

Proposed Bill to Prevent Harm to the State of Israel by Means of Boycott
27 June 2011

Definition:

1. In this bill, "a boycott against the State of Israel" – deliberately avoiding economic, cultural or academic ties with another person or another factor only because of his ties with the State of Israel, one of its institutions or an area under its control, in such a way that may cause economic, cultural or academic damage.

Boycott – a civil wrong:

A. Knowingly publishing a public call for a boycott against the State of Israel will be considered a civil wrong to which the civil tort law [new version] applies, if according to the content and circumstances of the publication there is reasonable probability that the call will bring about a boycott and he who published the call was aware of this possibility.

B. In regards to clause 62 [A] of the civil tort law [new version], he who causes a binding legal agreement to be breached by calling for a boycott against the State of Israel will not be viewed as someone who operated with sufficient justification.

C. If the court will find that an wrong according to this law was deliberately carried out, it will be authorized to compel the person who did the wrongdoing to pay damages that are not dependent on the damage (in this clause – damages, for example); in calculating the sum of the damages for example, the court will take into consideration, among other things, the circumstances under which the wrong was carried out, its severity and its extent.

Regulations pertaining to limitation on participation in tenders:

3. The Finance Minister is authorized, with the agreement of the Justice Minister and the approval of the Knesset's Constitution, Law and Justice Committee, to set the regulations of this matter [special cases where it will be limited] and to limit the participation of he who knowingly published a public call for a boycott against the State of Israel, or who committed to take part in a boycott, in a tender that must to be carried out according to legislation.

Regulations pertaining to the suspension of benefits

4.

A. The Finance Minister, with the approval of the Justice Minister, may decide in the case of someone who knowingly published a public call for a boycott against the State of Israel or committed to take part in a boycott [in special cases] that –

1. He will not be considered a public institution as to clause 9 (2) of the income tax ordinance;
2. He will not be eligible for receiving money from the council of sports gambling according to clause 9 of the law regulating sports gambling, 1967;
3. He will not be considered a public institution as far as receiving support according to clause 3(A) of the budget foundations law, 1985;
4. He will not be subject to the orders of the guaranteeing law on behalf of the state, 1958
5. He will not be eligible to enjoy benefits given according to the law to encourage capital investment, 1959, and according to the law to encourage research and development in industry, 1984.

B. Putting into practice the authority of the Finance Minister according to small clause (A)(2) will be carried out with the approval of the Sports Minister. Putting into practice the authority of the Finance Minister according to small clause (A)(3) will be carried out with the approval of the minister that the government had decided is responsible for the budget as is stated in paragraph (2) of the definition of who is "responsible for the budget clause" within the budget foundations law, 1985. Putting into practice the authority of the Finance Minister according to small clause (5) will be carried out with the approval of the Minister of Industry, Trade and Labor.

Implementation

5. The Minister of Justice is appointed to implement this law.