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Equal Rights For Persons With Disabilities Law, 5758-1998

As amended, including all amendments up to Amendment No. 11, 5773-2012, Sefer Hachukkim 2388 of November 19th, 2012.

Chapter A: Basic Principles

1. Basic principle

The rights of people with disabilities and the obligation of Israeli society toward these rights are founded upon recognition of the principle of equality, on man's worth - created in God's image - and on the principle of respect for all human beings.

2. Object

The object of this Law is to protect the dignity and liberty of a person with a disability, to enshrine his right to equal and active participation in society in all major spheres of life, and, furthermore, to provide an appropriate response to his special needs, in such a manner as to enable him to live his life with maximal independence, in privacy and with dignity, realizing his potential to the full.

3. Affirmative Action

Any action designed to correct a prior or existing discrimination against people with disabilities or designed to advance the equality of people with disabilities shall not be regarded as unlawful discrimination.

4. The Right to Make Decisions

A person with disabilities is entitled to make decisions relating to his life, according to his desires and priorities, all in accordance with the provisions of any law.

Chapter B: Interpretation

5. Definitions

In this Law -

"Person With Disabilities" - a person with a physical, mental or intellectual, including cognitive, impairment, whether permanent or temporary, which substantially limits his functioning in one or more of the central spheres of life;

"Representative Employees' Organization" – has the same meaning as in the Collective Agreements Law, 5717-1957;

"Public Body" – one of the following:

- (1) a government ministry, including its units and its support units;
- (2) the Knesset;
- (3) the Israel Defense Forces;

- (4) the Israel Police and the Israel Prison Service;
- (5) a local authority;
- (6) a corporation in which at least one-half of the voting power or the right to appoint at least one half of its directors is held by either a local authority or a government ministry, or both;
- (7) a corporation established under statute;
- (8) a government company, within the definition in the Government Companies Law, 5735-1975, as prescribed by the Minister of Justice, with the agreement of the Ministers as they are defined in the aforesaid Law;
- (9) the World Zionist Organization;
- (10) the Jewish Agency for Israel;
- (11) any other body, which is an inspected body within the meaning of section 9 of the State Comptroller Law, 5718-1958 [Consolidated Version], as prescribed by the Minister of Justice, with the consent of the Labor, Welfare and Health Committee of the Knesset;

"Commissioner" - the Equal Rights for Persons with Disabilities Commissioner appointed pursuant to the provisions of Section 22;

"Commission" - the Commission for Equal Rights of Persons with Disabilities within the meaning of Chapter F of this Law.

Chapter C: General Principles

6. Principles Regarding the Exercise of Rights and Provision of Services

- (a) Exercise of rights and provision of services to a person with disabilities shall be performed as follows –
 - (1) in strict compliance with the person's dignity and liberty and protection of his privacy;
 - (2) within the ambit of services provided and designated for the general public, while performing any necessary accommodations in the particular circumstances, as stated in this Law;
 - (3) in respect of rights and services provided by a public body - to a suitable standard, within a reasonable time and within a reasonable distance from the person's place of residence, and all within the framework of the financial resources available to the public body.
- (b) (repealed)

7. Determination of Entitlement

Any examination or review whose object is to determine a person's entitlement to rights or services on account of his disabilities, shall be conducted with full consideration of his ordinary way of life.

Chapter D: Employment

8. Prohibition of Discrimination in Employment

- (a) An employer shall not discriminate between his employees or persons seeking employment, by reason of their disabilities, provided that they are qualified for the job or position in question, in any of the following:
 - (1) hiring, including hiring tests;
 - (2) employment terms;
 - (3) promotion at work;
 - (4) training or professional advanced studies;
 - (5) severance or severance pay;

(6) benefits and payments given to an employee in connection with retirement from work.

(b) For the purposes of subsection (a), setting irrelevant conditions shall also be deemed discrimination.

(c) Any act or failure to act which are necessary from the substantive requirements of the job or position, shall not be deemed discrimination under this section.

(d) The provisions of this section shall also apply, mutatis mutandis, to a person who was formerly a person with disabilities, a person regarded as a person with disabilities and to the family members who take care of a person with disabilities.

(e) For the purposes of this section -

"Family Member" means -

(1) a spouse, parent or child;

(2) a spouse of a parent, a spouse of child, a brother or sister or their spouses, a grandparent or grandchild, who are mainly responsible to support the person with disabilities;

"Discrimination" includes non-performance of accommodations required on account of the special needs of the person with disabilities which will enable his employment;

"Accommodation", "Accommodations" includes modifying the workplace, the equipment therein, job requirements, work hours, job hiring tests, training and instruction and work procedures, all without imposing an undue burden on the employer;

"An Undue Burden" means an unreasonable burden in the specific circumstances, taking into consideration, inter alia, the cost and nature of the accommodation, the size and structure of the business, the scope of activity, number of employees, composition of the staff and the existence of external or State sources of financing to perform the accommodation.

9. Suitable Representation of People with Disabilities

(a) Where an employer sees that among his employees, people with disabilities are not suitably represented, in the particular circumstances, (hereinafter - "suitable representation"), he shall act to advance suitable representation, including the implementation of accommodations.

(b) The activities of an employer under this section may be made in a plan to include provisions with respect to preference in employment or advancement of people with disabilities who are qualified for the job or position and who have similar qualifications to those held by other candidates for the job or position.

(c) The Minister of Labor and Social Welfare may, in consultation with the Commission and with organizations engaged in the advancement of the rights of people with disabilities, according to the basic principles of this Law and with the approval of the Labor and Social Welfare Committee of the Knesset, act as follows -

(1) prescribe supplementary provisions, either for a particular case or types of cases, concerning employer obligations under this section, including provisions on categories of disabilities or the severity of disabilities of people who must be employed or promoted at work;

(2) prescribe provisions in respect of an employer's duty to report on taking action under this section;

(3) prescribe limitations on obligations of an employer under this section.

(d) In this section -

"Employer" - an employer employing more than 25 employees, excluding a government ministry or its ancillary unit to which the provisions of section 15A of the State Service (Appointments) Law, 5719-1959 are applicable;

"Accommodations" - as defined in section 8(e).

9A. Employment Officer

(a) A public body that is an employer, as defined in section 9(d), will appoint an employment officer for persons with disabilities (in this Chapter - the "employment officer") and he may be appointed in addition to other functions he carries out, taking into consideration the number of employees in the public body.

(b) The employment officer will –

- (1) receive complaints from employees and from the public body on the issue of suitable representation;
- (2) initiate activities to increase awareness of suitable representation and the information about it and on its implementation among supervisors and employees in cooperation with those entities concerned;
- (3) provide advice and guidance on the duties of the public body under this Chapter.

(c) The employment officer will act pursuant to the professional guidelines provided by the Ministry of Economy and Industry, in consultation with the Commission.

9B. Suitable Representation for Employees with a Significant Disability in a Public Body which is a Large Public Employer

(a) In this Chapter –

"representation target" - within the meaning in subsection (b);

"large public employer" - a public body employing at least 100 employees, excluding a government ministry or its ancillary unit to which the provisions of section 15A of the State Service (Appointments) Law, 5719-1959 are applicable;

"employee" or **"candidate"** with a significant disability - a person with a disability satisfying one of the conditions enumerated in Part A of Schedule Four;

"manpower contractor" - as defined in the Employment of Employees By Manpower Contractors Law, 5756-1996;

"service contractor" - a person whose business is to provide a service by means of its employees at another person's premises;

"annual plan" - within the meaning in section 9C.

(b) Without derogating from the provisions of section 9, there will not be suitable representation at a large public employer unless at least 5% of its employees are employees with a significant disability; employees of a manpower contractor or service contractor employed at a large public employer will not be taken into account among the employees under this subsection.

9C. Annual Plan for the Advancement of the Employment of Employees with a Significant Disability

(a) Without derogating from the provisions under section 9(c)(2), where a large public employer fails to fully comply with the representation target according to the notice as stated in section 9D(d) in a specific year, it will publish on its website by October 31 of

such year an annual plan for advancement of employment of employees with a significant disability approved by the management of the large public employer.

(b) An annual plan will be prepared taking into consideration the lessons learned from the previous annual plans and the causes of non-compliance or partial compliance with a representation target in the previous year.

(c) An annual plan will include provisions on the matters as set forth below with respect to vacant posts and with respect to posts becoming vacant in the coming year:

(1) Preference for the employment or advancement of candidates or employees with a significant disability having similar skills to the skills of those other candidates or employees for the position, post or group of posts or the grade or group of grades set forth in the annual plan and for the period to be determined therein;

(2) designating posts in a variety of positions and grades to be filled therein, wherever possible, only by candidates or employees with a significant disability, specifying their scope out of all the vacant posts or posts likely to become vacant and details of the type of posts to be designated as aforesaid;

(3) approaching the list of entities engaged in the employment integration of candidates with a significant disability to be published by the Commission on its website, for the purpose of identifying such candidates;

(4) documenting the implementation of the annual plan, including all the reasons with respect to the selection of candidates for vacant posts.

(d) The Minister of Economy and Industry may prescribe provisions, by Regulations, with respect to the annual plan, its content, form and details.

9D. Processing Information About Compliance with the Representation Target

(a) The Ministry of Economy and Industry will pass on to the National Insurance Institute by March 31 of each year an updated list of public bodies for the purpose of processing information under this section.

(b) For the purpose of implementation of the functions of the National Insurance Institute under this section, each of the bodies stipulated in column A of Part A or Part B of Schedule Four will transfer to the National Insurance Institute by March 31 of each year the identity numbers of any person who, on December 31 of the preceding year, satisfied the provisions of column B of Part A or Part B of Schedule Four, in a distribution according to the details in the aforesaid Schedule.

(c) A large public employer, as stated in section 9E or determined by order under section 9F(b), will pass on to the National Insurance Institute by March 31 of each year, the identity numbers of its employees employed on December 31 of the previous year in positions taken into account under the aforesaid sections; the National Insurance Institute will take into account in the processing of data with respect to such large public employer only the employees with respect to whom such information was passed on.

(d) The National Insurance Institute will examine the data in its possession and the data passed on to it under subsection (b) with respect to the employees of a large public employer in the list passed on to it under subsection (a) and according to the data passed on to it under subsection (c); by July 31 of each year the National Insurance Institute will submit a notice to the Commission on the extent of compliance of the large public employers with the representation target, according to the following levels, pursuant to such data:

Degree of representation of employees with a significant disability	Extent of compliance with representation target
At least 5%	Full compliance

From 3.5% and less than 5%

Medium level

From 2% and less than 3.5%

Low level

Less than 2%

Non-compliance

(e) The Commission will publish on its website the extent of compliance of each large public employer with the representation target according to the notice passed on by the National Insurance Institute as stated in subsection (d), within 14 days of the date the notice was passed on to it.

(f) Information under this section will be stored for the purpose of implementation of the functions of the National Insurance Institute as stated in this subsection in a database, within the meaning of the Protection of Privacy Law, 5741-1981, which is a designated database distinct from any other database.

(g) The Minister of Economy and Industry, with the consent of the Minister of Justice, will prescribe provisions with respect to information under this section, including with respect to the transmission, processing, protection, safeguarding, deletion and publication of such information, as well as with respect to those persons authorized access to it, all for the protection of privacy.

9E. Application with Respect to Specific Large Public Employers

(a) The provisions of sections 9B to 9D will apply to the Israel Police, the Israel Prison Service and the Magen David Adom organization, with the following changes:

(1) police officers, prison guards or employees in operational duties will not be taken into account among these employees;

(2) regarding the Israel Police and the Israel Prison Service, an "employee" or "candidate" with a significant disability includes a person with a disability satisfying the provisions of Part B of Schedule Four.

(b) The provisions of sections 9A to 9C will apply to the Israel Defense Force with respect to soldiers serving therein, with the following modifications:

(1) Notwithstanding the provisions of section 9A, military orders will apply to the employment officer in the Israel Defense Force;

(2) Notwithstanding the provisions of section 9B, only soldiers serving in active duty pursuant to an undertaking to permanent duty not in a combat position or combat support position will be taken into account among the number of employees, and in this regard, such soldiers will be regarded as employees, even if an employment relationship is not satisfied in their regard;

(3) Notwithstanding the provisions of section 9B, with respect to the definition of "employee" or "candidate" with a significant disability, accommodations will be determined according to military orders as defined in the Military Justice Law, 5715-1955 (in this section - "military orders"), on the basis of the data in the army's possession;

(4) Notwithstanding the provisions of section 9C(a), the Israel Defense Force will report to the Labor, Welfare and Health Committee of the Knesset by July 1 of each year on the degree of compliance with the representation target, on the annual plan it prepared for the advancement of representation of persons with a significant disability among soldiers on permanent duty, and on the measures it had taken to implement the plan.

(c) The provisions of sections 9D, 15A and 15B will not apply to the Israel Defense Force with respect to soldiers serving therein.

9F. Orders with Respect to a Large Public Employer

(a) The Minister of Economy and Industry may, by order, modify Schedule Four, provided however that he only adds conditions with respect to populations regarding which there is difficulty in integrating them in the job market.

(b) The Minister of Economy and Industry may prescribe by order with respect to a large public employer or a specific workplace therein or with respect to categories of workplaces therein, that with respect to section 9B(b), employees in specific positions to be determined will not be included due to the character and nature of the position.

9G. Duty of Confidentiality

No person will disclose information that reached him in consequence of performance of acts pursuant to the provisions of section 9D and no person will make any use of such information, except in the implementation of the provisions of such section.

10. Protection of a Complainant

(a) An employer shall not harm an employee in the matters specified in section 8 because of a complaint or claim of an employee in respect of the provisions of this chapter, or because he assisted another employee in connection with a complaint or claim under this chapter.

(b) In a criminal or civil case for breach of subsection (a), it shall be a valid defense if the employer acted in response to a false complaint or assistance in respect of a false complaint made maliciously and with the knowledge that the complaint was a false complaint.

11. Advertisements of Job Offers

(a) An employer or a person requiring a worker shall not publish an advertisement regarding a job offer or a referral for professional training which is discriminatory under the provisions of section 8.

(b) The provisions of this section shall not apply to the publication of an advertisement regarding a job offer or referral for professional training to which section 8(c) applies.

12. Right of Action

Actions regarding breach of the provisions of this Chapter may be filed by the following -

- (1) an employee;
- (2) a representative employees' organization at the same workplace, and where there is no such organization, the employees' organization to which the employee belongs;
- (3) an organization engaged in the advancement of the rights of persons with disabilities, provided however that the employee agreed to this;
- (4) the Commission, either in its name or on behalf of a specific person, provided however that if the cause of action is discrimination or violation of a right of a specific person – such person agreed to this

13. Application of Provisions of the Equality of Opportunities in Employment Law

(a) The provisions of sections 5, 9(a) and (c), 11, 13, 14, 16, 17, 18 and 21 (a) to (c) of the Equality of Opportunities in Employment Law, 5748-1988 shall apply, mutatis mutandis, to the provisions of this chapter.

(b) The provisions of section 9(c) of the Equality of Opportunities in Employment Law, 5748-1988, as they are applied in subsection (a), and the provisions of sections 15(d) of this Law, shall not apply to a defendant in either a civil or a criminal matter, as the case

may be, should the information be required as stated in those sections for one of the following purposes:

- (1) to comply with the provision of any Law concerning accommodations as defined in section 8(e), for people with disabilities, or concerning suitable representation or affirmative action for people with disabilities;
- (2) to act in accordance with a plan to promote equality in employment, which an employer is implementing, or that a government ministry has approved, or that it is funding in whole or in part, which includes provisions regarding accommodations as stated in paragraph (1) or affirmative action in hiring or promotion at work for people with disabilities.

14. Jurisdiction and remedies

The Labor Court shall have exclusive jurisdiction to hear a civil proceeding for breach of the provisions of this chapter and it may act as follows:

- (1) award damages, even where no pecuniary damage has been incurred, at a the rate it deems fit in the circumstances;
- (2) grant a prohibitory injunction or mandatory injunction, if it considers that an award of damages alone is not just; when granting an order under this section, the Court shall take into account, inter alia, the influence of the order on labor relations at the workplace and the possibility of another employee being harmed. The provisions of this paragraph shall be in force despite the provisions of section 3(2) of the Contracts (Remedies for Breach of Contract) Law, 5730-1970.

15. Penalties

(a) Those acting in contravention of the provisions of sections 8, 10 and 11 shall be liable to twice the fine set in section 61(a)(1) of the Penal Law, 5737-1977.

(b) No person shall be criminally liable for an offense under section 11, other than the employer or the person seeking a worker.

(c) The provisions of this section shall not apply to non-performance of accommodations, as defined in section 8(h).

(d) In a criminal proceeding concerning the contravention of the provisions of section 8, it will be presumed that the defendant has contravened the provisions of said section, if he demanded, directly or indirectly, from an employee or a person seeking employment, information about his disability, unless the defendant proves otherwise.

15A. Liability of Responsible Employee in a Large Public Employer

(a) In this section, "responsible employee" - an active manager at a large public employer, a person responsible on behalf of a large public employer for management of manpower, the superiors of the active manager or of such person, and their superiors.

(b) A responsible employee must supervise and do everything possible to ensure that the large public employer publishes an annual plan pursuant to the provisions under section 9C.

(c) If a large public employer fails to publish an annual plan that it was obligated to publish, there is a presumption that the responsible employee was in breach of his obligation in subsection (b), unless it is proved that he did everything possible to carry out his obligation.

15B. Transmission of Information Order and Suitable Representation Order

(a) The Commissioner, or an employee of the Commission who has been authorized for the purpose of this section, may instruct an employer by order to transmit data with respect to the existence of any of his obligations under this Chapter, within the period of time instructed in the order (in this section - a "transmission of information order"); the provisions of section 19 QQ(1) will apply to service of a transmission of information order.

(b) The Commissioner or a public employee who is authorized for the purpose of this section, may instruct by order any of the persons enumerated below, to take measures he will specify for the advancement of employment of persons with disabilities (hereinafter referred to in this section as a "suitable representation order"):

(1) to a public body who is an employer, as defined in section 9(d), who did not appoint an employment officer under section 9A;

(2) a large public employer that was obligated, under a notice submitted as stated in section 9D(d), to publish an annual plan pursuant to the provisions under section 9C and failed to publish such plan or fails to implement such plan that was published.

(c) The provisions of section 19 QQ(c) and (e) to (g) will apply to a suitable representation order, *mutatis mutandis*.

(d) The power to grant a transmission of information order or suitable representation order does not derogate from the power under the provisions of any law, including power under the Discharged Soldiers' (Reinstatement in Employment) Law, 5709-1949.

(e) A person in breach of a transmission of information order or suitable representation order shall be liable to a fine as stated in section 61(a)(3) of the Penal Law, 5737-1977 and an additional fine at a rate of 5% of the aforesaid fine, for each day the offense continues beyond the period of time prescribed in the order.

(f) The provisions of sections 19 SS and 19 WW will apply with respect to offenses under this section, *mutatis mutandis*.

16. Programs

(a) The Minister of Labor and Social Welfare shall initiate, develop and prepare programs in respect of the following matters:

(1) employment and rehabilitation of people with disabilities, with priority to their integration into regular workplaces;

(2) establishment of an employment assessment system and an appropriate vocational system to ensure the integration of people with disabilities into the employment pool;

(3) providing counseling and vocational training to employers and employees in respect of integration of people with disabilities into the employment pool.

(b) The Minister of Labor and Social Welfare shall, once a year, submit a report on such programs referred to in subsection (a), to the Labor and Social Welfare Committee of the Knesset.

17. Implementation and Regulations

(a) The Minister of Labor and Social Welfare is charged with the implementation of the provisions of this chapter and he may enact Regulations in all matters relating to the implementation of this chapter, including in respect of the nature of the accommodations required under the provisions of this chapter.

(b) The Minister of Labor and Social Welfare and the Minister of Finance shall prescribe Regulations regarding contributions to funding the implementation of accommodations, as defined in section 8(e).

(c) The Minister of Labor and Social Welfare, in consultation with the Minister of the Interior, shall make Regulations regarding the provision of priority to people with disabilities when granting parking spaces at workplaces.

(d) (1) Regulations under this Chapter and orders under section 9F will be enacted upon consultation with the Commission and with organizations engaged in the advancement of rights of persons with disabilities pursuant to the basic principles of this Law and with the approval of the Labor and Welfare Committee of the Knesset.

(2) Regulations under subsections (b) and (c) will be enacted upon consultation with representative employee organizations that are, in the opinion of the Minister of Labor and Social Affairs, concerned parties, and with employer organizations that are, in the opinion of the Minister of Labor and Social Affairs, representative and concerned parties.

(e) Regulations under this chapter shall be submitted for the approval of the Labor and Social Welfare Committee of the Knesset within one year of the date of publication of this Law.

18. Temporary Provision

(Repealed)

Chapter E: Public Transportation Services

19. Public Transportation Services

(a) A person with disabilities is entitled to public transportation services which are accessible and suited for his use, at a reasonable frequency, including the possibility of access to stations and ports within which public transportation services operate. In this section "public transportation services" means buses on municipal routes, trains, air transportation and boats intended for the public.

(b) An operator of public transportation services and the local authority shall regulate accessibility as stated in subsection (a), each in his area of responsibility.

(c) The Minister of Transport and the Minister of Finance, in consultation with the Ministers involved in the matter, the Commission, representatives of operators of public transportation and organizations engaged in the advancement of the rights of people with disabilities, in accordance with the basic principles of this Law and with the approval of the Labor, Welfare and Health Committee of the Knesset, shall make Regulations to regulate accessibility of public transportation services, including the modes and dates for their regulation. Regulations pertaining to public transportation shall be submitted for the approval of the Labor, Welfare and Health Committee of the Knesset within one year of the date of publication of this Law.

(c1) In addition to the aforesaid in subsections (a) to (c), the Minister of Transport in consultation with the Commission and organizations engaged in the advancement of the rights of people with disabilities, in accordance with the basic principles of this Law and with the approval of the Labor, Welfare and Health Committee of the Knesset, shall make Regulations pertaining to –

(1) the rate of reduction in fees to be granted the holder of a taxicab operating license, who shall operate a taxicab accommodated to transport people with disabilities, including terms and rules concerning provision of the reduction and different rates of reduction taking into consideration the types of accommodations installed in the taxicab, or the size of the population of people with disabilities the taxicab is expected to serve;

(2) the obligation to carry out accessibility accommodations for people with sensory disabilities on intercity buses according to terms and rules to be determined.

(c2) The first regulations under subsection (c1) shall be submitted for the approval of the Labor, Welfare and Health Committee no later than the 3rd of Iyar 5766 (1 May 2006)

(d) Those acting in contravention of the provisions promulgated under this section shall be liable to a fine as stated in section 61(a)(3) of the Penal Law, 5737-1977.

Chapter E1: Public Places and Public Services [\[1\]](#)

Article A: Basic Principles and Definitions

19A. Definitions

In this Chapter -

"Auxiliary Means and Auxiliary Services" – including,

- (1) Sign language interpreters or devices adapted for hearing impaired persons including subtitling, signs, real time captioning or use of amplifying devices;
- (2) Announcers, recorded texts or devices designed for vision impaired persons or persons with learning disabilities including Braille, raised lettering, or enlarged print;
- (3) Communication board or any alternative communication devices; accommodation of procedures, training, guidance and information in a language understood by a person with intellectual or mental disability or to an autistic person, with the staff on hand;
- (4) Any device and additional service that the Minister of Justice has prescribed by Order;
- (5) Any additional aid or service determined by order of the Minister of Justice.

"Building" – as defined in Section 1 of the Planning and Building Law;

"License Holder", **"Bezeq Facility"**, **"Bezeq Service"** – as defined in the Communication (Bezeq and Broadcasting) Law, 5742-1982;

"Committee" – The Labor, Welfare and Health Committee of the Knesset;

"Accessibility Provisions Under the Planning and Building Law" – the provisions under each of these:

- (1) Section 158a of the Planning and Building Law;
- (2) Chapter E(1)a of the Planning and Building Law;
- (3) Regarding an educational institution and/or preschool within the meaning of Article 7, that a permit to build or use was issued after the Regulations enacted by the Minister of the Interior under Section 158F1(g) of the Planning and Building Law came into force – also Chapter E(1) of the said law.

"Planning and Building Law" - Planning and Building Law, 5725-1965;

"Licensed Buildings, Infrastructure and Environment Accessibility Expert",

"Licensed Service Accessibility Expert" – within the meaning of Article 11;

"Accessibility" – the ability to reach, to be mobile and to be oriented in a place, to use and to enjoy service, to receive information that is given or produced in a place or a service or in connection with them, to use given facilities and to participate in programs and activities that take place there, and all of these in an equal, dignified, independent and safe manner.

"Accessibility Accommodation" – Accommodation that should be performed in order to achieve accessibility;

"Undue Burden" – within the meaning of Section 19M(a)(2);

"Public Authority" – any of these:

- (1) Public body listed in paragraph (1) to (5), (7), (9) and (10) in the definition "Public Body" in Section 5;
- (2) Body that gives state health services as defined in Section 19O;
- (3) Official educational institution within the meaning of Section 19FF;
- (4) Public institution in which the State's contribution is above 30% of its operating budget in the last five years, on average;
- (5) A body determined in an order by the Minister of Finance and approved by the Committee.

"Israeli Standard" – An Israeli standard within the meaning of the Law of Israel Standards, 5713-1953.

19B. The Right to Accessibility – a Basic Principle

A person with a disability is entitled to accessibility within a public place and a public service.

19C. Prohibition of Discrimination

It is prohibited to discriminate against a person with disabilities and it is prohibited to infringe upon his rights to accessibility, all in accordance with the provisions of this Chapter.

19D. Place, Service and Product for Non-Profit Purposes

Obligations that apply to a public place, a public service and a product under this Chapter will be enforced whether the public place, the public service or the product are for profit or non-profit, or whether a payment was collected or not. This Chapter will be enforced in matters concerning the supplying of the product or the receiving of the public service, the operation of the public service, and the entrance to a public place or the receiving of a service in a public place.

Article B: Prohibition of Discrimination in Public Services, Public Places and Products

19E. Definitions Regarding Prohibition of Discrimination

In this Article -

"Someone Engaged in the Business of" – includes an owner, holder or manager of a business and/or the person responsible for providing the public service, operating the public service or the entry to it, or of supplying the product;

"Public Place" – one of these:

- (1) A place, including a place from the places listed in schedule 1, or part of, that is available for use to the public or an undefined part of it;
- (2) A place or part of it in which a public service is provided;

"Public Service" – one of these:

- (1) A service, including a service from the services listed in schedule 2, and intended for the general public or an undefined part of it;
- (2) A service provided by a public body;
- (3) A service provided in a public place.

19F. Prohibition of Discrimination in a Public Place and in a Public Service

(a) Anyone who is in the business of providing a public service, operating a public place or supplying a product, shall not discriminate against a person with a disability according to each of these criterion:

- (1) A provider shall not refuse -
- (a) To enable access to a public place or part of it;
 - (b) To provide a public service;
 - (c) To supply a product;
 - (d) To enable the use of a public service or the enjoyment from a public service;
- (2) A provider shall not set any condition(s) unrelated to the matter that prevent or restrict, directly or indirectly, the use of a public service or a public place or the enjoyment from a public service, a public place or the supply of a product;
- (3) A provider shall not provide a public service and shall not supply a product under circumstances inferior to the circumstances generally provided.

(b) A place or a service which is not available for use by the entire public or an unspecified part of it, due to legal restriction of the use of it will not be considered prohibited discrimination as stated in this Section.

(c) It shall not be considered discrimination under this Section in situations where the nature or essence of the public place or the public service requires it.

(d) This article does not oblige the implementation of accessibility accommodations.

Article C: Public Places – Accessibility

19G. What Constitutes a Public Place

In this Article and in Article E –

"Public Place" – one of these:

- (1) A place or part of a place, listed in Schedule 1, that is available for the use the entire public or undefined part of it;
- (2) A place where a public service is provided as defined in Section 19J;

"Existing building" – a public place that is a building, including part of a building and its outside areas, the permit for whose construction or use as a public place was issued before 11th Av, 5769 (August 1, 2009);

"Existing Public Place" – One of the following:

- (1) A public place which is a building, that the permit to construct or to use as a public place, was issued before the entering into force of Regulations that the Minister of the Interior shall promulgate pursuant to section 158F1 of the Planning and Building Law;
- (2) A certain public place, which existed and served as such a place before the entering into force of Regulations that the Minister of Justice shall promulgate pursuant to section 19I (in this Article – the Effective Date).

19H. Accessibility to a Public Place

(a) A public place shall be accessible to people with disabilities, under the provisions of this Article or under the accessibility provisions of the Planning and Building Law, as applicable.

(b) A person responsible for a public place under Subsection (c) shall implement accessibility accommodations for persons with disabilities under this Article, or under the accessibility provisions of the Planning and Building Law, as applicable, and shall ensure proper maintenance of these accommodations.

(c) The accessibility duty for the purposes of a public place under this Section -

- (1) Regarding accessibility accommodations that require a permit within the meaning of Section 145(a) of the Planning and Building Law shall apply to the owner; if a public place was leased and the Tenant Protection [Combined Version] Law, 5732-1972 (in this

Section Tenant Protection Law) applies on this lease, then the tenant shall pay the landlord half of the implementation expenses of the accessibility accommodations. The Minister of Construction and Housing, with the approval of the Government and the Committee, may set different contribution rates within a year from the day this Law was published; in this Section "**tenant**", "**landlord**" – as defined in Tenant Protection Law;

(2) Regarding accessibility accommodations that do not require a building permit as stated in Paragraph (1), the accessibility duty shall apply to the owner; however, if the place is held or operated by someone who is not the owner – the accessibility duty shall apply to the holder or to the operator of the public place.

(d) Notwithstanding any law or agreement, the holder, the operator or the owner of the public place, as applicable, must allow the person that has a legal obligation, in accordance with the provisions under this Article, to implement accessibility accommodations in the public place.

(e) (1) A person shall not operate a public place unless accessibility accommodations were implemented in this place in accordance with the provisions of this Chapter or Chapter E1A of the Planning and Building Law;

(2) Notwithstanding any law, if the owner did not implement the accessibility accommodations under this Chapter or under Chapter E1A of the Planning and Building Law, the lessee may cancel the lease and shall not be considered in breach of contract and not be liable for compensation due to cancellation.

(f) In this Section -

"**Owner**" – the owner, and if there is a Long Term Lessee, the Long Term Lessee, excluding the tenant;

"**Long Term Lessee**" – a lessee within the meaning of the Land Law, 5729-1969, including a licensee, with either single period authorization or ongoing authorization, for a period longer than 25 years.

19I. Accessibility Regulations Regarding a Public Place

(a) Regarding existing public places and public places that are not buildings that were constructed after the effective date, the Minister of Justice shall set provisions regarding the necessary accessibility accommodations, given the Israeli Standard, either generally or for types of places, in order to enable reasonable accessibility to a person with disabilities; Regulations under this paragraph shall include, inter alia, provisions concerning -

(1) Access to intersections, sidewalks, bridges, tunnels and other passages within the public domain including access to passages from parking spaces as aforementioned in Section (2);

(2) Parking space allocation for persons with disabilities, or the total existing or planned parking spots, as applicable, in the public place area.

(b) The Minister may establish, in the Regulations under Subsection (a) a full or partial exemption from the accessibility accommodations that were set by him including reduced requirements for all or part of the different types of existing predetermined public places, if one of the following applies:

(1) The exemption or the reduction of requirements is necessary in order to prevent a substantial damage to the special character of the place, including its uniqueness, due to values such as archeology, architecture or nature.

(2) The implementation of accessibility accommodation would constitute an undue burden.

(c) In the Regulations under this Section -

(1) Provisions regarding gradual application of the accessibility provisions as set out in said Regulations, insofar as they apply to a public authority, shall be established for a

period that shall not exceed 12 years from the effective date; however, regarding a public authority stated in Column A of Schedule 3, provisions shall be established regarding gradual application as aforesaid, until the date stated in Column B of Schedule 3, upon which the accessibility duty shall apply fully with regard to that public authority;

(2) It is possible to establish provisions regarding gradual application of the accessibility provisions, as aforesaid in the Regulations, as they apply to a non-public authority, for a period that shall not exceed eleven years from the effective date;

Provisions as aforementioned in Paragraphs (1) and (2) shall be established to consider, inter alia, each of the following:

(1) The type or nature of the place requiring accessibility;

(2) The kind or nature of the service provided in the public place requiring accessibility;

(3) The scope of places or services requiring accessibility by this body;

(4) The types of accessibility accommodations.

If gradual application has not been determined, the accessibility duty shall fully apply, no later than the 23rd of Cheshvan 5779 (Nov. 1st, 2018) regarding a public authority, except a public authority stated in Column A of Schedule 3, and regarding such a public authority – no later than the date stated in Column B of Schedule 3 with regard to that public authority, and no later than the 12th of Cheshvan 5778 (Nov. 1st, 2017) regarding a non-public authority; in this subsection - "**effective date**" – either the day the first Regulations under this Section will be published, or on the 10th of Cheshvan 5767 (Nov. 1st, 2006), whichever is earliest.

(c1) The Minister of Justice may, with the approval of the Committee, add by Order, a public authority to Column A of Schedule 3 and in Column B beside it – the date upon which the accessibility duty shall apply in full with regard to said public authority, provided such date shall be no later than the 26th of Cheshvan 5782 (Nov. 1st, 2021) and that such an Order shall be submitted for the approval of the Committee by the 24th of Cheshvan 5771 (Nov. 1st, 2010).

(c2) (1) The Minister of Justice may, with the approval of the Committee, add by order, a public authority to Column A of Schedule Three A and in Columns B and C beside it – the number of existing buildings to be made accessible and the date for completion of implementation of the accessibility accommodations required in such buildings under the provisions of this Article, with respect to the public authority in question, provided however that the date on which the accessibility obligation will be fully applicable will not be later than 26th Cheshvan, 5782 (November 1, 2021) and such order will be presented for the approval of the Committee by 17th Tammuz, 5778 (June 30, 2018).

(2) An order as stated in paragraph (1) will include details of all existing buildings of the public authority in question with respect to an obligation applies to implement accessibility accommodations under the provisions of this Article, including buildings that the accessibility obligation with respect to them has been fully completed; such details with respect to any building will include the name of the building, its address – unless the disclosure of the address is prohibited under the provisions of any law, the methods of accessibility and the accessibility accommodations implemented therein or it is necessary to implement therein, and the date for their implementation; likewise, the order will include details of alternative accessibility accommodations for temporary accessibility of any building with respect to which the accessibility obligation has not yet been completed, for the period until completion of such obligation.

(c3) Notwithstanding the provisions of subsection (c), a public authority enumerated in item 1 of Column A of Schedule Three A will complete the implementation of the accessibility accommodations required in existing buildings pursuant to the provisions under this Article with respect to several buildings as set forth in Column B beside it, until the dates as set forth in Column C beside it; the accessibility obligation will fully apply with respect to such public authority regarding existing buildings on 3rd Tevet, 5780 (December 31, 2019).

(c4) The Minister of Justice may, with the approval of the Committee, extend by order, the date on which the accessibility obligation fully applies with respect to a public authority as set forth in subsection (C3) until 16th Tevet 5781 (December 31, 2020); such an order will include all the details that must be included in an order under subsection (C2)(2).

(d) Regarding public places that are not buildings and that will be constructed as public places after the aforesaid effective date, the Minister of Justice shall pass the authority to the Minister of the Interior under Section 158F1(d)(2) of the Planning and Building Law to establish provisions regarding exemption, full or partial, or reduced requirements.

(e) Exemption or reduced requirements about undue burden, set under Subsection (b)(2) and (d) shall not apply to -

(1) A public place that a public authority is responsible for under this Article;

(2) A legal obligation under the Planning and Building Law before the regulations under Subsection (a) came into force.

(f) Regulation under this Section shall be enacted after a consultation with the Commissioner and organizations that promote the rights of persons with disabilities, and according to the basic principles and purposes of this Law and with the approval of the Committee.

(g) The Minister of Justice may add in an order a place to the list of public places in Schedule 1.

(h) Regulations under this Section that apply to a local authority shall be promulgated with the consent of the Minister of the Interior.

(i) This Section shall not apply to a public place to which Article F, Article G, or Article I apply.

(j) The first Regulations under Subsection (a) shall be submitted for the Committee's approval no later than 3rd of Iyar 5766 (May 1st, 2006) and shall be approved by the Committee by 10th of Cheshvan 5767 (Nov. 1st, 2006).

(k) (1) Notwithstanding the provisions of this section, a body enumerated in paragraph (1) or (4) of the definition "public body" will not be obligated to implement the accessibility accommodations required pursuant to the provisions under this Article in an existing building to be vacated by 19th Tevet 5784 (December 31, 2023);

(2) the Accountant General at the Ministry of Finance will submit to the Committee and publish in Reshumot a list with details of all existing buildings to be vacated as stated in paragraph (1), and also any modification to the aforesaid list; the first such list will be submitted and published by 3rd Tevet, 5780 (December 31, 2019);

(3) the details in the list as stated in paragraph (2) will include, with respect to any building, the name and address of the building, the date of vacating the building and the address or building it is moving to, unless the disclosure of the addresses is prohibited under the provisions of any law; likewise the list will include details of alternative accessibility accommodations to be determined after consultation with the Commission, for temporary accessibility of any building to be vacated as aforesaid, in the period up to completion of vacating the building;

(4) the Accountant General at the Ministry of Finance will submit to the Committee, together with the list as stated in paragraph (2), a copy of any agreement concerning the transfer of activity being performed in an existing building or a copy of the permit for construction of a new building in place of the existing building, if any.

Article D: Public Service – Accessibility

19J. What Constitutes a Public Service

In this Article and Article E -

"Public Service" – one of these:

- (1) A service provided to the public or an undefined part of it by a public body or a public place as defined in Article C,
- (2) A service from the services listed in Schedule 2 and is intended for the entire public or for an undefined part of it;

19K. Accessibility in a Public Service

(a) A public service will be accessible to persons with disabilities, in accordance with the provisions under this article.

(b) A person who is responsible for providing public service shall implement the accessibility accommodations for persons with disabilities under this article.

19L. Accessibility Regulations Regarding a Public Service

(a) Regarding public services, the Minister of Justice shall establish provisions about the required accessibility accommodations, either in general or for types of public services, in order to enable a person with a disability to obtain reasonable accessibility; regulations under this action will include, inter alia, provisions about accessibility of information produced in the scope of public service, and about the installation of auxiliary means and the supply of auxiliary services.

(b) In the regulations under subsection (a) the Minister of Justice may determine an exemption, full or partial, from the accessibility accommodations that he set including reduced requirements regarding types of public services, total or partial, if one of these applies:

- (1) The exemption or the reduced requirements is necessary in order to prevent a substantial damage in the special nature of the public service;
- (2) The implementation of the accessibility accommodations in the service will constitute an undue burden.

(c) In regulations under this Section –

(1) Provisions will be established regarding gradual application of the accessibility provisions in the aforementioned regulations as far as they apply to a public authority, to a period that shall not exceed 12 years from the effective date;

(2) It is possible to establish provisions regarding gradual application of the accessibility provisions in the aforementioned regulations as far as they apply to a non-public authority, for a period that shall not exceed 11 years from the effective date;

The provisions referred to in paragraphs (1) and (2) shall be determined in consideration of any of the following, inter alia:

- (1) The type and the nature of the service that requires accessibility;
- (2) The scope of the places or services requiring accessibility by that body;
- (3) Types of accessibility accommodations.

If gradual application has not been set out, the accessibility duty shall be fully applied no later than 23rd of Cheshvan 5779 (Nov. 1st, 2018) for a public authority, and no later than 12th of Cheshvan 5778 (Nov. 1st, 2017) regarding a non-public authority; in this subsection **"effective date"** – the day the first regulations under this Section were published or the 10th of Cheshvan 5767 (Nov. 1st, 2006), whichever is earliest.

(d) (1) A license holder will implement accessibility accommodations to persons with disabilities for Bezeq services and Bezeq facilities under this article;

(2) Notwithstanding subsection (a), regarding Bezeq services and Bezeq facilities, the Minister of Communications shall establish provisions concerning the accessibility accommodations required to enable people with disabilities reasonable accessibility to

the aforementioned services and facilities; for this purpose the Minister of Communications shall have the jurisdiction passed to the Minister of Justice under subsection (b); the accommodations previously stated may be established according to the types of Bezeq services and may be established also according to Bezeq facilities.

(e) (1) A person who is in the business of personal car rental, that owns or holds at least 100 vehicles shall hold at least two vehicles modified for driving by a person with disabilities, and at least two additional vehicles, modified to drive a person with disabilities;

(2) A person who is in the business of renting buses or other motor vehicles shall make available for rent vehicles that are accessible for persons with disabilities for a price identical to a price of a vehicle that is not accessible as aforementioned.

(3) The Minister of Transport shall enact regulations to regulate the accessibility under the provisions of this subsection.

(f) The provisions of subsections (b) (2) and (d) about undue burden shall not apply to public service provided by a public authority.

(g) Regulations under this section shall be enacted after consultation with the Commission and organizations that promote the rights of persons with disabilities, and regarding Bezeq services also with license holders related to the matter, according to the basic principles and purposes of this law, and considering the provisions of Israeli standard and the approval of the Committee.

(h) If the service is within the responsibility of another minister, the Minister of Justice shall enact regulations as aforementioned, after consultation with the same minister, as applicable.

(i) The Minister of Justice may add in an order a service to the list of public services in Schedule 2.

(j) This Section shall not apply to a public service to which Article (f), Article (g) or Article (i) apply.

(k) The first regulation under subsection (a), (d) and (e) shall be submitted for the Committee's approval no later than 3rd Iyar 5766 (May 1, 2006) and shall be approved by the Committee by 10th of Cheshvan 5767 (November 1, 2006).

Article E: Restrictions on the Accessibility Duty

19M. Specific Exemption from Implementing Accessibility Accommodations

(a) A person who is obliged to implement accessibility accommodations under the provisions of this Chapter in an existing public place or in a public service shall be exempt subject to the provisions of this Chapter, from the implementation of a specific accessibility accommodation, if one of these applies:

(1) The accessibility accommodation is impossible to implement due to engineering circumstances and a Licensed Buildings, Infrastructure and Environment Accessibility Expert has confirmed this;

(2) The accessibility accommodation puts an undue burden considering, inter alia, each of the following as applicable –

(a) The type of service or the place;

(b) The scope of the activity, including the range of population that requires the service or the place;

(c) The nature of the accessibility accommodation and the cost of the accessibility accommodation;

- (d) The existence of external and public financial resources to implement the accessibility accommodations;
- (e) The existence of alternatives to the service or place, provided by the same factor, nearby and that they are accessible under this Chapter;
- (f) The range of the revenue turnover or rate of profit of the person obligated to implementing the accessibility accommodations under this Chapter;
- (3) The accessibility accommodation substantially damages the special character of the place due to values such as history, archaeology, architecture or nature;
- (4) The accessibility accommodation requires a fundamental change in the nature of the existing public place or of the public service.

(b) A person who is obliged to implement accessibility accommodations under the provisions of this Chapter, in a public place that is not a building and constructed as such a place after the Regulations under Section 19I (a) enter into force, is exempt from installation of an elevator or from implementing a different accessibility accommodation of high cost determined by the Minister of Justice, with the approval of the Committee, if the Commissioner determined that the accommodation will impose an undue burden upon him under Subsection (a)(2), Paragraph (e) excluded.

(c) A person who is obliged to implement accessibility accommodations under the provisions of this Chapter, in an existing public place or a public service, can be exempt from implementing a specific accessibility accommodation if the Commissioner determined that the implementation of the accommodation may cause the person obliged to implement the aforementioned accommodation, to collapse financially.

19M1. Specific Exemptions - Specific Provisions

- (a) The provisions of Section 19M(a)(2), (b) and (c) shall not apply to -
 - (1) A public place, operated or held by a public authority;
 - (2) Public service provided by a public authority;
 - (3) A legal obligation under the Planning and Building Law, before the Regulations under Subsection 19I(a) came in force.
 - (4) A accommodation in a public place or a public service if the person obliged to its implementation did not act bona fide.

(b) Notwithstanding Subsection (a) the Commissioner may grant a public authority an exemption from implementing a specific accessibility accommodation for the public place that it operates or holds or for a public service that it provides, due to an unreasonable fiscal-economical burden; however, the Commissioner shall not grant the aforementioned exemption to any of these:

- (1) A public body listed in Paragraph (1) to (4), (9) and (10) in the definition "Public Body" of Section 5;
- (2) A formal educational institution within the meaning of Section 19FF and educational service provided by it;
- (3) A public place at which a National Health Service is provided as defined in Section 19O;
- (4) Bank of Israel, Yad Vashem, Magen David Adom, National Insurance Institute, The Standards Institution of Israel, Israel Postal Company, Israel Airports Authority, The Israeli Public Broadcasting Corporation, The Second Authority for Television & Radio, and the Israeli Employment Service.

19N. Alternative Accessibility Accommodations

A person who is responsible for a public place or a person who is in the business of providing public service as applicable has proven that a provision from the provisions of Section 19M (a), (b) or (c), 19CC1 (3), or 19EE (c) or provisions under Sections 19I (b) (2), 19I (d), 19L (b) (2), 19L (d) or 19Q (b) applies, shall implement alternative accessibility accommodations, as set forth in the regulations or were established

regarding a specific exemption under Section 19M including relocation to another place, that are reasonable under the circumstances.

19N1. Exemption by the Commissioner

The Commissioner may determine a full or partial exemption from implementing a specific accessibility accommodation in accordance to Section 19M and also impose an obligation to carry out alternative accessibility accommodations that are reasonable under the circumstances, as aforesaid in this Article.

Article F: Health Service and a Public Place at which a Health Service is Provided – Accessibility

19O. Definitions

In this Article –

"Health Insurance Law" – National Health Insurance Law, 5754-1994;

"Service Providers" – Within the meaning of Section 21 of the Health Insurance Law;

"Health Maintenance Organization" – As defined in Section 2 of the Health Insurance Law;

"National Health Service" – Health service provided under Health Insurance Law.

19P. Health Accessibility

A health service and a place at which a health service is provided shall be accessible in accordance with the provisions of Sections 19H and 19K.

19Q. Accessibility Regulations regarding Health Services and a Place at which a Health Service is Provided

(a) The Minister of Health shall establish provisions concerning the required accessibility accommodations, whether in general or for types, in order to enable a person with disabilities to have reasonable access to health services and to existing public places, as defined in Section 19G, at which health services are provided.

(b) In regulations under subsection (a) the Minister may determine a full or partial exemption from the set accessibility accommodations including reduced requirements about each of the listed in paragraphs (1) and (2), if the implementing of the accessibility accommodation becomes an undue burden –

(1) A type of health service that is not a national health service, all or part of it;

(2) A type of public place at which a service is provided as aforementioned, all or part of it.

19R. Undue burden – Non-Applicability of Exemption

The provisions of Section 19M (a) (2) shall not apply to a public place at which a national health service is provided or to a national health service.

19S. Plan for Achieving Accessibility and Accommodation

Every hospital and every Health Maintenance Organization and any other major health services provider determined by the Minister of Health under Section 19Z (in this Article – Major Service Providers), shall submit a plan to the Minister of Health detailing the ways to make health services provided by them and the public places at which health services are provided, accessible, within six months of the day regulations under Section 19Q are published; the plan shall be drafted in consultation with a Licensed Service Accessibility

Expert and Licensed Buildings, Infrastructure and Environment Accessibility Expert, as applicable, and with their approval.

19T. Gradual application

(a) Accessibility provisions under this article with regard to a health service provided by a major service provider or regarding a public place at which such a health service is provided, shall be gradually implemented, over a period of eleven years starting no later than 13th of Iyar 5767 (May 1, 2007) and ending no later than 16th of Iyar 5778 (May 1st, 2018) (in this article – Interim Period) according to an order to be issued by the Minister of Health by 13th of Iyar 5767 (May 1st, 2007); the gradual application will be prescribed so as to be equally distributed over each of the eleven years and in consideration of the plans under Section 19S, if submitted; in prescribing the deployment pursuant to this Section, the Minister may take into consideration the type of service, the scope of its activity, the region in which it is provided, the type of disability and the existence of accessible alternatives in a specific region.

(b) In the interim period, the Health Maintenance Organizations shall provide the insured persons with disabilities health services that are accessible under the provision of this Chapter in public places that are accessible as aforementioned either by themselves or by means of service providers with whom they established relations, or by referring the insured to receive services through another Health Maintenance Organization.

(c) The Minister of Health may extend the interim period to a certain body that is obliged to implement the accessibility accommodations under this article for an additional period that shall not exceed two years, if the Minister realized that it could not have completed the implementation of accessibility according to the order issue under subsection (a) with appropriate efforts.

(d) If an order under subsection (a) has not been established, the accessibility duty will fully apply under this Section no later than 16th of Iyar 5778 (May 1st, 2018).

(e) Notwithstanding the provisions of subsection (d), the Minister of Health may, with the approval of the Committee, extend by order, the date on which the accessibility obligation regarding a public place will be fully applicable to a specific body obligated to implement accessibility accommodations under this Article, provided however that the aforesaid date is no later than 26th Cheshvan, 5782 (November 1, 2021) and the aforesaid order is brought for the approval of the Committee by 17th Tammuz, 5778 (June 30, 2018); such an order will include all the details to be included in an order under section 19 I(C2)(2); in this subsection, "public place" – as defined in section 19G.

19U. Consultation and Committee Approval

(a) Regulations under Section 19Q and an order under Section 19T shall be established in consultation with major service providers, organizations that represent medical professionals with the Commission and organizations that promote the rights of persons with disabilities and in consideration of the provisions of Israeli Standard, as applicable and in accordance with the basic principles and purposes of this Law;

(b) The first Regulations under Subsection (a) shall be submitted for the Committee's approval by the 3rd of Iyar 5766 (May 1st, 2006), and shall be approved by the Committee by the 10th of Cheshvan 5767 (November 1st, 2006).

19V. Reporting to the Minister

Major service providers shall submit a yearly report to the Minister of Health about making health services and places accessible and the places under their responsibility in which health services are provided, that was carried out during the previous year, in the

interim period or the extension period under Section 19T(c) as required under the provisions of this Article.

19W. Reporting to the Committee

The Minister of Health shall submit each year to the Committee a report about the progress that was carried out during the previous year of making health services and the places at which health services are provided accessible, as required under the provisions of this article.

19X. Publication

Major service providers shall publish the health services and the places under their responsibility at which health services are provided, that are accessible to persons with disabilities; The Minister of Health shall establish provisions regarding the means of publication.

19Y. Restriction

At the end of the period specified in Section 19T, a Health Maintenance Organization shall not provide a national health service, whether by itself or through service providers, unless the accessibility provisions under this Article or under Section 158F(1) of the Planning and Building Law in the health service and at the place at which the health service is provided are fulfilled reasonably as applicable.

19Z. Applicability Regarding Major Service Provider

The Minister of Health shall determine the Major Service Providers that the legal obligations under Sections 19S, 19V and 19X of this Law considering the scope of activity of the service provider and range of population that it serves.

Article G: Educational Institutions, Post-Secondary Institutions, Educational and Learning Services – Accessibility

Part A: Post-Secondary Institutions

19AA. Definitions

In this part -

"Post-Secondary Institution" -

- (1) An institution that was accredited by the Council for Higher Education according to Section 9 of The Council for Higher Education Law, 5718-1958 (in this law – the Council for Higher Education Law);
- (2) An institution that received a permit or an approval under Section 21A of the Council for Higher Education Law;
- (3) A branch or a subdivision of an institution for higher education which operates outside Israel and was granted a license by the Council for Higher Education according to Section 25C of The Council for Higher Education Law;
- (4) An institution that the degree it confers is recognized according to Section 28A of The Council for Higher Education Law;
- (5) Post-Secondary Institution for professional technical, Judaic or religious education.

19BB. Accessibility of Post-Secondary Institution

Post-Secondary Institution and Learning Services provided by these institutions, shall be accessible according to the provisions in Section 19H and 19K and according to the provisions of this Part.

19CC. Accessibility Regulations for Post-Secondary Institution

The Minister of Education, Culture and Sports (in this Law – Minister of Education) and the Minister of Industry, Trade and Labor, as applicable shall establish provisions about the required accessibility accommodations, whether in general or for types of institutions in order to enable a person with disabilities reasonable accessibility to existing public places that are post-secondary institutions, and to learning services provided by these institutions including installation of auxiliary devices and auxiliary services.

19CC1. Specific Exemption from Implementing Accessibility Accommodations

A person who is obliged to implement accessibility accommodations under this Article in an existing public place that is a Post-Secondary Institution shall be exempt from implementing a specific accessibility accommodation if the Commissioner has determined one of these:

- (1) The accessibility accommodation is cannot be carried out due to engineering circumstances, and a Licensed Buildings, Infrastructure and Environment Accessibility Expert has confirmed this;
- (2) The Accessibility accommodation substantially damages the special character of the place due to values such as history, archaeology, architecture or nature;
- (3) Regarding a Post-Secondary Institution listed in Paragraphs (3) and (5) of the definition of a Post-Secondary Institution – where the accessibility accommodation imposes an undue burden.

19DD. Plan for Achieving Accessibility and Accommodation

An owner of a Post-Secondary Institution shall submit to the Minister of Education and to the Minister of Industry, Trade and Labor, as applicable, a plan which details the ways to make the Post-Secondary Institution and the learning services provided by it accessible and modified, up to the expiration of six months after the date of publication of the Regulations under section 19 CC applying to such institution; the plan will be drafted in consultation with a Licensed Buildings, Infrastructure and Environment Accessibility Expert and a Licensed Service Accessibility Expert and with their approval.

19EE. Gradual application

(a) Accessibility provisions under this Chapter with regard to accessibility to Post-Secondary Institutions and learning services provided by them, under this Part shall be gradually implemented over a period commencing no later than 2nd Tishrei, 5769 (October 1, 2008) and terminating no later than 23rd Cheshvan, 5779 (November 1, 2018) with respect to a public authority and no later than 12th Cheshvan, 5778 (November 1, 2017) with respect to anyone not a public authority (in this Part - the "interim period"); until the expiration of 12 months after the date of publication of the Regulations under section 19 CC the Minister of Education and the Minister of Industry, Trade and Labor, as appropriate, will prescribe by order the gradual application of the aforesaid accessibility provision for institutions to which the Regulations apply, taking into account the plans under section 19 DD, if submitted; in prescribing the gradual application pursuant to this section, the Minister may take into consideration the extent of the activity of the service, the region in which it is provided, the type of disability and the existence of accessible alternatives in a specific region.

(b) By the end of the interim period, the Post-secondary Institutions shall reasonably implement accessibility accommodations, for a student with disabilities, as applicable, who is studying at the place or intends to study there, in consultation with an Licensed Service Accessibility Expert and Licensed Buildings, Infrastructure and Environment Accessibility Expert, as applicable; the Minister of Education shall publish information to the public and to the Post-secondary Institutions about the rights according to this Section and the ways to implement them.

(c) A person who is legally obliged to implement the accessibility accommodations under subsection (b) will be exempt from implementing the same accommodation in the period to 2nd of Tishrei 5769 (Oct. 1st, 2008), if the Commissioner established that the implementation of the accommodation will impose undue burden.

(d) If no order was prescribed under subsection (a), the accessibility duty under this Part will fully apply no later than 23rd Cheshvan, 5779 (November 1, 2018) with respect to a public authority and no later than 12th Cheshvan, 5778 (November 1, 2017) with respect to anyone not a public authority.

(e) Notwithstanding the provisions of subsection (d), the Minister of Health may, with the approval of the Committee, extend by order, the date on which the accessibility obligation regarding a public place will be fully applicable to a specific body obligated to implement accessibility accommodations under this Article, provided however that the aforesaid date is no later than 26th Cheshvan, 5782 (November 1, 2021) and the aforesaid order is brought for the approval of the Committee by 17th Tammuz, 5778 (June 30, 2018); such an order will include all the details to be included in an order under section 19 I(C2)(2); in this subsection, "public place" – as defined in section 19G.

19EE1. Consultation and Committee Approval

(a) Regulations under Section 19CC and an order under Section 19EE shall be established in consultation with the Council for Higher Education, with the Commission and with organizations that promote the rights of persons with disabilities and in consideration of the provisions of Israeli Standard, as applicable, and in accordance with the basic principles and purposes of this Law.

(b) The first Regulations under Subsection (a) shall be submitted for the Committee's approval by 3rd of Iyar 5766 (May 1st, 2006), and shall be approved by the Committee by 10th of Cheshvan 5767 (November 1st, 2006).

19EE2. Reporting to the Minister

Owners of Post-Secondary Institutions shall submit each year to the Minister of Education and the Minister of Industry, Trade and Labor, as applicable, a report about making institutions and the learning services provided there accessible, as it was carried out during the previous year at these institutions, in the interim period as required under the provisions of this Part.

19EE3. Reporting to the Committee

The Minister of Education and the Minister of Industry, Trade and Labor, as applicable, shall submit each year to the Committee a report about the progress of achieving accessibility according to this Part that was carried out during the previous year.

Part B: Educational Institutions and Educational Services

19FF. Definitions

In this Part -

"Compulsory Education Law" - Compulsory Education Law, 5709-1949;

"Official Educational Institution" – as defined in Compulsory Education Law;

"Educational Institution" – a formal educational institution, a recognized educational institution, an exempt educational institution and special education institution;

"Recognized Educational Institution" – as defined in Compulsory education Law including a school that operates with a license according to the Inspection of Schools Law, 5729-1969 excluding an official educational institution;

"Exempt Educational Institution" – an institution within the meaning of Section 5 of the Compulsory Education Law;

"Special Education Institution" – as defined in the Special Education Law, 5758-1998.

19GG. Educational Institutions Accessibility

Educational institutions and learning services provided by them shall be accessible according to Section 19H and 19K and subject to the provisions of this Part.

19GG1. Accessibility regulations for Educational Institutions

Regarding existing public places that are educational institutions excluding preschools, the Minister of Education shall establish provisions only about these accessibility accommodations:

- (1) The building of an elevator shaft in one main building;
- (2) The building of an accessible restroom, one for women and one for men on the ground floor of the main building.

19GG2. Plan for Making Access and Accommodation

Owners of educational institutions shall submit to the Minister of Education a plan which details the ways to make educational institutions and learning services provided by them accessible until the conclusion of six months from the day the regulations under Section 19GG1 are published; the plan shall be drafted in consultation with a Licensed Buildings, Infrastructure and Environment Accessibility Expert and Licensed Service Accessibility Expert, and with their approval.

19GG3. Gradual Application

(a) Accessibility provisions regarding accessibility of Educational Institutions and learning services provided by them, pursuant to Section 19GG1, shall be gradually implemented, over a period of 12 years starting no later than 13th of Iyar 5767 (May 1st, 2007) and ending no later than 26th of Nissan 5779 (May 1st, 2019) (in this article – **Interim Period**); by the 13th of Iyar 5767 (May 1st, 2007) the Minister of Education shall prescribe the gradual application of said accessibility provisions, by Order, so that they shall be equally deployed over each of the twelve years, taking into consideration the plans under Section 19GG2, if submitted; in prescribing the deployment pursuant to this Section, the Minister may take into consideration the extent of the activity of the service, the region in which it is provided, the type of disability and the existence of accessible alternatives in a specific region.

(b) If no Orders under Subsection (a) were prescribed, the accessibility duty shall apply in full, pursuant to this Part, no later than 26th of Nissan 5779 (May 1st, 2019).

19GG4. Consultation and Committee Approval

(a) Regulations under Section 19GG1, 19HH and an order under Section 19GG3 shall be established in consultation with the Union of Local Authorities, with the Commission and organizations that promote the rights of persons with disabilities and in consideration of the provisions of Israeli Standard, as applicable, and in accordance with the basic principles and purposes of this Law;

(b) The first Regulations under Subsection (a) shall be submitted for the Committee's approval by the 3rd of Iyar 5766 (May 1st, 2006), and shall be approved by the Committee by the 10th of Cheshvan 5767 (November 1st, 2006).

19GG5. Report to the Minister

Owners of educational institutions shall submit a yearly report to the Minister of Education about making educational institutions and the learning services provided there accessible, as was carried out during the previous year at their institutions, in the interim period as required under the provisions of this Part.

19GG6. Reporting to the Committee

The Minister of Education shall submit a yearly report to the Committee on the progress of achieving accessibility pursuant to this Part that was carried out during the previous year.

19HH. Individual Accessibility for Student and Parent

(a) A student with disabilities is entitled to accessibility to a place that is an educational institution or preschool, as applicable, and to the learning service(s) provided by the same institution; in this Section "preschool" – preschool that is an official educational institution, a preschool owned by a local educational authority or a preschool under The Special Education Law.

(b) The Minister of Education shall establish provisions about the required accessibility accommodations, either in general or for the types of institutions, in order to enable a student with disabilities reasonable accessibility as previously stated in Subsection (a); Regulations under this Section shall include provisions about the implementation of accessibility accommodations regarding each of these:

- (1) The building of an accessible elevator in one main building, excluding preschools;
- (2) The building of an accessible rest room, one for women and one for men on the ground floor of a main building.
- (3) Making the entrance of an educational institution, the pathways from the entrance to main building, between the main buildings and adjacent buildings and the pathways to the yard and the sport hall accessible, including paved roads.
- (4) Means of accessibility for persons with visual and hearing disabilities including the installation of auxiliary devices and auxiliary services;
- (5) Additional required accommodations in order to ensure the student has reasonable accessibility at the educational institution or preschool where he studies.

(c) A parent of a student, who is a person with disability, is entitled to accessibility at the educational institution or at the preschool where the student studies and the provisions of Subsection (b) shall apply, mutatis mutandis; in this Paragraph "**parent**" – including legal guardian.

(d) An educational institution and a preschool shall implement the accessibility accommodations for the student who studies there, for a child that is registered and will be studying in the educational institution and for the parent as aforesaid in Subsection (c), immediately after the date in which it was firstly known by the educational institution or the preschool, as applicable, of the student's registration there.

(e) The Minister of Education, with the approval of the Committee, shall establish provisions for the matter -

- (1) The obligation of the registrar to examine, when registering the student, the need to implement accessibility accommodations; in this Paragraph "**the registrar**" – as defined in Compulsory Education and State Schools (Pupil Registration) Regulations 5719-1959;
- (2) Dates of informing the owner of educational institution or preschool about a registration of a student and about the need to implement accessibility accommodations

and dates to implement the accessibility accommodations for the student or for the parent and all in order that the implementation of the accommodations shall come to an end before the beginning of studies of the student at the educational institution or the preschool.

19HH1. Accessibility Accommodations Implementation by Framework Tender

(a) Local authorities, either by themselves or through a public institute or a national body associated with them, shall publish a tender to choose agents, to be contacted for the implementation of the accessibility accommodations, in the educational institutions or preschool according to Section 19HH.

(b) If a local authority or another body is obliged to implement accommodations in an educational institution or preschool under this Part, and is legally obliged to do so by a tender, the authority or another body may contact the chosen bidder according to Subsection (a); has the body established contact under this Section it fulfilled its obligation under any law requiring a tender.

19HH2. Application for Building Permit

The owner of any educational institution or preschool shall file an application for a building permit to carry out the accessibility mandated in regulations under sections 19GG1 and 19HH; the application must be filed within one year from the day regulations under these sections are promulgated.

19HH3. Validity of Laws

Regulations under this Part shall add to all obligations that were in force pursuant to the Planning and Building Law, prior to the entering into force of Regulations under section 158F1 of the Planning and Building Law, and shall not detract therefrom.

Article H: Insurance Contract

19II. Insurance Contract

(a) Giving different treatment pertaining to an insurance contract (in this Article **different treatment**) shall not be considered discrimination according to this Chapter, if it is based on actuarial data, statistical data, medical information or any other information that is reliable and relevant to estimate certain insurance risk, and the treatment is reasonable in the circumstances.

(b) An insured person who paid an increased premium due to his disability not in accordance with the provision of Subsection (a) is entitled to a refund of the difference between the premium he paid and the premium he would have paid had he not been discriminated against, with the addition of linkage differentials and interest according to the Awarding of Interest and Linkage Law, 5721-1961, and this is in addition to any other remedy.

(c) If an insurance event occurred before the insured received the aforesaid refund according to Subsection (b) and the insurer did not act bona fide, the insured is entitled to increased insurance benefits in proportion, that is the proportion between the premium actually paid and the premium he would have paid had he not been discriminated against, in addition to any other remedy.

(d) If an insurance event occurred before the insured received the aforesaid refund according to Subsection (b) and the insurer acted bona fide, the insured is entitled to

insurance benefits plus the refund as previously mentioned in Subsection (b), in addition to any other remedy.

(e) If an insurer refused to insure a person with a disability contrary to the provision of this Article, and an insurance event occurred, the court may award the person compensation that shall not exceed the insurance benefits he would have been entitled to but for the refusal to insure, less the premium he would have paid but for such refusal, if all the following were satisfied:

(1) The person contacted the Commissioner of Capital Markets, Insurance and Savings, within the meaning of the Control of Financial Services (Insurance) Law, 5741-1981 (in this Article – "**Capital Markets Commissioner**") within 30 days from the day it was known to him of the refusal due to disability, provided that he contacted the Supervisor before the occurrence of the insurance event; if the Supervisor determined that the discrimination is allowed, provided that the person appealed to the court within 45 days from the day the notice of the decision was received;

(2) The person made a reasonable effort in the circumstances to insure him against the same risk with another insurer;

In this subsection –

"**refusal**" - including giving extremely different treatment, in the circumstances, in consequence of which no insurance contract was made;

"**insurance benefits rate**" – the rate of insurance benefits according to a reasonable policy in the circumstances that does not contain different treatment as mentioned in subsection (a).

(f) (1) An insured individual with a disability who received different treatment or a person with a disability whose application to be insured was rejected (in this section – **complainant**) may submit a complaint within the meaning of the Insurance Business (Control) Law, 5741-1981 to the Capital Markets Commissioner against the decision about different treatment or against the refusal to insure within the meaning of this section, and the provisions of the Insurance Business (Control) Law shall apply; if the decision about the complaint involves medical topics the Capital Markets Commissioner shall consult as needed with a medical expert that he shall appoint for this matter;

(2) If a decision by the Capital Markets Commissioner has not been received within 90 days from the day the complaint was submitted the complainant may, at the end of the aforesaid 90 days and henceforth, turn his complaint over to the decision of the Committee within the meaning of paragraph (3)(a) (in this Article - the **Complaints Committee**); if a complaint was turned over to the Complaints Committee, the Complaints Committee will notify the Capital Markets Commissioner and the Capital Markets Commissioner will no longer be authorized to hear the complaint; the Capital Markets Commissioner shall turn over the complaint to the Complaints Committee within 14 days with any material regarding it that is in his possession and the provisions of section 50(b) of the Insurance Business (Control) Law shall not apply on this matter. Nothing contained in this subsection derogates from the rights of a person with disabilities to apply to the court for breach of the provisions of this Article.

(3) (a) The Complaints Committee shall be comprised of three members and they are:

(1) a retired judge that the Minister of Justice will appoint and will serve as chair;

(2) an actuary, from the list of actuaries that specialize in the different types of insurance (in this Article – **list of actuaries**), that the Minister of Finance determined, in consultation, *inter alia*, with different sources that represent, in the opinion of the Minister of Finance, the insurance trade;

(3) an expert from the list of experts in different types of disabilities (in this Article – **list of experts**), that the Minister of Justice determined, in consultation, *inter alia*, with the Commissioner; in this paragraph, "**expert**" – includes a physician, a male or female nurse, a psychologist, or a paramedical professional, excluding an actuary.

(b) The Minister of Justice, with the approval of the Committee, shall determine all of the following:

- (1) the manner of appointing members to the Complaints Committee, taking into consideration, inter alia, the type of expertise of the actuary and the expert, and the type of disability of the complainant;
- (2) the procedures of the Complaints Committee including everything regarding the hearing of the opponents' pleadings or the submission of evidence and documents on their behalf; as long as Regulations have not been enacted or in a matter for which a provision in the Regulations was not established, the Complaints Committee shall act in a way that seems justified and most efficient under the circumstances;
- (3) the fee and reimbursement of expenses for members of the Complaints Committee.
- (4) the first Regulations under this section shall be submitted for the Committee's approval by 3rd of Iyar 5766 (May 1st, 2006);
- (4) Notice on the appointment of the chair of the Complaints Committee as well as the list of actuaries and the list of experts shall be published in Reshumot;
- (5) Appointment of a member of the Complaints Committee shall be for a period that shall not exceed 5 years;
- (6) The Complaints Committee may, as required, order the complaine to remedy the defect concerning disparate treatment or refusal to insure, that are not in accordance with the provisions of this Article; a copy of such decision shall be turned over to the Capital Markets Commissioner in order to examine the need to instruct the other insurers to remedy the defect;
- (7) The decision of the Complaints Committee will be given by majority and after having given an opportunity to the complainant, the complaine, the Commissioner and the organizations engaged in the advancement of rights of persons with disabilities to state their case;
- (8) The decision of the Complaints Committee shall be given within 90 days from the day of transfer of the complaint to it;
- (9) The decisions of the Capital Markets Commissioner's under this Article and the decisions of the Complaints Committee affecting persons with disabilities, other insured or other insurers, shall be made public;
- (10) A person who considers himself aggrieved by a decision of the Capital Markets Commissioner or by a decision of the Complaints Committee may appeal to the District Court within 45 days from the day that the notice of the decision was received.
- (11) The submission of an appeal shall not delay the implementation of the decision being appealed unless the court ordered a stay of implementation of the decision.

(g) (1) If an insurer decided to give the insured different treatment or if the insurer refused to insure a person, the insurer will give the person a written, reasoned notification with the data base summary, if the insurer based his decision on them, and a summary of the information on which he based his decision as well; notwithstanding the foregoing, the insurer may give the reasons of his decision and the information and data summary to the person or to the insured as above through the insurer's physician; the insurer's physician may, with approval of the Ethics Committee, withhold the said reasons and information or a part thereof if the information or the reasons might cause serious damage to his physical or mental health, or endanger his life; in this Section, "**Ethics Committee**" – as defined in the Patient Rights Law, 5756-1996.

(2) If an insurer refused to insure a person or decided to give different treatment to an insured person, the insurer shall notify him about his options either to file a complaint with the Insurance Commissioner and the Complaints Committee as specified in this Section, or to file a court claim, and also about the provisions concerning the burden of proof; the information set out in this Paragraph shall be provided in the form determined by the Minister of Justice, should he so determine.

(3) An insurer's notice under this Subsection shall be delivered within 90 days from the date of delivering an offer to enter an insurance contract or to change an insurance contract, as applicable; the Insurance Commissioner may extend the delivery date to periods that shall not exceed the sum of 60 additional days, for special grounds that shall be given to the insured; had the insurer acted contrary to this Subsection he shall be liable for a fine under section 61(a)(1) of the Penal Law, 5737-1977.

(h) A person who is in the business of providing public service or operating a public place that is not an insurance service shall not discriminate against a person with disabilities because of different treatment or refusal of the insurer to insure, that was given to him not under the provisions of Subsection (a).

19JJ. Presumptions

Should a plaintiff or a complainant under this Section prove one of these, it is presumed that the defendant or the complaineer discriminated against him because of his disability, so long as the defendant or the complaineer has not proven otherwise -

(1) The insurer refused to insure a person with a disability or gave him different treatment and did not refuse or determined different treatment as previously mentioned, under the same circumstances to a person who is not disabled;

(2) The defendant conditioned providing insurance to a person with disabilities, on a condition not required from a non-disabled person.

19KK. Burden of Proof

In a lawsuit or a complaint under this Article, the burden of proof that the refusal or the different treatment is based on information as referred to in Section 19II, shall lie on the insurer.

19LL. Interpretation – Applicability to an Existing Insurance Contract

This Article shall apply, mutatis mutandis, also to refusal to expand an existing insurance contract and to different treatment given with regard to a request to do so; in this Article, **"expanding an insurance contract"** – increasing the insured sum or adding insurance coverage.

Article I: Roads – Accessibility

19MM. Accessibility of Roads

(a) In this Section -

"Executing Body" one of these -

(1) Local authority;

(2) Another body that is engaged in planning, building or maintaining of roads infrastructure that the Minister of Transport or another minister charged with the field in which this body operates (in this Section **"the Minister In Charge"**);

"Local Authority Engineer" – within the meaning of Local Authorities (Local Authority Engineer), 5752-1991;

"Licensed Buildings, Infrastructure and Environment Accessibility Expert" - within the meaning of Section 19OO and excluding a Practical Engineer as referred to in Section 19OO(b)(1);

"District Planner" – within the meaning of Section 8 of the Planning and Building Law.

(b) Intersections and pavements shall be planned, built and adapted in a manner that will enable reasonable accessibility between the sidewalk and the road, between the parking spot and the pavement, on the pavement and road crossing according of the provisions of this Article, including the removal of obstacles and hurdles that violate the right of a person with disabilities to accessibility as mentioned in this Section and including installation of traffic lights suitable for vision impaired persons.

(c) Bridges, tunnels and other passages intended for pedestrians shall be accessible and reasonably adapted to persons with disabilities in accordance with the provisions of this Article.

(d) The Minister of the Interior, in consultation with the Minister of Transport, with the Commission and organizations dealing with promotion of rights of persons with disabilities, and with the approval of the Committee, shall establish the necessary accessibility accommodations in order to enable a person with disabilities accessibility as previously stated in this Section, taking into consideration the Israeli Standard; first Regulations under this Subsection shall be submitted to the approval of the Committee by the 3rd of Iyar 5766 (May 1st, 2006) by the Committee by 10th of Cheshvan 5767 (Nov. 1st, 2006).

(e) Regarding pavements, roads, intersections, bridges, tunnels and other passages intended for pedestrians that were built before the 10th of Cheshvan 5767 (Nov. 1st, 2006) (in this Article – **existing road infrastructure**), an executing body shall submit to the Minister responsible, as applicable, by the end of six months from the day of the publication of the regulations under Subsection (d) a plan that details the means to make the existing road infrastructure that are in his responsibility accessible; the plan shall be drafted in consultation with the Licensed Buildings, Infrastructure and Environment Accessibility Expert and with his approval; if the executing body is a local authority, the plan should be submitted to the Minister of the Interior.

(f) The accessibility provisions regarding accessibility of existing road infrastructure under this Article, shall be gradually implemented over a period of 11 years, beginning no later than 13th of Iyar 5797 (May 1st, 2007) and ending no later than the 16th of Iyar 5778 (May 1st, 2018) (in this Article – **deployment period**) pursuant to an Order to be prescribed by the Minister responsible, as applicable, by the 13th of Iyar 5767 (May 1st, 2007); the gradual application will be equally distributed over each of the eleven years, taking into consideration, inter alia, the plans submitted according to subsection (e), if submitted; in determining deployment, the minister may take into account the centrality of the road infrastructure, in the circumstances, and its proximity to places providing services to the public; should no Order relating to this Section be prescribed, the accessibility duty shall apply in full no later than the 16th of Iyar 5778 (May 1st, 2018).

(g) A Local Authority Engineer or a District Planner, as applicable, in consultation with an Licensed Buildings, Infrastructure and Environment Accessibility Expert, may determine an exemption, full or partial, from performing the provisions according to this Section in connection to existing road infrastructure if one of the following takes place:

- (1) The accessibility accommodation substantially damages archeological, historical or natural values;
- (2) The accessibility accommodation cannot be carried out for engineering reasons;
- (3) The accessibility accommodation requires fundamental and wide range change in the region where it is performed.

(h) A Local Authority Engineer or a District Planner, as applicable, realized that a provision of the provisions of Paragraph (1), (2) or (3) in Subsection (g), exists; therefore, alternative accessibility accommodations that are reasonable under the circumstances shall be implemented as the Local Authority Engineer or the District Planner, as applicable, in consultation with the Expert for Buildings, Infrastructure and Environment Accessibility, shall be established.

(i) An executing body shall submit each year to the Minister responsible, as applicable, a report about the implementation of the provisions under this Section that was carried out in the previous year; the minister may give instructions about the manner and way to report.

(j) The Minister responsible, as applicable, shall submit each year to the Committee a report about the implementation of the provisions under this Section that were carried out in the previous year.

(k) The provisions of this Section add to the provisions of the Local Authorities (Arrangements for People with Disabilities) Law, 5748-1988; without diminishing that which is stated in this Subsection, therefore, the provisions of Subsections (e), (f) and (g) shall not apply to an arrangement required under the aforesaid law.

(l) The Minister of the Interior and the Minister of Transport are charged with executing of this Article, as applicable, and they may enact regulations for its implementation.

Article J: Emergency Services - Accessibility

19NN. Accessibility of Emergency Services

(a) In this section -

"Hazardous Substances Event" – an event where the public was exposed or might have been exposed to hazardous substance as defined in the Hazardous Substance Law, 5753-1993;

"Radiological Radiation Event" – an event where the public was exposed or might have been exposed to radiation at a level that deviates from the marginal dose that was established for the population in the Radiation Protection Standards of the Israel Atomic Energy Commission;

"Civil Defense" – within its meaning in the Civil Defense Law, 5711-1951 (in this law – Civil Defense Law);

"State of Emergency" – an occurrence of an event that causes or might cause a severe injury to the public's safety or property, which relates to a large population or a large area or an event where there is a fear to an injury as aforementioned, including because of a natural disaster, environmental damage, hazardous substance event, radiological radiation event, accident or hostile terrorist activity.

(b) A person with a disability is entitled to full accessibility to services that are provided to the public with regard to civil defense and state of emergency including shelter and evacuation measures, information about the state of emergency, its existence, its inception and ending date, and the measures to be taken, including accessibility and special protective aids adapted for persons with disabilities and types of disabilities, and all in accordance to the provisions of this Article.

(c) The Minister of Defense with approval of the Committee and in consultation with the Commission and organizations that promote rights of persons with disabilities and in accordance with the basic principles and purposes of this Law, shall establish provisions to realize the right to accessibility under this Section in a reasonable way and considering the provision of the Israeli Standard.

(d) The provisions of Article (c) or the provisions of Section 14D of the Civil Defense Law shall apply on shelters' accessibility, as applicable.

(e) First Regulations under this Article shall be submitted to the approval of the Committee and shall be approved by the Committee by the 10th of Cheshvan 5767 (Nov. 1st, 2006).

(f) Regarding the total of services that are provided to the public about civil defense and state of emergency, that were provided before the 10th of Cheshvan 5767 (Nov. 1st,

2006) (in this Article – **Existing Emergency Services**), the body charged with the service shall submit to the Minister of Defense by the end of six months from the date the Regulations under Subsection (e) were published, a detailed plan of the ways to make the Existing Emergency Services that are under its responsibility accessible; the plan shall be drafted in consultation with the Licensed Service Accessibility Expert and with his approval.

(g) The accessibility provisions regarding accessibility of existing emergency services, pursuant to this Article, shall be gradually applied over a period of 11 years, beginning no later than the 13th of Iyar 5767 (May 1st, 2007) and ending no later than the 16th of Iyar 5778 (May 1st, 2018) (in this Article – **deployment period**), pursuant to an Order to be issued by the Minister of Defense by the 13th of Iyar 5767 (May 1st, 2007); the gradual application will be equally distributed over each of the eleven years, taking into consideration, inter alia, plans submitted under Subsection (f), if submitted; in prescribing the deployment the Minister may take into account the extent of the exposure of a region to the dangers that the existing emergency services intend to protect against, and the size of the population that the existing emergency services intend to serve; if no Order was issued under Section (g), the accessibility duty pursuant to this Article shall apply in full no later than the 16th of Iyar 5778 (May 1st, 2018).

Article K: Licensed Accessibility Experts and Accessibility Officers

1900. Licensed Buildings, Infrastructure and Environment Accessibility Expert [\[2\]](#)

(a) A Licensed Buildings, Infrastructure and Environment Accessibility Expert shall be a person to whom the provisions of this section apply, who is registered in the Licensed Buildings, Infrastructure and Environment Accessibility Experts section of the Register of Engineers and Architects or in the section of Licensed Buildings, Infrastructure and Environment Accessibility Expert in the Register of Practical Engineers and Technicians as stated in Section 2(c) of the Engineers and Architects Law, 5718-1958 (in this Law – **Engineers and Architects Law**).

(b) A person to whom Paragraph (1) and (2) apply is qualified to become a Licensed Buildings, Infrastructure and Environment Accessibility Expert, if;

(1) He is one of these:

(a) An architect or an engineer registered in the Register of Engineers and Architects, in the section of buildings, infrastructure and environment that the registrar established in consultation with the Commissioner;

(b) A Practical Engineer registered in the Register of Practical Engineers and Technicians, and registered in the field of buildings and infrastructure that the registrar established in consultation with the Commissioner;

(2) He fulfills the requirements established by the Minister of Industry, Trade and Labor in consultation with the Commissioner regarding training including practical training, advance study and certification exams regarding the accessibility provisions under this Chapter and under the Planning and Building Law; requirements under this Paragraph might be established to types of professionals as mentioned in Paragraph (1) and regarding a number of hours of training, advance study and its contents and type of exams.

(c) In order to implement accessibility provisions under this Chapter and under the Planning and Building Law regarding an opinion of a Licensed Buildings, Infrastructure and Environment Accessibility Expert, the opinion of a Practical Engineer, a registered architect who is not a licensed architect or a registered engineer that is not a licensed engineer, shall be valid regarding the type of building that he is authorized to approve under the Engineers and Architects Law.

(d) The sections administered under this Section:

(1) Shall include details about the profession of the Licensed Expert and whether he is a Practical Engineer, or a registered architect who is not a licensed architect or a registered engineer who is not a licensed engineer – regarding the type of building that his opinion is valid for, as aforesaid in Subsection (c);

(2) Shall be published and be available to review on demand.

(e) The Registrar shall issue a Licensed Buildings, Infrastructure and Environment Accessibility Expert certificate to a person registered as a Licensed Buildings, Infrastructure and Environment Accessibility Expert as defined in Subsection (a); the certificate shall contain the details set out in Subsection (d)(1).

(f) In this Article -

"Licensed Architect", "Licensed Engineer" – a person who received an architect license or an engineer license as applicable under Section 11(a) of the Engineers and Architects Law;

"Register of Engineers and Architects", "Register of Practical Engineers and Technicians", "The Council" – within their meaning in the Engineers and Architects Law;

"The Registrar" – one of these as applicable:

(1) Regarding a Licensed Buildings, Infrastructure and Environment Accessibility Expert who is an architect or an engineer – the registrar within the meaning of Section 8 of the Engineers and Architects Law;

(2) Regarding a Licensed Buildings, Infrastructure and Environment Accessibility Expert who is a Practical Engineer – an employee of the Ministry of Industry, Trade and Labor who holds an academic degree and who has been authorized by the General Manager of that ministry for this purpose;

(3) Regarding a Licensed Service Accessibility Expert- an employee of the Ministry of Industry, Trade and Labor who holds an academic degree and who has been authorized by the General Manager of that ministry for this purpose;

19001. Licensed Service Accessibility Expert [\[2\]](#)

(a) The Registrar shall administer a Register of Licensed Service Accessibility Experts.

(b) A Licensed Service Accessibility Expert shall be a person to which the provisions of this Section apply, who is registered in the Register of Licensed Service Accessibility Experts as defined in subsection (a).

(c) A person that Paragraph (1) and (2) apply to is qualified to be an Licensed Service Accessibility Expert if -

(1) He is one of these:

(a) Architect, engineer or practical engineer within the meaning of Section 19(b)(1);

(b) He is a professional, academic or technological that the Minister of Industry, Trade and Labor in consultation with the Commissioner has recognized his profession as appropriate for recognition as an Licensed Service Accessibility Expert including a physician, nurse, occupational therapist, physiotherapist, psychologist, social worker or speech therapist, in this Paragraph, **"occupational therapist"**, **"physiotherapist"**, **"speech therapist"** – as defined in the Regulations for Occupation of Medical Professionals, 5768-2008;

(c) He holds an academic degree in accessibility for persons with disabilities from an institution for higher education, as mentioned in Paragraphs (1) to (4) to the definition **"institution for higher education"** in Section 19AA, and the Minister of Industry, Trade and Labor, in consultation with the Commissioner, has recognized the degree as an adequate training for a Licensed Service Accessibility Expert.

(d) He holds an academic degree in accessibility for persons with disabilities from an institution for higher education from abroad, and the Minister of Industry, Trade and

Labor, in consultation with the Commissioner, has recognized the institution and the degree as an adequate training for a Licensed Service Accessibility Expert.

(2) He fulfills the requirement that the Minister of Industry, Trade and Labor in consultation with the Commissioner has established, including practical training, advance study and certification exams about the accessibility provisions under this Chapter as applicable; requirements under this Paragraph may be established for types of professionals or for types of academic degrees as mentioned in Paragraph (1) and regarding number of hours of training, advance study and its contents and type of exams.

(d) The administered Register under Subsection (a) –

(1) Shall contain details about the profession or the degree of the Licensed Expert, as applicable;

(2) Shall be published and open for review on demand.

(e) The Registrar shall issue a Licensed Service Accessibility Expert certificate to a person registered as mentioned in Subsection (a) as a Licensed Service Accessibility Expert; the certificate shall contain the details about the profession or the degree of the Licensed Expert, as applicable.

19002. Penalties for Misconduct

(a) The Ethics Committee, as stated in Section 16 of the Engineers and Architects Law, shall investigate a complaint brought before it which claims that an Licensed Buildings, Infrastructure and Environment Accessibility Expert who is an architect or an engineer as stated in Section 1900(b)(1)(a) acted in one of the following ways:

(1) Showed lack of responsibility or negligence in his duty as required by the accessibility Provisions under this Chapter or under the Planning and Building Law;

(2) Has acquired his registration as a Licensed Buildings, Infrastructure and Environment Accessibility Expert by providing false information or concealing facts;

(3) Has performed his duty as a Licensed Buildings, Infrastructure and Environment Accessibility Expert within a conflict of interests.

(b) If The Ethics Committee found out that a provision of the provisions of Subsection (a)(1) to (3) applied to the Licensed Buildings, Infrastructure and Environment Accessibility Expert, it may impose a warning or a reprimand to suspend or remove his registration from the section of the register as per Section 1900(a).

(c) The Ethics Committee may hear a complaint under this Section and a case that was brought before it according to Section 16 of the Engineers and Architects Law regarding the same complainee together.

(d) The Registrar may suspend or remove the registration of a Practical Engineer as mentioned in Section 1900(b)(1)(b) from the section in the register as per Section 1900(a) or an Licensed Service Accessibility Expert from the register that is administered under Section 19001(a), as applicable, if he found that one the following applies:

(1) He was convicted of a dishonorable offense or of an offense that implies that he lacks the responsibility required to function as a Licensed Buildings, Infrastructure and Environment Accessibility Expert or as a Licensed Service Accessibility Expert, as applicable.

(2) It was determined in a final judgment that the Licensed Expert exhibited irresponsibility or negligence while performing his duty in accordance with the Accessibility Provisions under this Chapter or under the Planning and Building Law or that he performed his duty within a conflict of interests;

(3) He obtained his registration as an Expert by providing false information or concealing facts.

19003. Termination of Qualification Conditions

(a) If a condition of the qualification conditions stated in Section 19OO(b) regarding an Licensed Buildings, Infrastructure and Environment Accessibility Expert ceases to exist, the Registrar shall revoke his registration from the section of the administered register under Section 19OO(a) in which he is registered.

(b) If a condition of the qualification conditions stated in Section 19OO1(c) regarding an Licensed Service Accessibility Expert ceases to exist, the Registrar shall revoke his registration from the administered register under Section 19OO1(a).

19OO4. The Duty to Give Reasons

A decision of the Registrar, Ethic Committee or the Minister of Industry, Trade and Labor under this Section shall be jointly delivered in writing with reasons for the decision.

19OO5. Areas of Practice

(a) The Minister of Industry, Trade and Labor after consultation with the Commissioner and the Council may determine the activities that shall be performed by an Licensed Buildings, Infrastructure and Environment Accessibility Expert and the activities that shall be performed by a Licensed Service Accessibility Expert.

(b) The Minister of Industry, Trade and Labor after consultation with the Commissioner and the approval of the Committee may determine the fees as follows:

- (1) Examination fee according to Sections 19OO(b)(2) and 19OO1(c)(2);
- (2) Registration fee as an Licensed Buildings, Infrastructure and Environment Accessibility Expert according to Section 19OO(a) or as a Licensed Service Accessibility Expert according to Section 19OO1(a);
- (3) Recurring fee that each of the licensed experts as aforementioned in Paragraph (2), the payment date, in addition to an extra fee and linkage differentials if the fee was not paid on time.

19PP. Accessibility Officer

(a) A person who is charged with providing a public service as defined in Article D that employs at least 25 employees shall appoint a person as familiar with the area of accessibility for persons with disabilities as is possible, from among its employees, and priority for this position should be given to a person with a disability (in this Section – **Accessibility Officer**).

(b) An Accessibility Officer -

- (1) Shall give information to the public about the accessibility of the public service, or the place where the service is given;
- (2) Shall give advice and guidance about the responsibilities of the public service according to this Chapter.

Article L: Powers of the Commissioner – Accessibility

19QQ. Accessibility Order

(a) The Commissioner or a civil servant that he appointed regarding this Section (in this Section – **Commissioner**) may order to a person that is obliged to implement accessibility accommodations under the provisions of this Law or the accessibility provisions of the Planning and Building Law to take actions detailed by him for implementing the accommodations as aforesaid, all or part (in this Section – **Accessibility Order**); Accessibility Order may include provisions about executing the required actions to implement the accessibility accommodations according a timetable that was determined under this Chapter, including the submission of application for a building permit or advertising a tender; in this Article "**a civil servant**" is– a civil servant as defined in Civil Service (Appointments) Law, 5719-1958, an employee of a local

authority and an employee of statutory authority that the Disciplinary Law applies to him according to any law.

(b) If an Order for gradual application according to Sections 19T, 19EE, 19GG3, 19MM, 19NN has not been issued by the determined time in a Section from the previous Sections, the Commissioner may order in an accessibility order of the implementation of the accessibility accommodations regarding the proportional part that accessibility accommodations were to be performed under the aforesaid Section, if an order for gradual application has been issued on time.

(c) The Commissioner shall not issue an accessibility order until after the person who issued the order against him has had an opportunity to plead his case.

(d) The Commissioner shall not issue an accessibility order under the accessibility provisions according to the Planning and Building Law until after 21 days from the day he informed the local committee for planning and construction involved his intent to issue an order as previously stated and provided that said committee did not notify about its objections during this period because of a different interpretation of the provision of the Planning and Building Law; if the local committee objects to the issue of an order, the Attorney General shall decide on the dispute.

(e) In an accessibility order, the period to carry out the actions detailed therein starts with the delivery of the order to the person upon whom it imposes a duty.

(f) The delivery of accessibility orders shall be as stated in Section 237 of the Criminal Procedure [combined Version] Law, 5742-1982 (in this Chapter – **Criminal Procedure Law**), mutatis mutandis.

(g) For the implementation of this Section's provisions, the Commissioner or a civil servant that he appointed for this matter may -

(1) demand from a person that is obliged to implement accessibility accommodations under this Law or under the Planning and Building Law to give his name and address and to present his I.D. card or any other official document that identifies him and that he is obliged to carry by law;

(2) demand a person as aforementioned in Paragraph (1) to provide information and documents related to the implementation of the accessibility duty under this Law or under the accessibility provisions of the Planning and Building Law;

(3) enter a public place as defined in Article C or a place where public service is provided as defined in Article D, at any reasonable time, to examine the performance of the provisions under this Law or accessibility provisions according to the Planning and Building Law.

19RR. Query to the Commissioner

(a) Every person has the right to refer to the Commissioner asking for information about the subjects specified in Subsection (b) (hereinafter – Query).

(b) A query shall be only about these subjects:

(1) Applicability of the definitions "public place" as stated in Article C, "civil service" as stated in Article D, "**public authority**" as stated in Article A, regarding place, service or authority subject of the query;

(2) Applicability of the restrictions concerning Sections 19I(b), 19I(d), 19L(b), 19L(d), 19M, 19Q(b) or 19CC(c), or Section 158F1(d)(2) and 158F1(e)(1) of the Planning and Building Law. On a place, service or authority the subject of the query and the alternative accessibility arrangements as required by the provisions of Section 19N of this Law or Section 158F1(e)(2) of the Planning and Building Law;

(3) If the Commissioner issued an accessibility order against a public place, public service or a public authority subject of the query;

(4) Another subject, that the Minister of Justice determined, in consultation with the Commissioner.

(c) The Commissioner shall respond to a query within 60 days from the day it was received.

(d) The Minister of Justice with approval of the Committee may prescribe an obligation to pay a fee regarding submitting a query and handling it.

19SS. Investigation by the Commission

(a) If a complaint was submitted or a suspicion arose of committing an offense under Section 19VV, excluding an offense regarding different treatment in an insurance contract contrary to the provisions of Article H or if a complaint was submitted under the accessibility provisions of the Planning and Building Law, the Commissioner or a civil servant that he authorized may investigate a person that, in his opinion, is connected to the offense as previously stated, or has or may have had information about it.

(b) The Commissioner shall not authorize a civil servant under the auspices of Subsection (a), unless both of these exist:

(1) Israel Police Force did not notify within a month from the Commission's request to them that they object the authorization;

(2) The employee received adequate training as determined between the Commissioner and the police.

(c) The provisions of Subsection (a) shall not be diminished from the police authority to investigate an offense as previously stated in Subsection (a).

(d) An investigation under this Subsection shall apply the provisions of Sections (2) and (3) of the criminal procedure (evidence) ordinance.

19TT. Publication of Information to the Public

The Commission shall publish information to the public about the responsibilities and rights under this Chapter.

19UU. Report to the Committee about the Commission's Actions

The Commissioner shall report to the Committee once a year about his activities to promote the provisions of this Chapter including -

(1) The number of queries that were submitted and the manner they were dealt with;

(2) The number of claims that he submitted under Article N and their phases;

(3) The number of accessibility orders that he issued.

Article M: Penalties

19VV. Penalties

(a) Anyone who discriminates against a person in violation of Section 19F and 19II is liable for twice the fine stated in Section 61(a)(3) to the Penal Law, 5737-1977 (in this Section – The Penal Law).

(b) A court that convicted a person of an offense under Subsection (a) may, in addition to any other punishment, order that the person not practice business for a period that will be determined, provided that this person is its owner, holder, manager or presently in-charge.

(c) A person who violates a provision of the accessibility order is liable for a fine as per Section 61(a)(3) to the Penal Law and an additional fine at a rate of 5% from the first fine for every day in which the offense continues beyond the period that was established in the accessibility order.

(d) If an offense was committed under Subsection (c) by a corporation, it is liable for twice the fine set for this offense;

(e) (1) An office holder in a corporation must supervise and do everything possible to prevent an offense under Subsection (c) by a corporation or by one of its employees; Anyone who violates this Provision is liable for a fine as referred to in Section 61(a)(c) of the Penal Law; regarding this Section, **"office holder"** – an active manager in a corporation, a partner, limited partner excluded, or a person who is in charge on behalf of the corporation of the area in which an offense was committed.

(2) If an offense was committed under Subsection (c) by a corporation or by one of its employees, it is presumed that a office holder in the corporation violated his duty under Paragraph (1) unless he can prove that he did everything he could to fulfill his obligation.

(f) an employee in charge in a public authority that is not a corporation must supervise and do everything possible to prevent a violation of a provision of an accessibility order by the public authority or by one of its employees; anyone who violates these provisions is liable for a fine as per Section 61(a)(3) of the Penal Law; regarding this Section, **"employee in charge in a public authority"** – an active manager in a public authority, a person responsible on behalf of a public authority of an area in which an offense was committed, his supervisor including the supervisor of his supervisor.

19WW. Submitting an Indictment

(a) An indictment under Section 19VV or under the accessibility provisions of The Planning and Building Law, shall be submitted by a Prosecutor that was appointed by the Attorney General to the Government under Section 12(a)(1)(b) of The Criminal Procedure Law , from the Commission's employees.

(b) The Provisions of Subsection (a) shall not prevent a Prosecutor as documented in Section 12 of The Criminal Procedure Law to submit an indictment under Section 19WW or under the accessibility provisions of the Planning and Building Law.

19XX. Obligation to Report

The Minister of Public Security, and the Commissioner, as applicable, shall report annually to the Committee concerning the manner of dealing with complaints that were submitted under Section 19VV or under accessibility provisions of the Planning and Building Law, including the number of complaints and indictments that were submitted, the number of convictions and punishments and the causes not to indict.

Article N: Lawsuits

19YY. Civil Tort

(a) An act or an omission contrary to a provision under this Chapter, Chapter E or under the accessibility provisions of the Planning and Building Law is a civil tort and the provisions of the Tort Ordinance [New Version] shall apply subject to the provisions of this Section.

(b) A court may award compensation without proof of damage, for a tort under Subsection (a) in an amount that shall not exceed 50,000 NIS, for a Tort -

(1) In contravention of the provisions of Section 19F including Section 19II, however, for the purpose of Subsection (g)(3) of Section 19II only if the defendant was not ordered to pay a fine as stated in the previous subsection;

(2) In contravention of to the provisions established under Sections 19I, 19L, 19Q, 19P, 19CC, 19EE, 19GG1, 19GG3, 19HH, 19MM, 19NN or under the accessibility provision of the Planning and Building Law.

(c) The court shall not award compensation without proof of damage as previously mentioned in Subsection (b)(2) if the defendant has proven one of the following:

(1) An accessibility order was issued against him for an act or omission, which is the subject matter of the lawsuit, and he is following the provisions of the order and its schedule.

(2) A lawsuit was submitted against him for the same act or omission (in this Section – **The Previous Lawsuit**), and one of these exists:

(a) He follows the court judgment in the previous lawsuit and schedule set in it;

(b) The previous lawsuit was submitted less than three months before the submission of the lawsuit discussed in court, and he is working to implement the accessibility accommodations according to a reasonable schedule;

(3) He approached the Commission with a query in a reasonable time before the submission of the lawsuit;

(4) One of the conditions established by the Minister of Justice under Subsection (d) applies to the defendant as well as to the accessibility accommodations that are the subject matter of the lawsuit.

(d) The Minister of Justice may establish, in consultation with the Commission and organizations promoting the rights of persons with disabilities, and with the approval of the Committee, the conditions which, when applied, the court will not award compensation without proof of damage as aforementioned in Subsection (b)(2); condition as aforementioned shall relate to the cost of implementing the accessibility accommodation versus the defendant revenue.

(e) When awarding compensation without proof, damage as aforesaid in Subsection (b)(2) the court may consider, inter alia, the number of lawsuits that were submitted against the defendant, the type of service or the place, the scope of his activity including size of the population that uses the service or the place, the quality and cost of the accessibility accommodation, the date the place was built, the assistance of national and external financial resources to implement the accessibility accommodation and the scope of revenues or the profit rate of the person obligated to carry out accessibility accommodations under this Chapter.

(f) (1) The amount as referenced in Subsection (b) shall be updated once a year according to the new index increase rate versus the basic index.

(2) Regarding this Subsection -

"**index**" – the Consumer Price Index as advertised by the Central Bureau of Statistics;

"**the basic index**" – the index of the month of February 2005;

"**the new index**" – the index of the month preceding the month of update.

19ZZ. Liability of an Office holder in a Corporation

If a civil tort by a corporation occurred as outlined in Section 19YY, a person shall also be liable for the tort if at that time he was an active chief executive of the corporation, an active executive of the corporation with regard to the tort's subject matter, a partner excluding a limited partner or a senior employee charged with the area in which the tort occurred unless he has proven both that:

(1) The tort occurred without his knowledge;

(2) He took reasonable measures within the circumstances to prevent the tort.

19AAA. Lawsuits - Status of the Commission and an Organization

(a) In a civil or an administrative procedure that its subject matter is the breach of the provisions under Chapter E, under this Chapter or under the accessibility provisions of

the Planning and Construction Law, it might be possible to file a legal claim in addition to a claim filed by the person who was discriminated against or whose rights were infringed upon under the provisions of this Chapter or the previously stated Law, by the Commission or by an organization that promotes the rights of persons with disabilities, provided that the cause of action is a discrimination or infringement of a certain person's right, provided this person consented to it.

(b) In a civil or an administrative procedure where its subject matter is the breach of the provisions under Chapter E, under this Chapter or under the accessibility provisions of the Planning and Building Law, the court may allow the Commission or the organization that promotes the rights of persons with disabilities to present its opinion in a form it will order.

19BBB. to 19LLL. (Repealed)

19MMM. Presumptions

(a) Should a Plaintiff prove one of the following in a civil proceeding pursuant to Section 19F, it is presumed that the defendant acted contrary to the provisions of this Section so long as it was not proven otherwise:

- (1) The defendant refused to provide a product or a public service, prevented entry to a public place or refused to serve a person with disabilities in a public place, after he made inquiries related to the disability;
- (2) The defendant refused to provide a product or a public service, prevented entry to a public place or refused to serve a person with disabilities in a public place, and did not refuse or prevent such entry, in the same circumstances, to a nondisabled person;
- (3) The defendant made providing a product or public service, or entry to a public place or service in a public place, to a person with disabilities, conditional on fulfillment of a condition not required from a nondisabled person.

(b) The provisions of this Section shall not apply to Article H.

Article O: General

19NNN. Expansion of Applicability

The provisions of Articles B and H shall also apply to discrimination of a person because one of the following relates to him, as applicable:

- (1) He was previously a person with disabilities;
- (2) He is considered a person with disabilities;
- (3) He is accompanying a person with disabilities;
- (4) He is a family member of a person with disabilities;

In this Section "**family member**" – any of these:

- (1) Spouse;
- (2) A parent, child, brother, sister and the spouse of each of them;
- (3) Grandfather, grandmother, grandson or granddaughter.

19OOO. Regulations with the consent of the Minister of Finance

Regulations under Sections 19(c1), 19I(a), 19L(a), 19Q(a), 19CC, 19GG1, 19HH, 19MM(d) and 19NN(c) to this Law shall be enacted with the consent of the Minister of Finance but if the Minister of Finance has not given his consent the matter shall be referred for the Government to decide.

19PPP. Implementation

The Minister of Justice is charged with implementation of this Chapter, but -

- (1) The Minister of Communications is charged with implementation of Article D, insofar as it pertains to Bezeq services and facilities;
- (2) The Minister of Transport is charged with implementation of Article D, insofar as it pertains to car rental services;
- (3) The Minister of Health is charged with implementation of Article F;
- (4) The Minister of Education and the Minister of Industry Trade and Labor are charged with implementation of Article G, as applicable;
- (5) The Minister of the Interior, the Minister of Transport and the Minister responsible within the meaning of Article I are charged with implementation of Article I, as applicable;
- (6) The Minister of Defense is charged with implementation of Article J;
- (7) The Minister of Industry Trade and Labor is charged with implementation of Article K, Section 19PP excluded.

Chapter E2: Housing Loan for a Person with a Life-Shortening Disability

19QQQ. Housing Loan for a Person with a Life-Shortening Disability

(a) In this Chapter –

"person with a life-shortening disability" – a person with a disability that an appointed actuary recognized the disability he has as such likely to shorten his lifespan in comparison to the average lifespan by a period exceeding three years, provided however that the appointed actuary determined the lifespan of the person with a disability to exceed five years;

"appointed actuary" – an actuary appointed pursuant to the provisions determined by the **Capital Markets** Commissioner on this matter;

"financial entity" – one of the entities enumerated in paragraphs (1) to (3) of the definition of "financial entity" in the Bank of Israel Law, 5770-2010, or any other entity determined by the Minister of Finance by order with respect to this Chapter;

"the Insurance (Control) Law" – the Control of Financial Services (Insurance) Law, 5741-1981;

"insurer" and the **"Capital Markets Commissioner"** – as defined in the Insurance (Control) Law.

(b) A financial entity that provides housing loans will not refuse to give a housing loan to a person with a life-shortening disability, if all the following conditions are satisfied:

(1) the request for a housing loans is for one of the following purposes:

(a) the purchase of a sole apartment, as defined in section 9(C1C)(4) of the Land Taxation (Land Appreciation and Acquisition) Law, 5723-1963 and the provisions of section 9(C1C)(2) of the aforesaid Law apply to such person;

(b) the purchase of land for custom construction or custom construction, and such person has no other property in addition to the land for custom construction or to the building to be constructed by custom construction;

(2) the person with a life-shortening disability satisfies those conditions for a loan that the financial entity offers to a person without a disability, and he presented to the financial entity a certificate as to the fact that he had purchased a life insurance policy for a person with a life-shortening disability as stated in section 19RRR.

(c) The amount of the housing loan to be provided by the financial entity under the provisions of this section will be at least twice the amount of the life insurance for the person with a life-shortening disability under section 19 RRR(c)(2), and at the most one million New Israeli Shekels; however, a financial entity may agree to grant a loan for a larger amount and the person with a life-shortening disability may request a smaller loan amount from the financial entity.

(d) Where the financial entity has offered the person with a disability a housing loan and the person with a disability has notified the financial entity that he approached an insurer for the purpose of purchasing life insurance under the provisions of section 19RRR(b)(1) and that he had received a reply from the insurer to such request, the offer of the financial entity will be extended by an additional ten days.

(e) The repayment period for a housing loan under this section will be 15 years; however, a financial entity may agree to a longer repayment period and the person with a life-shortening disability may request a shorter repayment period from the financial entity.

(f) Repayment of the housing loan to the financial entity will be in monthly payments only, and the financial entity may not determine in the loan agreement that the repayment of the entire loan will only be at the end of the loan term; however, a financial entity and a person with a life-shortening disability may agree that repayment of the loan will be in several annual payments, each of which will be for an aggregate number of months.

19RRR. Life Insurance for a Person with a Life-Shortening Disability for Taking Out a Housing Loan

(a) An insurer selling life insurance for the purpose of a housing loan will not refuse to sell such a life insurance policy to a person with a life-shortening disability in consequence of his disability, except subject to the provisions of section 19 II and the provisions of this section.

(b) (1) if a person with a disability has approached an insurer with the purpose of purchasing life insurance to take out a housing loan as stated in section 19 QQQ, the insurer will notify him in writing of its consent or refusal to insure him with life insurance within 15 working days of the date of receipt of all the data required from the person with a disability; the insurer's aforesaid decision will be based on the decision of an appointed actuary, on the basis of the data passed on to him by the insurer, if the person is a person with a life-shortening disability;

(2) if the insurer has not notified a person with a disability of its decision within 15 working days, the person with a disability will be entitled to obtain life insurance from such insurer under the conditions the insurer offers to a person without a disability;

(3) the **Capital Markets** Commissioner may order a shorter period for giving a decision under this subsection.

(c) (1) If an insurer has refused to sell to a person with a life-shortening disability a life insurance policy for taking out a housing loan pursuant to the provisions of section 19 II and subsection (b), the insurer will propose that such person purchase life insurance for a person with a life-shortening disability;

(2) life insurance for a person with a life-shortening disability will be in an amount equal to half the balance of the housing loan amount the financial entity offered the person in question under the provisions of section 19 QQQ(c) and 500,000 New Israeli Shekels at the most; however, an insurer may agree to insure a person with a life-shortening disability by a larger amount and a person with a life-shortening disability may request a lower insurance amount.

(3) The provisions of section 19 II will apply to an insurer's decision to refuse to insure a person with a life-shortening disability under the provisions of paragraph (1), mutatis mutandis; the insurer will attach to the notice on such decision a written explanation that it decided not to insure the person with a disability or to provide him with different treatment within the meaning of section 19 II, a summary of the basis of the data or a summary of the information on which its decision was based, an explanation on the right of the person with a disability to apply to the **Capital Markets** Commissioner to examine the decision to refuse to insure him as stated and an explanation about the option of the Capital Markets, Insurance and Savings Authority making a random examination of its decision; likewise, the insurer will mention the right of a person with a life-shortening

disability who purchased life insurance for a person with a life-shortening disability to request monthly assistance from the State under the provisions of section 19 SSS;
(4) the qualifying period for life insurance for a person with a life-shortening disability as stated in this subsection will be 2.5 years.

(d)(1) **The Capital Markets** Commissioner, upon consultation with the Advisory Committee within the meaning in the Insurance (Control) Law may prescribe provisions on the terms in a life insurance contract for a person with a life-shortening disability under this section and their wording, and including the structure and form of such life insurance policy, including provisions on the fonts in the policy, including provisions on minimum font size, the relation between the text and the space in which the information was incorporated and the way it was written and displayed, as well as a list of essential terms in the policy, emphasizing them and their wording, including an obligation to attach a separate document about them; the provisions under this paragraph will be published in Reshumot;

(2) an arrangement contradicting a condition that must be determined under the provisions determined as stated in paragraph (1) shall not be followed, and the condition required as aforesaid shall be deemed to have been stipulated instead, unless the arrangement is to the insured person's benefit; this provision shall not derogate from the insurer's criminal responsibility.

19SSS. Monthly Assistance from the State for a Person with a Life-Shortening Disability Upon Purchasing an Apartment

(a) A person with a life-shortening disability who took out a loan under the provisions of section 19 QQQ and purchased life insurance for a person with a life-shortening disability under the provisions of section 19 RRR is entitled to receive monthly assistance from the State for a housing loan in the amount stipulated in Part A of Schedule Five, subject to having satisfied the criteria under the provisions of subsection (c), as long as he is insured by such life insurance, and as part of this the fact that such life insurance was not canceled, or as long as the housing loan granted to him was not canceled or was not repaid in full; where a person with a life-shortening disability ceases to be insured, inter alia, due to the fact that such insurance policy was canceled or the housing loan granted to him was canceled or fully repaid, his entitlement to assistance from the State as stated in this section will cease from the date on which he ceased to be entitled to life insurance or from the date on which the housing loan granted to him was canceled or fully repaid, according to the earlier date, and amounts paid to him after such date will be returned to the State.

(b) The budget for assistance under subsection (a) will be determined in a budgetary item of the Ministry of Construction and Housing in the annual budget law in a total amount of not less than the amount stipulated in Part B of Schedule Five; in this regard, "budgetary item - as defined in the annual budget law within the meaning of the Budget Foundations Law, 5745-1985.

(c) The Minister of Construction and Housing and the Minister of Finance, after consultation with the Commissioner and with organizations engaged in the advancement of rights of persons with disabilities, and with the approval of the Finance Committee of the Knesset, may determine criteria for obtaining assistance as stated in subsection (a).

19TTT. Death of a Person with a Life-Shortening Disability

(a) Where a person with a life-shortening disability has died in the qualifying period, within the meaning in section 19 RRR(c)(4), the following provisions will apply, as applicable:

(1) if the financial entity that gave him the housing loan was a banking corporation or auxiliary corporation, it will act according to the directives on proper conduct of banking business within the meaning in the Banking Ordinance, 1941;

(2) if the financial entity that gave him the housing loan was a provident fund, management company or insurer, it will act according to the directives of the **Capital Markets** Commissioner that were given according to his powers under the provisions of any law;

(3) if the Minister of Finance has determined another financial entity according to the definition of "financial entity" in this Chapter, the financial entity will act pursuant to the instructions of the organizing entity that supervises it; in this regard – **"management company"** and **"provident fund"** - as defined in the Control of Financial Services (Provident Funds) Law, 5765-2005; **"banking corporation"** and **"auxiliary corporation"** – as defined in the Banking (Licensing) Law, 5741-1981.

(b) The Minister of Finance, upon consultation with the Governor of the Bank of Israel and the **Capital Markets** Commissioner and with the approval of the Finance Committee of the Knesset, may prescribe provisions with respect to the death of a person with a life-shortening disability after the qualifying period.

19UUU. Reporting to the Knesset and Amendment of the Schedules and Conditions for Determination of a Life-Shortening Disability

(a) The Minister of Finance, the Minister of Construction and Housing, the **Capital Markets** Commissioner and the Supervisor of Banks will report to the Finance Committee of the Knesset –

(1) on progress in the preparation and implementation of the arrangement determined in this Chapter – by 26th Adar I, 5779 (March 3, 2019);

(2) on the method of implementation of the arrangement determined in this Chapter, the number of persons with a life-shortening disability who took out a housing loan under section 19 QQQ, the number of decisions according to which insurers refused to insure persons with disabilities under section 19 RRR, including the number of such decisions that the random examination as stated in such section determined in with respect to them that they are not a reasonable refusal and the cost of implementation of the arrangement under this Chapter in the State budget – by 4th Tevet, 5780 (January 1, 2020) and upon the expiration of every two years thereafter.

(b) Subject to the first report under the provisions of subsection (a)(2), the Minister of Finance and the Minister of Construction and Housing, upon consultation with the Governor of the Bank of Israel, the **Capital Markets** Commissioner and the Commissioner and with the approval of the Finance Committee of the Knesset may –

(1) modify, by order, the amounts stipulated in Schedule Five;

(2) prescribe additional conditions for the definition of a person as a person with a life-shortening disability, if the experience accumulated in the implementation of the arrangement under this Chapter showed that this was necessary to enable persons with disabilities to take out housing loans; however, the determination of such additional conditions will not alter the conditions determined in the life insurance policy for a person with a life-shortening disability that was purchased immediately prior to the determination of the additional conditions.

19VVV. Updating of Amounts

(a) (1) The amounts stipulated in sections 19 QQQ(c) and 19 RRR(c)(2) will be updated on July 15 of every year pursuant to the rate of increase in the housing price index published by the Central Bureau of Statistics known on the date of update, against the aforesaid index known for the months of April May 2018;

(2) the amounts stipulated in Schedule Five will be updated on July 15 of every year pursuant to the rate of increase in the consumer price index published by the Central Bureau of Statistics known on the date of update against the aforesaid index known on July of the previous year.

(b) The Accountant General at the Ministry of Finance will publish the updated amounts under this section in Reshumot and on the website of the Ministry of Finance.

Chapter F: The Commission for Equal Rights of Persons with Disabilities

20. Establishment of Commission

A Commission for Equal Rights of Persons with Disabilities is hereby established.

21. Functions of the Commission

The Commission shall act -

- (1) to promote the basic principles of this Law;
- (2) to promote equality and prevent discrimination against people with disabilities;
- (3) to encourage the integration and active participation of people with disabilities in society;
- (4) to fulfill the functions vested in it under this Law.

22. Equal Rights for Persons with Disabilities Commissioner

(a) The Government, in consultation with the Minister of Justice and the Minister of Labor and Social Welfare, shall appoint an Equal Rights for Persons with Disabilities Commissioner.

(b) The Commissioner shall be charged with the execution of the functions of the Commission.

23. Appointment Qualifications of Commissioner

An Israeli national and resident in Israel who holds an academic degree in a profession within the sphere of the Commission's functions is qualified to be appointed Commissioner. The Commissioner shall be a State employee and notice of his appointment shall be published in Reshumot.

24. Commission Employees

Commission employees shall be State employees.

25. Commission Budget

The Commission's budget shall be determined in the Budget Law as a separate budget item within the meaning in the Budgetary Principles Law, 5745-1985.

26. Advisory Council

(a) The Minister of Labor and Social Welfare and the Minister of Justice shall appoint an Advisory Council to the Commission. Notice of the appointment and composition of the Council shall be published in Reshumot.

(b) People with various disabilities or their representatives, depending on the circumstances, representatives of organizations engaged in the advancement of the rights of people with disabilities, experts in the areas of activity of the Commission, lawyers and public representatives shall be members of the Advisory Council. The majority of members of the Advisory Council shall be people with disabilities.

(c) The Commissioner shall consult with the Advisory Council on matters concerning the functions of the Commission.

Chapter G: Miscellaneous Provisions

26A. Reservation of Rights

This Law shall add to any right or responsibility established by law, and shall not derogate therefrom.

26B. Status of the State

For the purposes of this Law, the State is considered to be the same as any other person.

27. Amendment of the Labor Courts Law - No. 28

In the Labor Courts Law, 5729-1969, the following shall be inserted at the end of the Second Schedule:

"Chapter D of the Equal Rights for People with Disabilities Law, 5758-1998".

28. Amendment of the State Service (Appointments) Law - No. 10

In the State Service (Appointments) Law, 5719-1959, in section 15A -

(1) the marginal heading shall read "fair representation";

(2) in subsection (a), the words "(hereinafter referred to as 'suitable representation'))" shall be replaced by the words "in addition to the representation of people with disabilities (hereinafter referred to as 'suitable representation'))"; in this section, "person with disabilities", "people with disabilities" has the same meaning as in the Equal Rights for People with Disabilities Law, 5758-1998";

(3) the following shall be inserted at the end of subsection (b), "including implementation of accommodations, as defined in section 8(e) of the Equal Rights for People with Disabilities Law, 5758-1998.";

(4) in subsection (c) -

(One) after the words "as shall be determined therein" the words "and for the purposes of suitable representation of people with disabilities, including the provisions in respect of categories of disabilities or their severity" shall be inserted;

(Two) at the end of the subsection the words "in addition to granting priority in a tender to a person with disabilities where people with disabilities are not fairly represented and where the candidate, who is a person with disabilities, holds similar qualifications to those of the other candidates" shall be inserted

29. Commencement

This Law shall enter into force on the 13th of Tevet, 5759 (January 1st, 1999).

Schedule 1

(Sections 19E, 19G and 19I)

(Public Place)

(1) Office or facility of a public body as defined in section 5;

(2) Lecture hall, convention center, banquet hall, wedding garden, community center, club or any place used for assembly;

(3) Sports hall or sports facility, swimming pool, beach, spa or any place for exercise or leisure;

(4) Post office including postal facility and postal agency, pharmacy, drugstore, restroom, bank, laundry including dry cleaning service, garage, beauty parlor, hair salon, shelter, internet center, office or office building, office or a place used generally by an employees' union or a political party, insurance agency, real estate agency, travel agency, shoe repair shop, gas station, or any other place that provides similar service to the public;

- (5) Hospital, laboratory or institute for medical examination, clinic, mother-child station, Magen David Adom station or any other place that provides health services;
- (6) Animal hospital, laboratory or institute for medical examination of animals, veterinary clinic or any other place that provides health care for animals;
- (7) Hotel, boarding house, hostel, guest house or any other place that provides hosting and boarding;
- (8) Court and tribunal, military tribunal, jailhouse, prison, police station, civil defense station or any other military facility that is open to serve the public;
- (9) Day care or preschool, school, art school, post-secondary Institution for technical, vocational, biblical or religious study, university or any place that provides learning or educational services regarding accessibility of a public place – excluding educational institutions and preschools within their meaning in Article G;
- (10) Cemetery;
- (11) Cinema, theater, entertainment hall, nightclub, stadium or any other place serving as a place for shows and entertainment permanent or temporary;
- (12) House of prayer, Mikveh or any place that provides religious services;
- (13) Gallery, museum, library or any place for culture and art;
- (14) Garden, zoo, playground, park or any other place for entertainment and leisure;
- (15) Part of a TV studio, radio studio or any part of a place that serves permanently for interviews and media;
- (16) Parking, terminal, harbor, bus station, taxi station, railway station or any other place serving public transportation and regarding accessibility of a public place – excluding stations, harbors and places within the meaning of Chapter E;
- (17) Restaurant, coffee house, bar or any place serving food and drinks;
- (18) Students' dormitory, pupils' dormitory, workers' dormitory or any other place for residence or lodging for fixed periods;
- (19) Archeological site, historical site, visitor's center in a plant, natural reserve or any visitors place;
- (20) Mini market, grocery store, supermarket, food store, shop, department store, shopping center, kiosk, market or any place serving as shopping or equipment rental place;
- (21) Employment center, leisure or residence for persons with disabilities children or elderly, social services department, public kitchen, homeless center, residence or shelter for abused women, or children, and hostel for abusive men or any place providing welfare or treatment services;
- (22) Voting Booth.

Schedule 2

(Sections 19E, 19J and 19L)

(Public Service)

(1) Health service;

(2) Entertainment service;

(3) Education learning or leisure service, regarding public service accessibility – excluding educational service within the meaning of Article G;

(4) Social Welfare service;

(5) Sports service;

(6) Tourists service;

(7) Bus service, trains, air transport, ships, taxis, vehicle rental or any transportation service but regarding service accessibility of the services listed in this Paragraph the provisions of Chapter E shall apply excluding regarding vehicle rental as aforesaid in Section 19L;

(8) Culture service;

(9) Guest service;

(10) Commerce service;

(11) Religious service;

(12) Energy service;

(13) Bezeq service;

(14) Banking service, credit, insurance, pension or any financial service.

Schedule 3

(Sec. 19I)

Column A	Column B
The Public Authority	The date upon which the accessibility duty shall apply in full
1. A local authority	26th of Cheshvan 5782 (Nov. 1st, 2021)

Schedule 3A

(Section 19 I(C2) and (C3))

Column A The public authority	Column B Number of existing buildings with respect to which all the accessibility accommodations required will be completed	Column C The date for completion of implementation of the accessibility accommodations required
(1) all government ministries, including	473	23 rd Tevet, 5779 (December 31, 2018)

their units and ancillary units, in addition to the Israel Police and the Israel Prison Service		
	All existing buildings	3 rd Tevet 5780 (December 31, 2019)
(2) The National Insurance Institute	16	As detailed in Part C of Schedule A to the Equal Rights for Persons with Disabilities (Public Authorities Added to Schedule 3A of the Law) Order, 5779-2018.
(3) Israel Post Company Ltd.	1319	As detailed in Part C of Schedule B to the Order stated in item (2).

Schedule 4

(The definition of "employee" or "candidate" with a significant disability and sections 9D, 9E and 9F)

Part A

Column A The entity in possession of information	Column B Conditions satisfied in a person with a disability with respect to his being an employee or candidate with a significant disability
1. The National Insurance Institute, the Ministry of Defense, the Israel Tax Authority, the Ministry of Health	An entity authorized to approve disability under the provisions of any law, certified with respect to such person in writing that his level of disability is at least 40%; in this regard, the determination of disability percentages on mobility under an agreement concerning mobility benefits that was drawn up under section 9 of the National Insurance Law [Consolidated Version], 5755-1995 will be regarded as a determination of the level of disability by such authorized entity.
2. The National Insurance Institute, the Ministry of Defense, the Israel Tax Authority, the Ministry of Health	An entity authorized to approve disability under the provisions of any law certified with respect to such person in writing that his level of disability is at least 20%, and he satisfies one of the following:
The National Insurance Institute	(1) he was recognized as entitled to occupational rehabilitation as a result of a disability under Chapters E or I of the National Insurance Law [Consolidated Version], 5755-1995;
The Ministry of Defense	(2) he is rehabilitated or entitled to occupational rehabilitation under the Disabled Persons (Benefits and Rehabilitation) Law, 5719-1959 [Consolidated Version];
The Ministry of Economy and Industry	(3) he participates or participated in an employment program for persons with disabilities on behalf of the Ministry of Economy and Industry.
3. The Ministry of Economy and Industry	He was recognized as entitled to an adjusted minimum wage under section 17(b) of the Minimum Wage Law, 5747-1987.
4. The Ministry of Social Affairs and Social Services	He was recognized as entitled to social welfare services as a result of his disability by the Department for Care of Persons with a Developmental Intellectual Disability, the

	Care of Persons with Autism Service or the Rehabilitation Division of the Ministry of Social Affairs and Social Services.
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Part B

Column A The entity in possession of information	Column B Conditions satisfied in a person with a disability with respect to his being an employee or candidate with a significant disability
The National Insurance Institute, the Ministry of Defense, the Israel Tax Authority, the Ministry of Health, the Israel Police, the Israel Prison Service	He satisfies the following two conditions: (1) an entity authorized to approve disability under the provisions of any law certified with respect to such person in writing that his level of disability is at least 20% or that a physician of the Israel Police or the Israel Prison Service, as applicable, expressed the opinion that his medical condition amounts to a level of disability likely to reach 20%;
The Israel Police, the Israel Prison Service	(2) a medical board under section 20 of the Police Ordinance [New Version], 5731-1971, or under section 87 of the Prisons Ordinance [New Version], 5732-1971, released him as a result of his disability from operational service or service in an operational position in a designated force to another position in the Police or in the Prison Service, as applicable.

Schedule 5

(Section 19 TTT(a) and (b))

Part A

300 New Israeli Shekels.

Part B

5,400,000 New Israeli Shekels.

Ezer Weizman Binyamin Netanyahu Dan Tichon
President of the State Prime Minister Speaker of the Knesset

Eliyahu Ishai
Minister of Labor and Social Welfare

[1]Section 19 of Amendment No. 2, 5765-2005 of April 7th, 2005 pertains to the date Chapter E1 will enter into force, and states as follows:

19. Commencement

(a) Subject to the provisions of Subsections (b), (c), (d) and (e) – the commencement of this Law is six months from the day it was published (hereafter – **Commencement Day**).

(b) The commencement of Articles C, D, F, G, I and J of Chapter E1 of the Equal Rights for Persons with Disabilities Law, 5758-1998, as drafted in Section 3 of this Law, is the commencement day of the Regulations which were firstly enacted under said Articles, as applicable; and the commencement of Article E of the previous Chapter is the commencement day of the first Regulations under one of the previous Articles that established an exemption from the obligation of the implementation of accessibility accommodations.

(c) The commencement of Section 19H(e) of Equal Rights for Persons with Disabilities, 5758-1998, as drafted in Section 3 of this Law, at the end of the period of seven years from the date of the commencement of the Regulations under Section 19I about a public place.

(d) The commencement of Sections 1, 151, 157, 158A, 158B1 and Chapter E1A of the Planning and Building Law, 5725-1965, as drafted in Section 7 of this Law, is the commencement day of the Regulations being enacted for the first time under Sections 158F1 and 158F2, as applicable"

[\[2\]](#) Below is **Section 21 of Amendment No. 2, 5765-2005 of April 7th, 2005** as amended by **Amendment No. 4, 5767-2007 to the Equal Rights Law of March 28th, 2007** –

21. Transitional Provisions Regarding Licensed Buildings, Infrastructure and Environment Accessibility Experts and Licensed Service Accessibility Experts

(a) In this Section -
"The Registrar" – as defined in Section 19OO(1).

(b) The Registrar shall administer a Register, where a person who has proven to the Registrar that the provisions of this Section apply to him, shall be registered. Separate sections are in it for each of the accessibility categories as applicable (**hereinafter Special Register**).

(c) A person in Israel who was engaged in the subject of Accessibility to Buildings, Infrastructure and Environment for Persons with Disabilities on a substantial scale within a period of 3 years starting on the 23rd of Tevet 5760 (Jan. 1st, 2000) and ending on the 15th of Sivan 5767 (Jun. 1st, 2007) and accumulated experience and actual expertise in these fields and both of these apply to him:

(1) He is holding an academic degree related to the field of Accessibility to Buildings, Infrastructure and Environment for Persons with Disabilities, or he is a Practical Engineer within the meaning of Section 19OO(b)(1)(b);

(2) He fulfills the requirements determined for him under Section 19OO(b)(2) if such requirements were established for him, in full or part, after examination of his experience and expertise as previously stated;

is entitled to register in the special register in the section of Accessibility to Buildings, Infrastructure and Environment that the Registrar shall administer, provided that he submitted an application to the Registrar as stated in this Section and has proven that the provisions of this Subsection apply to him.

(d) A person in Israel who was engaged in the subject of Accessibility of Service for Persons with Disabilities on a substantial scale within a period of 3 years starting on the 23rd of Tevet 5760 (Jan. 1st, 2000) and ending on the 19th of Tishrei 5767 (Oct. 1st, 2007) and accumulated experience and actual expertise in these fields and both of the following apply to him:

(1) He is holding an academic degree related to the field of Accessibility of Service for Persons with Disabilities, or he is a Practical Engineer within the meaning of Section 19OO(b)(1)(b);

(2) He fulfills the requirements determined for him under Section 19OO(b)(2) if such requirements were established for him, in full or part, after examination of his experience and expertise as previously required;

is entitled to register in the special register in the section of Accessibility of Service that the Registrar shall administer, provided that he submitted an application to the Registrar as previously stated in this Section, and has proven that the provisions of this Subsection apply to him.

(e) A person who is registered in the Special Register in the Sections of Accessibility to Buildings, Infrastructure and Environment or Accessibility of Service -

(1) Is entitled to use the title of Licensed Buildings, Infrastructure and Environment Accessibility Expert or Licensed Service Accessibility Expert, as applicable;

(2) May be engaged in any area that a Licensed Buildings, Infrastructure and Environment Accessibility Expert or Licensed Service Accessibility Expert is engaged, as applicable;

(3) Regarding anyone who is registered in the Special Register in the section of Accessibility to Buildings, Infrastructure and Environment – the exemption from examinations shall apply until the 23rd of Nissan 5776 (May 1st, 2016) according to Section 1900(b)(2);

(4) The provisions listed below shall apply to him according to subject, mutatis mutandis:

(a) Regarding anyone who is registered in the Special Register in the section of Accessibility to Buildings, Infrastructure and Environment and he is an architect or an engineer the provisions of Sections 1900(2)(a) to (c), 1900(3)(a) and 1900(4).

(b) Regarding anyone who is registered in the Special Register in the section of Accessibility to Buildings, Infrastructure and Environment and is not an architect or an engineer, and regarding anyone who is registered in the Special Register in the section of Accessibility of Service – the provisions of Sections 1900(2)(d), 1900(3) and 1900(4).

(f) An application under this Section shall be submitted to the Registrar by the end of the 30 days after the end of the aforesaid period in Subsections (c) or (d), as applicable.

(g) The Minister of Industry, Trade and Labor, with the Labor, Social Welfare and Health Committee of the Knesset, may determine fees regarding this Section as listed below:

(1) A fee for experience and expertise examination as delineated in Subsection (c)(2);

(2) A fee for examination under Section 1900(c)(2) that was implemented for a person applying to register in the Special Register under Subsection (d)(2), and a fee for an experience and expertise examination as stated in the same Subsection;

(3) A fee for registering in the Special Register;

(4) A recurring fee that a person that is registered in the Special Register must pay, the date to pay in conjunction with an additional fee and linkage differentials that must be paid if the recurring fee was not paid on time.