

## Law by Decree No. 23 of 2017 Concerning the Police

**The President of the State of Palestine**

**The Chairman of the Executive Committee of the Palestine Liberation Organisation**

In reference of the provisions of the Amended Basic Law of 2003, as amended, particularly Article 43 thereunder,

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

Having reviewed the provisions of Law of Public Retirement No. 7 of 2005, as amended,

The provisions of Law on Insurance and Pensions of the Palestinian Security Forces No. 16 of 2004, as amended,

The provisions of the Law of Penal Procedure No. 3 of 2001, as amended,

The provisions of the Provisional Public Security Law No. 38 of 1965, as amended, Concerning the Police, in force in the Northern Governorates, and

The provisions of the Law by Decree No. 6 of 1963 Concerning the Police in force in the Southern Governorates,

Based upon the recommendation of the Council of Ministers, dated January 5<sup>th</sup>, 2016,

Based upon the powers vested in me by law, and

In pursuance of the public interest,

In the name of the Arab Palestinian people,

**I hereby promulgate the following Law by Decree:**

### Article 1

The following words and expressions mentioned in this Law by Decree shall have the meanings designated thereto hereunder unless the context provides otherwise:

**The State:** The State of Palestine.

**The President:** The President of the State of Palestine, Chairman of the Executive Committee of the Palestine Liberation Organisation, and Command-in-Chief of the Palestinian Security Forces.

**The Council:** The Council of Ministers of the State.

**The Prime Minister:** The Head of the Council of Ministers.

**The Ministry:** The Ministry of Interior.

**The Minister:** The Minister of Interior.

**The Law of Service:** The Law of Service in the Palestinian Security Forces No. 8 of 2005.

**The Police:** A regular force that exercises civil powers, reports to the Ministry, and performs its tasks and jurisdictions in accordance with the provisions of this Law by Decree.

**Director General:** The Director General of the Directorate General of the Police, who is appointed in accordance with the provisions of this Law by Decree.

**Director:** The Police District Director or the director of the specialised department and those of similar standing as per the structure

	approved for the Police force.
<b>Directorate General:</b>	The Directorate General of the Police.
<b>Members of the Police personnel:</b>	Police officers, non-commissioned officers and personnel of both sexes.
<b>Officer:</b>	The person who holds the rank of lieutenant up to the rank of lieutenant general.
<b>Non-commissioned officer:</b>	The person who holds the rank of corporal up to the rank of first adjutant.
<b>Policeman:</b>	Every member of the Police personnel, who holds the rank of a policeman.
<b>Rank:</b>	Each rank that is granted to a member of the Police personnel when he is appointed or promoted in accordance with the provisions of this Law by Decree, and the Law of Service.
<b>The Committee:</b>	The Higher Committee of the Police Affairs, which is established in accordance with the provisions of this Law by Decree.
<b>Disciplinary councils:</b>	The councils established in accordance with the provisions of this Law by Decree, which are responsible for examining disciplinary matters of members of the Police personnel.
<b>The Judiciary:</b>	The regular judicial system in accordance with the provisions of the Law of the Judicial Authority in force.
<b>The Public Prosecution:</b>	The regular Public Prosecution in accordance with the provisions of the Law of the Judicial Authority in force.

## **Article 2**

This Law by Decree shall aim to manage and regulate the affairs, work, powers and competences of the Police. Its provisions shall be applicable to members of the Police personnel.

## **Article 3**

The Police shall be competent of the following tasks:

1. Maintain public order and security, public morals, and public tranquillity.
2. Protect lives, honour, and properties.
3. Prevent and fight crime, and arrest the perpetrators of crimes in accordance with the laws in force.
4. Combat riots and all forms of disturbance of public security.
5. Protect legitimate rights and freedoms safeguarded by the Basic Law, relevant laws, and international conventions, to which the State is a party.
6. Protect public and private properties of the State and individuals.
7. Assist other security forces and public authorities in the performance of their tasks in accordance with the provisions of the law.
8. Maintain Arab, regional and international Police cooperation in the field of fighting crime by collecting, documenting and sharing information, data and evidence relating to crimes and their perpetrators, and provide services of Police and security cooperation in

accordance with operative laws and regulations and international conventions, to which the State is a party.

9. Implement the duties and tasks prescribed by laws, bylaws and regulations.
10. Present information and guidance to citizens to help fight crime, protect them from crime, and facilitate the implementation of the Police duties, ensuring that citizens contribute to assisting and supporting the Police in all of their duties.
11. Raise citizens' awareness of their rights and obligations to ensure community participation in preserving public order and security in society.
12. Maintain the internal security of the homeland and citizens, and contribute to materialising national security in coordination and cooperation with relevant security agencies, public institutions, civil society organisations, and media outlets. In this regard, it shall be entitled to conclude memorandums of understanding.

#### **Article 4**

In the context of performing its duties, the Police shall adhere to the following:

1. Performing all of its functions, jurisdictions and duties in accordance with the Basic Law, laws, regulations, bylaws, directives, and standards of transparency, impartiality, integrity and accountability, respect for human rights and public freedoms, and honouring and implementation of court judgements.
2. Respect and consolidate the rule of law and judicial independence, and realise the principle of non-discrimination between citizens on grounds of race, gender, colour, religion, political opinion, or disability.
3. Have due regard for the immunity granted in accordance with the laws in force in the State.

#### **Article 5**

1. The Police shall perform its functions and carry out its jurisdictions under the supervision and control of the Minister.
2. The Director General shall assume the direct responsibility for managing the Police work and all that is related to its regulation, training, equipment, armament, and control over its expenditures.

#### **Article 6**

Police officers and non-commissioned officers shall enjoy the capacity of the Judicial Police during the performance of their duties, each within the sphere of his jurisdiction, in accordance with the provisions of the effective Law of Penal Procedure. They shall perform their functions in their capacity as Police officers vested with judicial duties under the supervision of the Attorney General in his capacity as the Head of the Judicial Police.

#### **Article 7**

The headquarters of the Directorate General of the Police shall be in the capital Jerusalem. It shall have a temporary headquarters in each of the cities of Ramallah and Gaza.

#### **Article 8**

Ranks of the members of the Police personnel shall be as follows:

1. Officers: Lieutenant, First Lieutenant, Captain, Major, Lieutenant Colonel, Colonel, Brigadier General, Major General, Lieutenant General.
2. Non-commissioned officers: Corporal, Sergeant, First Sergeant, Adjutant, First Adjutant.
3. Policeman: Every member of the Police personnel who holds the rank of a policeman.

### **Article 9**

1. The Director General shall be appointed by a decision from the President, upon a nomination by the Council of Ministers, and based upon the Minister's recommendation.
2. The Director General shall be appointed for a period of four years, which may be renewed annually, provided that it does not exceed an additional three years in accordance with the procedures referred to under Paragraph 1 of this Article.
3. The Director General shall be responsible for managing the Police. He shall be fully answerable to the President and Minister in all that is related to the regulation and management of the affairs of the Police.
4. The Director General shall be assisted at work by a deputy, an inspector general, and a number of assistants. He shall be entitled to authorise in writing any of the powers mandated to him in accordance with the provisions of this Law by Decree to the Deputy, Inspector General, or any of his Assistants.

### **Article 10**

The Deputy of the Director General, Inspector General and Assistants to the Director General shall be appointed by a decision from the Minister, based upon a nomination from the Director General and upon the recommendation of the Committee. Their duties shall be identified through special instructions to be issued forth by the Director General.

### **Article 11**

Directors shall be appointed by a decision from the Director General as follows:

1. The directors of specialised departments, Police District Directors, Department Directors and their deputies on the basis of the Committee's recommendation.
2. The managers of the branches of specialised Police departments and their deputies on the basis of a decision from the Director General based upon a nomination from the directors of their departments.
3. The directors of Police centres and stations in districts by a decision from the Director General based upon a nomination from the Police District Directors, each within the sphere of his jurisdiction.

### **Article 12**

The Deputy of the Director General, Inspector General, Assistants to the Director General, Directors of Specialised Departments, Police District Directors and those of similar standing shall be responsible for managing and regulating the Police functions and activities, each within the sphere of his jurisdiction and scope of supervision, in accordance with the instructions and procedures set forth by the Director General.

### **Article 13**

1. The Police shall have a separate budget line item within the budget of the Ministry. It shall be prepared and approved in accordance with the Law on the Organisation of the Public Budget and Financial Affairs in force.
2. The Minister shall appoint an internal financial controller, based upon a recommendation from the Director General, to be responsible for performing the following tasks:
  - a. Control disbursement mechanisms and implement the budget,
  - b. Provide direct supervision of accounts auditing and ensure sound accounts, and
  - c. Submit necessary reports to the Minister through the Director General.
3. The Director General shall be responsible for implementing and managing the budget. He shall submit a report thereon to the Minister.

#### **Article 14**

1. In accordance with the provisions of this Law by Decree, a Higher Committee of the Police shall be established by a decision from the Director General and approval of the Minister.
2. The Committee shall consist of the following:
  - a. The Director General as a Chairman.
  - b. The Deputy of the Director General.
  - c. The Inspector General,
  - d. Assistants to the Director General,
  - e. Five officers from among the Directors of Specialised Departments, and
  - f. Police District Directors.
3. The Director General shall issue forth a decision on the appointment of the Committee members at the beginning of each year.
4. The Director General shall issue forth the instructions and procedures for the Committee's work and meetings as well as for all that is related to the regulation of its functions. If he is available, the Minister shall chair the Committee meetings.
5. The Director General shall present the Committee's recommendations to the Committee of Officers in relation to its jurisdictions. Such recommendations shall enter into effect following approval by the President or Minister, each within the sphere of his jurisdiction.
6. With the exception of the jurisdiction of the Committee of Officers, the Committee's recommendations shall enter into effect following approval by the Minister or Director General, each within the sphere of his jurisdiction.

#### **Article 15**

The Committee shall be competent of examining all the matters relating to the regulation and management of the Police affairs, namely:

1. Make the general policy of the Police within the framework of the general directions of the Minister, follow up on the implementation and evaluation of the Police plans against the goals set for the Police within the framework of the Ministry's general plans, and submit necessary recommendations.
2. Regulate and coordinate functions of the Specialised Police Departments, Police Districts, and those alike within the framework of cooperation and joint action with a view to improving work.
3. Develop the plan of annual transferences.
4. Examine officers' complaints based upon respective competency reports; look into officers' eligibility for promotion or continuation of service if relevant competency reports do not qualify them for service or if they are ineligible for service; and submit necessary recommendations.
5. Identify necessary needs for experiences that are not available in the Police, and recommend that contracts be concluded with experts in required fields in due form.
6. Develop the draft annual budget of the Police.
7. Develop the draft organisational structure of the Police.
8. Any other tasks assigned to the Committee or referred thereto by the Minister or Director General.

#### **Article 16**

Organisational units shall be established at the Directorate General as follows:

1. The Inspector General Department: To be competent of administrative, financial and legal control over all the Police directorates and departments and Police districts. The Director

General shall issue forth the decisions and instructions needed to regulate its work and jurisdictions.

2. The Department of Grievances and Human Rights: To be competent of receiving, following up on, investigating and referring complaints and grievances relating to Police affairs from citizens and members of the Police personnel along with recommendations to the Director General.
3. The International Police (Interpol) Department: To be competent of international criminal cooperation. In consultation with the Director General and Attorney General, the Minister shall issue forth the decisions and instructions needed to regulate its work and jurisdictions.

#### **Article 17**

The provisions of the Law of Service shall apply to the members of the Police personnel in relation to appointment, seniority, promotion, delegation, placement, transference, secondment, scholarships, salaries, increments, incentives, leaves, duties, prohibited acts, orders, decorations and medals, retirement on pension, termination of service, and any other matter not provided for under this Law by Decree.

#### **Article 18**

1. Upon their appointment and before they commence the duties of their functions, members of the Police personnel shall make the following oath:  
“I hereby swear by the Almighty God to be sincere to the homeland and the people, to respect the Constitution and Law, to preserve the unity, stability and territorial integrity of the homeland, to keep interests and freedoms of the people to the fullest extent, to execute the lawful orders of my superiors, and to perform all my duties with conscience, honesty and trustworthiness. God shall hereby be witness upon what I say”.
2. Officers shall make the oath before the President or the person whom he delegates.
3. Personnel below the rank of officers shall make the oath before the Minister or the person whom he delegates.
4. Members of the Police personnel shall sign on the Oath Administration Form, which shall be kept in the files of their service.

#### **Article 19**

A general register of the seniority of all serving members of the Police force shall be kept at the Department of Human Resources of the Police. The names of the members whose service terminates shall be written off the register.

#### **Article 20**

1. For the purposes of implementing the provisions of this Law by Decree, members of the Police personnel shall be deemed to be on duty and on call to work at any time. Each member shall be required to join any Police district when he is called or to serve in any unit when needed.
2. The Director General shall issue forth the decisions and instructions needed to regulate the working hours of members of the Police personnel.

#### **Article 21**

1. The cadets nominated to join police colleges, security colleges or police and security institutes, which will qualify them to graduate with the rank of an officer, shall be required to meet the following conditions:

- a. To be of Palestinian nationality.
  - b. To have completed eighteen calendar years of age, and not to exceed twenty years of age.
  - c. To be medically fit for the service in the Police by a decision from the competent medical committee.
  - d. To be of good conduct and repute, and not to have been convicted of a criminal offence or a misdemeanour involving breach of honour or trust, unless he is rehabilitated by a competent court.
  - e. Not to have been dismissed from service in any other security force.
  - f. To hold the General Certificate of Secondary Education or its equivalent.
  - g. To pass the examinations scheduled for his fitness to work in the Police.
  - h. To fulfil the conditions of medical and physical fitness, length, and percentage of the total grades required to admit the nomination to study at the police college, security colleges, or police and security institutes, and any other conditions set by the Minister or Director General.
2. A committee for admission shall be established by a decision from the Director General to select the cadets nominated to join the police college, security colleges, or police and security institutes.

#### **Article 22**

1. The cadet admitted shall be required to sign a legal pledge, stating that he will serve for at least ten years from the date of his appointment in the Police. In the event of noncompliance with the pledge during the specified period, he shall be fined with all of the expenses spent on him during the training.
2. The admitted cadet shall be subject to the regulations relating to education and training, the duration and conditions of which are set by the college or institute's bylaw.

#### **Article 23**

The Council of Ministers shall promulgate a special regulation, in which it sets forth the increments, incentives, honoraria, as well as the conditions and mechanisms for granting and rules for disbursing the same to the members of the Police personnel.

#### **Article 24**

Without prejudice to the institution of the civil or penal case, members of the Police personnel shall be liable to disciplinary action when they commit the following:

1. Violate the duties provided for under this Law by Decree.
2. Violate the decisions and instructions issued forth by the Minister, Director General, or those of similar standing.
3. Derogate from the requirements of discipline and courtesy of the Police function.
4. Engage in behaviour or appear in a manner that may jeopardise the dignity of the function.

#### **Article 25**

1. The immediate superior shall bear all the legal liabilities for any unlawful order he has issued or made instructions to implement.
2. No member of the Police shall be exempted from the penalty unless it is proven that his perpetration of the violation was in pursuance of an order issued by his commander or superior officer, in spite of the fact that his attention was drawn to the violation. In such case, the responsibility shall rest with the issuer of the order alone.

3. The State shall afford any legal compensation for the legally mandated members of the Police for the damages caused to a third party in the course of performing official work within the limits of the law.
4. No members of the Police shall be subject to civil liability except for their personal wrongdoing.

#### **Article 26**

1. The Director General shall be held to account before a disciplinary council in the event of breach, negligence, or omission in all that is related to, or by virtue of, the performance of his function.
2. The council provided for under Paragraph 1 of this Article shall be composed of:
  - a. The Chairman of the Committee of Officers as a Chairman.
  - b. Two members to be appointed by the President for this purpose.
3. Recommendations of the disciplinary council shall be submitted to the President for taking the appropriate decision.

#### **Article 27**

1. Disciplinary councils shall be established for officers by a decision from the Minister based upon a recommendation from the Director General. Such councils shall be responsible for the disciplinary violations referred thereto.
2. Disciplinary councils for officers shall be divided into:
  - a. The Preliminary Disciplinary Council, which examines the disciplinary violations committed by Police officers below the rank of a brigadier general.
  - b. The Higher Disciplinary Council, which examines the disciplinary violations committed by Police officers from the rank of brigadier general and higher.
3. In consultation with the Director General, the Minister shall issue forth the decisions and instructions concerning the procedures of the work of disciplinary councils and all that is related to the regulation of their functions, subject to the provisions of the Law of Service and relevant effective laws in connection with the violations and the penalties prescribed thereto.

#### **Article 28**

The decision on referral to disciplinary councils shall be issued forth by the Minister or Director General, each within the sphere of his jurisdiction. It shall include a statement of the violations imputed to the officer.

#### **Article 29**

1. A penalty against the officer may not be recommended except after the following procedures are taken:
  - a. He is investigated and the investigation is recorded on a written report.
  - b. His statements are heard and he is enabled to exercise his right to defend himself.
2. The decision including the recommendation must be reasoned. More than one penalty to be prescribed for a single violation may not be recommended.
3. The Director General shall present the recommendations of the disciplinary councils to the Committee of Officers in respect of the jurisdictions of the latter. Such recommendations shall enter into effect following approval by the President or Minister, each within the sphere of his jurisdiction.
4. With the exception of the jurisdiction of the Committee of Officers, the recommendations of disciplinary councils shall enter into effect after they are approved by the Director General.



### **Article 30**

1. Disciplinary prosecution of the officer shall expire with the elapse of any of the following two periods, any period of which is closer:
  - a. Six months from the date the Director General, immediate commanders and those of similar standing, each within the sphere of his jurisdiction and scope of supervision, become aware of the violation.
  - b. One year from the date on which the violation was committed.
2. The periods designated in Paragraph 1 of this Article shall expire by any procedure of the disciplinary councils. The periods shall apply anew from the date of the last procedure.

### **Article 31**

1. The fact that the officer leaves the service shall not prevent proceeding with the disciplinary council procedures, provided that the investigation had been launched before termination of the period of his service.
2. In financial violations which result in the loss of a State's right, the officer may be held to account before a disciplinary council even if the investigation had not been launched before his service terminated within the five years following the termination of his service.

### **Article 32**

No Police officer who has been referred to a penal trial on charge of a crime or offence involving breach of honour or trust may be promoted. In case a ruling on acquittal is entered, his seniority shall be restored from the date on which it was suspended. In the case of conviction, he shall be dismissed from service in accordance with the law.

### **Article 33**

Disciplinary penalties shall be imposed on officers by the Director General or immediate commanders, each within the sphere of his jurisdiction, in accordance with the applicable procedures and provisions of the laws in force, provided that a decision is made by the Minister, stating the list of disciplinary violations and the penalties prescribed thereto.

### **Article 34**

1. The Police shall guarantee free legal aid to the serving members of the Police personnel, who are referred to the Public Prosecution and judiciary by virtue of their functional duties, or the retired personnel because of the tasks they performed in service.
2. The methods of legal aid delivery shall be identified by a decision from the Minister in consultation with the Director General.

### **Article 35**

1. Selection for appointment in the rank of a policeman shall be subject to the terms and conditions identified by this Law by Decree, in conformity with the actual needs of such rank in the Police, and in accordance with the nature of the tasks to be assigned to them in the future.
2. Individuals who obtain the rank of a policeman shall be appointed after they successfully graduate from relevant training facilities upon a recommendation from the Director General and approval of the Minister.

### **Article 36**

1. Persons nominated for appointment in the rank of a policeman shall be required to meet the following conditions:
  - a. To be of Palestinian nationality.
  - b. To have completed eighteen calendar years of age, and not to exceed twenty two years of age.
  - c. To be medically fit for the service in the Police by a decision from the competent medical committee.
  - d. To be of good conduct and repute, and not to have been convicted of a criminal offence or a misdemeanour offence involving breach of honour or trust, unless he is rehabilitated by a competent court.
  - e. To hold an academic certificate that is not below preparatory school education, and to fully master reading and writing.
  - f. To pass successfully the examinations scheduled for his fitness to work in the Police.
  - g. To fulfil the conditions of medical and physical fitness, length, and percentage of the total grades required to admit the nomination for appointment in the Police.
2. A committee for the admission of appointment in the Police shall be established by a decision from the Director General. The admitted policeman shall be referred to the relevant training facility to spend the period designated for basic training.

### **Article 37**

1. The individual admitted for appointment in the rank of a policeman shall be required to sign a legal pledge to serve for at least five years from the date of his appointment.
2. In the event of noncompliance with the pledge, he shall be fined with all of the expenses spent on him during the training.

### **Article 38**

1. A disciplinary council or investigation committee shall assume the disciplinary actions concerning non-commissioned officers and policemen. It shall be established by a decision from the Minister or Director General, each within the sphere of his jurisdiction.
2. The disciplinary council or investigation committee shall consist of the following:
  - a. An officer from the Inspection Department,
  - b. An officer from the Internal Security Department,
  - c. An officer whose rank is not less than a jurist major, and
  - d. Two reserve jurist members whose ranks are not below an officer, to be nominated by the Director General.
3. The Director General shall issue forth the instructions and procedures for the operation of the disciplinary councils and all that is related to the regulation of their functions, subject to the provisions of the Law of Service and effective laws in relation to the violations and the penalties prescribed thereto.

### **Article 39**

The decision on referral to the disciplinary councils or investigation committees shall be issued forth by the Minister or Director General, each within the sphere of his jurisdiction. The decision shall include a statement of the violations imputed to the non-commissioned officer or policeman.

#### **Article 40**

1. A penalty against the non-commissioned officer or policeman may not be recommended except after the following procedures are taken:
  - a. He is investigated and the investigation is recorded on a written report.
  - b. His statements are heard and he is enabled to exercise his right to defend himself.
2. The decision including the recommendation must be reasoned. More than one penalty to be prescribed for a single violation may not be recommended.

#### **Article 41**

Recommendations of the disciplinary councils or investigation committees shall not be deemed to be final except after the endorsement thereof by the Minister or Director General, each within the sphere of his jurisdiction, subject to the provisions of Article 27, 30, 31, and 33 of this Law by Decree, and the enforcement thereof to the non-commissioned officers and policeman.

#### **Article 42**

The disciplinary councils or investigation committees shall refer the cases of a penal nature to the Director General for referral to the Public Prosecution for the required legal action to be taken in accordance with the provisions of the Law of Penal Procedure in force.

#### **Article 43**

Based upon a recommendation from the Director General, the President shall issue forth a decision, in which he prescribes the official uniform of members of the Police personnel, insignia of their ranks, logo of the Police, and logos of the directorates and departments.

#### **Article 44**

The Director General shall issue forth the necessary instructions for control, inspection, monitoring and evaluation of performance within the Police in accordance with specific criteria, to which all members of the Police personnel shall be subject.

#### **Article 45**

1. The Police shall be entitled to access, store and use personal data in accordance with the provisions of effective laws and international principles on data protection.
2. Access to, storage and use of personal data shall be restricted to the extent necessary to achieve the lawful goals of the Police and in a manner that does not contradict the laws in force.

#### **Article 46**

In consultation with the Committee, the Director General shall put forward a code of conduct and ethics for the members of the Police personnel. It shall be issued forth by the Minister.

#### **Article 47**

1. In pursuance of the provisions of this Law by Decree, the Palestine College of Law and Police Sciences shall be established. A number of specialised institutes shall be affiliated with it.
2. The Council of Ministers shall issue forth a regulation on the work of the Palestine College of Law and Police Sciences, provided that the regulation includes the following provisions:
  - a. The educational and training process of the Police College.
  - b. The educational and training plans and programmes, as well as examinations.
  - c. The mechanism for conferring and accrediting certificates, duration of training, academic degrees, and military ranks offered at the time of graduation.

3. The Minister shall issue forth the instructions regulating Police training schools and centres as well as cadet rights over the period of education and training.

#### **Article 48**

By a decision to be issued forth by the Director General with the approval of the Minister, social and sports clubs shall be established for members of the Police personnel.

#### **Article 49**

1. If a member of the Police personnel dies while he is in service or after he is retired on pension, expenses of the funeral shall be disbursed to his widows or his children or to the person who proves that he spent such expenses in accordance with the regulation in force in the Palestinian security forces.
2. At its own expense, the State shall guarantee to implement all the necessary procedures to return the body of the deceased from abroad in case he was on an official mission, scholarship, training, study leave, medical treatment, or secondment.

#### **Article 50**

Members of the Police personnel who are martyred during or because of the performance of their function shall be promoted to the rank following theirs without adherence to the conditions of promotion. They shall be adopted as martyrs in the rank to which they are promoted. Their families shall be entitled to the minimum pay scale of the respective rank.

#### **Article 51**

1. Members of the Police shall be entitled to financial compensation for the damages that affect their private properties during or because of the service without negligence on their part in event a compensation thereof is untenable through legal means before the judiciary.
2. Based upon a recommendation from the Director General, the Minister shall issue forth a decision for the estimation of the appropriate compensation for each case. In the decision, he shall set forth the necessary rules of compensation.

#### **Article 52**

1. Members of the Police personnel shall be entitled to resort to using force and firearms to the extent necessary in order to perform lawful duties and tasks in the case permitted by effective legislation, on condition that the following is taken into account:
  - a. It is the only means available after all other nonviolent means are exhausted.
  - b. Force is used when needed in an incremental manner that is commensurate with the target which the members of the Police personnel desire to achieve.
  - c. Force is used to the extent necessary to ward off danger.
2. Procedures and techniques in the cases where force and firearms are used shall be observed in line with the provisions of the laws in force. The Minister shall issue forth the instructions on the use of force and firearms.

#### **Article 53**

1. Members of the Police personnel shall be subject to criminal responsibility before the judiciary in the event any one of them commits a crime that is punishable in accordance with the laws in force.
2. Notwithstanding the provisions of Paragraph 1 of this Article, and without prejudice to the provisions of Article 54 of the Law of Penal Procedure, members of the Police personnel shall be subject to criminal responsibility before the Military Justice Authority in the

event any one of them commits a crime associated with the military affairs in accordance with relevant laws and regulations in force.

#### **Article 54**

Subject to the provisions of this Law by Decree, all the regulations, decisions and instructions issued forth in relation to the Police shall remain in force until the regulations and decisions needed to implement its provisions are promulgated.

#### **Article 55**

1. The Council of Ministers shall issue forth the relevant bylaws and regulations for enforcement of the provisions of this Law by Decree.
2. The Minister shall issue forth relevant decisions for enforcement of the provisions of this Law by Decree.
3. The Director General shall issue forth relevant instructions for enforcement of the provisions of this Law by Decree.

#### **Article 56**

1. The Provisional Public Security Law No. 38 of 1965, as amended, Concerning the Police, in force in the Northern Governorates shall be repealed.
2. The Law by Decree No. 6 of 1963 Concerning the Police in force in the Southern Governorates shall be repealed.
3. All provisions that contradict the provisions of this Law by Decree shall be repealed.

#### **Article 57**

This Law by Decree shall be presented to the Legislative Council in the first session it convenes for approval.

#### **Article 58**

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

**Promulgated in the city of Ramallah on December 26<sup>th</sup>, 2017 *Anno Domini*,  
Corresponding to Rabee' al-Thani 8<sup>th</sup>, 1439 *Anno Hegira*.**

**Mahmoud Abbas**

**President of the State of Palestine**

**Chairman of the Executive Committee of the Palestine Liberation Organisation**