

Budget's Foundations Act (Amendment No. 40) – 2011

1. Adding Section 3b

Section 3a of the Budget's Foundations Act - 1985 shall be followed by:

"Deducting budgets or aid due to activities against the state's principles

3b. (a) Under this section -

"Body" - a budgeted body and an aided body as defined in Section 21, and a public establishment as defined in Section 3a;

"Expense" - including the waiving of income.

(b) Should the Minister of Finance find that a Body has made an expense that is essentially one of those detailed below (under this section – "Non-Supported Expense"), he may - with the consent of the minister in charge of the budgetary clause by which the budgeted or aided body is supported, after hearing the Body - deduct sums of money that are to be transferred to that Body from the state budget according to all laws:

(1) Negating the existence of the State of Israel as a Jewish and democratic state;

(2) Inciting to racism, violence, or terror;

(3) Supporting an armed struggle or a terror act by an enemy state or a terror organization against the State of Israel;

(4) Marking Israel's Independence Day or establishment anniversary as a day of mourning;

(5) An act of defilement or physical contempt against the state's flag or national symbol.

(c) A deduction according to Subsection (b) shall not exceed 3 times the Non-Supported Expense.

(d) (1) The Minister of Finance will make a decision as stated in Subsection (b) after receiving the opinion of the Finance Ministry's legal counsel regarding the existence of what is listed in that Subsection, and after receiving the recommendation of a Professional Team regarding the extent of the Non-Supported Expense, the ramifications of the deduction for the Body or for other elements that are connected to it, and the appropriate deduction considering all circumstances of the matter.

(2) Under this Subsection, a "Professional Team" – a team appointed by the Minister of Finance and composed of an employee of the Ministry of Justice, according to the recommendation of the Minister of Justice, an employee of the ministry of Finance, and an employee of the ministry in charge of the budgetary clause by which the budgeted or aided body is supported, according to the recommendation of said minister."

2. Amending the Administrative Courts Law [No. 56]

In the Administrative Courts Law – 2000, in the first supplement, at the end it should state:

"40. Deducting budgets – A decision made by the Minister of Finance according to Subsection 3(b) of the Budget's Foundations Act – 1985."

3. Enactment

The directives of Subsection 3(b) of the Main Law, as worded in Section 1 of this law, shall go into effect regarding a Non-Supported Expense beginning with the day of its publication.