

Non-Ionizing Radiation Law, 2006*

Chapter C: Permits

Permit

3. (A) A person shall not install a radiation source, shall not operate a radiation source and shall not provide a radiation measurement service, unless he possesses an installation permit, an operation permit or a service provision permit, accordingly, granted to him by the Supervisor according to the provisions of this law, and according to its conditions.
- (B) Without derogating from the generality of the aforesaid in paragraph (A) above, the applicant for an operation permit is authorized to perform an experimental operation of the radiation source for a period not exceeding three months, prior to obtaining the permit, in order to perform measurements and tests requiring the operation of the radiation source, in accordance with the instructions of the Supervisor, as specified in paragraph 7(A)(2), provided he possesses an installation permit, if so required according to the provisions of this law.
- (C) The installation permit and the operation permit may be granted for a specific radiation source or for a specific type of radiation source.

Exemption

4. The provisions in paragraph 3 will not apply to the installation or the operation of a radiation source as detailed in the addendum.

* Approved by the Knesset on 19 Kislev 5766 (December 20, 2005); the bill and the explanatory notes were published in the "Bills of the Government – 184", on 15 Sivan 5765 (June 22, 2005), page 894.

Please note that this is an unofficial translation of the law.

- Validity of Permits**
5. (A) The validity of the operation permit and the service provision permit shall be for a period of five years; however the Minister is entitled to determine a different validity period in cases and circumstances that he determines, taking into account, amongst others, the type of radiation source, its location or the type of radiation measurement service, accordingly.
- (B) The validity of the installation permit shall be for a period not exceeding three months, and the Supervisor may extend its validity for additional periods, provided that the total of all periods shall not exceed nine months; however the Minister is entitled to determine a longer validity period for certain types of radiation sources.
- Conditions for granting an installation permit**
6. The Supervisor shall not grant an installation permit, unless it has been proved to his satisfaction that the following conditions are met:
- (1) The permit applicant has performed, by means of a holder of a service provision permit and according to the written instructions that he received from the Supervisor, an assessment of the maximum levels of exposure of the public and environment to the anticipated radiation from the radiation source, whenever it shall be operated, including during malfunction (henceforth in this law - assessment of exposure levels);
- (2) All the required measures have been taken for limiting the exposure levels of humans and environment to the anticipated radiation from the radiation source, whenever it shall be operated, in accordance with the conditions that he determined according to paragraph 10(1), including the use of suitable available technology, as well as cautionary and safety measures that the Minister has determined in accordance with the provisions in paragraph 25(A)(3).
- Conditions for granting an operation permit**
7. (A) The Supervisor shall not grant an operation permit, until it has been proved to his satisfaction that the following conditions are met:
- (1) The condition stated in paragraph 6(2);

- (2) The permit applicant has performed, by means of a holder of a service provision permit and according to the written instructions that he has received from the Supervisor, measurements of the exposure levels of the public and environment to the radiation produced during the course of operating the radiation source, at different distances from the radiation source, and these levels did not exceed the maximum exposure levels that the Supervisor determined according to paragraph 10(1);
- (3) The permit applicant has presented him with a license or an approval for a category of devices according to the Wireless Telegraph Regulation (New Version) (5732) - 1972¹ (henceforth in this law - the Telegraph Regulation) or according to the Communications Law (BEZEQ and Transmissions) (5742) - 1982², concerning a radiation source requiring a license or a categorical approval as stated;
- (4) The permit applicant has presented him with a permit according to the Planning and Building Law, (5725) - 1965³, and if the permit applicant was a license holder as defined in the Electricity Sector Law (5756) – 1996⁴ - including the authorization according to paragraph 145(f)(1) of the aforesaid law (henceforth in this law – building permit).
- (B)** The provisions in paragraph (A) (4) shall not apply where a building permit is not required provided the conditions in paragraphs (1) and (2) or the conditions in paragraph (3) are met, accordingly:

¹ The Laws of the State of Israel, New Version 25, page 506

² Book of Laws (5732) 1972, page 218

³ Book of Laws (5725) 1965, page 307

⁴ Book of Laws (5756) 1996, page 208.

- (1) The permit applicant has presented to the Local Committee or to the District Committee in whose jurisdiction the radiation source is found (in this paragraph – the Committee) an affidavit detailing the reasons a building permit for the radiation source was not required;
- (2) The Local Committee Engineer or the District Planner, accordingly, has not expressed an objection to granting the operation permit within 21 days of the date of submission of the declaration to the Committee, and the permit applicant has attached to the aforesaid affidavit an additional affidavit according to which the stated term is over and no objection was received from the Local Committee Engineer or the District Planner; the objection of the Local Committee Engineer or the District Planner to granting an operation permit may be based on the reason that the radiation source requires a building permit, and he shall inform the permit applicant of the reasons for his objection;
- (3) The license holder as defined in the Electricity Sector Law (5756) - 1996, has presented the Supervisor with an affidavit stating that, according to the best of his knowledge, the radiation source has been legally installed prior to the publication day of this law.

(C) The Supervisor may also make the granting of an operation permit contingent on the performance of an assessment of exposure values.

Conditions for granting a service provision permit

8. The Supervisor shall not grant a service provision permit, until it has been proved to his satisfaction that the following conditions are met:
 - (1) The permit applicant has the professional training as determined by the Minister, and the Minister may determine in this regard an obligation to comply with professional examinations on subjects and according to procedures that he shall determine.
 - (2) The permit applicant has in his possession the appropriate equipment and means to provide the radiation measurement service, as determined by the Minister;

**Stipulating licenses
or permits subject to
other legislation**

9. (A) A building permit shall not be granted for a radiation source requiring an installation permit, according to this law, until an installation permit has been obtained.
- (B) A license or a temporary permit shall not be granted to a business requiring licensing according to the Businesses Licensing Law (5728) - 1968⁵, which requires a permit according to this law, until the permit has been obtained according to this law.

**Permit's
conditions**

10. The Supervisor may stipulate conditions for granting a permit that must be met prior to the grant of the permit, and he may determine conditions in the permit and add to or subtract from them at any time, in order to ensure the fulfillment of the aims of this law, including conditions concerning -
- (1) The maximum permissible exposure levels of the public to radiation from a radiation source, and the required means for limiting the exposure levels;
 - (2) Limiting access to the radiation source;
 - (3) Installing warning signs in the proximity of the radiation source or upon it;
 - (4) Performing measurements of the radiation created during the operation of the radiation source;
 - (5) Removal of a radiation source that is not in use;
 - (6) Forwarding information to the party requesting the radiation measurement;
 - (7) Employment of professional and skilled employees;
 - (8) The equipment and means required to provide the radiation measurement service;
 - (9) Proper maintenance of the radiation source or the equipment and means designated for the radiation measurement service, accordingly, and performance of tests to ensure their normal working condition;
 - (10) Recording and reporting obligations, including -

⁵ Book of Laws (5728) 1968, page 204.

- (a) Technical specifications and a description of the radiation source that is the subject of the permit;
- (b) Information regarding radiation measurements and their results;
- (c) Specification of measurements that have been performed to ensure the proper conditions of the radiation source or the equipment and means designated for the radiation measurement service, accordingly, and the means that have been taken to ensure their proper maintenance.

**Revocation
or
suspension
of
a permit**

- 11 (A)** The Supervisor may, at any time, revoke or suspend a permit, after the permit holder has been given an opportunity to present his claims, if he considers that one of the following has occurred:
- (1) The permit was granted on the basis of false or misleading information;
 - (2) The permit holder violated a provision of this law, or a condition in the permit;
 - (3) The operation of the radiation source is endangering or might endanger the public or might cause serious damage to the environment.
- (B)** If the fault which required the revocation or the suspension of the permit according to paragraph (A), can be corrected, the Supervisor shall not revoke the permit or suspend it, unless, after sending the permit holder a notification about the necessary repair, the permit holder did not correct the fault in the manner and time period specified in the notice.
- (C)** If the permit was revoked due to one of the conditions stated in paragraph (A)(1) or (2), the Minister may, after the permit holder has been given an opportunity to present his claims, prohibit the granting of any additional permits to the same permit holder, for a determined time period.

**Recording
and
reporting**

- 12 (A) The permit holder shall conduct complete and detailed records concerning the radiation source or the radiation measurement service for which the permit has been granted, in accordance with the conditions determined by the Supervisor in the permit according to paragraph 10(10), and he shall report them to the Supervisor once a year, not later than on December 31st, or at another time as instructed by the Supervisor.
- (B) The permit holder shall allow the Supervisor and the Inspector to inspect the records managed by him as stated in paragraph (A), during normal working hours, and he shall forward to them, according to their requirements, a copy of the records as stated.

Chapter D: Inspection

**Authorization
of inspectors**

- 13 (A) The Minister may certify a public servant as an Inspector for the purpose of this law; in this paragraph, "public servant" means a state employee as defined in the State Service Law (Appointments), (5719) - 1959⁶, or an employee of the local authority.
- (B) An Inspector shall not be authorized according to paragraph (A), unless he has passed appropriate training, as instructed by the Minister, with the approval of the Minister of Internal Security.

**Supervisor's
and
Inspector's Powers**

- 14 (A) For the purpose of supervising the implementation of the provisions of this law, the Supervisor or the Inspector is permitted, at any reasonable time, to enter a site where there is reasonable ground to assume that a radiation source is located whose installation or operation require a permit according to this law or a radiation source for which an instruction was given according to paragraph (C), or a radiation measurement service business operates, provided he does not enter -
- (1) A location serving as a residence, unless by means of a court order;

⁶ Book of Laws (5719) 1959, page 86.

(2) A location held by the defense bodies, unless he holds an entrance permit to this location provided by the Minister in charge or a person authorized by him for this matter, provided no operational activity or hostile activity are taking place at this location during the time of the Supervisor's or Inspector's entry; in this paragraph – "defense bodies" means any of the following:

- (a) The Ministry of Defense and auxiliary units of the Ministry of Defense;
- (b) Israel Defense Forces (IDF);
- (c) General Security Agency and the Institute for Intelligence and Special Operations;
- (d) The Nuclear Research Centers under the responsibility of the Nuclear Energy Commission and the Biological Institute;
- (e) Suppliers and enterprises developing or manufacturing products on behalf of any of the bodies listed in sub-paragraphs (a) to (d), about which the Ministry of Defense has notified the Supervisor;
- (f) Israel Police and Israel Prison Service;

"The Minister in charge", for the purpose of the bodies listed in the definition of "defense bodies" – for sub-paragraphs (a), (b) and (e) means the Minister of Defense, for sub-paragraphs (c), and (d) – the Prime Minister and for sub-paragraphs (f) – the Minister of Internal Security.

- (B)** Without detracting from the provisions of paragraph (A), if the Supervisor or the Inspector have reasonable ground to assume that the operation of the radiation source is done in a way that might endanger the public or cause damage to the environment, he is entitled, at any reasonable time, to enter the place in which the radiation source is located and check it, or to perform measurements of the radiation created during its operation, provided he does not enter a location stated in paragraph (A), unless this is done according to the provisions of that same paragraph.
- (C)** Should the Supervisor find that the radiation source is operated in a way that might endanger the public or cause damage to the environment, he may order, in writing, the owner of the radiation source or the operator of the radiation source to take measures, within the period of time instructed, to ensure the safe operation of the radiation source.
- (D)** In order to discover a contravention of this law, the Supervisor shall be empowered with the investigative authorities of a police officer according to paragraphs 2 and 3 of the Criminal Procedure (Evidence) Ordinance⁷, as well the authority of a policeman to request a search warrant from a court and to execute it according to paragraphs 23 and 24 (A)(1) of the Criminal Procedure (Arrest and Searches) Ordinance {New Version} (5729) - 1969⁸; the said legislative provisions shall apply to the investigation, the search and the seizure of objects, that are done by an Inspector, as if they were done by a police officer or a policeman, accordingly, with the necessary changes.

⁷ Eretz Israel Laws, Volume A, page 439 (par P), 467 (par 1).

⁸ Laws of the State of Israel , New Version 12, page 284.

Chapter E: Removal Order

Order for removal of a radiation source

- 15 (A)** Should the Supervisor find out that the installation or the operation of a radiation source were performed without a permit or in contradiction to its conditions or to the provisions given by the Supervisor according to the provisions of paragraphs 7(A)(2) and 14(C), and prior to the filing of an indictment, he may order the installer of the radiation source, its operator, the owner of the radiation source or the owner of the property in which the radiation source is located:
- (1) To stop the installation or the operation, accordingly, or to remove the radiation source to a place, in a way and in a period of time commencing on the day of delivery of the order, all as specified in the order; in this paragraph, "removal" includes neutralization or dismantling.
 - (2) To restore, to the extent possible and according to the circumstances, the situation to its previous condition.
- (B)** Should a person not fulfill the provisions of the order submitted according to paragraph (A), the Supervisor, or a public servant that he has empowered for this purpose, may carry out whatever is required according to the order; once done, the person who was ordered to fulfill the provisions of the order but did not do so will be liable to pay a sum double the expended expenses, to the Maintenance of Cleanliness Fund, established according to paragraph 10 of the Maintenance of Cleanliness Law, (5744) - 1984⁹ (in this law - the Maintenance of Cleanliness Fund); the Taxes Ordinance (Tax Collection)¹⁰ would apply to the collection of the said expenses.
- (C)** The Supervisor, or the person he has empowered to execute the order stated in paragraph (B), may enter any location for the purpose of executing the order, provided he does not enter a

⁹ Book of Laws (5744) 1984, page 142.

¹⁰ Laws of Eretz Israel, Volume B, page 1374 (par P), 1399 (par 1).

location stated in paragraph 14(A), unless he does so according to the provisions of that same paragraph.

Chapter F: Penalties

Penalties

- 16 (A)** A person who commits one of the following, shall be liable to imprisonment for a term of six months or a fine as specified in paragraph 61(A)(4) of the Penal Law, (5737) - 1977¹¹ (in this law - Penal Law), and if the offense was committed by a corporation, it shall be liable to twice the stated fine:
- (1) Installs or operates a radiation source without a permit, in contradiction to the provisions of paragraph 3, after receiving a written warning from the Supervisor;
 - (2) Provides a radiation measurement service without a permit, in contradiction to the provisions of paragraph 3;
 - (3) Installs or operates a radiation source or provides a radiation measurement service, in contradiction to one of the conditions of the permit granted to him according to paragraph 3;
 - (4) Performs measurements as stated in paragraph 7(A)(2) not by means of a holder of a service provision permit or in contradiction to the written instructions received from the Supervisor according to the said paragraph;
 - (5) Violates a provision imposed by the Supervisor according to the provisions of paragraph 14(C) or an order issued by the Supervisor according to the provisions of paragraph 15(A).
- (B)** A permit holder that does not conduct records or does not report to the Supervisor according to the provisions of paragraph 12(A), is liable to a fine as specified in paragraph 61(A)(4) of the Penal Law, and if the offense was committed by a corporation, it shall be liable to twice the stated fine.

¹¹ Book of Laws (5737) 1977, page 226.

- (C) Should the offense be a continuous offense, the court shall impose an additional fine at a rate of five percent of the sum of the fine determined for this offense, for each day that the offense continues beyond the period of time specified in the written warning issued by the Supervisor, commencing upon its delivery.
- (D) The offense in this clause is a strict liability offense.
- (E) A fine imposed for an offense according to this law shall be paid to the Maintenance of Cleanliness Fund; however, if the fine was imposed according to the powers vested in an employee of a local authority, the fine shall be paid to the treasury of the local authority that has wielded the authority, except for a fine imposed on a local authority.

**Responsibility of a
corporate office holder**

- 17 (A) A corporate office holder within a corporation is required to supervise and to do all that is possible to prevent offenses according to paragraph 16 by the corporation or by one of its employees; a person who contravenes this obligation is liable to a fine as specified in paragraph 61(A)(4) of the Penal Law; for the purpose of this paragraph, "a corporate office holder" means an active manager in the corporation, a partner, except for a limited partner, or another position holder in the corporation who is responsible on behalf of the corporation for the domain in which the offense was committed, and for the purpose of paragraph 16(A)(1) or (2) – also a director.
- (B) Should the offense be committed according to paragraph 16 by a corporation or by one of its employees, it is presumed that the corporate office holder in the corporation has breached his duty according to paragraph (A), unless he proves that he did all that is possible in order to fulfill his duty.

Chapter G: Various Provisions

**Non-dependence and
prevention of conflicts of
interests**

- 18 (A) The assessment or the measurement of radiation exposure values for the purpose of obtaining a permit, according to paragraphs 6(1) or 7(A)(2), accordingly, or for the purpose of performing the

radiation measurement according to the permit conditions that the Supervisor has determined in clause 10(4), shall be by means of a holder of a service provision permit who is not an employee of the applicant for an installation permit or an applicant for an operation permit or a permit holder as aforesaid, who has ordered the assessment or the measurement.

- (B) The holder of a service provision permit shall maintain a position of non-dependence in his professional work and shall not perform an assessment or a measurement as specified in paragraph (A) if this may create a conflict of interest with another interest.
- (C) The Minister is entitled to determine the circumstances that could be considered as circumstances which might create a conflict of interest or affect the non-dependence of the holder of a service provision permit.
- (D) Notwithstanding that stated in paragraph (A), the Supervisor is entitled to determine criteria, according to which he would authorize the performance of the assessment or measurement as detailed in the same paragraph, by an employee of the laboratory of the applicant for an installation permit or applicant for an operation permit or holder of a permit as stated; the criteria shall be determined in a way that would ensure the professionalism of the assessment or measurement and the reliability of their results; the Supervisor shall report to the Knesset Interior and Environment Committee about the criteria he has determined and their modifications.

**Notification of
the public**

- 19** The Supervisor shall publish, in a manner and in a frequency determined by the Minister and according to the provisions of paragraph 9 of the Freedom of Information Law, (5758) - 1998¹², the updated information in his possession, including the information as detailed henceforth:
- (1) List of the permit holders and of the permits that have been revoked or suspended;

¹² Book of Laws (5758) 1998, page 226.

- (2) Location of the radiation sources requiring a permit;
- (3) Assessments of exposure levels;
- (4) Test results of the radiation sources requiring a permit;
- (5) Results of the measurements of the radiation created during the operation of the radiation sources;
- (6) Requests submitted for installation permits.

Manner of delivery 20 The provisions of paragraph 237 of the Criminal Procedure (Consolidated Version) Law, (5742) - 1982¹³, concerning the delivery of documents, with the necessary changes, shall apply to the delivery of an order, a warning, instructions and guidelines provided by the Supervisor according to this law.

Request for cancellation of a provision or an order by a court 21 (A) A person who considers himself aggrieved by an instruction provided according to paragraph 14(C) or by an order that has been issued according to the provisions of paragraph 15(A), is authorized to submit a request for their cancellation to the court authorized to consider the offense related to the provision or the order, (in this paragraph – the request).

(B) The submission of the request does not suspend the validity of the provision or the order, as long as the court has not decided differently; should the court decide ex-parte to suspend the validity of the provision or the order, the request will be considered by the court in the presence of both sides as soon as possible, and not later than the conclusion of a seven day period from decision day.

(c) The court may revoke the provision or the order, confirm or modify them.

Safeguarding existing laws 22 The provisions of this law are intended to add to and not to subtract from the provisions of any other law.

Fees 23 The Minister, with the agreement of the Minister of Finance and the approval of the Knesset Interior and Environment Committee, shall fix fees for the submission of requests for granting permits according to this law; the fees as stated shall be determined, taking into consideration,

¹³ Book of Laws (5742) 1982, page 43.

**Amendment
of the
addendum
Implementation
and
regulations**

among other things, the validity periods of the permits.

24 The Minister may, in an order, with the approval of the Knesset Interior and Environment Committee, amend the addendum.

25 (A) The Minister is in charge of the implementation of the provisions of this law, and may, with the approval of the Knesset Interior and Environment Committee, promulgate regulations on its implementation, including the following matters:

- (1) The criteria and the procedures for granting permits according to this law, in general or for a specific type of radiation source, the validity of the said permits, their revocation or suspension, including the procedures for submission of requests and permits;
- (2) The maximum permitted levels of exposure of human beings to radiation from a radiation source;
- (3) Taking precautionary and safety measures for the prevention of hazards to the public and the environment as a result of exposure to radiation or as a result of the installation of a radiation source and its operation;
- (4) Conducting measurements of the radiation created during the operation of the radiation sources;
- (5) Safety distances from a communication transmission facility based on cellular technology, according to its definition in paragraph 202b of the Planning and Building Law, (5725) - 1965, including safety distances between the said facility and educational institutions, senior citizen institutions, homes for the sheltered or hospitals, taking into consideration, among other things, the type of facility, its size or the level of the radiation created during its operation.

(B) (1) The regulations according to paragraph (A)(2) shall be promulgated following consultation with the Minister of Health; regulations related to the maximum permitted levels of exposure of human beings to radiation in the radio frequencies range as defined in the Telegraph Ordinance, shall

be promulgated following consultation also with the Minister of Communications; however if the Minister of Communications notifies the Minister, in writing, that the said regulations have or may have direct and significant impact on costs to the communications sector, the regulations shall be promulgated with his agreement.

(2) Regulations according to paragraph (A)(5) shall be promulgated following consultation with the Minister of Communications.

(C) Regulations according to paragraph (A) related to the electricity sector shall be promulgated following consultation with the Minister of National Infrastructures; however if the Minister of National infrastructures notifies the Minister, in writing, that the said regulations have or may have direct and significant impact on costs to the electricity sector, on electricity tariffs or on the reliability or availability of electricity supply (in this law – matters with impact on costs to the electricity sector), the regulations shall be promulgated with the agreement of the Minister of National Infrastructures and the Minister of Finance.

(D) The notification of the Minister of Communications or the Minister of National Infrastructures as well as the Minister of Finance, if his approval has been requested, regarding their agreement to the promulgation of regulations according to paragraph (B) or (C), accordingly, shall be delivered within 30 days after the Minister's application to them; should none of the said Ministers, in the stated term, have submitted his statement, it shall be deemed as if he gave his agreement.

Obligation to promulgate 26 regulations

(A) First regulations according to clause 23 as well as first regulations according to paragraphs 25(A)(2) and (5), whose promulgation requires consultation with the Minister of Communications or the Minister of National Infrastructures or their agreement according to paragraphs 25(B) or (C), shall be promulgated by the day this law commences.

(B) If regulations have not been promulgated according to paragraph (A) on matters related to the electricity sector by the day this law commences, the provisions specified henceforth shall apply until promulgation of the said regulations:

- (1) The Supervisor's decision according to clauses 3, 10 or 11, on matters related to the electricity sector, shall comply with the recommendations included in the Expert Committee report; however the decision on matters with impact on costs to the electricity sector, for which a written notification was delivered to the Supervisor from the Minister or the Minister of National Infrastructures, requires the prior and written approval of the Minister, the Minister of National Infrastructures and the Minister of Finances; in this paragraph, "Expert Committee report" means the report of the Expert Committee on magnetic fields generated by the electricity network as published in the Environment Ministry's website;
- (2) The approval of the Minister of National Infrastructures and the Minister of Finances according to paragraph (1) shall be delivered within thirty days of the Supervisor's application to them; should none of the said ministers have delivered his approval within the said term, it shall be considered as if he has granted his approval.

**Amendment
of the Planning and
Building Law
[No. 75]**

27 In the Planning and Building Law, (5725) - 1965¹⁴ -

(1) Following paragraph 202a shall come:

"Indemnity letter" as a condition for granting a permit for installation of a communications transmission facility based on cellular

202b (a) In this paragraph – "communications transmission facility based on cellular technology" means a facility installed by a permit holder or a person on his behalf, serving or intended to serve for the provision of mobile radio

¹⁴ Book of Laws (5725) 1965, page 746.

technology

telephone services, including an antenna, a transmitter, a mast or any other auxiliary device, required to support the facility's operation;

"Permit holder" means a person who has received a general permit according to the Communications Law (BEZEQ and Transmissions), (5742) - 1982 for providing mobile radio telephone services.

- (b) The planning authority shall require, as a condition for granting a permit for the installation of a communications transmission facility based on cellular technology, an indemnity letter against any claim for indemnities according to clause 197, but with the condition that the said request is according to the guidelines of the National Council; the guidelines of the National Council, as stated, shall remain valid until instructions on the matter are set in a national outline plan";

- (2) In paragraph 265, at its end shall come -

"(33) The procedure for requests for installation of a communications transmission facility based on cellular technology, as defined in paragraph 202 b(a), including the manner of notifying the public, hearing it or submitting objections, taking into consideration, among other things, the provisions of paragraph 149 on the publication and delivery of announcements and on the type of facility, its location, its size or the level of radiation created during its operation;

regulations according to the paragraph shall also be promulgated following consultation with the Minister of Environment and the Minister of Communications and with the approval of the Knesset Interior and Environment Committee."

**Amendment of the
Abatement of
Environmental Nuisances
(Civil Claims) Law
[No. 4]**

28 In the Abatement of Environmental Nuisances (Civil Claims) Law, (5752) 1992¹⁵, in paragraph 1, in the definition "pollution by radiation," instead of "or by non-ionizing radiation, according to their meaning," it shall state "according to its meaning," and at its conclusion shall come "or by non-ionizing radiation according to its definition in the Non-Ionizing Radiation Law, (5766) 2005¹⁶".

**Amendment to
the Fines, Fees and
Expenses Collection
Center Law
[No. 4]**

29 In the Fines, Fees and Expenses Collection Center Law, (5755) -1995¹⁷, in paragraph 1, in the definition "debt", in paragraph (9), after sub-paragraph (e) shall come:

"(f) For the purpose of executing an order for the removal of a radiation source, according to paragraph 15 of the Non-Ionizing Radiation Law, (5766) - 2005¹⁶;"

**Amendment of the
Administrative Courts
Law [No. 21]**

30 In the Administrative Courts Law, (5760) 2000¹⁸, at the first addendum, in article 23, following paragraph (1) shall come:

"(2) The Supervisor's decision according to Section C in the Non-Ionizing Radiation Law, (5766) - 2005¹⁶."

**Reservations on
application**

31 (A) This law shall apply to the State; however it shall not apply to security activity or operations or to the results of the said activity of any of the following bodies:

- (1) Units and auxiliary units of the Prime Minister's Office, whose main activities relate to state security or foreign affairs;
- (2) Units and auxiliary units of the Ministry of Defense, whose main activities relate to state security;
- (3) Israel Defense Forces (IDF);

¹⁵ Book of Laws (5752) 1992, page 184; (5764) 1994, page 545.

¹⁶ Book of Laws (5766) 2005, page 158.

¹⁷ Book of Laws (5755) 1995, page 170, (5765) 2005, page 419.

¹⁸ Book of Laws (5760) 2005, page 190; (5766) 2005, page 15.

(4) Israel Police;

However, such activity should be performed to the extent possible, according to the provisions of this law and according to rules that shall be determined by each of these bodies, in consultation with the Supervisor.

(B) The provisions of this law shall not apply to radiation sources in workplaces, provided that the exposure to radiation, which is created or might be created due to the operation of the said radiation sources, is limited to the workplace and to the employees at this workplace who deal, within the framework of their duties, with the installation, operation and maintenance of radiation sources.

Commencement

32 (A) Subject to that stated in paragraphs (B) and (C), the commencement of this law shall be one year after its publication (henceforth – commencement day).

(B) The commencement of this law, regarding electricity network facilities were granted a building permit, or an authorization according to paragraph 45 of the Electricity Sector Law (5756) – 1996 by the commencement day, shall be at the conclusion of two and half year from the publication day (henceforth – the commencement day for matters of electricity network facilities); in this regard, "electricity network facilities" means facilities serving for the production, transmission, distribution and supply of electric power, including high voltage lines, upper and underground voltage lines, secondary and transformation stations and low voltage lines, up to the phase of home distribution.

(C) The commencement of paragraphs 202b and 265 of the Planning and Building Law, (5725) 1965, as formulated in paragraph 27 of this law, shall be on the publication day of this law; the provisions according to paragraph 265(33) of the Planning and Building Law, (5725) 1965, as formulated in paragraph 27(2) of this law shall be submitted for the approval of the Knesset Interior and Environment Committee within a year of the publication day of this law.

- Transition provisions** **33** (A) A permit granted prior to the commencement day for the installation of facilities, for working with a radiation device or for providing or operating services for non-ionizing radiation measurements, according to the Pharmacist Regulations (Radioactive Elements and their Products), (5740) -1980¹⁹, that was in force on the eve of the commencement day, shall be considered as a permit that has been granted according to the provisions of clause 3 for the remainder of its validity period.
- (B) Until the commencement day for matters of electricity network facilities, the operator of such facilities shall exercise precautionary measures according to the recommendations of the Experts Committee as defined in paragraph 26(B)(1), and should report to the Knesset Interior and Environment Committee, once a year, about his progress in preparing for the implementation of this law.

¹⁹ Subsidiary Legislation (Kovets Hatakanot) (5740) 1980, page 992.

Addendum
(Paragraph 4)

Radiation sources not requiring a permit for installation and operation

1. A radiation source whose operation creates or is liable to create Ultraviolet Radiation in the range of wavelengths shorter than 400 nanometers, provided that the radiation source has a weighted power density of $3 \times 10^{-8} \text{ W/cm}^2$, when measured at a distance of 5 centimeters at all access points on the body of the radiation source, including: halogen lamps and tanning lamps; in this regard, the weighting of the power density should be done according to the Supervisor's instructions.
2. A device emitting light in the visible range, in the range of wavelengths between 400 nanometers and 780 nanometers, provided it is not a device or facility whose operation creates or may create laser radiation, including: all types of lighting devices.
3. A device or facility whose operation creates or may create laser radiation, provided that the laser device or facility, is classified in the last edition of the EC-60825-1, ed. 1.2 International Technical Standard or in the Israeli Standard I.S. 1249, as pertaining to the laser hazard level Class 1, Class 1M, Class 2, Class 2M, Class 3a, including: barcode testing instrument, pointer, laser range meter or CD player.
4. A radiation source whose operation creates or may create Infrared Radiation in the range of wavelengths between 780 nanometers and 1 millimeter, provided that the radiation source has a weighted power density not exceeding 10 mW/cm^2 in a measurement at a distance of 5 centimeters from the output of the radiation source, including: remote control device.
5. A radiation source whose operation creates or may create electromagnetic radiation, in the Radio Frequencies range between 100 Kilohertz and 300 Gigahertz, provided that the radiation source has a power that does not exceed 0.1 Watt, including: remote control device for operating a car alarm; in this regard – "power" means the Root Mean Square (RMS) value of the transmitted power as measured in the highest power configuration at the output of the radio frequencies transmitter, and if there is no matched

electrical access at the transmitter output, the Effective Radiated Power (ERP) should be measured.

6. A household microwave oven complying with Israeli Standard I.S. 961 requirements, a flying-model remote control device with power that does not exceed 0.5 Watt, a simplex device with power that does not exceed 25 Watt, a wireless communication portable device and all types of mobile telephones, including a wireless telephone, or a telephone with cellular technology whose Specific Absorption Rate (SAR) does not exceed 2W/Kg in average over 10 grams of biological tissue, or 1.6W/Kg in average over 1 gram of biological tissue.
7. A radiation source whose operation creates or may create radiation in the frequencies range below 100 Kilohertz, including: household electrical appliances, such as an air conditioner, washing machine, refrigerator, shaver, hair dryer, electric blanket, personal computer or electric lamps, except facilities serving for producing, transmitting, distributing and supplying electric power, including high voltage lines, upper and underground voltage lines, secondary and transformation stations and low voltage lines, up to the phase of home distribution.

Ariel SHARON

Prime Minister

Ariel SHARON

Acting Minister of the Environment

Moshe KATSAV

State President

Reuven RIVLIN

Knesset Chairman