

Acceptance to Communities Law

Final Version – passed third Knesset reading on 22 March 2011

Amendment of the Communal Associations Order (No. 8) (Acceptance Committees of Communal Settlements) - 2010

Amending Section 2

1. In the Communal Associations Order (hereunder - the Order), In Section 2 -

(1) "Galilee" – as defined in the Galilee Development Authority Act, 1993

"Negev" – as defined in the Negev Development Authority Act, 1991

(2) The definition of "committee" shall be followed by:

""Reservations committee" - a reservations committee as defined in section 6b;

"Acceptance committee" - an acceptance committee as defined in section 6b; "Real-estate

rights" - leasing or long-term leasing rights to Israeli lands as defined in Basic Law:

Israel's Lands; in this matter, "leasing or long-term leasing rights" are as defined in the

Real-Estate Act – 1969, including the right to be registered as a leaser or long-term

leaser, and a right of any part to a development contract in a communal settlement to be

registered as a leaser or long-term leaser after the contract terms are met, and rent for

periods that accumulatively exceed five years;"

(3) The definition "member" shall be followed by:

""Communal settlement" - a settlement located in the Negev or Galilee regions,

organized as a communal settlement, which the Registrar classified as a rural communal

settlement or a communal association for community settlement, or an expansion of a

kibbutz, a communal moshav, or a communal village, whose residents are registered as a

rural communal settlement or as a communal association for community settlement, and

the following also exist:

(1) the number of households in the settlement or the settlement and the expansion

together does not exceed 400;

(2) the maximum number of households in the settlement is limited by a national or

regional plan."

Adding subsections 6b to 6d

2. Subsection 6a of the Order shall be followed by:

"Allocating lands and transferring rights to lands in a communal settlement 6b.

(A) (1) Land shall be allocated to a person for the acquisition of rights to land in a communal settlement with an active acceptance committee only after the committee approves it.

(2) The transfer of rights to land allocated to a person or legally assigned in a communal settlement as defined in subsection (a1) shall be done after the acceptance committee's approval of the transfer; the instruction of this clause, with required amendments, shall apply also to a person who wishes to transfer his land rights to another person.

(3) The transfer of land rights through inheritance, by law or by the power of a will, in a communal settlement as defined in subsection (a1) does not require the approval of the admission committee; nevertheless, the instructions of subsection (a2) shall apply

to the inheritor, by law or by the power of a will, who wishes to transfer his land rights to another person.

(B) (1) An acceptance committee of a communal settlement shall comprise five members: two representatives of the communal settlement; a member of the movement to which the communal settlement belongs or is a member of – and if that settlement does not belong to or is not a member of any movement as noted, or if the movement waived its right to be represented in the committee – another member of the communal settlement; a representative of the Jewish Agency or WZO; a representative of the regional council under whose jurisdiction that settlement is located.

(2) The representative of the regional council on the acceptance committee shall be the head of that regional council or his deputy, or a council employee they shall appoint, provided they are not residents of the settlement in question, and will serve as the committee chairperson.

(C) Should the acceptance committee turn down the application of a candidate for residence in the communal settlement, it must provide him with a resolution explaining its decision.

(D) The candidate and the communal settlement may file their reservations with the acceptance committee's resolution, which shall be viewed by a reservations committee.

(E) The reservations committee shall comprise five members: a public personality with an education in law, social work, or behavioral sciences, who will be appointed by the Minister of Justice and serve as the committee's chairperson; the Registrar of Communal Associations or his deputy; an employee of the Land of Israel Authority; an employee of the Ministry of Welfare and Social Services; and an employee of the Ministry of Agriculture's Rural Development Department.

(F) The reservations committee may cancel a resolution of the acceptance committee, approve it, or send it back to that committee to reconsider.

The Considerations of the Acceptance Committee 6c.

(A) The acceptance committee may turn down a candidate for membership in a communal settlement based on one or more of the following considerations only:

(1) The candidate is a minor;

(2) The candidate lacks the means required to build a home in the communal settlement within the period of time stipulated in the land allocation agreement;

(3) The candidate does not intend to make the communal settlement the center of his life;

(4) The candidate is not right for social life in the community. A decision to refuse a candidate based on this consideration shall be based on an expert opinion;

(5) The candidate does not match the socio-cultural fabric of the settlement and there is reason to assume he might harm it;

(6) Unique characteristics of the communal settlement or acceptance terms as stipulated in the association's codex, if there are any, provided they are approved by the Registrar.

(B) When making the considerations specified in subsection (A), the acceptance committee will have to consider the settlement size, age, durability, and the nature of its population.

(C) The acceptance committee may not turn down a candidate based on reasons of race, religion, gender, nationality, disabilities, family status, age, parenthood, sexual orientation, country of origin, ideology, or political activity.

Reserving rights

6d. The text of subsections 6b and 6c does not make it imperative to allocate land to a person whose candidacy was approved by the acceptance committee."

Amending the Administrative Courts Act

3. The ending of the first addendum to the Administrative Courts Act-2000 shall be followed by:

"37. Settlement – a resolution of the reservations committee, based on subsection 6b of the Communal Associations Order."

4. This law shall go into effect 30 days after it is published (hereunder - Application Day)

5. The instructions of this act shall apply to the procedures of the acceptance committees of communal settlements from Application Day onward.