



**Records of**

# **Bills**

Of the Knesset

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Bill for the Basic Law: Jerusalem, Capital of Israel – Amendment no. 2, clauses regarding the area of Jerusalem and the required majority for changing them.

## Unofficial Translation

The following is a publication of a bill which was presented by the Knesset members on behalf of the constitutional committee, law and judgment of the Knesset

### Bill for the Basic Law: Jerusalem, Capital of Israel - Amendment No. 2 – Clauses regarding the area of Jerusalem and the required majority for changing them (\*)

Cancellation of Article 5:	1. In the Basic Law: Jerusalem, Capital of Israel <sup>1</sup> , hereby referred to as “the Basic Law”, Article 5 has been canceled.
Amendment of Article 6:	2. In Article 6 of the Basic Law, in the final section/clause, the words [see the Hebrew version] “of the area of Jerusalem” will be replaced with “of the area of the Jerusalem Municipality, including the area that is described in the appendix of the proclamation expanding the borders of municipal Jerusalem beginning the 20 <sup>th</sup> of Sivan 5727 (June 28, 1967) <sup>2</sup> , as was given according to the Cities’ Ordinance <sup>3</sup> , all of which are exactly as they were on the date of introducing the Basic Law titled “Jerusalem, Capital of Israel”, Amendment no. 2 – clauses on the area of Jerusalem and the required majority for changing them”.
Amendment of Article 7:	3. In Article 7 of the Basic Law, the words “Clauses 5 and 6” will be replaced with “Clause 6”, and the words “by a majority of the members of the Knesset” will be replaced with “by a majority of 80 Knesset members”. The clauses of this article are not to be changed except through a basic law which is accepted by the majority of Knesset members”.

#### Explanations:

<p>The purpose of this Basic Law bill is to express the unique status of Jerusalem and to make it difficult to transfer the authorities related to Jerusalem to any foreign body, and to specifically identify the area of Jerusalem in the Basic Law titled “Jerusalem, Capital of Israel” – hereby referred to as the Basic Law.</p> <p><b>Clauses 1 and 2:</b></p> <p>Article 5 of the Basic Law specifies that “the jurisdiction of Jerusalem includes, as pertaining to this basic law, among others, all of the area that is described in the appendix of the proclamation expanding the borders of municipal Jerusalem beginning the 20<sup>th</sup> of Sivan 5727 (June 28, 1967), as was given according to the Cities’ Ordinance.</p> <p>We propose to cancel Article 5 of the Basic Law and to include Article 6 whose purpose is to prevent the transfer of authorities related to the Jerusalem area to any foreign body within the area of the Jerusalem Municipality, including the area specified in the proclamation of 1967 for expanding the area of the Jerusalem Municipality. Within this frame, it will</p>	<p>be prohibited to transfer any authority to a foreign body. Also, we propose that, in this context, the area of the Jerusalem Municipality will be the area covered by the Jerusalem Municipality’s jurisdiction on the date of implementing the new proposed amendment.</p> <p><b>Clause 3:</b> Based on the clauses of Article 7 of the Basic Law whose content is rigid, the change of articles 5 and 6 of the Basic Law will require a Basic Law which is accepted by a majority of 61 Knesset members. We also propose to stipulate that there cannot be a change of the clauses of Article 6 of the Basic Law except through a Basic Law which is accepted by a majority of 80 Knesset members. Additionally, we propose to stipulate that any change in the clauses of Article 7 of the Basic Law shall be made through a Basic Law which is accepted by a majority of 61 Knesset members, a requirement which has not been determined until today.</p>
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(\*) Bill No. P/20/4346, Internal number: 2018487: was transferred to the committee on the date of 19 July 2017 (25 Tamuz 5777).

<sup>1</sup> Statutes Book of the [Hebrew] year 5740 [which extends from 22 September 1979 until 10 September 1980], Page 186; and the [Hebrew] year 5761 [which extends from 30 September 2000 until 17 September 2001], Page 28.

<sup>2</sup> The Regulations File of [Hebrew year] 5727 [which extends from 15 September 1966 until 4 October 1967], Page 2694.

<sup>3</sup> Laws of the State of Israel, New Version 8, Page 197.