functions assigned to it by this Law and by any other enactment.

(b) The National Board shall consist of:

1. the Minister of the Interior or his representative, who shall be the chairman;
2. eleven members of the Government, which the Government shall decide upon from time to time, or their representatives; (Amendment 1976)
3. the head of the Planning Administration in the Ministry of the Interior or his representative from among the staff of the Planning Administration, and he shall be the deputy chairman; (Amendment 2006)
4. a person with professional training in housing and building appointed by the Minister of Housing;
5. a representative of the Nature and National Parks Protection Authority; (Amendment 1998)
6. the mayors of Jerusalem, Tel Aviv-Yaffo and Haifa;
7. the mayors of two other municipalities, the heads of three local councils that are not regional councils, and the heads of two regional councils; for this purpose the Minister of the Interior shall designate the municipalities, local councils and regional councils, on condition that one of them is in Galilee and one in the Negev; in this paragraph, "Galilee" - as defined in the Galilee Development Authority Law 5753-1993, and "Negev" - as defined in the Negev Development Authority Law 5752-1991;
8. one member appointed by the Minister of the Interior from among the persons registered in the Register of Engineers and Architects under the Engineers and Architects Law 5718-1958;
9. one representative of a women's organization, appointed by the Minister of the Interior upon recommendation by a national organization of women's organizations which, in the opinion of the Minister of the Interior, is representative and concerned;
10. a representative of the Technion Israel Institute of Technology;
11. a representative of the settlement institutions, appointed by the Minister of the Interior upon recommendation by the Jewish Agency;
12. a person with professional training in sociology, appointed by the Minister of the Interior;
13. a representative of the roof organization of public bodies concerned with preserving the quality of the environment, appointed by the
Minister of the Interior from a list of candidates submitted to him by that organization; (Amendment 1976)

(14) a representative of the young generation, appointed by the Minister of the Interior in consultation with bodies, which he believes are concerned.

CHAPTER THREE: SCHEMES

Article One: National Outline Scheme

Provisions of national outline scheme
49. The national outline scheme shall prescribe planning for the whole area of the State, among them -
   (1) the designation and uses of land, while safeguarding the agricultural designation of land suitable therefor;
   (2) industrial zones and mineral extraction areas;
   (3) the delineation of the main highway system, railway lines, national supply routes, ports, national water supply arteries, dams, reservoirs, power stations, the electricity, telecommunications and airports networks and aerial approach routes to them, including the delineation of areas in which restrictions in the interest of flight safety shall apply; however, it shall not determine an airport without approval by the Minister of Transport or the Minister of Defense;
   (4) provisions on recreation, afforestation and soil conservation areas;
   (5) provisions for the preservation of antiquities, holy places, landscape features and areas which shall be left in their natural condition;
   (6) places for public enterprises and public objectives of national importance;
   (7) forecasts of changes in the State's population distribution, the stages of its development and their desired timing, forecasts of the size of settlements, the location and size of new settlements and the place, category and size of settlements;
and it may enact provisions on matters which may be the subject of a district outline scheme.

Article Two: District Outline Scheme

Objectives of the scheme
55. The objectives of a district outline scheme are the determination of the details necessary for the implementation of the national outline scheme in the district, as well as any matter of general importance for the district which is likely to be the objective of a local outline scheme, including the creation of appropriate conditions for the district in respect of security and employment.

Provisions of the scheme
57. The District Commission may, after consultation with the Local Commissions in the district, prescribe in a district outline scheme provisions on any matter which
can be the subject of a local outline scheme, among them -
(1) areas and boundaries for urban and rural development;
(2) agricultural areas;
(3) different categories of industrial zones;
(4) afforestation and archeological areas;
(5) district telecommunications, transport and road networks;
(6) cemeteries to serve more than one locality;
(7) "frozen" areas, for which no designated shall be determined;
(8) provisions on preservation of the seacoast;
(9) conditions for the grant of relaxations from the scheme's provisions.

Article Three: Local Outline Scheme

Objectives of the scheme

61. The objectives of a local outline scheme are -
(1) to control the development of land in the local planning area, while safeguarding the designation of suitable lands for agricultural purposes;
(2) to ensure appropriate conditions in respect of health, sanitation, cleanliness, safety, security, transport and convenience, and to prevent nuisances by the planning and use of land, including the reservation of zones for residential, industrial and commercial purposes and for public buildings including religious buildings; for the purposes of this section, "religious buildings" - including ritual baths; (Amendment 2002)
(3) to protect every building and object of architectural, historical, archeological or similar importance;
(4) to protect and develop places that are important from the point of view of nature or beauty, while preventing, as far as possible, harm to flora, nature values, the landscape and heritage; (Amendment 2008)
(5) to designate open public spaces, including for parks and gardens that appropriately respond to the needs of the forecast population in the local planning area. (Amendment 2008)

Provisions in a local outline scheme

63. In a local outline scheme the submitter of the scheme may, while safeguarding the designation of suitable lands for agricultural purposes, make provisions on any other matter that can be the subject of a district scheme, and also on the following matters:
(1) delineation of areas and conditions of the use of land and buildings in each area, including provisions on -
   (a) land areas or buildings which must not be used for a certain purpose, or which shall be used only for a certain purpose;
   (b) places for landfills and for the disposal and utilization of refuse, garbage and waste;
   (c) network and installations for the supply of water, electricity, telecommunications services and other similar services; (Amendment 1992)
   (d) land for open spaces, whether public or private, and lands designated
for preservation in their natural condition;
(e) land for airports, ports, railway stations, bus stations, markets, slaughterhouses or other public services;
(f) land for cemeteries, including discontinuation of the use of existing cemeteries;
(g) land where it is permitted to quarry stone or to excavate earth or sand or to produce gravel, the conditions for carrying out those operations and land where such operations shall be prohibited;
(h) prohibitions, restrictions or conditions about advertising on land and buildings;

(2) delineation of new roads and the diversion, widening, alteration and abolition of existing roads;
(3) setbacks and building lines, beyond which no building may protrude;
(4) conditions and restrictions on the size of the area on which a building may be erected, on the space around any building, and on the height, safety or quality of a building in any particular region or place;
(5) the permitted building density;
(6) conditions and ways of implementing a housing scheme;
(7) conditions for the grant of relaxations from the provisions of the scheme, subject to the provisions of sections 147 to 153;
(8) the obligation of owners of land or a buildings, or of persons who have rights in them, to grant to the public, or to owners of adjacent land or buildings, or to persons who have rights in them, or to a local authority or to an authority operating lawfully, a right of passage or a right to pass through the land or building drainage or sewage water, water supply pipes or surface water channels, networks or installations for the supply of electricity, fuel, gas, and communications, and to install temporary land anchors, and to determine the conditions for granting an aforesaid right;
(9) the roads or public areas to be vested in and registered in the name of the State or of a local authority, as provided in section 26;
(10) the stages by which different provisions of the scheme are to be implemented.

Article Four: Detailed Scheme

Provisions of a detailed scheme
69. As long as there are no appropriate provisions in an outline scheme, a detailed scheme may determine provisions on any matter which may be the subject of a local outline scheme under section 63, and also provisions on the following:
(1) the partition of land into plots or building sites, their shape and the length of their facade;
(2) the designation of land for roads, open spaces, parks, schools, telephone exchanges, mail distribution installations, places for religious, welfare, health, cultural, assembly, recreational, sport and parking purposes, bomb shelters and public warehouses, or for other public purposes; (amendment 1982, 1990)
(3) parking places at sites where motor vehicles congregate;
(4) the location of buildings designated for special purposes and the delineation of areas in which special restrictions shall apply;

(5) the protection of places, structures and other objects of national, religious, historical, archeological, scientific or aesthetic importance;

(6) the demolition or rehabilitation of dilapidated buildings, which constitute a danger to life or are unfit for habitation because of health reasons;

(7) the rehabilitation of buildings in overpopulated or over-dense areas and of areas where any additional building may, in the Local Commission's opinion, result in over density of population or building, and the prescription of special conditions for building permits in such areas;

(8) the allocation of land to any landowner or person who has rights to the land, whose rights were adversely affected by the implementation of a scheme;

(9) the location, volume, height, shape and external appearance of buildings;

(10) the planting of trees and the installation of benches and other accessories in roads and open spaces;

(11) the number of buildings that may be erected on a plot, the number of apartments in each building and the number of rooms in a building or apartment;

(12) the cost of the scheme, including the cost of its preparation and implementation.

Article Five "B": National Infrastructure Scheme

Special provisions for a national infrastructure scheme (Amendment 2002)

76C. In proceedings for the approval of a national infrastructure scheme submitted by a scheme applicant, the provisions of this Law that apply to national outline schemes will be observed, with the changes specified below:

(1) the provisions of sections 77 and 78 shall apply, mutatis mutandis, but -
   (a) a notice in a newspaper that a scheme for the construction of infrastructures is being prepared shall be as provided in section 1A, but shall be considered as if instead of "in two newspapers" it says "in five newspapers", and instead of "at least one of which is a widely circulated newspaper" it says "at least two of which are widely circulated newspapers";
   (b) the latest date of publication in a newspaper, as said in section 1A, shall be the determining date for setting the conditions as said in section 78;

(2) if the national infrastructure scheme includes amendments to another national outline scheme or a district outline scheme, then the amendments to these schemes shall be also be noted in the national infrastructure scheme;

(3) (a) The Infrastructures Commission shall discuss a national infrastructure scheme after it underwent preliminary examination by a planner who is not a State employee, appointed by the chairman of the Commission from a list of planners drawn up by the Minister of the Interior (hereafter in this section: the planner); the planner shall finish
examining the scheme and deliver his written remarks to the Commission within seven days after the scheme was delivered to the Commission;

(b) if the planner found that the transmitted scheme was not drawn up in accordance with provisions of the Law, the Regulations or the Infrastructures Commission's requirements, then he shall return it with his remarks to the scheme applicant for correction; when the scheme has been corrected and returned to the Commission, the planner shall conduct an additional preliminary examination and deliver his written remarks to the Commission within seven days after the scheme was delivered or returned to the Commission;

(4) (a) (1) a national infrastructure scheme submitted to the Infrastructures Commission shall, on the day it was submitted to the Commission, be transmitted to the Commission's environmental consultant;

(2) the environmental consultant shall, within seven days after the scheme was delivered to him, transmit to the scheme applicant guidelines for the preparation of an environmental impact statement; a copy of the guidelines shall be transmitted to the planner of the Infrastructures Commission;

(b) if the scheme applicant disagrees with the guidelines given him for preparation of the statement, then he may appeal before the Infrastructures Committee about the guidelines or the demand to complete the statement, as said in subsection (d); the Commission shall consider and decide on the appeal after it hears the appealer and the environmental consultant, and shall make its decision within 14 days of the day of its submission;

(c) the statement shall be submitted to the Infrastructures Commission and to its environmental consultant according to the guidelines said in subparagraph (a)(2);

(d) within seven days after receipt of the statement, the environmental consultant may demand that the scheme applicant complete the statement; a copy of the demand shall be sent to the Infrastructures Commission; if no said completion was demanded, then the statement shall be deemed to be complete;

(e) the environmental consultant shall give his opinion to the Infrastructures Commission and to the scheme applicant within 14 days after he received the complete statement;

(5) the Infrastructures Commission may exempt the scheme applicant from submitting an environmental impact statement or obligate him to submit an environmental opinion instead of an environmental impact statement; in this Article, "environmental opinion" - an opinion that examines a specific kind of impact of the scheme on the environment.

Article Six: General Provisions on Schemes
Notice of preparation of scheme (Amendment 1995)

77. Any person entitled to submit a scheme to a planning agency may apply to the planning agency authorized to deposit the scheme to publish a notice of the scheme's preparation; when the planning agency concludes, after considering the matter, that it would be right to do so, it shall publish the notice in Reshumot, in a newspaper and in the offices of the local authorities concerned; the notice shall specify the bounds of the scheme and the proposed changes; publication in a newspaper shall be as said in section 1A; the costs of publication shall be borne by the applicant; the provisions of this section shall not derogate from a planning agency's right to publish notice of the preparation of a scheme at its own initiative.

Permits and partition during interim period (Amendment 1995)

78. (a) When a notice said in section 77 has been published in Reshumot, then the planning agency may deposit the scheme, prescribe conditions according to which building permits, permits for land use or approvals of plans for the partition of land shall be granted within the area of the proposed scheme; those conditions shall be in force until the scheme is deposited or rejected, or until those conditions are cancelled or changed by whoever made them, or for a period of not more than three years, whichever is earliest; the planning agency may extend the validity of the conditions or change them for an additional period of not more than three years, for special reasons that shall be recorded; if the chairman of the planning agency concludes that an additional extension is necessary, after those three years, he may make it with approval by the Minister of the Interior.

(b) If a person deems himself aggrieved by the decision of a planning agency under this section, then he may appeal it -
   (1) when the decision is that of a District Commission - before the National Board;
   (2) when the decision is that of a Local Commission - before the Appeals Committee.

Scheme (Amendment 1988, Amendment 1995)

83. (a) Every scheme shall be accompanied by a plan of the area to which it applies (hereafter: bounds of the scheme); however, there is no obligation to attach a plan to any decision which cancels, changes or suspends a scheme, which does not necessitate a change in the plan of the original scheme, unless the planning agency empowered to approve the scheme decides otherwise.

(b) The bounds of the scheme shall apply to an area that is located in a single district.

Documents that accompany a scheme (Amendment 1995)

83A. (a) The submitter of a scheme shall submit to the planning agency, together with the scheme, the documents needed to explain it and all other information and documents demanded by the chairman of the planning agency; the planning agency may require that the documents also relate to
areas outside the bounds of the scheme, in order to examine reciprocal
impacts of the scheme and the area on each other.

(b) When the chairman of a planning agency demands aforesaid documents, he
shall also determine the time for their submission, and he may prescribe
that the scheme not be deposited or not be approved before those
documents are submitted.

Preparing an environmental impact statement (Statement 2002)
83B. (a) If a submitter of a scheme is required to submit an environmental impact
statement, then the statement shall be prepared and signed by a
professional.
(b) The Minister of Environmental Protection shall prescribe for the categories
of plans the professions, the education and professional training, the
qualifications and the professional experience required of a professional
said in subsection (a).

Stages of implementation
84. Every scheme shall indicate the estimated date of its implementation and, if
necessary, shall prescribe stages of implementation and dates for the
implementation of each stage.

89. (a) Notice of the deposit of any scheme shall be published in Reshumot and in a
newspaper; publication in a newspaper shall be as said in section 1A and
shall be by the planning agency that decided on the deposit, within 15 days
after the decision to deposit or after the day on which a condition for
deposit was met, whichever is later.
(b) A notice said in subsection (a) shall also be displayed at the offices of the
local authorities, whose area of jurisdiction, or part thereof, is included in
the area of the scheme, or if there is no such local authority - at a place
where public notices are usually displayed in the area of the scheme; the
notice shall be displayed on signboards in the neighborhoods concerned.

Inspection of scheme
96. Any person interested in a deposited scheme may inspect it free of charge at the
place of deposit.

Objection (Amendment 1973)
100. If a person interested in any land, building or other planning particular deems
himself aggrieved by a deposited district outline scheme, local outline scheme or
detailed scheme, then he may file objection to it, and so may -
(1) a Local Commission or the engineer of a Local Commission, whose planning
area is included in, or borders on the area of the scheme;
(2) a local authority, including a local committee said in section 3 of the Local
Councils Ordinance, whose area of jurisdiction is included in or borders on
the area of the scheme;
(3) a public or professional body, generally approved for that purpose by the
Minister of the Interior by order published in Reshumot, which has a public interest in the scheme;
(4) every Government Ministry;
(5) the District Planner - for a scheme within the competence of the Local Commission under section 61A.

**Time for filing objections (Amendment 1995)**

102. Objections to a scheme shall be filed within two months after the day on which notice of its deposit was published; however, the planning agency that deposited the scheme may set a longer period of not more than three months for the filing of objections, either for a specific case or for a category of schemes; the latest of the publications in newspapers shall be the day on which notice of deposit was published.

102. Objections to a scheme shall be filed within thirty days after the day on which notice of its deposit was published; however, the planning agency that deposited the scheme may set a longer period of not more than sixty days for the filing of objections, either for a specific case or for a category of schemes, and if it concluded that there are reasons for an additional extension, it may set a period of not more than ninety days; the latest of the publications in newspapers shall be the day on which notice of deposit was published.

**Reasoned objection (Amendment 1986)**

103A.(a) Objection to a scheme shall not be accepted and shall not be discussed, unless it was submitted in writing, specifying the grounds for it and accompanied by an affidavit that attests to the facts on which it is based.

(b) Notwithstanding the provisions of subsection (a), on a subject of public interest that is concerned with the preservation of a site, of nature, of the landscape, of the quality of life or of the environment, an objector who represents a group of objectors may submit reasoned objections supported by his affidavit, and other objectors whose objection is essentially similar may rely on the affidavit submitted by that objector.

**Inspection of objection (Amendment 1995)**

104. An objection may be inspected by any person likely to be affected by its acceptance, but the Minister of the Interior, in consultation with the Minister of Defense, shall prescribe by regulations whether and to what extent an objection under section 101 shall be open for inspection.

**Consideration and decision of objection (Amendment 1995)**

106. (a) When an objection has been filed -
(1) to a district outline scheme - then the District Commission concerned may submit its opinion on the objection to the National Board within 45 days after the end of the period for submitting objections under section 102, unless the National Board set a different time;
(2) to a scheme deposited by a District Commission - then the relevant Local Commission may submit its opinion on the objection to the District Commission within 21 days after the end of the period for
submitting objections under section 102;
(3) to a scheme within the competence of a Local Commission, as said in section 61A - then the District Planner or a person authorized by him for that purpose may submit his opinion on the objection to the Local Commission within 21 days after the end of the period for submitting objections.

(b) A planning agency as said in section 105, with which an objection was filed, may reject it or accept it in whole or in part, or change the scheme, all as required by the acceptance of the objection; if, in the planning agency's opinion, accepting the objection is liable to injure any person who is also entitled to file objection to the scheme, then the planning agency shall not decide on the objection before that person has been given an opportunity to state his case.

(c) If essentially identical objections were filed with a planning agency, then it may call and hear only some of the objectors, if in its opinion those objectors represent the same cause or place; the planning agency may also decide to refrain from hearing an objection which repeats an objection heard by it previously, or which is not reasoned, or which on the face of it appears vexatious or provocative.

(d) (1) If the planning agency concludes that an objection to a scheme or an objection to a relaxation or to nonconforming use was not submitted in good faith and that it is vexatious and provocative, then it may obligate the person who submitted the objection to pay the initiator of the scheme for the costs of the proceedings in the planning agency;
(2) if the planning agency concludes that an objection was justified, then it may obligate the initiator of the scheme to pay the objector for the costs of the proceedings;
(3) repealed

Public hearing of objections (Amendment 1995)
107. The objector and the submitter of the scheme shall be invited to a discussion of the objections; in respect of a district outline scheme the District Planner shall also be invited, and in respect of a scheme within the competence of a District Commission also the engineer of the Local Commission, and they may speak before the decisive planning agency; objections shall be heard in open sessions.

Appointment of investigator (Amendment 1988)
107A. (a) In this section, "investigator" - a person appointed by the Minister of the Interior on a list - published in Reshumot - of investigators for the hearing of objections to schemes, and who is one of the following:
(1) an attorney with at least five years' experience;
(2) an engineer or architect licensed under the Engineers and Architects Law 5718-1958, with experience in the field of planning and building;
(3) a person who during at least five years was chairman of a planning agency; (Amendment 1995)
(4) a person with professional training in matters of planning and building.
(b) When a planning agency hears an objection to a scheme, it may appoint an investigator to hear the objections submitted to it, if it believes that the number of objectors or the nature of the objections make it desirable to do so; however, the committee on defense installations shall not appoint an investigator before it consults with the Minister of Defense; when an investigator is appointed after the planning agency has begun to hear objections, the investigator may rehear the objections already heard by the planning agency. (Amendment 1995)

(c) If the planning agency did not appoint an investigator for a certain scheme, and if the Minister of the Interior believes that it should have done so, then the Minister may appoint an investigator after hearing the opinion of the planning agency's chairman on this matter. (Amendment 1995)

(d) The provisions of sections 106(b) and (c) and 107 shall apply, mutatis mutandis, to the hearing of objections by an investigator; the investigator shall submit a summary of the objections to the planning agency and his recommendations on them, and he shall be invited to all discussions of the planning agency on the scheme and on the objections to it.

(e) The Minister of the Interior may, in regulations, prescribe the powers and work procedures of an investigator and - in consultation with the Minister of Finance - his remuneration.

(f) The National Board may act according to the provisions of this section, mutatis mutandis, when it discusses comments and reactions to a national outline scheme, if it deems it proper to do so. (Amendment 1995)

Decision on objection and approval of scheme in the absence of objections
(Amendment 1988, 1995)

108. (a) A planning agency shall decide to approve or reject a scheme that requires its approval only after it studied the opinions submitted to it under section 106(a) and the investigator's recommendations under section 107A(d), if such were submitted, and after the hearing of objections and their decision; a said approval may be subject to changes in the scheme or to conditions being met, as the planning agency shall prescribe.

(b) Notice of the decision on an objection and of the reasons therefor shall be delivered in writing to the objector, and to any person who stated arguments under section 106.

(c) If a scheme was deposited and no objection was filed against it during the period set in section 102, then the scheme shall be deemed to have been approved by the planning agency authorized to approve it at the end of 30 days after the period for the submission of objections, unless the planning agency decided otherwise during the said 30 days; however, if the scheme requires approval by the Minister of the Interior, under section 109, then it shall be deemed approved only after the Minister approved it under the said section. (Amendment 1995)

(d) If a planning agency decided to approve or reject a scheme, or if a planning agency approved a scheme under subsection (c), this shall be recorded in minutes signed by the chairman and by the secretary of the planning agency; within 15 days after a said decision was adopted, it shall be sent to
the members of the agency and to the person who submitted the scheme; in respect of a district outline scheme the said notice shall also be sent to the District Commission, in respect of a scheme within the competence of a District Commission - also to the Local Commission, and in respect of a scheme within the competence of a Local Commission - also to the District Commission.

Appeal to the National Board
110. (a) Any of the following may appeal before the National Board any decision by a District Commission on the approval or rejection of a scheme:
   (1) by right -
      (a) three members of the District Commission jointly;
      (b) the relevant Local Commission or local authority;
   (2) by permission from the chairman of the District Commission -
      (a) the submitter of the scheme;
      (b) a person whose objection to the scheme was rejected;
      (c) a person who presented arguments under section 106(b).
(b) Applications for permission to appeal shall be submitted to the chairman of the District Commission within 15 days after the District Commission's decision was delivered to the person who makes the appeal, and he shall give his decision within 15 days.
(c) The chairman of the District Commission may delegate his powers under this section to his deputy.
(d) The appeal shall be submitted within 30 days after the District Commission decided or after permission to appeal was given, as the case may be.
(e) The National Board shall make its decision within 90 days after the respondents have submitted their replies or after the end of the time for submission of replies, whichever is earlier.
(f) On application by a planning agency, the Minister of the Interior may, for special reasons that shall be recorded, extend the time for making the decision.
(g) Notice of the decision on an appeal shall be delivered to the parties within seven days after the decision was made.

Appeal of the Appeal Committee's decision before the District Commission
111. (a) The following may appeal before the District Commission a decision of an Appeal Committee under section 112, with permission from the chairman of the Appeals Committee:
   (1) any person who was a party to proceedings before the Appeal Committee;
   (2) the submitter of the scheme;
   (3) the person who submitted an objection;
   (4) a person who presented arguments under section 106(b);
   (5) a member of the Appeal Committee;
   (6) a representative in an advisory capacity, as said in section 18(b);
   (7) the chairman of the Local Commission or of its planning and building subcommission;
(8) the engineer of the Local Commission;
(9) the engineer of the local authority.

(b) An application for permission to appeal shall be submitted to the chairman of the Appeals Committee within seven days after the Appeals Committee's decision was delivered to the parties to the appeal, and it shall give its decision within 15 days after its receipt.

(c) When aforesaid permission is received, then the appeal shall be submitted to the District Commission within seven days after permission was received; the District Commission shall make its decision on the appeal within 30 days after the appeal was submitted, and its decision shall be final.

(d) Notice of the decision on the appeal shall be delivered to the parties within seven days after it was made.

Appeal before Appeals Committee

112. (a) The following may appeal before the Appeals Committee about a Local Commission's decision on the approval or rejection of a scheme within the Local Commission's competence, as said in section 62A:
   (1) two members of the Local Commission jointly;
   (2) two representatives in an advisory capacity, as said in section 18(b), jointly;
   (3) two members of the District Commission jointly;
   (4) the District Planner;
   (5) the submitter of the scheme;
   (6) a person whose objection to the scheme was rejected;
   (7) a person who presented arguments under section 106(b).

(b) The appeal shall be submitted within 15 days after the Local Commission's decision was delivered to the person who makes the appeal.

(c) The Appeals Committee shall make its decision within 60 days after appeal is submitted.

(d) Notice of the decision on the appeal shall be delivered within seven days after the decision was made.

Powers of a planning agency in appeals

116. (a) A planning agency authorized to decide on an appeal may accept it, in whole or in part, or it may reject it and it may approve the scheme, with or without changes, or it may reject it.

(b) The planning agency may return a scheme for discussion by the planning agency, against whose decision appeal was made, with or without instructions.

Publication of approval or of rejection of scheme

117. Notice of the approval or of the rejection of a scheme under this Article shall be given and published in the manner in which notice of the deposit of that scheme is given and published; it shall be given to any person entitled to receive notice, as aforesaid, of the deposit of a scheme.

Obligation to provide information (Amendment 1988)
119A. A Local Commission shall provide, in writing, to every person interested in the land, upon his application and within 30 days, information on the schemes that concern the land, whether they are in force, have been deposited or a notice of their preparation has been published under section 77, as well as conditions under section 78 that apply to the land, if such conditions were prescribed as aforesaid; the Commission shall also deliver information on an obligation to pay an appreciation levy.

**Article Six "A" – Planning of Roads and Railways**

**Environmental impact statement (Amendment 1994, 1995)**

119C. (a) Before submitting a road scheme to a District Commission, the submitter of the scheme shall prepare a road scheme, in accordance with the guidelines of the District Planner, and he shall submit it to the representative of the Minister of Environmental Protection on the District Commission (in this Article: environmental consultant), to the District Planner and to the engineer of the Local Commission concerned; when an environmental consultant has received an aforesaid scheme, he shall return it to the submitter within 15 days after its receipt, and he may require the submitter of the scheme, within the said 15 days, to prepare an environmental impact statement; where the environmental consultant requires an aforesaid statement to be prepared, he shall guide the submitter of the scheme in its preparation; a copy of the guidelines shall be delivered to the District Planner and to the engineer of the Local Commission.

(b) The guidelines for the preparation of a statement said in subsection (a) shall accord with the level of the scheme, its category and location.

(c) Where the submitter of the scheme believes that no statement is necessary, or if he disagrees with the guidelines given him for its preparation, then he may appeal before the District Commission against the requirement or against the guidelines or against the demand to complete the statement as said in subsection (e); the Commission shall discuss the appeal after hearing the appealer and the environmental consultant, and it shall decide the matter within 15 days after the day of its submission; the submitter of the road scheme shall not be able to appeal against the demand to prepare a statement in cases where its preparation is required under the provisions of a scheme that is in effect.

(d) The statement shall be submitted to the environmental consultant, to the District Commission and to the Local Commission.

(e) The environmental consultant may, within 15 days of the day of receipt of the statement, demand that the submitter of the scheme complete the statement; copies of the demand shall be delivered to the District Commission and to the Local Commission; where no completion demand was made as aforesaid, the statement shall be deemed to be complete; the environmental consultant shall deliver his opinion within 30 days of the day on which he received the completed statement to the submitter of the scheme and to the District and Local Commissions.

(f) The statement and all or part of the said opinion shall be included in the
documentation of the road scheme upon its deposit and when it is approved, all as the District Commission may decide.

(g) If the environmental consultant did not demand preparation of a statement or if he did not provide guidelines for its preparation as said in subsection (a), then the District Planner may, within 30 days of the completion of the 15 days said in subsection (a), make the demand and give the aforesaid guidelines, after consultation with a professional factor he deems appropriate; where the District Planner has so done, he shall take the place of the environmental consultant on all matters said in subsections (c) to (e).

(h) If the environmental consultant or the District Planner failed to submit their opinions within the periods said in subsections (e) and (g), then the Commission shall discuss the road scheme and decide on it.

CHAPTER 5: LICENSING

Restrictions on agricultural land and within territorial waters (Amendment 2004)

156. (a) No person shall use agricultural land, except in accordance with the provisions of the First Schedule.

(b) No person shall do anything within the area of the coastal environment, which requires a permit under this Chapter, except in accordance with the provisions of the Second Schedule.