

YOUTH (CARE AND SUPERVISION) LAW, 5720-1960*

Definition.

1. In this Law —

“person responsible for minor” means a parent and includes a step-parent, adopter, guardian and any person having the custody or supervision of the minor ;

“court” means a magistrate’s court ;

“welfare officer” has the same meaning as in the Welfare Services Law, 5718-1958¹);

“minor” means a person under the age of eighteen years completed ;

“welfare authority” means a welfare office of a local authority and any person appointed by the Minister of Social Welfare to be a welfare authority for the purposes of this Law.

Minor in need of protection.

2. A minor is in need of protection if —

(1) there is no person responsible for him ; or

(2) the person responsible for him is not capable of taking care of him or supervising him or neglects such care or supervision ; or

(3) he has done an act which is a criminal offence and has not been brought to trial ; or

(4) he has been found vagrant or begging or hawking in contravention of the Youth Labour Law, 5713-1953²); or

(5) he is exposed to any bad influence or lives in a place regularly used for illicit purposes ;

(6) his physical or psychical well-being is impaired or likely to become impaired from any other cause.

Modes of care and supervision.

3. Where a welfare officer is of the opinion that a minor is in need of protection and that, in the interests of the care and supervision of such minor, a court decision is required, either because the person responsible for the minor has not given his consent or because, that person having given his consent, the minor does not obey that person, the welfare officer may apply to the court to take one or several of the measures provided for by this section, and if the court is satisfied that the minor is in need of protection, it may —

* Passed by the Knesset on the 10th Tammuz, 5720 (5th July, 1960) and published in *Sefer Ha-Chukkim* No. 311 of the 19th Tammuz, 5720 (14th July, 1960), p. 52 ; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 367 of 5719, p. 104.

¹) *Sefer Ha-Chukkim* No. 249 of 5718, p. 103; *LSI* vol. XII, p. 120.

²) *Sefer Ha-Chukkim* No. 128 of 5713, p. 115 ; *LSI* vol. VII, p. 94.

(1) issue to the minor or to the person responsible for him any direction deemed by the court to be necessary in the interests of the care or supervision of the minor ;

(2) appoint a friend for the minor — who shall act also as adviser to the person responsible for him — and prescribe the powers and functions of such friend ;

(3) place the minor under the supervision of a welfare officer ;

(4) remove the minor from the custody of the person responsible for him if it appears to the court that there is no other way of ensuring care and supervision of the minor, and deliver him to the custody of a welfare authority, which or who shall prescribe a place of protection for him.

4. The court may require the minor and the person responsible for him to give security for compliance with the directions of the court. Security.
5. The court shall not appoint a person to be a friend without his consent. Appointment of friend.
6. In choosing a friend and a place of protection for a minor, regard shall be had, *inter alia*, to the minor's religion. Religion.
7. The provisions of this Law shall not derogate from the rights of the person responsible for the minor or from his duties towards him under any other law, save to the extent that the court restricts them for the purposes of this Law. Rights and duties of person responsible.
8. The court shall not adopt any of the measures provided for by section 9 or give any other decision under this Law until a welfare officer has submitted a report to it and until it has given the minor, the person responsible for him and the welfare officer an opportunity to present their arguments and proposals. The provisions of the Welfare (Procedure in Matters of Minors, Mentally Sick Persons and Absent Persons) Law, 5715-1955¹⁾, shall apply *mutatis mutandis* to a report as aforesaid. Hearing of minor, person responsible and welfare officer.
9. Notwithstanding the provisions of section 8, the court may refrain from summoning the minor before it if it is of the opinion that he is unable to understand the matter or that his attendance may endanger his well-being. Absence of minor in court.
10. The court may require the minor and his parents to bear the whole or a part of the expenses of care and supervision under this Law, and such an order shall be valid even after the decision concerning the modes of care and supervision has become void. Expenses of care.

¹⁾ Sefer Ha-Chukkim No. 187 of 5715, p. 126 ; LSI vol. IX, p. 139.

Emergency measures.

11. Where a welfare officer is of the opinion that a minor is in need of protection and that he is in immediate danger or that he requires medical or other treatment which admits of no delay, he may take any measures which in his opinion are necessary in order to obviate that danger or to provide that treatment even without the consent of the person responsible for the minor: Provided that a minor shall not be withheld from the control of the person responsible for him for more than a week save with the approval of the court.

Interim decisions.

12. The court may, by interim decision, even before hearing the minor or the person responsible for him and before receiving a report, direct the taking of temporary measures in respect of the minor and approve emergency measures taken in his respect by a welfare officer; an interim decision as aforesaid shall become void upon the passage of thirty days from the day on which it was given unless the period of its validity has been extended under section 14.

Period of validity of decisions.

13. A decision of the court under this Law shall not be given for a period exceeding three years; but the court may extend its validity from time to time for a period not exceeding three years.

Variation of decisions.

14. The court may, on the application of the minor, the person responsible for him, a friend, a welfare officer or any person on whom any duty has been imposed by a decision under this Law, vary, or extend or shorten the period of validity of, or quash, or issue directions for the implementation of, any decision given under this Law; but the court may refuse to entertain an application as aforesaid more than once in three months.

Release from duty by Minister of Social Welfare.

15. Notwithstanding the provisions of section 14, the Minister of Social Welfare may at any time, if he is of the opinion that the welfare of the minor so requires, release the minor or any other person from any duty imposed on him under section 3, paragraph (2), (3) or (4), either unconditionally or subject to conditions, provided the person responsible for the minor consents thereto.

Appeal.

16. A decision of a court under this Law is appealable to the District Court; the appeal shall be heard by a single judge.

Expiration of decisions.

17. A decision of a court under this Law, other than a decision under section 10, shall become void upon the minor completing his eighteenth year.

Carrying into effect.

18. A decision under this Law shall be carried into effect by a welfare officer unless the court has directed that it shall be carried into effect in some other manner.

Watching over well-being of minor.

19. A welfare officer shall watch over the well-being of the minor so long as a decision under this Law is in force.

20. The powers vested in a court under this Law shall add to, and not derogate from, its powers under any other law. Saving of laws.
21. The Minister of Justice may, with the consent of the President of the Supreme Court, prescribe that a particular Judge shall, for such period not less than one year as he may fix, sit only in matters under this Law and in criminal matters to which the Juvenile Offenders Ordinance, 1937¹), applies. Judge to sit in certain kinds of matters only.
22. Where a welfare officer learns that a minor is in need of protection, he may exercise the powers conferred by section 3 of the Welfare (Procedure in Matters of Minors, Mentally Sick Persons and Absent Persons) Law, 5715-1955, even if he has not been ordered so to do by the court. Examination.
23. A welfare officer whom any information reaches in the course of an investigation, shall keep such information secret and shall not disclose it save to the extent necessary for the implementation of this or any other Law or the regulations made thereunder. Secrecy.
24. A person who without the permission of the court publishes the name of a minor who has been brought before the court or in respect of whom a welfare officer is acting under this Law or who publishes anything likely to lead to the identification of such a minor, is liable to imprisonment for a term of six months. Prohibition of publication.
25. A person who obstructs a welfare authority, a welfare officer, a friend or any other person on whom a task has been imposed under this Law, in the fulfilment of its or his task is liable to imprisonment for a term of six months. Interference with fulfilment of task.
26. A person who fails to comply with a decision of the court under this Law, other than a decision under section 10, is liable to imprisonment for a term of six months; but the court may decide that the accused shall not undergo the whole or a part of the penalty unless he fails to comply with the decision of the court within the period fixed by the court. Non-compliance with decision of court.
27. Where a person who has given security under section 4 is convicted of a charge under section 25 or 26, the court may decide upon the forfeiture of the whole or a part of the security in lieu of or in addition to the imposition of a penalty. Forfeiture of security.
28. In section 389 of the Criminal Code Ordinance, 1936²), subsection (5) shall be replaced by the following subsections: Amendment of section 389 of the Criminal Code Ordinance, 1936.

1) P.G. of 1937, Suppl. I, No. 667, p. 137 (English Edition).

2) P. G. of 1936, Suppl. I No. 652, p. 285 (English Edition).

"(5) Where it appears to the court that the making of an order under this section will bear delay, it shall refer the matter to the competent court under the Youth (Care and Supervision) Law, 5720-1960.

(6) For the purposes of the Youth (Care and Supervision) Law, 5720-1960, an order under this section shall be deemed to be a decision under the said Law."

Repeal.

29. There are hereby repealed —

- (1) sections 16 and 17 of the Juvenile Offenders Ordinance, 1937;
- (2) section 36 of the Youth Labour Law, 5713-1953.

Implementation
and regulations.

30. The Minister of Social Welfare is charged with the implementation of this Law; he shall appoint a chief welfare officer and welfare officers for the purposes of this Law and may make regulations, other than procedural regulations, for the implementation thereof. The Minister of Justice may make procedural regulations for the purposes of this Law.

DAVID BEN-GURION
Prime Minister

YOSEF BURG
Minister of Social Welfare

YITZCHAK BEN-ZVI
President of the State

(No. 31)

BASIC LAW: ISRAEL LANDS*

Prohibition
of transfer
of ownership.

1. The ownership of Israel lands, being the lands in Israel of the State, the Development Authority or the Keren Kayemet Le-Israel, shall not be transferred either by sale or in any other manner.

Permission
by Law.

2. Section 1 shall not apply to classes of lands and classes of transactions determined for that purpose by Law.

Definition.

3. In this Law, "lands" means land, houses, buildings and any thing permanently fixed to land.

DAVID BEN-GURION
Prime Minister

YITZCHAK BEN-ZVI
President of the State

* Passed by the Knesset on the 24th Tammuz, 5720 (19th July, 1960) and published in *Sefer Ha-Chukkim* No. 312 of the 5th Av, 5720 (29th July, 1960), p. 56; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 413 of 5720, p. 34.