

WATER (AMENDMENT No. 2) LAW, 5721—1961*

1. The following Article shall be inserted after section 124 of the Water Law, 5719—1959¹⁾:

Addition of
Article Three
in Chapter
Four.

“ARTICLE THREE: SPECIAL PAYMENT

Imposition of special payment. 124A. The Water Commissioner may impose a special payment on a producer or supplier who —

- (1) has produced or supplied water in excess of the quantity permitted to be produced or supplied under the terms of the licence granted to him or the regulations made under this Law; or

Passed by the Knesset on the 29th Sivan, 5721 (13th June, 1961) and published in *Sefer Ha-Chukkim* No. 346 of the 7th Tammuz, 5721 (21st June, 1961), p. 175; the Bill and an Explanatory Note were published in *Harza'ot Chok* No. 470 of 5721, p. 260.

¹⁾ *Sefer Ha-Chukkim* No. 288 of 5719, p. 166 — *LSI* vol. XIII, p. 173; *Sefer Ha-Chukkim* No. 301 of 5720, p. 10 — *LSI* vol. XIV, p. 10.

(2) has supplied to a consumer water in excess of the quantity permitted to be supplied to that consumer under the terms of the licence granted to him or the regulations made under this Law; or

(3) has supplied water to a person whose name is not included in the list of consumers appearing in the licence — if there is such a list — except where the name of the consumer has been replaced as a result of a transfer of the ownership or possession of the land or property for which the supply is intended.

Rates of payment.

124B. (a) The rates of the special payment shall be prescribed by the Minister of Agriculture by regulations after consultation with the Water Board and with the approval of the Finance Committee of the Knesset.

(b) The rates of the special payment shall be graded according to the excess quantity of water produced or supplied and according to the quantity permitted to be produced or supplied under the terms of the licence or the regulations made under this Law, and with reference to the use for which the water is intended.

Collection of payment.

124C. The special payment shall be collected as if it were a tax to which the Taxes (Collection) Ordinance¹), except section 12 thereof, applies.

Shifting of payment to consumer.

124D. (a) A supplier on whom a special payment has been imposed may, with the approval of the Water Commissioner, collect the whole or a part of the payment from the consumer who has consumed the quantity of water in respect of which the special payment was imposed.

(b) The Water Commissioner shall not approve any collection as aforesaid until he has given the consumer an opportunity to present his arguments to him.

Objection.

124E. (a) A person who considers himself aggrieved by a decision of the Water Commissioner under this Article may object to it before the Tribunal within sixty days from the day on which notice of the decision was delivered to him.

(b) The objection shall not stay the collection of the special payment in accordance with the decision unless the Tribunal otherwise directs.

¹) *Laws of Palestine* vol. II, cap. 137, p. 1399 (English Edition).

Exemption from
criminal charge
and revocation
of licence.

124F. A person on whom a special payment has been imposed under this Article shall not be charged under section 156, and shall not have his production licence revoked, by reason of the act for which the payment was imposed.

Transfer of
payment to
Adjustment
Fund.

124G. Amounts derived from the imposition of a special payment shall be transferred to the Adjustment Fund.”

DAVID BEN-GURION
Prime Minister

MOSHE DAYAN
Minister of Agriculture

YITZCHAK BEN-ZVI
President of the State