

BASIC LAW : THE PRESIDENT OF THE STATE

1. A President shall stand at the head of the State. Status.
2. The place of residence of the President of the State shall be Jerusalem. Place of residence.
3. The President of the State shall be elected by the Knesset for five years. Election and period of tenure.
4. Every Israel national who is a resident of Israel is qualified to be a candidate for the office of President of the State. A person who has held office as President of the State for two successive periods shall not be a candidate in the election for the period immediately following. Eligibility.
5. The election of the President of the State shall be held not earlier than ninety days and not later than thirty days before the expiration of the period of tenure of the President in office. If the place of the President of the State falls vacant before the expiration of his period of tenure, the election shall be held within forty-five days from the day on which such place falls vacant. The Chairman of the Knesset, in consultation with the Deputy Chairman, shall fix the day of the election and shall notify it to all the Members of the Knesset in writing at least twenty days in advance. If the day of the election does not fall in one of the session terms of the Knesset, the Chairman of the Knesset shall convene the Knesset for the election of the President of the State. Date of election.
6. (a) When the day of the election has been fixed, any ten or more Members of the Knesset may propose a candidate. The proposal shall be in writing and shall be delivered to the Chairman of the Knesset, together with the consent of the candidate in writing or by telegram, not later than ten days before the day of the election. A member of the Knesset shall not sponsor the proposal of more than one candidate. Proposal of candidates.
 (b) The Chairman of the Knesset shall notify all the members of the Knesset, in writing, not later than seven days before the day of the election, of every candidate proposed and of the names of the Members of the Knesset who have proposed him, and shall announce the candidates at the opening of the meeting at which the election is held.
7. The election of the President of the State shall be by secret ballot at a meeting of the Knesset assigned only for that purpose. Voting.
8. The candidate who has received the votes of a majority of the Members of the Knesset is elected. If no candidate receives such a majority, a second ballot shall be held. If there is no majority as aforesaid at the second ballot, either, voting shall be continued. At the third and every subsequent ballot, the candidate who at the preceding ballot Election by majority of votes.

* Passed by the Knesset on the 6th Tammuz, 5724 (16th June, 1964) and published in *Sefer Ha-Chukkim* No. 428 of the 15th Tammuz, 5724 (25th June, 1964), p. 118; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 543 of 5723, p. 136.

received the smallest number of votes shall no longer stand for election. The candidate who at the third or any subsequent ballot receives a majority of the votes of the Members of the Knesset who take part in the voting and vote for one of the candidates is elected. If two candidates receive the same number of votes, voting shall be repeated.

Declaration of
allegiance.

9. The President-Elect shall make and sign before the Knesset the following declaration of allegiance :

"I pledge myself to bear allegiance to the State of Israel and to its laws and faithfully to carry out my functions as President of the State."

Making of
declaration
and commence-
ment of period
of tenure.

10. The President-Elect shall make his declaration of allegiance and begin to hold office upon the expiration of the period of tenure of the preceding President of the State. If the place of the preceding President of the State falls vacant before the expiration of his period of tenure, the President-Elect shall make his declaration of allegiance as soon as possible after his election and shall begin to hold office upon making his declaration of allegiance.

Functions
and powers.

11. (a) The President of the State—

(1) shall sign every Law, other than a Law relating to his powers;

(2) shall take action to achieve the formation of a Government and shall receive the resignation of the Government in accordance with Law;

(3) shall receive from the Government a report on its meetings;

(4) shall accredit the diplomatic representatives of the State, shall receive the credentials of diplomatic representatives sent to Israel by foreign states, shall empower the consular representatives of the State and shall confirm the appointments of consular representatives sent to Israel by foreign states;

(5) shall sign such conventions with foreign states as have been ratified by the Knesset;

(6) shall carry out every function assigned to him by Law in connection with the appointment and removal from office of judges and other office-holders.

(b) The President of the State shall have power to pardon offenders and to lighten penalties by the reduction or commutation thereof.

(c) The President of the State shall carry out every other function and have every other power assigned to him by Law.

Counter-
signature.

12. The signature of the President of State on an official document, other than a document connected with the formation of a Government, shall require the countersignature of the Prime Minister or of such other Minister as the Government may decide.

13. (a) The President of the State shall not be amenable to any court or tribunal, and shall be immune from any legal act, in respect of anything connected with his functions or powers. Immunity with regard to discharge of functions.
- (b) The President of the State shall not, in giving evidence, have to disclose anything which came to his knowledge in the discharge of his functions as President of the State.
- (c) The immunity of the President of the State under this section shall continue after he has ceased to be President of the State.
14. The President of the State shall not be criminally prosecuted. The period during which, by virtue of this section, the President of the State cannot be prosecuted for an offence shall not be counted in calculating the period of prescription of that offence. Immunity from criminal proceedings.
15. If the President of the State is required to give evidence, his evidence shall be taken at such place and time as shall be determined with his sanction. Evidence.
16. The salary of the President of the State, and other payments to be made to him during or after his period of tenure, including payments to be made to his survivors, shall be fixed by resolution of the Knesset, which may empower the Finance Committee in that behalf. Resolutions under this section shall be published in *Reshumot*. Salary and other payments.
17. (a) Save with the sanction of the House Committee of the Knesset, the President of the State shall not hold any post, or exercise any function, other than the post and functions of President of the State. President to hold no other office.
- (b) The President of the State shall be exempt from all compulsory service.
18. The President of the State shall not leave the territory of the State save with the sanction of the Government. Departure for abroad.
19. The President of the State may resign his office by submitting a letter of resignation to the Chairman of the Knesset. The letter of resignation shall not require a countersignature. The place of the President of the State shall become vacant forty-eight hours after the letter of resignation reaches the Chairman of the Knesset. Resignation.
20. (a) The Knesset may, by resolution, remove the President of the State from office if it finds that he is unworthy of his office owing to conduct unbecoming his status as President of the State. Removal of President from office.
- (b) The Knesset shall not remove the President of the State from office, save following a complaint brought before the House Committee by at least twenty members of the Knesset and upon the proposal of the House Committee passed by a three-quarters majority of the members of the Committee. A resolution by the Knesset to remove the President from office shall require a three-quarters majority of the Members of the Knesset.
- (c) The House Committee shall not propose the removal of the President of the State from office before he has been given an opportunity to refute the complaint in accordance with procedure prescribed

by the Committee with the approval of the Knesset, and the Knesset shall not resolve to remove the President of the State from office before he has been given an opportunity to be heard in accordance with procedure prescribed by the House Committee with the approval of the Knesset.

(d) The President of the State may be represented before the House Committee and before the Knesset by an authorised representative. A Member of the Knesset shall not act as the representative of the President. The House Committee and the Knesset may summon the President of the State to be present at proceedings under this section.

(e) Proceedings of the Knesset under this section shall be taken at a meeting, or successive meetings, assigned solely for that purpose. The proceedings shall begin not later than twenty days after the resolution of the House Committee. The time of their beginning shall be notified by the Chairman of the Knesset to all the Members of the Knesset, in writing, at least ten days in advance. If the beginning of the proceedings does not fall in one of the session terms of the Knesset, the Chairman of the Knesset shall convene the Knesset for the proceedings.

Vacation of
post for reasons
of health.

21. (a) The Knesset may, by resolution passed by a majority of its members, declare that for reasons of health the President of the State is permanently unable to carry out his functions.

(b) The Knesset shall not pass a resolution as aforesaid save upon the proposal of the House Committee passed by a two-thirds majority of its members on the strength of a medical opinion given in accordance with rules prescribed by the Committee.

(c) If the Knesset resolves as aforesaid, the place of the President of the State shall become vacant on the day of the resolution.

Temporary
cessation of
exercise of
office.

22. (a) The President of the State shall temporarily cease to carry out his functions and exercise his powers—

(1) if he leaves the territory of the State—from the time of his leaving until his return;

(2) if he notifies the House Committee that for reasons of health he is temporarily unable to carry out his functions and the Knesset Committee approves his notification by a majority of votes—from the time of the approval of the notification until the expiration of the period fixed by the Committee in its resolution or until the President of the State notifies the House Committee that he is no longer unable to carry out his functions, whichever is the earlier date;

(3) if the House Committee, by a two-thirds majority of its members, on the strength of a medical opinion given in accordance with rules prescribed by the Committee, resolves that for reasons of health the President of the State is temporarily unable to carry out his functions—from the passing of the resolution until the expiration of the period fixed by the House Committee in the resolution or until the House Committee resolves that the President is no longer unable to carry out his functions.

(b) The House Committee shall not, under subsection (a)(2) or (3), fix a period exceeding three months. It may extend the period, without a break, up to a maximum of three additional months. Any further extension shall require a resolution of the Knesset passed by a majority of the Members of the Knesset upon the proposal of the House Committee.

23. (a) If the place of the President of the State has fallen vacant, and so long as the new President has not yet begun to hold office, the Chairman of the Knesset shall hold office as Interim President of the State.

Interim President and Acting President.

(b) During a period in which the President of the State has temporarily ceased to carry out his functions and exercise his powers, the Chairman of the Knesset shall hold office as Acting President of the State.

(c) While holding office as Interim President of the State or Acting President of the State, the Chairman of the Knesset shall carry out the functions assigned to the President of the State by Law and shall exercise the powers vested in the President of the State by Law.

24. (a) The Chairman of the Knesset shall publish a notice in *Reshumot* as to—

Notices in *Reshumot*.

- (1) the commencement of the tenure of the President of the State;
- (2) the vacancy of the place of the President of the State;
- (3) the commencement and termination of the tenure of the Chairman of the Knesset as Acting President of the State under section 22(a)(2) and (3).

(b) The Prime Minister shall publish a notice in *Reshumot* as to the President's leaving the territory of the State and as to his return.

25. Notwithstanding the provisions of any other law, this Law cannot be varied, suspended, or made subject to conditions, by emergency regulations.

Law not to be affected by emergency regulations.

26. (a) There are hereby repealed—

Repeal.

- (1) sections 2(c), 6 and 7 of the Transition Law, 5709-1949¹⁾;
- (2) the State President (Tenure) Law, 5712-1951²⁾;

(b) The State President, Government Members and Chief Rabbis of Israel (Fixing of Salaries) Law, 5711-1950³⁾, shall no longer apply to the salary of the President of the State or to payments due to him or his survivors.

27. The President of the State who was elected by the Knesset on the 27th Iyar, 5723 (21st May, 1963) shall be deemed to have been elected, and to hold office, under this Law.

Transitional provision.

LEVI ESHKOL
Prime Minister

¹⁾ *Sefer Ha-Chukkim* of 5709, p. 1; *LSI* vol. III, p. 3.

²⁾ *Sefer Ha-Chukkim* of 5712, p. 6; *LSI* vol. VI, p. 4.

³⁾ *Sefer Ha-Chukkim* of 5711, p. 10; *LSI* vol. V, p. 10.