Version for Discussion - Preparation for First Reading - July 12, 2010

The Chief Rabbinate of Israel (Amendment - Jurisdiction with respect to Conversions) Bill, 5770-2010

Amendment of Section 2

1. In section 2 of the Chief Rabbinate of Israel Law 5740-1980[1] (hereinafter: the "Principal Law"), the following shall be inserted after paragraph (6):

"(6A) Responsibility for Conversion Issues in Israel. The provisions of this paragraph shall not derogate from the powers to conduct conversions in Israel granted to the special conversion courts by government decision, nor from the existing powers of the Rabbinical Courts under any law;"

Addition of Sections 24A – 24D

2. The following shall be inserted after section 24 of the Principal Law:

"**Qualifications of Members of Special Rabbinical Court**

24A. (a) A municipal rabbi or the rabbi of a local council, or a person who acted as a municipal rabbi or as a rabbi of a local council under the Jewish Religious Services Law [Consolidated Version], 5731-1971[2], and whose office was not terminated under the provisions of section 12A of such law (in this section and in sections 24B and 24C, a municipal rabbi) may conduct

[1] *Sefer Hachukim*, 5760, p. 90.
[2] *Sefer Hachukim*, 5731, p. 130.

conversion together with two other municipal rabbis or with two members of a special conversion court set up by virtue of government decision, as set out in section 2(6A) (all three jointly - a Special Rabbinical Court), provided that the conversion is performed by the special court lawfully, following acceptance of the burden of the Torah and commandments as required by Jewish law.

(b) Should the Chief Rabbis of Israel find that a member of a Special Rabbinical Court has acted in a way unbecoming of his status or that a member of a Special Rabbinical Court is not conducting conversions in accordance with the provisions of sub-section (a), they shall be entitled to determine that such Special Rabbinical Court shall not be entitled to conduct conversions under this Law.

(c) Procedures for hearings and matters before the Chief Rabbis in proceedings under sub-section (b) shall be set out in regulations, with the consent of the Constitution, Law and Justice Committee of the Knesset.

Powers of Special Rabbinical Court

24B. (a) A Special Rabbinical Court shall be authorized to discuss the conversion of an Israeli National or a holder of a permanent residence permit in Israel under the Entry in Israel Law, 5712-1952[3] (hereinafter: a "holder of a permanent residence permit"), wherever the

[3] *Sefer Hachukim*, 5712, p. 353.

place of residence of the applicant may be, and to give certificates of such.

(b) Notwithstanding the provisions of sub-section (a), a Special Rabbinical Court shall be authorized to discuss the conversion of a person who is not an Israeli National or a holder of a permanent residence permit if such person is given a certificate in accordance with the rules prescribed by the Chief Judge of the Supreme Rabbinical Court.

(c) The verdict of a Special Rabbinical Court allowing a conversion shall serve as evidence of the Jewishness of the bearer of the certificate; however, such conversion, if effected in contravention of the rules set out under sub-section (b) shall have no force regarding the granting of visas, including an immigrant's visa, nor regarding the grant of Israeli citizenship.

(d) (1) Cancellation of a conversion conducted by a Special Rabbinical Court shall have no force unless the Court that conducted the conversion rules that it was conducted on the basis of misleading information or intentional concealment of information by the party seeking conversion prior to the conversion.

(2) Should the question of the validity of a conversion arise for any other reason, before a Rabbinical Court or before any other Court in Israel, or before the Registrar of Marriages, the ruling on the

question of conversion shall be brought before the Court in which the conversion took place or before a special panel of a Regional Rabbinical Court to be appointed by the Chief Judge of the Supreme Rabbinical Court.

(e) Should the Special Rabbinical Court that conducted the conversion have dispersed or should at least two of its members have ceased to serve as members of the Court, the ruling under sub-section (d) shall be submitted to a special panel to be appointed by the Chief Judge of the Supreme Rabbinical Court.

(f) A decision to cancel a conversion shall require the consent of the Chief Judge of the Supreme Rabbinical Court, and shall be of no force in the absence of such consent.

Appeal

24C. An appeal against a ruling to cancel a conversion under section 24B(d) may be submitted to the Supreme Rabbinical Court in a panel headed by the Chief Judge of the Supreme Rabbinical Court, the judges on which panel shall be appointed by the Chief Judge of the Supreme Rabbinical Court.

Registration of Marriage

24D. (a) A member of a Special Rabbinical Court serving as a Rabbinical Registrar of Marriages shall be authorized to handle registration of the marriage of a couple at least one of which has

converted in a Special Rabbinical Court, wherever the couple's place of residence may be.

(b) Should no member of the Special Rabbinical Court serve as a Rabbinical Registrar of Marriages, the Council shall, at the proposal of the Chief Judge of the Supreme Rabbinical Court, appoint one or more members of a Special Rabbinical Court for conversion who are qualified to act as a Rabbinical Registrar of Marriages to handle registration of the marriage of the couple as set out in sub-section (a).

Regulations under Sections 24A – 24C

24E. Notwithstanding the provisions of section 31, regulations and rules under sections 24A to 24D shall be made by the Minister of Justice with the consent of the Chief Judge of the Supreme Rabbinical Court and with the approval of the Constitution, Law and Justice Committee of the Knesset only."

Amendment of Nationality Law

3. The following shall be inserted in section 2(c) of the Nationality Law, 5712-1952[4], after paragraph (6):

"(7) to a person who, prior to entry into Israel, was not entitled to receive an *'oleh* visa or an *'oleh*'s certificate".

[4] *Sefer Hachukim*, 5712, p. 14; 5768, p. 810.

Ratification

4. The provisions of the Hearing of Conversion Applications Rules, 5766-2006[5] shall be deemed to have been made lawfully under the provisions of this Law.

[5] *Yalkut Pirsumim*, 5765, p. 2062.