

Law of Insurance and Pensions of the Palestinian Security Forces No. 16 of 2004

The President of the Palestinian National Authority,

Having reviewed the Amended Basic Law,

Having reviewed the Law of Insurances and Pensions promulgated in the Decree Law No. 8 of 1964 and its Amendments,

Having reviewed the Decision of the Chairman of the Palestine Liberation Organisation No. 6 of 1974, which includes the Law of the Pensions of the Officers of the Palestine Liberation Army,

Having reviewed the Decision of the Chairman of the Palestine Liberation Organisation No. 7 of 1974, which includes the Law of the Pensions of the Non-commissioned Officers and Soldiers of the Palestine Liberation Army, and

Based upon approval of the Legislative Council during its session of 22 December, 2004,

I hereby promulgate the following law:

Chapter I. Definitions

Article 1

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

Supreme Commander:	The Supreme Commander of the Palestinian security forces and the Palestine National Liberation Army.
Commander-General:	The Commander-General of the Palestine National Liberation Army.
Army:	The Palestine National Liberation Army.
Security Forces:	The Palestinian Security Forces inside Palestine.
Fund:	The Fund of Insurance and Pensions.
Primary Beneficiary:	The officers, non-commissioned officers and members of personnel of the Security Forces and the Army.
Entitled Person:	The heir who shall be entitled to a share of his testator's (the primary beneficiary) monthly pension after his death.
Contingent Beneficiary:	The person who shall be entitled to an insurance benefit, which is paid in the event of the death of the primary beneficiary during service.
Salary:	The basic salary to which the increment of the nature of work, the regular increment and the increment of the high cost of living are added.
Pension:	The amount which shall be paid pursuant to the provisions of this law to the primary beneficiary or the entitled person on a monthly basis.
Age and Duration:	To be counted in accordance with the solar calendar. When calculating the age in the absence of the date of birth, such date shall be considered the 1 st of July of the same year. When a birth certificate is not available, the age shall be estimated by the Medical Committee.

Previous Laws and Regulations:	<ul style="list-style-type: none"> • The Law No. 8 of 1964 Concerning the Fund of Insurance and Pensions under the Administration of the Governor-General of the Gaza Strip. • Decision of the Chairman of the Palestine Liberation Organisation No. 6 of 1974, which includes the Law of the Pensions of the Officers of the Palestine Liberation Army. • Decision of the Chairman of the Palestine Liberation Organisation No. 7 of 1974, which includes the Law of the Pensions of the Non-commissioned Officers and Soldiers of the Palestine Liberation Army.
Martyr:	Any officer, non-commissioned officer or member of personnel of the Palestinian security forces who is injured during military training or operations or during the performance of his national duty.
Missing:	Any officer, non-commissioned officer or member of personnel of the Palestinian security forces whose death cannot be verified. The missing shall be deemed a martyr after a period of three (3) years from the date of his going missing.
Insurance:	The financial amount which the Fund pays to the primary beneficiary or the entitled person pursuant to the provisions of this law.
Regulation of Retirement:	The Law of Insurance and Pensions or any other law, bylaw or regulation of retirement.

Chapter II. Persons Subject to the Provisions of this Law

Article 2

The following categories shall benefit from the provisions of this law:

1. Officers, non-commissioned officers and members of personnel of the security forces.
2. Civil employees who work in the security forces.
3. Beneficiaries from the provisions under the Law No. 8 of 1964 from the date of the benefit until the date of the end of their service or the end of their contribution payments. These are:
 - a) Officers, non-commissioned officers and members of personnel of the security forces.
 - b) Civil employees who work in the security forces.
4. Officers, non-commissioned officers, members of personnel and civil employees of the security forces who worked for the Palestine Liberation Army.
5. Officers, non-commissioned officers and members of personnel of the Palestine Liberation Army who benefit from the provisions under the Law No. 8 of 1964 Concerning the Fund of Insurance and Pensions under the Administration of the Governor-General of the Gaza Strip in Cairo pursuant to the decision of the Minister of War of the Arab Republic of Egypt of 1974, from the date of the benefit until the end of their service or the end of their payments of contributions.

Article 3

Any primary beneficiary set forth under paragraphs 3, 4 and 5 of the preceding Article who receives his pension pursuant to previous laws and regulations shall have the following options:

1. Be treated pursuant to the provisions of this law on the condition that he pays his due contributions pursuant to the laws, bylaws and regulations in force.
2. If he is not willing to pay the contributions set forth under paragraph 1 of this Article, he may be treated pursuant to the provisions of this law as of the date of his enlistment in the security forces.

Chapter III. Periods of Service for Pension and Admission to Retirement

Article 4

The following periods of service shall count for the pension and the admission to retirement:

1. Periods of service under this law.
2. Periods of service preceding the enforcement of this law spent under the National Authority.
3. Periods of service admissible for retirement pursuant to any previous law of retirement, on the condition of the payment of pension contributions and returns.
4. Periods of service spent with the Palestine Liberation Army, on the condition of the payment of pension contributions and returns.
5. Periods of military service spent with the factions of the Palestine Liberation Organisation, on the condition of the payment of pension contributions and returns.
6. Periods of previous service of freedom fighters who returned to the homeland, in accordance with the periods upon which their return was determined or in accordance with their rank, on the condition of the payment of pension contributions and returns.
7. Periods of service spent by a primary beneficiary in prison, provided that the government pays his pension contributions and returns in full, which shall be counted on the basis of the period of service counted for the full pension.
8. Periods of service spent by a primary beneficiary on a paid or unpaid official mission, secondment or leave, on the condition of the payment of pension contributions and returns in accordance with the provisions of this law.
9. If a primary beneficiary was paid any remuneration to which he was entitled during a previous period, he must return the amounts paid to him to the Fund of Insurance and Pension in order that such previous periods are included. They shall be counted in accordance with the last salary earned by the primary beneficiary.

Article 5

The following periods of service shall not count for the pension:

1. Periods of service spent by a primary beneficiary before he reaches eighteen (18) years of age.
2. Periods of service after the age of retirement in a manner that does not contradict the provisions of this law.
3. Unpaid periods of imprisonment or suspension from work for criminal reasons.
4. Periods of service which are not settled in financial terms with the primary beneficiary, taking into consideration the provisions under paragraph 2 of Article 3.

Article 6

1. The Government and the employing authorities shall pay into the Fund pension contributions and returns of primary beneficiaries for periods of service preceding the enforcement of this law, pursuant to the provisions of this law.

2. In addition, they shall pay pension contributions and returns for the periods of service set forth in Article 4.

Chapter IV. Medical Committees

Article 7

The following medical committees shall be formed at the command level of the security forces:

1. The Military Medical Committee.
2. The High Military Medical Committee.

Article 8

The Military Medical Committee shall be formed by decision of the Director-General of the Security Forces and upon the recommendation of the Director of the Military Medical Services. The Military Medical Committee shall consist of three (3) military physicians of various specialisations. The most senior physician on the Military Medical Committee shall be its Head, provided that his rank is not below that of Lieutenant-Colonel. The Military Medical Committee may seek assistance from specialists in accordance with the medical case in question.

Article 9

The Military Medical Committee shall be responsible for determining the following:

1. Physical fitness for military service and the criteria for officers, non-commissioned officers and members of personnel of the security forces.
2. Types of injury or illness.
3. Types of disability and their degree.
4. Cause of injury or death resulting from accidents during or because of service.
5. The age of a primary beneficiary if the official birth certificate is not available.

Article 10

Injury, martyrdom or death resulting from military operations shall be confirmed by a report of the commander of the primary beneficiary's unit. The report shall include the location, time and circumstances surrounding the injury or death and be approved by the commander of the region or the organisation. If injury leads to the end of service due to physical unfitness, this shall be confirmed by a decision of the Military Medical Committee.

Article 11

The primary beneficiary shall be notified of the decisions of the Military Medical Committee. He shall have the right to appeal such decisions before the High Military Medical Committee within thirty (30) days from the date of his receipt of notification.

Article 12

The decisions of the Military Medical Committee shall be confirmed by a decision of the Director-General of the Security Forces. Upon confirmation and the expiration of the period of appeal, they shall be final.

Article 13

If the Military Medical Committee is unavailable, injured or ill, members of the security forces shall be referred to the Central Civil Medical Commission, which shall examine their health conditions and fitness for service, as well as the type of disability and its degree. The

report of the Central Civil Medical Commission shall be confirmed by a decision of the Director-General of the Security Forces, which shall be final.

Article 14

The High Military Medical Committee shall be formed by a decision of the Commander-General to include the following:

1. A representative of the Commission of Organisation and Administration.
2. A representative of the Commission of Insurance and Pensions.
3. Three military physicians not involved in the case referred to it, provided that one of them is a specialist therein. The most senior physician shall be the head of the Committee, provided that his rank is not below that of Lieutenant-Colonel.

Article 15

The High Military Medical Committee shall be responsible for the following:

1. Examining the decisions of the Military Medical Committees referred to it by the Director-General of the Security Forces to determine the type and degree of the disability of a person entitled to a pension, insurance benefit or compensation, or any other decision referred to it.
2. Summoning the respective person and consulting with specialised experts.

Article 16

Upon confirmation by the Director-General of the Security Forces, the decision of High Military Medical Committee shall be final and may not be appealed.

Article 17

An order by the Director-General of the Security Forces shall regulate rules and criteria for the physical fitness of officers, non-commissioned officers and members of personnel, all related matters, the duties and procedures of the Military Medical Committees, the confirmation procedures regarding their decisions and everything that is related to their work.

Chapter V. Entitlement to Insurance Benefits

Article 18

Insurance benefits for primary beneficiaries or persons entitled on their behalf shall be due in the following cases:

1. Death of the primary beneficiary before he reaches the age of retirement. In this case, the insurance benefit shall be paid to the legal heirs. If there are no legal heirs, the insurance benefit shall be paid to individuals appointed by the primary beneficiary.
2. End of service of the primary beneficiary before he reaches the age of retirement due to full disability to work. If the disability is partial, the primary beneficiary shall be entitled to half of the amount of the insurance benefit. Entitlement to insurance benefits shall be conditional upon a decision by the Military Medical Committee confirming the end of service of the primary beneficiary. The insurance benefit shall not be paid for purposely self-inflicted injuries.

Article 19

Insurance benefits shall not be made in the absence of an official age certificate of the primary beneficiary or an age estimate by the Military Medical Committee. The official age certificate must be submitted to the Commission of Organisation and Administration. If such

document is not available, the primary beneficiary shall be referred to the Military Medical Committee for an estimate of age within three (3) months from the date of the enforcement of this law. If such a referral does not occur, the responsible officials shall be liable to disciplinary measures under this law. The decision of the Military Medical Committee shall be final even if a birth certificate or any other official document is submitted at a later stage. For the estimate of age, the Military Medical Committee shall take into account the date of birth on the primary beneficiary's personal identity card or passport.

Article 20

Insurance benefits shall be a percentage of the annual salary in conformity with the age. The insurance benefit shall be assessed on the basis of the last monthly salary of the primary beneficiary. In calculating his age, fractions of a year shall be counted as a full year.

Article 21

Primary beneficiaries whose services end due to physical unfitness resulting from an accident during service or because of it shall be awarded a financial compensation pursuant to the applicable Regulation of Retirement and the degree of the disability decided by the High Military Medical Committee.

Chapter VI. Pensions and Remunerations

Article 22

1. To enforce this law, the Commander-General, based upon the recommendation of the Committee of Officers, may retire on pension any officer who has completed the age set forth below, provided that he has spent no less than twenty (20) years in service:
 - Brigadier-General or above 55 years
 - Colonel 50 years
 - Lieutenant Colonel 48 years
 - Major 45 years
2. The Director-General of Public Security, based upon the recommendation of the Commission of Organisation and Administration, may retire on pension any non-commissioned officer or member of personnel who has completed the age set forth below, provided that he has spent no less than twenty (20) years in service:
 - Honour Officer 50 years
 - Adjutant 48 years
 - First Sergeant 46 years
 - Private/Sergeant 44 years

Article 23

The primary beneficiary shall be entitled to a pension upon the end of his service in the following cases:

1. If the period admissible for retirement is at least twenty (20) years.
2. In the case of reaching the age of retirement, if the period counted for the pension is fifteen (15) years or more.
3. In the case of the end of service due to dismissal by decision of the Commander-General or due to dispense of service if the period counted for the pension is fifteen (15) years or more.

Article 24

1. The pension shall be assessed on the basis of the last monthly salary of the primary beneficiary within the period of his service admissible for retirement.
2. If the table of salaries differs at any time from that which was applicable at the time of end of the service of the primary beneficiary, the pension shall be assessed on the basis of the new table of salaries as of the month in which it changed, whichever is better for the primary beneficiary.

Article 25

The pension shall be assessed as one (1) out of thirty-five (35) portions of the last monthly salary for each year of service.

Article 26

The maximum monthly pension shall not exceed eighty (80%) percent of the last monthly salary.

Article 27

In the event of the end of service resulting from physical unfitness or death, the pension shall be due regardless of the period of service. The pension shall be assessed on the basis of a minimum of forty (40%) percent of the last monthly salary or on the basis of the actual period of the primary beneficiary in service to which three (3) years shall be added. The pension shall be the greater of the two, provided that the added period does not exceed the period remaining for the primary beneficiary to reach the age of retirement.

Article 28

In the event of the end of service resulting from death or physical unfitness due to an accident during service or because of it, the pension shall be assessed on the basis of eighty (80%) percent of the last monthly salary regardless of the period of service. An accident occurring to the primary beneficiary during his travel to or return from work shall be considered an accident occurring during or because of service, on the condition that the primary beneficiary or, in the event of death, the administrator of his estate submits a comprehensive and detailed report on the circumstances of the accident. The report shall include the confirmation of the end of service by the commander of the region or organisation, the decision by the competent Military Medical Committee, and an investigation report by the Military Prosecution.

Article 29

In addition to the pension due pursuant to the provisions of this law, the following payments shall be made:

1. A personal increment for the primary beneficiary of ten (10%) percent of the amount of the pension during his lifetime.
2. A family increment for the primary beneficiary in accordance with the family increment applied to those primary beneficiaries in service.

Article 30

Persons entitled to a pension in the event of physical disability pursuant to the provisions of this law shall be subject to medical examination by the Military Medical Committee on a date set by the same. A pension shall be paid for the month which was set for medical examination and the following month. Thereafter, the pension shall only be paid if the state of disability continues. The entitlement shall be confirmed once the Military Medical Committee confirms the permanence of the physical disability.

Article 31

In the event of resignation from service, the pension shall be reduced by varying percentages in accordance with the relevant table attached to the Regulation of Retirement. Once the beneficiary reaches sixty (60) years of age, the full amount of the pension shall be paid without reduction.

Article 32

1. If the service of the primary beneficiary ends before the period of service reaches the duration which would entitle him to a pension pursuant to the provisions of this law, he shall be entitled to a remuneration of service on the basis of fifteen (15%) percent of the last annual salary for each year of service. No remunerations shall be due if the period of service is less than three (3) years, except for persons reaching the age of retirement.
2. If the primary beneficiary ends his service before the end of three (3) years for any reason other than resignation or disciplinary dismissal without receiving any other payment pursuant to this law, he shall be entitled to remuneration assessed on the basis of ten (10%) percent of his last annual salary for each year of service.

Article 33

In assessing pensions, remunerations, insurance benefits or any other payments pursuant to this law, salary increases to which the primary beneficiary is entitled shall enter in the assessment of his last salary, even if they were not paid.

Article 34

In counting the period of service admissible for retirement, fractions of a month shall count as a full month.

Article 35

If the primary beneficiary or any other beneficiary dies, the entitled persons on his behalf shall have the right to receive a pension pursuant to the provisions of this law. The pensions shall be paid from the beginning of the month during which the death occurs, unless the beneficiary had received it in advance and died prior to the beginning of the month. In such a case, the pension shall be paid to the persons entitled on his behalf as of the beginning of the month following the date of death.

Article 36

The persons entitled to a pension pursuant to the provisions of this law shall be:

1. The widow or widows of the primary beneficiary or another entitled person.
2. His children and those whom he supports from among his brothers and who are younger than twenty-one (21) years of age at the time of his death.
3. His children and those whom he supports from among his brothers, who are older than twenty-one (21) years of age at the time of his death and who are enrolled in a university or institution of higher education, until they reach twenty-six years (26) of age or their education is completed, whichever occurs first. In such case, payments shall continue until the end of the month of October of the year during which the studies end. Pension payments shall continue to students who reach twenty-six years (26) of age within the academic year until the end of the month of June of that year. Upon the end of the entitlement of students, the pension shall be assessed again regarding the remaining entitled persons who were present at the time of death of the primary beneficiary.

4. His children and those whom he supports from among his brothers, who are older than twenty-one (21) years of age at the time of his death and who are suffering from a physical disability which prevents them from earning a living. At the time of the claim, the degree of the disability shall be confirmed by a decision of the Military Medical Committee.
5. The widowed, divorced and unmarried from among his daughters and sisters. The brothers and sisters at the time of the death may not have a private income that equals or exceeds the amount of their pension claim. If the private income of each of his brothers and sisters is less than what each is entitled to, a pension shall be allocated and paid to each such brother or sister. An alimony shall not be deemed an income.
6. The parents. For the entitlement of the mother to be valid, she shall not be married to a man other than the father of the dead.

Article 37

1. The pension of the widow shall end upon her remarriage. Her pension claim shall be reinstated if she is divorced or widowed within a period of ten (10) years from the date of her remarriage.
2. The widow may not receive both the pension of her first husband and the pension of her last husband. In such case, the higher pension shall be granted to her.

Article 38

If a husband was prevented from working by a physical disability at the time of his wife's death, he shall be entitled to the legally defined amount upon his wife's death. The degree of the disability shall be confirmed by a decision of the Military Medical Committee. The husband's private income at the time of his wife's death may not exceed or equal the amount of his pension claim. If the private income is less than his pension claim, a pension in the amount of the difference shall be granted to him. In such case, the remainder of the wife's pension claim shall be distributed to the contingent beneficiaries in accordance with the amounts to which they would be entitled if the marriage had not existed.

Article 39

Pension payments to persons entitled on behalf of the primary beneficiary or another entitled person shall end once such persons become employed in any work and/or their income equals or exceeds the pension. If the income is less than their due pension, the difference shall be paid to them. Their claim to the payment of the pension shall be reinstated fully or partly to the extent that such income fully or partly discontinues.

Article 40

In the event of the suspension or end of the pension, the pension due for the month during which the suspension or end occurs shall be the pension of a full month. If the pension of an entitled person is distributed to contingent beneficiaries, the pension shall be assessed again from the beginning of the month following the date of the claim.

Article 41

A pension and an income, or two pensions, may be combined in the following cases:

1. If the two pensions are due on behalf of parents subject to the provisions of this law or any other law, provided that they do not exceed eighty (80%) percent of the higher of the two pensions.
2. If the two pensions are due for the widow in her capacity as a primary beneficiary and an entitled person on behalf of her husband, or if she receives her pension on behalf

of her husband and her income, provided that they do not exceed eighty (80%) percent of her salary.

3. The entitled person shall have the right to combine his pension and his work or professional income if such work is temporary or provisional and if he is older than the age of retirement.

Chapter VII. Entitlements of the Missing

Article 42

If a primary beneficiary or another entitled person is missing, a monthly allowance equal to his monthly salary or pension shall be paid to his family or the persons entitled on his behalf. On the assumption of his death, payments shall be made as of the beginning of the month during which he went missing until such time as he appears or his death is proven in reality or ipso facto. For assessing the claims under the provisions of this law, the date of the end of service of the missing person shall be deemed to occur on the fourth anniversary of the date that he went missing or the date on which his death is proven in reality or ipso facto, whichever occurs first. The Financial Department shall continue the payment of salaries and in-kind payments to missing primary beneficiaries. The Fund of Insurance and Pensions shall pay the pensions and other entitlements of entitled persons pursuant to the provisions of this law.

Chapter VIII. Expiration of Pension Claims

Article 43

1. A member of the security forces who enters the service of any other state during his service without the approval of the Commander-General shall lose his pension claims.
2. A member of the security forces who enters the service of any other state after his end of service without the approval of the Commander-General shall lose his pension claims.

Article 44

A member of the security forces shall lose his pension claims, whether during service or after his retirement, if he is convicted by the competent Military Court of espionage or any other criminal offence that violates the security of the homeland.

Article 45

The primary beneficiary or the entitled person may not be deprived of the pension, remuneration or any other entitlement awarded to him under the provisions of this law except by a disciplinary action issued within three (3) months, except for the cases set forth in Articles 43 and 44.

Article 46

With reference to the provisions of Articles 43 and 44, the family of the primary beneficiary shall in all cases receive its monthly share of the pension on the assumption of the non-existence of the primary beneficiary, unless a contrary decision is issued thereof by the competent Military Court or the Commander-General based upon the recommendation of the Committee of Officers.

Article 47

Requests for the payment of pension claims, including pensions, remunerations, insurance benefits and any other entitlement, shall be submitted to the Fund within a period of three (3)

years from the date of issuing the decision on the primary beneficiary's end of service, or from the death of the entitled person, or from the date of the due entitlement of the payment, whichever occurs first; otherwise the claim shall expire. Claiming any of the above payments shall equal claiming the remainder of all payments due from the Fund. The aforementioned period shall end for all entitled persons if any one of them appears on the scheduled date.

Article 48

Pension claims which the primary or contingent beneficiary does not assert within a period of five (5) years from the date of the notification of the assessment of the pension or from the date of the last payment shall expire.

Article 49

All pension claims and returns which are not paid under the provisions of this law shall return as revenues to the Fund.

Chapter IX. Reinstatement to Service

Article 50

If an entitled person is reinstated to service by any of the authorities which implement the provisions of this law after its enforcement, his pension shall be halted for the duration of his return to service.

Article 51

If an entitled person is reinstated to service and takes over functions the occupant of which benefits from the provisions of this law, the period of his service, whether consecutive or separate, shall be taken into account for the assessment of his pension, whichever is better for him.

Article 52

1. If a member of the security forces is reinstated to service following the enforcement of this law, but is not yet entitled to a pension, he may have this period of service counted, fully or partly, on the condition that:
 - a) He claims a pension within a period of one (1) year from the date of his reinstatement. He must return the amounts which he paid during his service, fully or partly, in accordance with his salary and age upon payment under the provisions of the law.
 - b) The primary beneficiary was subject to the provisions of this law during his former service. If his service ended without remuneration, such period shall be counted without the payment of any amounts thereof.
2. Upon the end of service of the primary beneficiary in the future, his pension for the two periods of service shall be assessed pursuant to the provisions of this law, whether as consecutive or separate, whichever is better for him. If he is not entitled to a pension, a remuneration of service shall be paid to him for the total of the two periods on the basis of his last salary, with the remaining installments being deducted from his remuneration or a remuneration for the period of his new service to which the total of installments that he paid for the period of his former service shall be added with the prescribed interest rate until the date of the end of service.

Chapter X. Grants and Additional Reimbursements

Article 53

1. In the event of the primary beneficiary's death, the payment of the net monthly salary to which he is entitled on the assumption that he is not dead shall continue without deduction of his due installments for the month of death, as well as the two (2) following months, on the scheduled dates. The payment shall be made to the widow if present. If there is more than one widow, the payment shall be divided amongst them equally.
2. In the event of the presence of minor sons or unmarried daughters from a woman other than the widow, they shall be entitled to what their mother was entitled to if she had not died or been divorced, pursuant to the provisions of this law. The claim shall be paid to the legal guardian if available. If not available, it shall be paid to the trustee.
3. In all cases, the payment may not exceed the salary of three (3) months. If the primary beneficiary has paid in advance the salary of the month during which the death took place, only the salary of the following two (2) months shall be paid. The Central Financial Department and not the Fund shall continue grants which are paid under the provisions of this Article.

Article 54

In the event of the death of the entitled person, the Commission of Insurance and Pensions shall continue to pay the net monthly salary which was paid to him on the assumption that he is not dead pursuant to the provisions under the preceding Article. The Fund shall cover this.

Article 55

The Central Financial Department shall pay the funeral expenses of every primary beneficiary who dies during service. Such expenses shall be assessed on the basis of the salary of three (3) months. The General Commission of the Fund shall also cover the funeral expenses of a primary beneficiary on the basis of the pension of three (3) months. Such expenses shall be immediately reimbursed to the person who made them, whether it was the widow of the primary beneficiary, the widow of the entitled person, the most legally senior person in his family, or any other person.

Article 56

If the primary beneficiary's period of actual service exceeds the period of service that is admissible for retirement – twenty-eight (28) years – pursuant to the provisions of this law, or if the amount of the pension exceeds the maximum limit provided in this law, a remuneration of service shall be paid for the excessive period, the amount of which remuneration shall equal twenty (20%) percent of the annual salary for each year of excessive service.

Article 57

The service of primary beneficiaries under the provisions of this law shall end at sixty (60) years of age. A primary beneficiary may stay in service or be reinstated after retirement by a decision of the Commander-General based upon the recommendation of the Committee of Officers, provided that the period of his reinstatement is limited to five (5) years. Such period shall be a period of service admissible for retirement.

Chapter XI. Replacement of Pensions

Article 58

Within two (2) years after the end of service, any entitled person may request either to have his pension paid in full or to replace a share of his claim thereto, provided that the replaced share does not exceed one-quarter (1/4) of the pension. The amount of the replacement shall be defined in accordance with the tables attached to the Regulation of Retirement and the age and health condition of the entitled person.

Article 59

The person requesting the replacement shall be referred to the Military Medical Committee for examination and health assessment. The request shall not be accepted unless his health condition is 'good' or 'medium'. In the latter case, the Military Medical Committee shall add to the age of the requesting person a number of years in accordance with his health condition.

Article 60

The types of replacement listed in the tables attached to the Regulation of Retirement, whether lifelong, for ten (10) years or for twenty (20) years, shall be determined in accordance with the expressed preference of the entitled person. The replacement shall become effective as of the date on which the amount of the replacement was agreed upon. From the paid pension, a sum equal to the replaced pension shall be deducted.

Article 61

Persons who are entitled on behalf of an entitled person whose pension is partly replaced shall have their claim assessed on the assumption that the entitled person does not replace anything, unless the entitled person requests a reimbursement from another party pursuant to other laws.

Article 62

Persons who are entitled on behalf of an entitled person may not replace their pensions.

Article 63

The replacement of a pension shall take place only once for each entitled person.

Article 64

The enforcement of the provisions of replacement shall be suspended for a period of five (5) years from the date of the enforcement of this law.

Article 65

Upon the expiration of the period referred to in Article 64, the entitled persons included under the period of suspension may replace their pensions, under the condition of the period set forth in Article 58 above.

Chapter XII. Loans

Article 66

The Fund may lend money to primary beneficiaries whose period of service exceeds three (3) years, for the duration of this service and within the credit limits and at the interest rate determined by the Board of Directors. The interest rate shall not exceed three (3%) percent of the loan. The payment and satisfaction of the loans shall be within the following limits:

1. The salary of three (3) months for those whose period of service is from three (3) to five (5) years, to be paid within one (1) year.
2. The salary of four (4) months for those whose period of service is from five (5) to ten (10) years, to be paid within eighteen (18) months.
3. The salary of six (6) months for those whose period of service is from ten (10) to fifteen (15) years, to be paid within twenty-four (24) months.
4. The salary of eight (8) months for those whose period of service is over fifteen (15) years, to be paid within twenty-four (24) months.

Each loan shall be conditional upon the timely payment by the borrower of the loan and interest before the end of the service of the primary beneficiary.

Article 67

No new loan may be granted before the full satisfaction of the outstanding loan.

Article 68

If the service of the primary beneficiary ends for any reason prior to the full satisfaction of the loan and its interest, the remaining balance shall be deducted from the entitled remuneration, pension or insurance benefit which is due in case of death or dismissal from service because of disability to work or from any other entitlement.

Article 69

The remaining balance may not be deducted from the pension which is due for the heirs, except within the limits of one-quarter (1/4). If there are no other entitlements from which the balance can be deducted, the Fund shall deduct it from the revenues of the investment of its properties.

Article 70

The enforcement of the provisions pertaining to loans shall be suspended for a period of five (5) years from the date of the enforcement of this law.

Chapter XIII. General, Transitional and Concluding Provisions

Article 71

The Fund of Insurance and Pensions shall pay only those pensions and remunerations which are settled pursuant to the provisions of this law. The General Treasury shall pay what is granted in excess pursuant to special laws or decisions.

Article 72

Pursuant to the provisions of this law, the Fund of Insurance and Pensions shall pay on a provisional basis the share of the pension or remuneration which is undisputed until the final settlement is completed.

Article 73

Neither the Fund nor the concerned person may alter the amount of an insurance benefit, pension or remuneration upon the lapse of three (3) years from the date of the final notification of the assessment of the pension or from the date of the payment, except when resettling the amount of an insurance benefit, pension or remuneration through judicial decisions to the benefit of the concerned person and to correct material errors that occur during the settlement. In addition, the amount of an insurance benefit, pension or remuneration may not be altered through administrative decisions or other settlements after

the end of service if such an alteration would reduce the salaries taken as the basis for assessing the insurance benefit, pension or remuneration.

Article 74

Pension contributions and returns, remunerations, pensions and all other payments set forth under this law shall be excluded from the basis for the tax assessment of salaries, with the exception of a legal provision which prescribes stamp fees. Forms, documents, certificates and publications, as well as all papers and applications pertaining to this law, shall be exempted from such fees.

Article 75

Pursuant to the provisions of this law, a bylaw shall determine the procedures for the payment of insurance benefits, pensions, remunerations, and all other expenses.

Article 76

The capital of replacements, remunerations, pensions, insurance benefits, grants, funeral expenses, and all other payments made pursuant to the provisions of this law shall be exempt from all taxes, charges and returns. Such exemption shall be also valid regarding all payments to entitled persons and entitled heirs on behalf of primary beneficiaries or entitled persons.

Article 77

The General Commission of the Fund shall have the right to obtain the contributions by primary beneficiaries to the Fund, entitled persons or contingent beneficiaries from their salary, pensions, remunerations, insurance benefits or any other payments within the limits of one-quarter (1/4). Payments by the Fund may be made in instalments to primary beneficiaries in service or entitled persons in any manner which the Board of Directors deems fit.

Article 78

The immovable and movable properties of the Fund, as well as all its investments, shall be exempt from all taxes, fees and returns which the governmental authority or any other public authority may otherwise impose.

Article 79

Pursuant to the provisions of this law, the properties of the Fund shall be public properties; they may not be possessed, a real right may not be gained thereupon, and no seizure may be made thereupon.

Article 80

Pursuant to the provisions of this law, amounts which are due the Fund shall have the privilege over all properties of the debtor.

Article 81

Pursuant to the provisions of this law, any employee whom the Chairman of the Board of Directors or the Director-General of the Fund designates shall have the right to review and examine the registers, documents and books related to the enforcement of the provisions of this law. The employees of the relevant authorities must give the designated employees access to all data and registers which are required to be examined.

Article 82

The Chairman of the Board of Directors may refer to a disciplinary trial any employee assigned with the enforcement of this law or the decisions pertaining thereto, who refrains from their enforcement or neglects the duties thereunder. The Chairman of the Board of Directors may appeal the result of any investigation of an employee by a competent authority and refer him to a disciplinary trial, provided that such referral is made within two (2) months from the date of the notification of the authority of the result. In all cases, the employee shall cover the amounts which were not paid to the Fund due to his refusal or negligence along with an interest rate of three (3%) percent per annum from the due date. He shall also pay the aforementioned interest for the amounts which were not paid to the Fund on the deadlines set forth in this law. The Chairman of the Board of Directors shall have the right to waive the interest payments.

Article 83

Without prejudice to a severer penalty set forth by the Penal Law or the Military Code in force in the Palestinian Security Forces, anyone who in bad faith gives incorrect data or refrains from providing the necessary data required under this law or its bylaw and whose actions result in obtaining illegal payments from the Fund shall be liable to imprisonment for a period not to exceed three (3) months or a fine not to exceed five-hundred (500) Jordanian Dinars or the equivalent in legal tender or both.

Article 84

1. The contributions by each person subject to this law shall be the amount of ten (10%) percent of each such person's salary.
2. The contributions by parties responsible for the payment of salaries to the persons subject to this law shall be the amount of twelve and a half (12.5%) percent thereof.

Article 85

1. To enforce this law, pensions, remunerations, insurance benefits or any other payments shall be assessed in accordance with the following table of salaries until the approval of a law that regulates the military service and the salaries of military personnel:

Military Rank	Basic Salary	Increment of the Nature of Work
Major-General	4020	70%
Brigadier-General	3620	60%
Colonel	3320	50%
Lieutenant-Colonel	2820	40%
Major	2570	30%
Captain	2290	25%
First Lieutenant	2090	25%
Lieutenant	1960	20%
First Adjutant	1830	15%
Adjutant	1700	10%
First Sergeant	1570	10%
Sergeant	1490	10%
Corporal	1410	10%
Private	1330	10%

2. For the purposes of this law:

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- a) The regular increment shall be one and a quarter (1.25%) percent of the basic salary for all ranks stated in the table for each year of service.
- b) The increment of the cost of living shall be assessed by the competent authorities in accordance with the bases of assessment applicable in the National Authority.

Article 86

The provisions of this law shall apply to military personnel older than forty-five (45) years of age at the time of the enforcement of the law.

Article 87

For the purpose of the enforcement of the provisions of this law, the provisions of the tables attached to the Regulation of Retirement shall be valid.

Article 88

The Council of Ministers shall issue a decision concerning the enforcement of this law.

Article 89

Every provision that contradicts the provisions of this law is hereby repealed.

Article 90

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

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Rawhi Fattouh
President of the Palestinian National Authority