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Readers are consequently advised to consult qualified professional counsel before making any decision in connection with the enactment, which is here presented in translation for their general information only.

Protection of the Coastal Environment Law 5764-2004

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| Aims | <ol style="list-style-type: none">1. The aims of this law are as follows:<ol style="list-style-type: none">(1) To protect the coastal environment, its natural and heritage assets, to restore and conserve them as a resource of unique value, and to prevent and reduce as far as possible any damage to them;(2) To preserve the coastal environment and coastal sand for the public's benefit and enjoyment and for future generations;(3) To establish principles and limitations for the sustainable management, development and use of the coastal environment. |
| Definitions | <ol style="list-style-type: none">2. In this law –<ul style="list-style-type: none">“Coastal sand” – unstabilized sand, found in the seacoast area;“National Parks Law” – The National Parks, Nature Reserves, National Sites and Memorial Sites Law 5758-1998;“Regulation of Bathing Places Law” – The Bathing Places Law 5724-1964;“Antiquities Law” – The Antiquities Law 5738-1978;“Planning and Building Law” – The Planning and Building Law, 5725-1965;“Maintenance of Cleanliness Law” – The Maintenance of Cleanliness Law 5744-1984; |
| Amendment 2008 | <p>“Entry into force” –</p> <ol style="list-style-type: none">(1) in respect of the Mediterranean Sea – the day this |

Law enters into force;

(2) in respect of the Red Sea – the day on which the Protection of the Coastal Environment Law (Amendment) 5768-2007 enters into force;

(3) in respect of the Sea of Galilee – the day on which the Regulation of the Management of the Sea of Galilee Coasts Law 5768-2008 was published;

Amendment 2007
 “Defense installation” – as defined in paragraph 159 of the Planning and Building Law;
 “Port” – the Ashdod, Ashkelon, Hadera and Haifa ports as per their meaning in the Ports Ordinance [New Version] 5731-1971 and the Eilat port as per its meaning in the said Ordinance, in the area designated to it in the plan;
 Amendment 2007, 2008
 “Coastal environment” – an area extending 300 meters inland, measured from the Mediterranean coastline, from the Red Sea coastline or from the Sea of Galilee coastline, as the case may be, as well as the area measured from the Mediterranean coastline and the Red Sea coastline, as the case may be, seaward to the limit of the territorial waters, and in the case of the Sea of Galilee – the entire area of the Sea of Galilee, and including, on land – surface and subsurface, and in the sea – the seabed and sub-bottom, as well as natural and landscape resources, natural and heritage assets, and antiquities, as defined in the Antiquities Law, that are within and above them;
 “Natural asset” – as defined in the National Parks Law;
 “Damage to the coastal environment” – any human activity in the coastal environment, including each of those detailed in paragraphs (1) to (6) below, that causes a significant change to natural development processes or preservation of the coastal environment:

- (1) Damage to ecosystems in the coastal environment;
- (2) Damage to abrasion platforms and beach rock, natural caves and cliffs, sand dunes and stream mouths within the coastal environment;
- (3) Damage or change to the interface between the sea and the land;
- (4) Damage to the natural flow and movement of coastal sand and seawater;
- (5) Endangering or causing damage to habitats of flora or fauna species, and to their reproduction in the coastal environment;
- (6) Damage to heritage and antiquities sites, as defined in the Antiquities Law, located in the coastal environment.

Amendment
2007, 2008

“Coastline” – a line defined by coordinates and marked on a map, at a height of 0.75 meters above the national zero balance, along the Mediterranean coast or along the Red Sea coasts, as the case may be, as well as a line at a height of 208.80 meters below the national zero balance along the Sea of Galilee coasts, as determined by the Director, as defined by the Surveys Ordinance, and which shall be published in *Reshumot* within one year of entry into force in respect of the coasts of the Mediterranean Sea or the Sea of Galilee, as the case may be, and within six months of the entry into force of the Protection of the Coastal Environment Law (Amendment) 5768-2007, with respect to the coasts of the Red Sea, and until said publication, as surveyed by a licensed surveyor as defined in the Survey Ordinance and according to the Ordinance;

Amendment
2007, 2008

“Closed area” – an area closed by a Closure Order under regulation 125 of the Defense Regulations (State of Emergency), 1945 (in this law – Defense Regulations);

“Seacoast area” – a 100 meter area to be measured inland from the coastline as well as the area measured seawards from the coastline in respect of the Mediterranean – to a water depth line of 30 meters in the sea or to a distance of 1 nautical mile, whichever is furthest from the coastline, in respect of the Red Sea – to the limit of the territorial waters, and in respect of the Sea of Galilee – the entire area of the Sea of Galilee to be measured from the coastline;

“Plan” – as defined in the Planning and Building Law;

“The Minister” – the Minister of Environmental Protection.

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| Reducing damage to the coastal environment | 3. | <p>(a) An authority authorized to grant a license, permit or instruction for any activity within the seacoast area shall do so, as far as possible, in a way that is designed to reduce damage to the coastal environment.</p> <p>(b) The provisions of sub-section (a) shall not apply to an authority authorized under the Planning and Building Law, to which the provisions of the Planning and Building Law shall apply.</p> |
| Amendment 2008 | | |
| Prohibiting damage to the coastal environment | 4. | <p>(a) No person shall carry out an act that constitutes or that is liable to constitute damage to the coastal environment, unless all the following conditions are met:</p> <p>(1) The person acted in accordance with a legally granted approval, license or permit, and in accordance with its conditions, or in the case of an act or use that does not require a permit – the person acted in accordance with the plan that applies to this land;</p> <p>(2) The act that constitutes or that is liable to constitute damage to the coastal environment is necessary for the implementation of the</p> |

approval, license, permit or plan said in paragraph (1), as the case may be;

- (3) The person took the steps determined, to the extent such were determined, in the approval, license, permit or plan, to reduce the damage to the coastal environment and to restore the coastal environment, to the extent possible, and to return it to its former state.

- (b) On completion of the act stated in subsection (a), the holder of the approval, license or permit, or the user or the implementer of the work, shall take the measures as determined in the approval, license, permit or plan, to restore the coastal environment and to return it, to the extent possible, to its former state.

Amendment
2008

- (c) Notwithstanding the provisions of subsection (a), a person may undertake an act that constitutes or is liable to constitute damage to the coastal environment of the Sea of Galilee, if that act is undertaken in order to manage the Sea of Galilee as a source of water under any statute, provided that the act is undertaken, as far as possible, in a manner designed to reduce damage to the coastal environment.

Public right of
way

5. (a) The entire length of the seacoast area shall be an open public right of way, subject to the provisions of this section.
- (b) That stated in this section does not prevent the erection of an artificial obstacle, fence or other obstruction that blocks the open right of way along the seacoast area, if it is carried out in accordance with a plan or permit.
- (c) The provisions in subsection (a) shall not apply to the following areas or facilities:

Amendment
2008

- (1) defense installation and closed area;
- (2) port;
- (2a) A facility for the production of water, their storage, transport, diversion, underground recharge, supply, measurement, regulation, monitoring and also a facility for the transport of wastewater, which were lawfully constructed on the Sea of Galilee coast, provided that the area of the said facilities, which is not open to pedestrian traffic, is the minimal area that is essential for their operation;
- (3) Fuel or gas storage facility, water desalination plant and power station;
- (4) natural gas facility, unless this is unreasonable according to the circumstances;
- (5) declared bathing beach to which an entry fee may be charged in accordance with the Regulation of Bathing Places Law;
- (6) declared bathing beach intended either permanently or temporarily for the exclusive use of men, women or children;
- (7) nature reserve and national park as defined in the National Parks Law;
- (8) land in the seacoast area as detailed in subparagraphs (a) and (b) below:
 - (a) lands that prior to entry into force of the law were not Israel lands within their meaning in the Basic Law: Israel Lands (in this paragraph Israel Lands), so long as the State, the Development Authority or the Jewish National Fund

- do not have rights to the lands;
- (b) Israel lands with rental rights prior to the entry into force of this law – provided the right to rental has not expired;
- Amendment 2007
- (9) Other areas or facilities determined by the Minister in an order, including an area or facility to which entry or use is restricted for reasons of security, safety or protection of natural assets, as well as areas in the seacoast area of the Red Sea that serve the port of Eilat, designated by the Minister of Transportation and Road Safety, with the Minister's consent, provided that port operation activity is carried out in them.
- (d) If, in the case of land said in subsection (c), there is a public right of way and public access to the land, or to any part of it, whether by virtue of a plan or another statute, then the aforesaid in subsection (c) shall not invalidate this right.
- Levy for the protection of the coastal environment
Amendment 2008
6. (a) The Minister, with the approval of the Knesset Internal Affairs and Environment Committee, may determine in regulations a levy for the protection of the coastal environment to be imposed on the owner, holder or operator of a facility in the seacoast area that is one of the types of facilities determined by the Minister; a levy under this section shall be paid to the Maintenance of Cleanliness Fund as per its meaning in the Maintenance of Cleanliness Law (hereafter – the Cleanliness Maintenance Fund), and shall be used for the aims said in section 1.
- (b) In the regulations said in subsection (a) the Minister

shall determine the types of facilities whose establishment, existence or operation cause damage to the coastal environment.

(c) The rate of the levy, manner of its linkage, means of its payment and its collection shall be determined with the agreement of the Minister of Finance.

- Penalties
7. (a) A person who carries out any of the following acts shall be liable to six months imprisonment or double the fine said in paragraph 61(a)(4) of the Penal Law, 1977 (hereafter – the Penal Law); if the offense was committed by a corporation it shall be liable to four times the fine said in section 61(a)(4) of the Penal Law:
- (1) Performs an act that constitutes or is liable to constitute damage to the coastal environment, in violation of the provisions of section 4(a);
 - (2) does not take steps to restore the coastal environment and to return it to its former state according to the provisions of paragraph 4(b);
 - (3) erects an obstacle, fence or other obstruction blocking the open right of way along the seacoast area, in violation of the provisions of section 5(b).
- (b) A person who does not implement an order delivered to him according to the provisions of paragraph 9 shall be liable to a year's imprisonment or a fine as said in section 61(a)(4) of the Penal Law; if the offense was committed by a corporation it shall be liable to double the said fine.
- Amendment
2008
- (b1) If a person committed an offense under subsection (a) under aggravating circumstances, he shall be liable to three years imprisonment or to double the fine which is

determined for the offense; in this section, "aggravating circumstances" – an act that caused damage of substantive harm to the environment.

- (c) If the offense is a continuing offense, the court may impose an additional fine at a rate of five percent of the set fine for the offense for every day that the offense continues, from the day that a warning is issued or from a later date if such a date is fixed; the issuing of a warning under this section shall be subject to the provisions of section 237 of the Criminal Procedure Law [Consolidated Version] 5742-1982, regarding the presentation of documents under this section, *mutatis mutandis*; for this purpose "warning" – a written warning from whoever the Minister has authorized for this purpose.

Amendment
2008

- (c1) (1) For an offense committed by a person under subsections (a) or (b1), in consequence of which he obtained a benefit or profit for himself or for another, then the court may impose on him a fine in the amount of the benefit or profit that he obtained as aforesaid, in addition to any other penalty,
- (2) For the purposes of this subsection, "benefit" includes an expense that was saved.
- (3) The provisions of this subsection shall not derogate from the provisions of section 63 of the Penal Law.
- (d) A fine imposed for an offense under this Law shall be paid to the Cleanliness Maintenance Fund and shall be used for the aims said in section 1.
- (e) Notwithstanding the aforementioned in subsection (d), a fine imposed by an employee of a local authority, or

by a court in consequence of the exercise of authority of a local authority employee shall be paid to the local authority.

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| Responsibility of an office holder in a corporation | 8. | (a) An office holder in a corporation must supervise and do everything possible to prevent offenses under section 7 by the corporation or one of its employees; a person who violates this instruction shall be liable to a fine as said in section 61(a)(4) of the Penal Law; for the purposes of this paragraph, “an office holder in a corporation” – an active manager in the corporation, a partner other than a limited partner, or an official responsible on behalf of the corporation for the field in which the offense was carried out. (b) If a corporation or one of its employees commits an offense stated in paragraph 7, it shall be presumed that the office holder in the corporation violated his obligation under section (a), unless it is proven that he did everything possible to fulfill the obligation. |
| Order to prevent or remove environmental damage Amendment 2008 | 9. | (a) If the Minister or a person he authorized for this purpose is convinced that damage is being caused to the coastal environment, or is very likely to be caused, in violation of the provisions of this law, and an indictment has not yet been brought, then he may order the person who caused the damage, or is about to cause damage, to stop the act causing the damage and to take the necessary steps to restore the coastal environment and to return it, to the extent possible, to its former state, or to refrain from carrying out the act, as the case may be, and all in the manner and in the time period determined in the order, and which shall commence at the time of its delivery. For the purpose |

of this section, "damage to the coastal environment" – as defined in section 2, including the erection of any obstacle, fence or other obstruction that blocks the open right of way along the seacoast area, in violation of the provisions of section 5.

- (b) An order under this section in respect of a security-related activity shall be issued with the agreement of the Minister of Defense.
- (c) If a person does not comply with the provisions of an order given under this section, the Minister or whoever he authorized for this matter, may implement that which is necessary according to the order; once done, the person who was ordered to comply with the provisions of the order but did not do so shall be required to pay double the expenses incurred to the Cleanliness Maintenance Fund; the collection of expenses incurred under this section shall be subject to the Tax Ordinance (Collection).
- (d) The person authorized by the Minister to issue an order as said in subsection (b) shall be vested with the authority granted to an inspector under the provisions of section 12(c).
- (e) The issuing of an order under this Law shall be subject to the provisions of section 237 of the Criminal Procedure Act [Consolidated Version] 5742-1982 with regard to the presentation of documents, *mutatis mutandis*.

Request for cancellation of an order by a court . 10 (a) A person who deems himself aggrieved by an order issued under the provisions of section 9, may submit a request for its cancellation to a court that is authorized to hear the offense covered by the order.

- (b) Presentation of a request to cancel an order, under subsection (a), does not suspend the entry into force of the order so long as the court has not ruled otherwise; if the court decides to suspend the entry into force of the order in the presence of one party, the request shall be discussed in the presence of the parties at the earliest opportunity and no later than seven days from the date of the decision.
- (c) The court may cancel, approve or change the order.
- Authority of the court 11 .
- (a) Where an indictment has been brought for an offense under this Law, the court may issue a mandatory injunction, a restraining order or any other remedy as it shall deem fit according to the circumstances, including implementation of an order under section 9, all in order to prevent, stop or reduce damage to the coastal environment as a result of the commission of the offense or to keep the seacoast area clean, and to prevent recurrence of the offense.
- (b) An order issued by a court under subsection (a) shall be subject to the provisions of section 20 (b) and (d)-(h) of the Water Law 5719-1959, *mutatis mutandis*.
- (c) A court that has convicted a person of an offense under this Law may, in addition to any penalty imposed -
- (1) order him to repair any damage caused to the coastal environment and to restore it, or to clean the seacoast area, as the case may be;
 - (2) require him to pay the expenses incurred in repairing the damage, restoring the coastal environment or cleaning the seacoast area as said in paragraph (1), if a request was submitted to the court by the plaintiff or whoever incurred

them; for the purpose of this subsection, “expenses” – include reasonable expenses for planning and supervision of restoration of the coastal environment or of cleaning the seacoast area, if such supervision is necessary.

(d) If more than one person was convicted of the offense, the court, in its decision under subsection (c)(2), may impose the payment of expenses on all of them or some or them, jointly or severally, or divide the payment between them, and all as it deems appropriate under the circumstances.

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| Inspectors Amendment 2008 | 12 . | <p>(a) The Minister may appoint inspectors from among civil servants, employees of the Nature and Parks Authority, employees of the Antiquities Authority, as well as employees of a local authority with the consent of the head of that authority, in order to supervise compliance with the provisions of this Law</p> <p>(b) An inspector shall not be appointed unless the two following conditions are met:</p> <ol style="list-style-type: none"> (1) No objection to the appointment was raised by the Israel Police for reasons of public security; (2) He received appropriate training, as determined by the Minister in coordination with the Minister for Internal Security. <p>(c) In order to supervise the implementation of this law’s provisions, the inspector may enter any place within the coastal environment at any reasonable time, so long as he does not enter:</p> <ol style="list-style-type: none"> (1) a place used for residential purposes, unless with a court order; (2) a security facility or closed area unless with the |
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permission of the Minister of Defense or the military commander as defined by the Defense Regulations or anyone authorized by them for this purpose, as the case may be.

- (d) For the purpose of discovering an offense under this Law, the inspector shall have the authority vested in a policeman to demand identification, the investigation authority vested in a police officer under section 2 of the Criminal Procedure Ordinance (Testimony), and the authority of a policeman to request a search warrant from a court and to implement it under sections 23 and 24 (a)(1) of the Criminal Procedure Ordinance (Arrest and Search) [New Version] 5729-1969, (in this section – the Criminal Procedure Ordinance); the investigation shall be subject to the provisions of sections 2 and 3 of the Criminal Procedure Ordinance (Testimony), and searches and seizure of objects shall be subject to sections 26 to 29 and 33 to 42 of the Criminal Procedure Ordinance, *mutatis mutandis*, as if they were carried out by a policeman or police officer, as the case may be.

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| Application to the State | 13 | This law applies to the State. |
| The defense establishment – restriction on application | 14 | The provisions of sections 3 and 4 shall not apply to a defense installation and within its domain, including activity carried out within it or related to it or its establishment, to the authority, procedures or conditions for granting a permit to a said installation under chapter 6 of the Planning and Building Law, and also to security activity carried out in a closed area; nonetheless in the process of granting a permit to a defense installation in the seacoast area, the Committee for Defense Installations as per its meaning in section 160(1) of the |

Planning and Building Law, shall take into account the provisions of this Law, as far as possible, and activity carried out by the defense establishment in the coastal environment area that does not require a permit under the Planning and Building Law shall be carried out, as far as possible, in accordance with the provisions of this Law.

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| Saving of laws Amendment 2008 | 15 . | The provisions of this Law shall add to the provisions of any statute and they shall not derogate from the provisions of the Maintenance of Cleanliness Law, the Regulation of Bathing Places Law 5724- 1964, including the authority of the Minister of the Interior to approve the collection of entrance fees to a bathing place, the National Parks Law and the Antiquities Law. |
| Amendment 2008 | (b) | In respect of the Sea of Galilee, the provisions of this Law shall not derogate from the provisions of the Water Law 5719-1959, the Water Drillings Control Law 5715-1955, the Drainage and Flood Control Law 5718-1957, the Water and Sewage Corporations Law 5761-2001, and also not from the statutory authorities of the Director of the National Water and Sewage Authority, the said Authority's Council or the Water Council, within its meaning in the Water Law. |
| Implementatio n and regulations | 16 . | The Minister of Environmental Protection is responsible for the implementation of this Law, except for the amendment to the Planning and Building Law under section 21 below, and he may make regulations for its implementation with the approval of the Knesset Internal Affairs and Environment Committee. |
| Amendment to the Maintenance of Cleanliness | 17 . | In the Maintenance of Cleanliness Law 5744-1984, the following shall be added to the end of section 10(b): "and for the protection of the coastal environment as defined in the Protection of the Coastal Environment Law 5764-2004, to |

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| Law – No. 8 | | prevent damages to it and for its restoration”. |
| Amendment to Abatement of Environmental Nuisances Law (Civil Claims) – No. 3 | 18 | In the Abatement of Environmental Nuisances Law (Civil Claims) 5752-1992, section 1 - (1) in the definition of “environmental nuisance”, after “pollution from radiation”, shall come “damage to the coastal environment”; (2) after the definition of “environmental nuisance” shall come: “damage to the coastal environment” – as defined in the Protection of the Coastal Environment Law 5764-2004;”. |
| Amendment to Regulation of Bathing Places Law - No. 4 | 19 | At the end of section 8 of the Regulation of Bathing Places Law shall come “and subject to the approval of the Minister of Interior”. |
| Transitional Provisions Amendment 2007 | 20 | The provisions of this Law are not intended to infringe on any of the following: (1) occupation, activity, use or work in respect of which an approval, permit or license was legally granted prior to entry into force; |
| Amendment 2007 | | (2) a plan that was valid immediately prior to entry into force, and for as long as the plan is valid or a detailed plan that complies with all the provisions of a local outline plan that is valid as stated; |
| | | (3) a written and signed contractual obligation regarding building rights or use of land in the coastal environment, that was lawfully given under the authority of the State, immediately prior to the publication of the draft Protection of the Coastal Environment Law 5763-2003, in <i>Reshumot</i> . |
| Amendment to the Planning | 21 | In the Planning and Building Law - |

and Building
Law – No 69

- (1) In section 1 –
Before the definition of “local authority” shall come:
“Coastal environment” – an area extending 300 meters inland from the Mediterranean coastline and seaward to the limit of the territorial waters, and including, on land – surface and subsurface, and in the sea – the seabed and sub-bottom, as well as natural and landscape resources, natural and heritage assets, and antiquities, as defined in the Antiquities Law, that are within and above them;
- (2) In section 156 -
 - (a) Instead of the title of the paragraph, shall come “restrictions to agricultural land and the coastal environment”;
 - (b) In subsection (b) instead of “in the coastal waters” shall come “in the area of the coastal environment”;
- (3) In section 204(c), after “contrary to the provisions of the first schedule” shall come “or the second”.
- (4) Instead of that stated in the second schedule shall come:
 - “1. Definitions In this appendix –
“Coastline” – a line defined by coordinates and marked on a map, at a height of 0.75 meters above the national zero balance, along the Mediterranean coast, as determined by the Director, as defined by the Surveys Ordinance, and which shall be published in *Reshumot* within one year of entry into force of Amendment 69, and

until said publication, as surveyed by a licensed surveyor as defined in the Surveys Ordinance and according to the Ordinance;
 “Seacoast area” – a 100 meter area to be measured inland from the coastline as well as the area measured seawards to a water depth line of 30 meters in the sea or to a distance of 1 nautical mile, whichever is furthest from the coastline;

“Amendment 69” – the version of this Law according to section 21 of the Protection of the Coastal Environment Law 5764- 2004.

2. Committee for the Protection of the Coastal Environment
 A Committee for the Protection of the Coastal Environment shall be established alongside the National Board (hereafter in this Schedule – the Committee).

3. Committee Composition
 (a) The Committee members shall be as follows:

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- (1) A representative to be appointed by the Minister of the Interior, among the employees of his Ministry with professional training in planning and building matters, and who shall be the chairperson;
 - (2) Two representatives to be appointed by the Minister of Environmental Protection, from among the employees of his Ministry, with training in planning or marine planning matters;
 - (3) A representative to be appointed by the Minister of Transport, with training in marine matters;
 - (4) A representative to be appointed by the Minister of Defense;
 - (5) A representative to be appointed by the Minister of Tourism;

- (6) A representative to be appointed by the Minister of National Infrastructure;
- (7) A representative to be appointed by the Minister of Construction and Housing;
- (8) A representative to be appointed by the Minister of Agriculture and Rural Development;
- (9) A representative with professional training in nature conservation, appointed by the Nature and Parks Authority as defined in the National Parks Law;
- (10) A representative who is an architect who is not a civil servant and who is registered in the Engineers and Architects Register as per its meaning in the Engineers and Architects Law, to be

appointed by the
Minister of the Interior
with the agreement of
the Minister of
Environmental
Protection;

(11) Two representatives of
local authorities to be
appointed by the
Minister of the
Interior;

(12) A representative of
environmental public
organizations, as
specified in the
Schedule to the
Representation of
Public Environmental
Organizations Law
(Legislative
Amendments), 2002,
to be appointed by the
Minister of Interior
based on a
recommendation
submitted by those
organizations;

(13) Two representatives to
be appointed by the
Minister of Interior,
with the agreement of

the Minister of
Environmental
Protection, with
expertise in the field of
protection of the
coastal environment;

- (14) A representative to be appointed by the Minister of the Interior, in consultation with the Minister of Transport, with expertise in maritime transport.
- (b) The Committee shall serve a 5-year term.
- (c) A Committee member may be reappointed to serve as a member for further terms.
- (d) A representative of the Israel Lands Administration shall be invited to the Committee discussions on a permanent basis and shall be given advisory status.

4. Restriction on approval of a plan, permit for non-conforming use and easement
- (a) A plan applying to the coastal environment area shall not be deposited or approved unless approval from the Committee has been received, or unless it is a detailed plan complying with all the provisions of a local outline plan that has been approved by the Committee.
 - (b) A permit for non-conforming use in the coastal environment area shall not be given without the Committee's approval.
 - (c) No permit shall be given for easement within the seacoast area, nor shall an easement be given on building height in the coastal environment that is not part of the seacoast area, in a plan that was approved after entry into force of Amendment 69, unless with the Committee's approval.
 - (d) No permit shall be given for easement on building height in the coastal environment, including the seacoast area, in a plan approved before

entry into force of Amendment 69, unless with the Committee's approval.

- (e) The Committee may determine that the need for the aforementioned approval shall not apply to a certain plan or types of plans or permits in the coastal environment area, or to part of the area of these plans, whose implementation shall not cause a significant change in the approved planning situation or shall not significantly impact the coastal environment; such a determination may apply to types of plans or to certain areas, and may be subject to restrictions as determined by the Committee.

5. Restrictions on granting permits A planning agency shall not grant a permit for building, use or other act in the coastal environment area that requires a permit under this Law, unless in accordance with a plan or permit for which the requirements of section 4 have been fulfilled, or in accordance with a plan that

complies with the provisions of paragraph 11.

6. Plan requiring Committee approval
- (a) A sub-committee consisting of five members of the Committee (hereafter – the Sub-Committee) shall decide, within 30 days of receipt of a plan from a planning agency, whether the plan requires the approval of the Committee, and shall so inform all the Committee members and the planning agency that submitted the plan to the Committee.
- (b) Sub-Committee composition:
- (1) One of the representatives of the Minister of Interior, who shall be the chairperson;
 - (2) A representative of the Minister of Environmental Protection;
 - (3) One of the representatives of local authorities as determined by the Minister of the Interior;

- (4) A representative of environmental public organizations;
 - (5) A representative under section 3(a)(10) of this Schedule.
- (c) If the Sub-Committee has not made a decision within 30 days of receipt of a plan, the plan shall be considered as requiring the approval of the Committee.
 - (d) If the Sub-Committee decides that a plan requires the approval of the Committee, the Committee shall discuss the plan within 90 days of the making of the decision.
 - (e) If the Committee has not discussed the plan within 90 days as said in subsection (d), the plan shall be transferred to the National Board for a decision, and it shall make a decision on the matter within 120 days of the transfer of the plan for its decision.
 - (f) If a Committee member disagrees with a decision of the Sub-Committee, he may, within 15 days of

presentation of the Sub-Committee's decision, request that the matter shall be transferred for the final decision of the Committee; if said request is made, the decision shall be transferred for the final decision of the Committee.

(g) The provisions of this paragraph shall also apply to requests for a permit under section 4.

7. Committee authority
- (a) The Committee shall exercise its authority with consideration of the need to protect the coastal environment for the benefit and enjoyment of the public, and to protect the natural, landscape and cultural assets within it, within the context of planning considerations as a whole, including infrastructure considerations.
- (b) The Committee for the Protection of the Coastal Environment shall not approve a plan or permit within the seacoast area that requires its approval without

first considering the justification for its approval versus the recognition of the value of protecting and reducing damage to the coastal environment for the benefit and enjoyment of the public, and the value of protecting natural, landscape and heritage assets, and in a way that shall not have an unnecessarily severe impact on the open public right of way along the seacoast area, and shall determine, to the extent necessary and possible, the measures needed to reduce damage to the coastal environment and to restore the coastal environment if such damage is caused.

- (c) The Committee shall exercise its judgment in accordance with sections (a) and (b), differentiating between built-up areas and open space, and with an emphasis on protecting open space in the coastal environment.
- (d) The provisions of sections

- (a)-(c) shall also apply to the Sub-Committee in accordance with section 6.
8. Appeal A person who deems himself aggrieved by a decision of the Committee for the Protection of the Coastal Environment under sections 4 or 5, or a Committee member, may appeal the decision to the National Board for Planning and Building within 30 days of the day in which notification of the decision was delivered to them.
9. Authority of the National Board in appeal
- (a) The National Board may accept the appeal, in its entirety or in part, or may refuse the appeal or return the matter to the Committee for renewed discussion.
- (b) The National Board shall discuss the appeal in accordance with the Committee's authority as determined in section 7 of the Schedule.
10. Saving of laws and authority The provisions of this Schedule do not detract from restrictions on building or land use under this Law and under any other statute, and approval granted by the Committee shall not constitute

any obligation to grant approval under the Planning and Building Law.

11. Transitional provisions The provisions of this Schedule are not intended to infringe on a plan that was valid immediately prior to the entry into force of Amendment 69, and for as long as the plan is valid or on a detailed plan that fulfills all the provisions of a local outline plan that is still valid as stated.

Commencement 22 . This law shall enter into force 3 months from the day of its publication in *Reshumot*.