

Civil Defence Law No. 3 of 1998

**The Chairman of the Executive Committee of the Palestine Liberation Organisation,
The President of the Palestine National Authority,**

Having reviewed the Civil Defence Law No. 12 of 1956 in force in the Governorates of the West Bank,

Having reviewed the Civil Defence Law No. 17 of 1962 in force in the Governorates of the Gaza Strip,

Having reviewed the draft law submitted by the Council of Ministers, and

Based upon approval of the Legislative Council,

I hereby promulgate the following law:

Article 1: Definitions

In applying the provisions of this law, the following terms and expressions shall have the meanings specified below, unless the context determines otherwise:

Ministry:	The Ministry of Interior.
Minister:	The Minister of Interior.
Council:	The Higher Civil Defence Council.
Directorate:	The Directorate-General of Civil Defence.
Directorate-General:	The Director-General of Civil Defence.
Chairman:	The Chairman of the Higher Civil Defence Council.
Natural Catastrophes:	Exceptional situations resulting from the powers of nature.
Emergency Case:	An imminent hazard which threatens or impedes the normal functioning of the public authorities

Article 2

The Civil Defence shall perform all measures necessary to protect civilians and their property, secure the safety of all types of communications, guarantee the regular functioning of public authorities, and protect public and private buildings, installations and institutions from risks of air raids and other war operations, as well as risks of natural catastrophes, fire, maritime rescue and all other risks.

Article 3

The Directorate-General shall be attached to the Ministry.

Article 4

The management of the Directorate shall be assumed by a Director-General, who shall be responsible to the Minister for all technical, financial, and administrative aspects of the Civil Defence and shall directly supervise, within the limits of the laws and bylaws in force, the implementation of the orders, decisions, and instructions of the Minister and the Higher Civil Defence Council.

Article 5

The Directorate-General of Civil Defence shall perform the following functions:

1. All functions of the Civil Defence, including, but not limited to, the preparation of projects and work plans, the supervision of their implementation, the procurement of all necessary tools and supplies, as well as research into the most modern methods of civil defence and public relations.
2. Take all necessary measures, with the competent authorities, to face natural catastrophes and emergency cases in the situations decided by the President of the National Authority.
3. Educate the citizens on civil defence activities, cooperate with other public authorities with regard thereto, and distribute leaflets and information relating to its activities in times of peace and war.

Article 6

The Directorate shall, for the purpose of the enforcement of the provisions of this law, perform the following functions in coordination with the competent authorities:

1. Organise alarm procedures for air raids.
2. Supervise the organisation of cooperation between towns and villages in civil defence procedures and set up civil rapid intervention battalions for emergency support to afflicted areas.
3. Organise procedures for extinguishing fire.
4. Set up and prepare a Civil Defence Operations Room.
5. Organise procedures for detecting unexploded bombs and mines and their removal.
6. Establish light restrictions in order to prevent damages occurring due to air raids.
7. Store equipment, medicines, and disinfectants necessary for civil defence activities.
8. Establish detection teams for atomic radiation, toxic substances, and germs.
9. Build trenches and public shelters, as well as prepare shelters which pertain to buildings and installations.
10. Participate in the preparation of casualty stations appropriate to receive those injured from air raids and natural catastrophes.
11. Prepare rescue teams, debris removal teams, and air raid and fire controller teams.
12. Educate and train civilians on civil defence procedures by various means.
13. Organise and regulate the conditions of transporting and storing hazardous chemicals on the roads of the territories of the National Authority.

Article 7: Higher Civil Defence Council

A Higher Civil Defence Council shall be established in the following manner:

1. The Minister of Interior	as Chairman.
2. The Director-General of the Directorate-General of Civil Defence	as Member.
3. The Director-General of the Ministry of Social Affairs	as Member.
4. The Director-General of the Ministry of Public Works	as Member.
5. The Director-General of the Ministry of Health	as Member.
6. The Director-General of the Ministry of Local Government	as Member.
7. The Director-General of the Ministry of Education	as Member.
8. The Director-General of the Ministry of Finance	as Member.
9. The Director-General of the Ministry of Communications	as Member.
10. The Director-General of the Ministry of Planning and International Cooperation	as Member.
11. The Director-General of Industrial Security at the Ministry of Industry	as Member.
12. The Director-General of National Security	as Member.
13. The Director-General of the Ministry of Transportation	as Member.
14. The Director-General of the Ministry of Housing	as Member.

Article 8

As occasion may require, the Council shall summon experts to attend its meetings, although such experts shall have no right to vote.

Article 9

In ordinary times, the quorum for the meetings of the Higher Civil Defence Council shall be the attendance of the majority (half plus one of the members of the Council), provided that the Minister or whomever he may appoint is among them. In emergency situations, the Minister or whomever he may appoint shall determine the quorum, depending upon the number of members who attend.

Article 10

The decisions of the Higher Civil Defence Council shall be made by the majority of those present. In the case of a tie, the Chairman shall have the casting vote.

Article 11

The Council shall ordinarily convene at least once every three (3) months. It may convene in exceptional cases upon invitation of the Minister or whomever he may appoint, or upon the request of one-third (1/3) of the members of the Council.

Article 12

Pursuant to the provisions of this law, the Council shall perform the following functions:

1. Formulate the general policy of the Civil Defence.
2. Devise and approve operational plans for the Civil Defence.
3. Follow up on the implementation of the policies and plans of the Civil Defence.
4. Take all necessary measures for dealing with contingencies.

Article 13

A Local Committee for Civil Defence shall be formed in every Governorate in the following manner:

1. The Governor or whomever he may appoint as Chairman.
2. The Chairmen of the Municipality and Local Councils, as well as the Camp Committees, in the Governorate as Members.
3. The Director of Civil Defence in the Governorate as Member.
4. A physician appointed by the Ministry of Health as Member.
5. Not more than five (5) members of the public to be appointed by the Governor as Members.
6. A representative of the Directorate of Police in the Governorate as Member.

Article 14

The Local Committee shall be competent to implement the policies and plans of the Civil Defence relating to the Governorate, as well as to study the means necessary for its best possible implementation. It shall perform the following functions:

1. Supervise the establishment and formation of air raid observers, fire, emergency, first aid and rescue teams.
2. Make the necessary arrangements to train these teams in civil defence functions in accordance with the plans and procedures issued by the Council.
3. Provide local education on civil defence procedures, distribute leaflets and information provided for this purpose, and recruit volunteers for the various civil defence teams.

4. Devise and develop the necessary procedures for civil defence activities.
5. Coordinate with other Governorates in the event of natural catastrophes.

Article 15

The Local Committees shall hold ordinary meetings at least once every three (3) months. The Local Committee may convene at any time in exceptional manner upon invitation of the Governor or upon the request of one-third (1/3) of its members. The quorum for meetings shall be the majority of the members, provided that the Chairman of the Local Committee is among them. Decisions shall be made by the majority of those present. In the case of a tie, the Chairman shall have the casting vote. The decisions of the Local Committee shall be presented to the Higher Civil Defence Council.

Article 16

Notwithstanding the provisions of this law, the Minister shall have the following authorities:

1. Issue decisions and orders concerning the procedures taken by the Civil Defence Committees.
2. Issue decisions and orders concerning measures to be taken by proprietors of educational and physical training facilities, public meeting places, hospitals, cinemas, recreation facilities, and public trade and industry facilities which require special protection in view of the nature of the work therein or their utilisation.
3. Issue, as occasion may require, orders to seize temporarily real estate and buildings required for setting up public shelters, hospitals, and general emergency centers, as well as facilities for all other civil defence activities. The owner of such shall be paid an equitable compensation for the damage that may be sustained.
4. Set up teams of civilians from among the employees of the National Authority and others for civil defence training in their free time and for participating in civil defence activities and facing natural catastrophes, as set forth under the law.
5. Approve the conduct of drills and exercises on civil defence activities to ensure the efficiency of civil defence procedures and preparations.

Article 17

An annual financial appropriation shall be allocated to the municipal and local councils through the Civil Defence Committees, so as to enable them to implement the precautionary measures delegated to them. This appropriation shall be determined annually by a decision of the Minister in the light of the recommendations of the Civil Defence Committees.

Article 18

The owners of real estate and buildings referred to under paragraph 2 of Article 16 of this law shall implement, at their own expense and at the time set for them, the activities delegated to such real estate and buildings for civil defence purposes.

Article 19

Pursuant to the provisions of Articles 16 and 17 of this law, the Directorate shall deal with the expenses of the actions and measures necessary for civil defence activities.

Article 20

If the owners of real estate and buildings or occupants thereof do not implement the measures and activities delegated to them for civil defence purposes, the Directorate-General of Civil Defence shall implement the measures and activities at the owners' expense, and the expenses thereof shall be collected in the manner in which the public funds are collected.

Article 21

A building license issued under any law or regulation relating to urban and building planning must include provisions to the effect that the licensee implements the requirements of civil defence and prepares special places which are fit for shelters when necessary.

Article 22

The Higher Civil Defence Council shall issue instructions concerning the conditions and specifications required in public shelters and other civil defence facilities set forth under the preceding Article. The licenses issued by the competent authorities shall include a statement of such specifications and conditions.

Article 23

The employees of the Ministry of Interior and others who are delegated by the Minister shall have the capacity of the Judicial Police to enforce the provisions of this law and to execute decisions thereof. They shall have the right of access to any place in order to verify the implementation of the measures set forth under this law or the decisions issued pursuant to it.

Article 24

Civil servants, physicians, pharmacists and male and female nurses who are working in public facilities or institutions, as well as workers in the food industry or in trade or transport, shall be prohibited, in the event of general mobilisation, from leaving the places where they perform their duties, except upon prior permission by the competent authorities. The Minister may prohibit the leave of any other group of employees whose activities are necessary for the stability and functioning of public life.

Article 25

It shall be prohibited to remove a machine, a sign or change its place, or render the same unusable for civil defence purposes. The violator shall be administratively obligated to reinstate the object to its original condition, in addition to any other penalty set forth by the law.

Article 26

In the case of emergency, the Minister may take the following additional measures for civil defence purposes:

1. Seize all means of transportation, tools, spare parts, as well as all their supplies, and restrict the sale and movement thereof, as well as the movement of their drivers.
2. Seize various types of inflammable materials and restrict their disposal and methods of storage.
3. Commission any qualified personnel to take part in civil defence activities. If their profession is a free one, they may be required to hand over their work equipment to the civil defence authorities.
4. Delegate any governmental employee to perform functions relating to civil defence purposes for the necessary period of time.
5. Commission any ministry, municipality or national corporation to delegate an employee to act as a liaison officer between his department and the Directorate-General of Civil Defence for the purpose of coordinating the work as soon as possible.
6. Seize resources of water and electricity, related equipment and supplies, and order the officials in charge of their management and their employees to manage them efficiently.
7. Seize food and all other resources necessary for the stability and functioning of public life, as well as restrict the distribution and methods of storage of such resources.

8. Issue other decisions for the purpose of civil defence.

Article 27

The Higher Civil Defence Council may amend or cancel any decision issued by any Civil Defence Committee.

Article 28

Any person violating the provisions of this law shall be punished by a fine not to exceed five-hundred (500) Jordanian Dinars or the equivalent in legal tender, or by imprisonment for a period not to exceed six (6) months, or both, without prejudice to the provisions of the *Penal Law*.

Article 29

The provisions of the Civil Defence Law No. 12 of 1959 in force in the Governorates of the West Bank, the Civil Defence Law No. 17 of 1962 in force in the Governorates of the Gaza Strip, and all laws contradicting the provisions of this law are hereby repealed.

Article 30

The Minister of Interior shall issue the necessary decisions for the enforcement of the provisions of this law upon the proposal of the Higher Civil Defence Council.

Article 31

All competent authorities, each one within its sphere of jurisdiction, shall implement the provisions of this law, which shall enter into force thirty (30) days after the date of its publication in the Official Gazette.

Issued on 28 May, 1998 AD, corresponding to 2 Safar 1419 AH.

Yasser Arafat

**Chairman of the Executive Committee of the Palestine Liberation Organisation
President of the Palestinian National Authority**