

Decision of the Council of Ministers No. 1 of 2019

Concerning the Regulation on the Operation of Government Vehicles in the Security Sector

The Council of Ministers,

In reference of the provisions of the Amended Basic Law of 2003, as amended, particularly Article 70 thereunder,

Having reviewed the provisions of the Traffic Law No. 5 of 2000, as amended,

Having reviewed the provisions of the Law of Service in the Palestinian Security Forces No. 8 of 2005,

The provisions of the Law by Decree No. 8 of 2014 Concerning Public Procurement, as amended,

The provisions of the Decision of the Council of Ministers No. 86 of 2006 Concerning the Regulation on the Operation of Government Vehicles,

The Decision of the Council of Ministers No. 05/123/13/CoM/SF of 2012 on Granting Pensioners the Right to Purchase Government Vehicles,

Based upon the recommendation of the Chairman of the Supplies and Equipment Commission,

Approval of the Council of Ministers, dated January 29th, 2019,

The powers vested in it, and

In pursuance of the public interest,

Hereby promulgates the following Regulation:

Article 1

Definitions

The words and expressions mentioned in this Regulation shall have the meanings designated thereto hereunder, unless the context determines otherwise:

The Council: The Council of Ministers.

The Ministry: The Ministry of Transportation.

The Minister: The Minister of Transportation.

The Commission: The Supplies and Equipment Commission.

The Financial The Central Military Financial Administration.

Administration:

- The Committee:** The committee which identifies the needs for security sector vehicles established in accordance with the provisions of this Regulation.
- Security forces:** The Palestinian security forces and security and military commissions and directorates.
- Beneficiary:** Any of the Palestinian security forces and security and military commissions and directorates.
- Supply order:** The order submitted by the beneficiary, in which it states its need for vehicles and their technical specifications.
- Government vehicle:** The vehicle registered in the name of the State, including the personal vehicle, mobility vehicle, and special tasks vehicle.
- Direct vehicle grants:** The vehicles which are presented as a gift by any agency to the benefit of the State of Palestine.

Article 2**Scope of Application**

The provisions of this Regulation shall be applicable to security forces.

Article 3**Types of Government Vehicles**

Government vehicles shall include the following:

1. Personal vehicle: The vehicle which is issued to the categories specified in accordance with the provisions of this Regulation.
2. Mobility vehicle: The vehicle which is designated to be used by security forces for the purposes of official operations.
3. Special tasks vehicle: The vehicle which is earmarked to perform tasks of a special nature.

Article 4**The Issuance of Government Vehicles**

1. Government vehicle shall be issue to:
 - a. The commanders of security forces, and those of similar status.
 - b. The deputy commanders of security forces, and those of similar status, their assistants, and the commanders of military regions, and commanders of security agencies in districts.
 - c. The heads of directorates general and directors of departments at the agencies reporting thereto.
2. A number of mobility vehicles shall be issued for the use of security forces for the purposes of performing official operations and tasks.

3. Government vehicles shall be issued to the categories provided for under Paragraph 1 of this Article, in accordance with the financial regulations in force.

Article 5

The Needs Assessment Committee

1. The Council shall establish a standing committee, to be called the Needs Assessment Committee for the Security Sector Vehicles, in the following manner:
 - a. The Ministry of Transportation as the chair
 - b. The Supplies and Equipment Commission as a member
 - c. The Ministry of Finance and Planning/Public Supplies as a member
 - d. The Ministry of Interior as a member
 - e. The Central Military Financial Administration as a member
2. The Committee shall adhere to inviting the beneficiary to attend its meetings, without having the right to vote.

Article 6

The Working Mechanism of the Committee

1. The beneficiary shall prepare and submit its supply order of government vehicles to the Committee.
2. The Committee shall examine the supply order submitted by the beneficiary and transmit its recommendations to the Ministry of Finance and Planning within thirty (30) days from the date of submission of the order.
3. The Ministry of Finance and Planning shall issue forth its decision on the basis of the Committee's recommendations, expressing either approval or disapproval.
4. The Commission shall be assigned to follow up on the technical matters and specifications of the supplies. The Financial Administration shall be mandated to implement the supplies in the event a decision on approval is issued forth by the Ministry of Finance and Planning.
5. The beneficiary shall have the right to submit a new order within one month from the date on which it is notified of the decision on disapproval of the order by the Committee.

Article 7

Direct Vehicle Grants

1. The beneficiary shall submit the grant offer to the committee before it is signed.
2. The Committee shall examine the grant offers and transmit its recommendations to the Council within thirty (30) days from their submission.
3. The direct vehicle grants shall be counted as part of the annual requirements of the beneficiary.

Article 8

The Procurement of Government vehicles

Government vehicles shall be purchased in accordance with the provisions of the Law on Public Procurement and the regulations issued forth in accordance with it.

Article 9

Specifications of the Government Vehicles of Security Forces

1. The Committee shall determine the specifications of government vehicles in coordination with the beneficiary.
2. The specific nature of some vehicles of the security forces, including specifications of government vehicles as determined by the Ministry, shall be taken in account.

Article 10

The Licensing and Insurance of Government Vehicles

The procedures for the licensing and insurance of government vehicles shall be in line with the following mechanism:

1. The beneficiary shall provide the Financial Administration with a statement of the government vehicles that need to be insured and licensed on a periodic basis.
2. The Financial Administration shall follow up on the procedures for the licensing and insurance of government vehicles on behalf of the beneficiary in coordination with the Directorate General of Government Transportation at the Ministry.
3. The Commission shall be provided with the data on the licensing and insurance of each government vehicle.

Article 11

Registration Number Plates

1. Green or red registration number plates shall be issued on the government sequence to the vehicles of the beneficiary in accordance with the applicable procedures at the Ministry.
2. Civilian registration number plates shall be issued to the government special tasks vehicles in coordination with the Directorate General of Government Transportation at the Ministry.

Article 12

Non-Palestinian Registration Number Plates

The beneficiary's government vehicles, which bear non-Palestinian registration number vehicles, shall be registered in the name of the person who uses them after they submit a judicial declaration, stating that the beneficiary owns such a vehicle.

Article 13

Issuance of Fuel Allocations

1. The Commission shall perform the following:
 - a. Secure fuel allocations to the vehicles of the beneficiary.
 - b. Conclude contracts with petrol stations across governorates in coordination with the Financial Administration.
2. The Commission shall establish a committee, to be chaired thereby, with membership consisting of the Financial Administration and the beneficiary, to examine the beneficiary's need for fuel in consistence with the nature of its work and operating budget.

Article 14

Maintenance of Government Vehicles

1. The Commission shall maintain the beneficiary's vehicles through the maintenance centres and workshops reporting thereto in accordance with the procedures applicable thereby.
2. The beneficiary shall maintain its vehicles in coordination with the Commission in accordance with the operating budget of such beneficiary at the Financial Administration, and in tandem with the provisions of the Law by Decree on Public Procurement in force, in a situation where the maintenance of vehicles at the maintenance centres and workshops of the Commission is impossible.

Article 15

Regulation of the Use of Government Vehicles

1. Security forces shall perform the following:
 - a. Put in place a special mechanism for using its vehicles, depending on the nature of its operations.
 - b. Assign relevant departments thereat to oversee the use of government vehicles.
2. The Ministry shall submit reports on infractions to the commanders of security forces in order to take disciplinary measures against those who infringe on the provisions of this Regulation.

Article 16

Safekeeping of Vehicles

The safekeeping of vehicles shall be transferred among the security agencies in accordance with the applicable procedures at the Commission and Ministry.

Article 17

The Decommissioning of Government Vehicles

1. The government vehicle is decommissioned by having it sold or written off in one of the following cases:
 - a. The vehicle which weighs under 3,500 kg, as registered on its licence, with mileage of 200,000 km, or if it was used for a period of not less than five years, any of which is earlier.
 - b. The cargo vehicle if it was operated for a period of 20,000 working hours, had a mileage of 350,000 km, or was used for a period of not less than ten years, any of which is earlier.
 - c. The heavy commercial vehicle if it was operated for a period of 20,000 working hours or used for a period of not less than fifteen years, any of which is earlier.
 - d. The commercial vehicle, bus and engineering equipment, by a recommendation of the chair of the beneficiary, provided that the report of the maintenance centres at the Commission states the vehicle is unfit for operation or roadworthiness.
2. The beneficiary shall provide the Commission with a statement of the government vehicles to be decommissioned.
3. The statements and reports on government vehicles to be decommissioned shall be submitted to the Ministry.

4. The stencil of the chassis and engine of government vehicles to be sold shall be diagnosed before delivery to the Directorate General of Government Transportation at the Ministry.

Article 18

Pensioners' Vehicles

1. The pensioner from the rank of major and above, when they are retired on pension, shall have the right to purchase their government vehicle, in accordance with the following:
 - a. The Commission, in coordination with the Ministry, Directorate General of Customs and Excises and Financial Administration, shall finalise the procedures of implementation.
 - b. The value of the government vehicle shall be calculated by considering the import price in the foreign currency, multiplied by the conversion rate, and minus the depreciation allowance.
 - c. Payment of the price of the government vehicle shall be allowed in instalments for a period of 36 months, on guarantee of the pension, or by deduction from the severance pay.
2. The pensioner identified in Paragraph 1 of this Article shall be prohibited from purchasing more than one government vehicle or replacing the same for the purpose of purchase.

Article 19

The Basis of Calculation of the Value of Government Vehicles

For the purposes of customs, the value of the government vehicle shall be calculated in the following manner:

1. The exchange rate shall be determined according to the date of purchase.
2. The percentage of government-based depreciation allowance shall be determined for each year or a fraction thereof in the following manner:
 - a. First year: 30 percent.
 - b. Second year: 42 percent.
 - c. Third year: 54 percent.
 - d. Fourth year: 63 percent.
 - e. Fifth year: 72 percent.
 - f. Sixth year: 79 percent.
 - g. Seventh year and above: 86 percent.

Article 20

The Issuance of Instructions

The Minister shall issue forth the instructions necessary for the enforcement of the provisions of this Regulation.

Article 21

Repealing

All provisions that contradict the provisions of this Regulation shall be repealed.

Article 22

Enforcement and Entry into Effect

All the competent authorities, each one within its sphere of jurisdiction, shall implement the provisions of this Regulation, which shall enter into force as of the date of its publication in the Official Gazette.

Promulgated in the city of Ramallah on January 29th, 2019 *Anno Domini*,

Corresponding to Jumada al-Oula 23rd, 1440 *Anno Hegira*.

Rami Hamdallah

Prime Minister