

*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.*

## **Wildlife Protection Law 5715-1955**

### **Definitions (Amendment 1999)**

1. In this Law –

"Wildlife" – mammal, bird, reptile or amphibian or any part thereof, or its offspring, originated within the area of Israel or outside of it, which by its nature does not live among humans;

"Domesticated wildlife" – species, subspecies or variety of wildlife, that was domesticated or developed in order to grow it in captivity for trade purposes, and was declared as such by the Minister of Agriculture;

"Pest" – wildlife declared by the Minister of Agriculture as a pest;

"Game" – wildlife declared by the Minister of Agriculture as game;

"Protected wildlife" – wildlife that is neither game, pest nor domesticated wildlife;

"Hunting" – includes the performance of any act aimed at harming the life, welfare or freedom of wildlife, disturbing its rest or endangering the natural development of its eggs or of any other offspring;

"Trade" – includes purchase sale, export, re-export, import and introduction from the sea;

"The Nature and National Parks Protection Authority" – the Authority set up in accordance with section 3 of the National Parks, Nature Reserves, National Sites and Memorial Sites Law 5758-1998. (Amendment 1998)

### **Prohibition on hunting (Amendment 1990)**

2. No person shall hunt game or protected wildlife, unless under a hunting license or a permit under section 3.

### **Hunting license and permit (Amendment 1990)**

3. The Minister of Agriculture may grant a license to hunt game, and may permit, in a general or special hunting permit, the hunting of protected wildlife for scientific purposes, for reproduction, to maintain the balance in nature, to

prevent damage to agriculture, to prevent danger to humans or to animals and to prevent infectious diseases among them.

#### **Prohibited places**

4. (a) No person shall hunt within 500 meters from a camp, from a public park and from a house within a settlement, or within 100 meters from any other house or from a cemetery.
- (b) No person shall hunt by a shot that is liable to hit electricity, telephone or telegraph network wires.

#### **Prohibited methods**

5. No person shall hunt by the following methods or means:
  - (1) blinding by lights;
  - (2) poisoning;
  - (3) stunning by narcotics;
  - (4) pursuing with a motor vehicle;
  - (5) using explosives;
  - (6) using traps, nets or adhesives;
  - (7) other methods and means prohibited by the Minister of Agriculture in regulations.

#### **Entering another's domain (Amendment 1990)**

6. Where a person enters a domain that is not his by using a permit under section 3, his entry shall not be deemed trespassing, provided he did not exceed that necessary to achieve the objective specified in the permit.

#### **Powers of local authorities (Amendment 1999)**

7. A local authority may, in by-laws, with approval of the Minister of Agriculture, prohibit or restrict hunting in places within its jurisdiction.

#### **Trade, possession and transfer of wildlife (Amendment 1990)**

8. (a)
  - (1) A person shall not trade in wildlife that is not a pest and is not domesticated wildlife except by a general or special trading permit.
  - (2) A person shall not transfer wildlife that is not a pest and is not domesticated wildlife except by a general or special transfer permit.
  - (3) A person shall not hold wildlife that is not a pest and is not domesticated wildlife except by a general or special holding permit, or if it came into his possession from the holder of a general or special trading permit or general or special transfer permit, or if he is a lawful holder, as said in subsection (b).
- (b) Whoever lawfully held wildlife prior to the entry into force of this Law and continued to keep it, or received it without remuneration – shall be a lawful holder, and whoever received wildlife without remuneration from a lawful holder under this subsection – shall be a lawful holder.
- (c) It shall be a good defense for a person who held, transferred or traded in a part of wildlife that he did not know that he has a part of wildlife.

**Licenses and permits (Amendment 1990)**

9. Licenses and permits under this Law shall be granted by the Minister of Agriculture according to rules set in regulations, and he may refuse to grant them, grant them with restrictions or conditions, cancel them or amend them at any time.

**Appointment of inspectors (Amendment 1990)**

10. The Minister of Agriculture may appoint inspectors for purposes of this Law and he may prescribe their duties.

**Grant of police powers to inspectors (Amendment 1990, 1997, 1998)**

11. (a) The powers vested in a policeman under sections 22, 25 and 32 of the Criminal Procedure Ordinance (Arrest and Searches) [New Version] 5729-1969, under sections 23(a)(1), (2), (3), (5)(d) and (b), 67, 69 and 71(a) of the Criminal Law Procedure (Enforcement Powers – Arrest) Law 5756-1996, and under sections 2 and 3 of the Criminal Law Procedure (Evidence) Ordinance shall also be vested in an inspector in respect of offenses against this Law and its ensuing regulations, and the said provisions and ordinances shall apply to an arrest, search, seizure of objects and interrogation that he carries out, as if they had been carried out by a policeman.
- (b) The provisions of sections 33 to 42 of the Criminal Procedure Ordinance (Arrest and Searches) [New Version] 5729-1969 shall also apply to the seizure of objects by an inspector by virtue of his power under this section, and wherever the words "policeman", "police officer of the rank of deputy inspector or higher" and "police" appear in those provisions, they shall be read as "inspector", "Director of the Nature and National Parks Protection Authority" and "the Nature and National Parks Protection Authority".
- (c) Without derogating from his power under this Law or under any statute, an inspector may seize and confiscate any wildlife that is held by a person without a permit, and he may destroy it if the wildlife is not alive or if there is no possibility of its continued natural development.

**Confiscation of object with which an offense was committed**

12. (a) The court that deals with the offense may order that a hunting implement or other means of hunting, other than a motor vehicle, that was used for an offense under this Law or under an ensuing regulation, as well as wildlife hunted through such an offense be confiscated to the State Treasury; however, the court shall not order the confiscation of an aforesaid hunting implement or other means, if it found that their owners were not guilty of that offense; this provision does not derogate from the power of the court to issue another order on this matter according to any other statute.
- (b) Where six months elapse from the day in which an object said in subsection (a) was seized and nobody was charged with an offense, and a

person's ownership of the seized object was not proven, then the Minister of Agriculture may order its confiscation to the State Treasury, and that confiscation shall be final.

**Burden of proof (Amendment 1990)**

13. If game or protected wildlife is found in a person's possession, or in a vehicle he owns or possesses, then he shall bear the burden of proving that he lawfully holds it.

**Penalties (Amendments 1990, 2008)**

14. (a) If a person commits an offense under this Law or under a regulation made under section 16, excluding paragraph (2), or if he violates one of the conditions of a license or permit granted under this Law, then, if there is no other provision in this Law, he shall be liable to one year imprisonment or to a fine.
- (b) If a person commits an offense under the provisions of sections 2, 3 or 4, then he shall be liable to two years imprisonment or to double the fine said in section 61(a)(3) of the Penal Law 5737-1977.
- (b1) If a person violates a regulation made under section 16(2), then he shall be liable to two years imprisonment or to a fine.
- (c) If the offense is a continuing offense, then, in addition to the penalties under subsections (a) and (b), the court may impose a fine as said in section 61(c) of the Penal Law 5737-1977, or two days additional imprisonment for every day in which the offense continues, beginning from the day on which the defendant received written notification from the Nature Reserves Authority or from the day of his conviction.

**Transfer of authority (Amendments 1990, 1998)**

15. The Minister of Agriculture may transfer his authority under this Law, except for his authority under sections 1 and 16, to the Director of the Nature and National Parks Protection Authority, and he may, by order, impose tasks on the Nature and National Parks Protection Authority relating to the implementation of provisions of this Law and its ensuing regulations.

**Implementation and regulations**

16. The Minister of Agriculture is charged with the implementation of this Law and he may make regulations on any matter connected to its implementation, including regulations on –
- (1) submission of reports by license and permit holders regarding hunting and regarding wildlife in their possession; (Amendment 1990)
  - (2) protection of wildlife, preservation of its existence, encouragement or prevention of its reproduction, its rescue from fire or other natural disaster;
  - (3) prohibition or restriction on hunting wildlife or a category thereof during a certain period, at certain hours, in a certain area or by certain methods and means; (Amendment 1990)
  - (4) methods of hunting or eradication of pests;
  - (5) holding wildlife in zoos, on farms for raising wildlife or in other places;

- (6) sanitary conditions for the burial of corpses of wildlife that was hunted, for their eradication or their disposal by other means;
- (7) taxidermy of wildlife;
- (8) insurance obligations against hunting damages;
- (9) conditions for obtaining hunting license, including licensing examinations, insurance and shooting licenses; (Amendment 1990)
- (10) carrying out tests and examinations in order to identify foci of disease and monitor the efficacy of treatments. (Amendment 1990)

**Fees (Amendments 1990, 1998)**

- 16A. (a) The Minister of Agriculture may, in regulations, in consultation with the Nature and National Parks Protection Authority, set fees for the licenses and permits granted under this Law, and exemptions from paying some or all of them.
- (b) The income from the fees shall serve as income of the Nature and National Parks Protection Authority.

**Repeal**

17. The Wildlife Protection Ordinance is repealed.