

# **Civilian Administration in the Occupied West Bank: Analysis of Israeli Military Government Order No. 947**

A Study by

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Prepared for  
LAW IN THE SERVICE OF MAN,  
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On November 1, 1981 the Military Commander of the Israeli forces in the West Bank (hereinafter, "The Area Commander") declared the creation in the West Bank of a Civilian Administration and the appointment of Dr. Menahim Milson, who previously served as an Advisor on Arab Affairs to the West Bank Military Government, as its first head.

This announcement did not come unexpectedly. The Israeli government had been discussing such a move for some time. However, not atypically, no details were made available to the Palestinian inhabitants in the occupied territories of the exact status, power, functions, or privileges of this new officer nor of the relationship between his office and that of the Military Commander of the West Bank.

Then on November 14, 1981 copies of the military order No. 947 dated November 8th, 1981 and entitled "Order Concerning The Establishment of Civilian Administration" (hereinafter, "the Order") were deposited at the lawyers' room in the courts of the West Bank. As is the case when military orders are issued, the non-lawyer population of the West Bank did not know about the issuance of the Order or of its contents, nor was the order circulated to municipalities, chambers of commerce, organizations and other persons whose names appear on a list to which all new military orders are sent, according to the claim made by the Israeli military government<sup>(1)</sup> in a recently published reply to the West Bank and The Rule of Law<sup>(2)</sup>.

Law in the Service of Man, the West Bank Affiliate of the International Commission of Jurists, pursuant to its goals, found it appropriate to inform the public about the Order and to provide an analysis of its contents.

The Order itself does not explain the exact nature of the Civilian Administration. Its language is ambiguous at points and it leaves many important questions unanswered, but it is at this point the only legal document available to us from which the public may begin to discern the nature and workings of the incipient Civilian Administration.

As will be seen, the effect of this Order is to alter the status of West Bank as occupied territory through the creation of a civilian administration. It also appears to elevate (or pave the way for elevating) the status of a large number of the military orders and regulations whose promulgation was justified on security grounds, and the preservation of public order, to that of ordinary laws on a par with the Jordanian Laws in force in the Area before the occupation. The Order also defines the powers of this Civilian Administration.

BACKGROUND:

Up to November 8th, 1981, the date of the issuance of Order No. 947, the West Bank had been administered by a military government which had assumed under Military Order No. 2 of June 1967 all legislative, executive, and administrative powers previously held by the Jordanian government it replaced. Section 2 of that proclamation states that "All laws which were in force in the Area on June 7, 1967, shall continue to be in force as far as they do not contradict this or any other proclamation or order made by [the West Bank Area Commander], or conflict with the changes arising by virtue of the occupation of the Israeli Defence Forces of the Area".

The military government of the West Bank has since June 6th 1967, introduced

numerous Military Orders and regulation which resulted in extensive alteration of the Jordanian law in force in the Area.

International law, and particularly Article 64 of the Fourth Geneva Convention severely restricts the power of a belligerent occupier to carry out legislative enactments altering local laws except in the areas of security and public order. Even if we were to accept the broad Israeli interpretation of the scope of that power to enact legislation, as presented by the anonymous authors in the abovementioned study<sup>(3)</sup>, this authority has been clearly exceeded<sup>(4)</sup>.

Although most countries of the World consider Israel as a "belligerent occupier" of the West Bank, Israel disagrees with this view and refuses to be subject to the provisions of the Hague and Geneva Conventions regarding belligerent occupation.

These provisions, among other things, restrict it from altering the local laws except where absolutely necessary for reasons of security of its forces and for the preservation of public order. On the other hand, Israel did not formally annex the Area or make any claims as to sovereignty over it, except, that is, for East Jerusalem and its environs and more recently the Golan Heights. Instead, it claimed toward the West Bank as well as the Gaza Strip a status novel under international law designating itself as "administrator" as distinguished from "belligerent occupier", "trustee", or outright sovereign.

The military government of the West Bank has been acting within that territory as a fully sovereign government exercising complete legislative,

administrative and judicial authority over the Area and its inhabitants and instituting major changes in the West Bank economy, demography, and institutions by means of military orders and regulations. This entailed numerous instances of alerting the Jordanian law that theoretically continues to be the applicable law.

Through these means the acquisition of large areas of lands for the establishment thereon of Jewish settlements was facilitated, and a special judicial status different from that of the Arab population centres was created for the settlements which were also equipped with separate judicial and security systems<sup>(5)</sup>.

All during this period, and until the promulgation of Military Order 947, the military government of the West Bank was divided into two sections. The military section, was assigned authority over political and security matters. The other, called "The Civil Administration", exercises the powers of the previous Jordanian government's administrative departments and ministries. The latter was administrated by Israeli staff officers who are professional employees of the military government. These were appointed and given the powers of government ministers and other official positions representing government ministers in Israel under Jordanian law, as amended by the military orders<sup>(6)</sup>. However, they reported ultimately in all their actions directly to the Military Commander of the Area who in turn was responsible to the Israeli Minister of Defence.

A survey of the legislation of the West Bank promulgated over the past 14 years of Israeli military rule, shows clearly that this period was one of extensive and deliberate activity intended to fulfill the following main

objectives:

1. The assumption of as much control as possible over the local Arab population of the territories.
2. The close determination of the pace, extent and manner of the development of key sections of the Palestinian society in the Area, in order to prevent the development of infrastructures and institutions which could serve as a basis for an independent Palestinian state. This control is achieved by prohibiting the exercise of a wide range of activities, without permits or licenses which are within the total discretion of the military government to grant and which are withheld whenever the activity concerned conflicts with Israeli objectives in controlling Palestinian development.
3. The de facto annexation of the Area to Israel by extending elements of the Israeli taxation system to the West Bank, incorporating the West Bank into Israeli customs cordon, instituting labour bureaus which channel the West Bank labor resources, regulating employment of West Bank workers and tying other aspects of the West Bank services, and governances to that of Israel. The result of all this has been to make the West Bank economy subordinate to and dependent upon that of Israel.
4. The facilitation of the creation of a strong, large, and dominant Jewish presence in the Area through the acquisition of as large areas of land as was possible, and determining the development of the Arab society so as not to conflict with the proposed growth of the Jewish settlements.
5. The development of a communication network and other infrastructures as well as the establishment of administrative, legal, defence and economic structures for the Jewish settlements to enable them to exist and develop separately and independantly from the Palestinian Arab population<sup>(7)</sup>.

Up to November 8th, 1981 the system of military government had proven notably successful in prosecuting these objectives. Furthermore structures such as the Objection Committee<sup>(8)</sup>, Village Leagues, Regional Councils, Jewish settlements, Arab-staffed-governmental departments had been created, which would enable the pursuit of these goals in a different and less provocative fashion. In addition, international pressure calling for an end to the military occupation had been mounting. The stage was therefore set for proclaiming a new regime in the Area, appearing to supercede the military government and to transfer more power or control to the local inhabitants over their lives. The establishment of the Civilian Administration was now officially announced.

Aims of the Analysis:-

What follows is an exposition and analysis of the military Order No. 947 declaring the establishment of this Civilian Administration. An attempt is made here within the constraints posed by the ambiguities of the Order itself to interpret through the analysis of the text of the Order the objectives of the present Israeli government concerning the region.

For the reader's benefit we are appending an English translation of the official Hebrew version of the Order (appendix 1), a summary and brief description of each of the laws and military orders referred to in Schedules 1 and 2 of it (appendix 2, and appendix 3 respectively) as well as a textual analysis pointing out the ambiguities, textual errors and discrepancies appearing in its Hebrew and Arabic texts (appendix 4).

Overview of the Order:-

The Order declares the establishment of a civilian administration to be headed by a person who holds the title of the Head of the Civilian Administration and who is appointed by the Area Commander.

Section 2 of the Order states that the civilian administration is established to "administer the civilian affairs in the region in accordance with the directives of this Order, for the wellbeing and good of the population, and in order to supply and implement the public services and taking into consideration the need to maintain an orderly administration and public order in the region".

To enable the Head of the Civilian Administration to carry out his duties, article 3 of the Order states that he shall be delegated with the following powers:

1. All powers determined by the law except those specified by the laws listed in schedule 1 of the Order<sup>(9)</sup>.
2. All powers determined by the security orders listed in schedule 2 of the Order<sup>(10)</sup>.

Sub-section (b) of the same article literally translated states that "with respect to this article, acts of legislation that were issued by virtue of the law after the determining date [ which was defined in earlier orders as June 6th, 1967 ] shall be regarded as part of the law and not as security legislation".

Article 4 empowers the Head of the Civilian Administration to proclaim subsidiary legislation based upon the laws and security orders according to which



he is empowered to act. He is also empowered by Article 5 to delegate his authority and appoint officials within the Civilian Administration to execute the law and security orders. Article 5(c) further authorizes him to delegate his powers to issue subsidiary legislation to such appointees.

Analysis of the Order:-

Military Order No. 947 has two main and closely related effects. The first is to institutionalize the already existing separation of the civilian from the military functions in the military government of the West Bank by formally establishing a new structure of civilian government which is empowered to function within the limits determined by the Order. And the second is to elevate, or set the stage for elevating, the status of a large number of military orders and other legislative enactments promulgated by the Area Commander from the status of temporary security enactments to the level of permanent laws.

Both these effects are designed to alter the status of the West Bank, unilaterally implement the Israeli interpretation of the autonomy contemplated in the Camp David Accords, give permanence to the changes Israel has introduced in the West Bank during the past 14 years and create a semblance of terminating the occupation and withdrawing the military government. All this is to be accomplished without granting the local inhabitants any degree or prospect of self-determination or seriously impeding Jewish settlements in the West Bank.

(a) The Civilian Administration's relation to the Military Command:-

The Civilian Administration was established by the Military Commander of the West Bank. It was created by a military order and its Head is appointed by the Area Commander. All the powers he enjoys are delegated to him by the

Area Commander and he exercises them in his name and on his behalf. They can be increased or decreased as the Commander wishes. Barauch Hollander who was the legal advisor to the Military Government at the time of the issuance of the Order, offers a confirmation of the above in his interpretation of the Order which is appended to it, when he says in par -5- that the Commander still legislates in civil and military matters. The entire Civilian Administration structure is therefore clearly subsidiary to the Area Commander and accountable to him. Effective authority and the source of power remains with the Area Commander.

This relationship between the Civilian Administration and the Military Command is consistent with the present Israeli government's interpretations of its obligations under the Camp David Accords, which in its view only calls for the "withdrawal" but not the "abolition" of the military government. The Military Command, in that view continues to be the direct source of authority for any "self-governing administrative council" in the Area.

Powers Retained by the Military Commander:-

By virtue of article 3 (a) of the Order, the Area Commander transferred to the Head of the Civilian Administration those powers and authorities acquired by virtue of the military orders listed in the second schedule of the Order, and retained all powers not specifically transferred to the Civilian Administration. These residual powers continue to be held by the Area Commander in his own right (and not merely in his capacity as the source for all powers exercised by the Civilian Administration). They include the following:-

- (a). Powers acquired by virtue of the laws and regulations listed in schedule 1, of the Order, most notably the extensive powers granted under the Jordanian and British Defence Emergency Regulations of 1935 and 1945 respectively.

- (b) The powers in all the Military Orders not listed in schedule 2 of the Order and not amending Jordanian law.
- (c) The legislative power to issue new military orders and create new laws.

By specifying the limits of the power delegated to the Head of the Civilian Administrator, however, the Order implies that all powers not transferred to the Civilian Administration are non-civilian and therefore military and security related. Israel has always insisted that it continue to handle matters relating to "security" in the West Bank and that such "security" matters are from its standpoint not negotiable. Both the United States and Egypt, as well as other countries have expressed sympathy with Israel's "security-interest" in the West Bank.

In Military Order 947 Israel appears to have set the stage for demanding that all the residual powers and authorities not given to the Civilian Administration continue to be held by Israel and that negotiations or concessions, if any, should only be made with reference to the authorities given to the Civilian Administration under Military Order 947.

Some of these administrative powers can be delegated to "local inhabitants" others jointly to Israelis and the "local inhabitants" and yet others remain within the exclusive dominion of the Israeli authorities. Thus the scope of negotiable powers has been determined in advance. In addition the mechanism has been created to implement any concessions ( unilateral or negotiated) Israel is willing to make, without necessitating any fundamental alterations in the system of government in the West Bank as a result of implementing the Camp David autonomy scheme.

The Powers of the Civilian Administration:-

The Head of the Civilian Administration is empowered to administer a corpus of laws and military orders through making appointments and issuing licenses and permits. The requirement to obtain some of these licenses existed in Jordanian law. Other requirements had been added by means of military orders Israel created to enhance its regulatory power in the Area.

Appendix 3 to this study lists the 160 Military Orders appearing in schedule 2 of the Order which the Head of the Civilian Administration is charged with administering together with a brief summary of the contents of each. Some of these orders enable the regulation and control of economic life in the West Bank including imports, exports, prices, finance and banks; others regulate taxes, customs and duties; others regulate control over land and water as well as electricity, telephone and postal services; some deal with specific areas that have come to be totally incorporated into the Israeli system such as tourism, roads, and insurance; others deal with licensing of professionals and regulating civil service appointments; a number concern supervision of plays, movies, publications and textbooks. The Military Orders establishing Objections Committees<sup>(11)</sup> and delegating Judicial powers appear in that schedule as well as the Military Orders establishing regional councils for Jewish settlements.<sup>(12)</sup>

A few Military Orders in Schedule 2 deal with quasi-police functions such as regulating use of explosives, carrying of identity cards, guarding of holy places, forcing of shops or businesses to remain open and the rest treat a variety of other subjects such as parks, game protection, animal diseases and littering.

Many of these military orders have been used in the past to set up the legislative structure consistent with Israeli policy objectives in the West Bank. It should be noted that the Head of the Civilian Administration or his delegates will have no power to alter or amend that structure but merely to administer it. He and his delegates will, however, have substantial latitude to exercise their discretion in granting or withholding licenses or permits by virtue of these laws and military orders. Thus a clear distinction is created between legislative powers to create structures and set broad policies (which remains within the exclusive domain of the military government) and the administrative authority to dispense patronage selectively within that framework. This latter authority may be delegated to a greater or lesser degree to Palestinians willing to work within that structure.

Delegability of Powers:-

Article 5 of the Order authorizes the Head of the Civilian Administration:

- (a) to make appointments in the Civilian Administration,
- (b) delegate to such appointees the authorities given to him by virtue of the law or the security regulations, and
- (c) delegate to others the authority to create secondary legislation (rules and regulations) based on the law and the military orders he is charged with administering.

This last power, i.e. the power mentioned in (c) above, to delegate rule-making authority, is ordinarily not implicit in grants of power. The fact that it was given to the Head of the Civilian Administration would favor the decentralization of Israeli administration in the West Bank.

This right to delegate secondary legislative powers applies to all the powers falling within the Civil Administration's jurisdictions whether they are given to him by virtue of Jordanian law or military orders. It must be remembered however, that under the Order in question the Head of the Civilian Administration has no primary legislative power at all, and that he may only pass secondary legislation within the strict framework of existing laws and military orders within his jurisdiction. The existence of this restriction makes it possible to transfer a selected number of the Civilian Administration functions to elected representatives of the local Palestinians without thereby transferring to them any primary legislative or policy making functions.

This arrangement would also enable the military government to enhance the power of collaborative elements among the local population by delegating to them patronage powers to issue or withhold permits and licenses required by the laws or the military orders administered by the Civilian Administration. The practical place for these patronage powers in the overall logic of the Order is suggested by the fact that officers of the Civilian Administration have already begun to require the local population to obtain the endorsement of "Village League" functionaries before their requests for certain permits, or their applications for public sector jobs, can be considered. The Village Leagues, whose officers are appointed by the military government, were set up as an alternative to the elected municipality councils. They presently hold no legal power and merely act as intermediaries. If under this Order, the Head of the Civilian Administration delegates to them some of his powers, they will become the direct authority to which local Palestinians must turn.

Changing the Status of Military Orders:-

Article 3 (b) in the Arabic text states that "for the purpose of this article laws [Tashria'] which were issued by virtue of the law [Tashria'] after the appointed date shall be considered as part of the law [Tashria'] and not as security laws [Tashria' Amn] ". Reference to the Hebrew text reveals that three different words were used where the single word Tashria' was used in the Arabic text. This considerably increases the confusion and ambiguity as to the precise meaning of this article already existing in the Hebrew text.

The first time the word "law" (Tashria') is used in the Arabic text , it is a translation of the Hebrew expression "Dvare Hahakikah", which can be translated into English as "legislative enactment". The drafters of the Order clearly were at great pains to choose an expression which encompasses not only military Orders, of which there are 947, but also regulations, appointments, , proclamations, and a host of unnumbered unpublished Orders affecting particular pieces of land, persons, communities or areas. The second time the word Tashria' (law) was used, it is a translation of the Hebrew expression "Din". The intention of the drafter here is to refer to the local Jordanian law. It is not clear, however, whether this is a reference to Jordanian law as amended by military orders after 1967 or as it existed on the eve of the 1967 war.

The third time the word Tashria' (law) was used, it was a translation of the Hebrew "Helek Mi HaDin" (part of the law), which refers to the primary Jordanian law in contra-distinction to temporary security legislation the justification for which will cease once the state of war , emergency or occupation which led to their enactment comes to an end. Article 3 (b) therefore implies that some of the military orders are to be elevated to the status of

Din, i.e. primary law for purposes of this article.

In attempting to discover which "legislative enactments" are in this way elevated from "Military Orders" to the status of full-fledged law, we face a further textual ambiguity. Article 3(b) states that those legislative enactments made by virtue of the law shall be treated as part of the law and not as security legislation. Reference to the preambles of the military orders reveals that in very few of them did the Area Commander claim when he issued them to be acting "by virtue of" Jordanian law. In view of that, the most reasonable interpretation is that this reference is to military orders "involving, relating to or amending Jordanian law", rather than merely to orders issued by virtue of the law.

This ambiguity in such an important order where clearer language could have easily been found, combined with the lack of public information as to the full details, objectives and structure of the "Civilian Administration", casts doubt on whether this alteration of the status of military orders is in fact merely intended to help define the authorities of the Civilian Administrator, or whether it is intended rather to be the first step in the introduction of a more far reaching change in the nature, status and permanency of the Military Orders in question.

The significance of such an alteration—should it be made to exceed the purposes of this one order—is potentially so vast that it warrants detailed analysis here. Such an analysis is made tentatively since it is possible that the Israeli government may after all not choose to alter the present undefined status of the Military Orders.



(1) The General Consequences:-

The primary effect of such an elevation would be to render the changes made by the Area Commander during the past 14 years fixed and permanent. This would facilitate redefining the status of the West Bank. Just as when the Israeli Army entered the West Bank and declared that all Jordanian law in force at the time would remain in force, so the military government could be "withdrawn" from the Area and all "law" (which would have come to be defined to include the elevated military orders) would remain in force under the new regime.

(2) Scope of the Alteration:-

If indeed the intention of Article 3(b) is to redefine all security legislative enactments "involving" Jordanian law as Din, such a redefinition would include most of the orders promulgated by the military government since 1967. The Military Government has consistently endeavored to avoid issuing new legislation with no reference to existing Jordanian law, as the military government itself declared in its explanation of Military Order No. 854<sup>(13)</sup>. "We always prefer to find a Jordanian law we can amend to achieve our purpose rather than pass a new law out of whole cloth". One example of this practice occurred when the Value Added Tax (VAT) system was imposed on the West Bank. A Jordanian law was found on taxing local products<sup>(14)</sup>, it was amended by Military Order No. 658 which kept the first and last articles in that law, deleted the entire body and substituted in its place the Israeli VAT law.

(3) Secondary vs Primary Legislation:-

The Israeli High Court of Justice, which is being increasingly presented as a possible resort for West Bankers has made a clear distinction between Secondary legislation, which it is theoretically willing to

review and strike down and primary legislation (such as Knesset laws) which it refuses to review. The question of whether West Bank military orders constitute primary (and therefore unchallengeable) legislation or secondary (and therefore reviewable) law was faced by the Israeli High Court in the case of The Christian Society for the Holy Places v.. The Minister of Defence <sup>(15)</sup> A divided Court agreed to hear the challenge. Turning Military Orders into law (Din) would remove such a possibility and almost certainly place the military orders, whose status is thus altered, beyond the danger of a review by the High Court.

Furthermore the alteration would render the military orders beyond the authority of Palestinians to alter or amend. The Israeli Government had made its position clear that it will not turn over legislative power to the Palestinians in any future "autonomy" regime. Such alternation of military orders status to law would therefore saddle the "autonomy council" with laws beyond its power to alter or amend. Instead, such a Council would be restricted to secondary legislation while the major alternations in law which are of interest to Israel would have been codified as primary legislation and permanently set beyond the reach of the Palestinians.

(4). Violation of International Law:-

Needless to say, such alteration in the status of military orders constitutes a clear violation of International law. Most authorities consider the present military orders and their extensive amendments of Jordanian law to constitute a violation of International law which treats the West Bank as occupied territory and demands that no change be made in its laws except those mandated by military necessity or done in the interest of the local population for "La vie publique".

Whatever claims the Israeli government made to having issued certain military orders under these two exceptions, it is obvious that no such

justification can be found for making these Military Order a permanent unchallengable part of the corpus of local laws, beyond the power of a subject local population to challenge or amend. This Military Order, as many others, appears clearly to have been made exclusively in the interest of the occupier and therefore cannot be justified even under the broadest interpretation of its prerogative as a belligerent occupier under international law.

CONCLUSION:-

Although the promulgation of Order 947 occurred without much notice or commentary by the local population in the West Bank and Israel or by the concerned international public, the period before and after its issuance has been one of intense discussion which is continuing to this day of the autonomy plan and Israel and Egypt's interpretation of the Camp David Agreement.

While political statements as to Israel's position towards the West Bank may be made as opening negotiation-positions from which it is unsafe to draw any conclusions, such is not the case with the promulgation of a military order.

As with the Order 946 Military Orders, Israel has in many cases legislated for the occupied territories in excess of its powers as a belligerent occupier. Through many of these orders, Israel has brought about concrete changes to the structure and nature of life in the West Bank that conform with its vision of the future of the area.

The status and legality of the military orders creating these changes has been the subject of considerable controversy. Nonetheless, and regardless of the legality or lack of it of any of these orders, Israel has during the fourteen years when the West Bank has been under its absolute control issued and enforced these orders and the effect they have made on the life of these territories cannot easily be cancelled. Order No. 947 also follows in that line. It has been issued in the form of a military order signed by the Area Commander in his capacity as such. If at any time in the future the status of these military orders should come under review and it be declared that Israel had in fact acted in excess of its powers as occupier in promulgating them, Military Order 947 will also be so declared along with the others.

However despite this common ground which Order 947 shares with the other 946 orders passed prior to it, several things distinguish it from the rest.

To begin with, the Order is more like a unilateral declaration of a constitutive change i.e. change in the nature of the territories it purports to legislates for. Unlike many of the orders preceeding it, it does not merely affect a specific area of life in the West Bank or alter a specific law, rather it establishes a new governing body to which certain powers are delegated.

The second important difference is that unlike the orther orders, this Order declares that different military orders which were promulgated in the past by the Area Commander are now to have a different status. Even while bearing in mind the condition that this is only for the purpose of the Order, there are stronge pointers to the fact that some military orders are now to be elevated to the status of law, others are to remain within the exclusive jurisdiction of the military establishment while others, are to be within the jurisdiction of the newly created civilian adminstration.

Finally, we note that this Order comes shortly before the expected implementation of the Camp David autonomy scheme. If agreement is reached on that scheme or if Israel decides to unilaterally implement its views of autonomy , a new legal status will be announced for the West Bank and the discussion as to the extent of the powers of the Military Commander over the West Bank may become irrelevant.

However, since the newly created structure would be taking off from where the last one ended, all the changes brought about by the military orders inculding Order 947 will become the fixed basis on which the new structure

has to be built. Bearing in mind that no primary legislative powers are expected to be given to the Palestinians , the newly appointed Council under the autonomy scheme would have to rule in accordance with the law already in force in the territories which is Jordanian law as it has been extensively amended by the Military Orders inculding the one under discussion\* .

\* The authors wish to express their gratituted to Charles Shammass for reviewing the draft of this study and offering valuable criticism .

## References

1. The Rule of Law In The Areas Administered By Israel, Published by The Israeli Section of The International Commission of Jurists, 1981. p. 10
2. Shehadeh, R. and Kuttab J., The West Bank And The Rule Of Law, Published by The International Commission of Jurists and Law In The Service Of Man, 1980.
3. The Rule Of Law In The Areas Administered By Israel, ibid. p. 5-9.
4. For instances of this see "Legal System of Israeli Settlements" by Raja Shehadeh in The Review , No. 27 Dec. 1981 published by The International Commission of Jurists.
5. For a fuller discussion of this see "Legal Systems of Israeli Settlements" Ibid.
6. The Rule of Law In The Areas Administered By Israel Ibid pp 2-3.
7. Ibid.
8. See summary of military order 172 in Appendix 3.
9. See Appendix No. 2 for a summary of these laws.
10. See Appendix No. 3 for Summary of these powers.
11. See summary of order 172 in Appendix No. 3.
12. See summary of Order 783 in Appendix No. 3.
13. Quoted from an official Israeli Military Government publication on Order 854.
14. The Military Order amended Law No 16 of 1963 Law on Fees for Local Products .
15. HCJ 337/71 Piskei Din, Vol. 26, Part 1, (1972), p. 574.

APPENDIX - 1

Judea and Samaria  
Regional Command  
Legal Adviser - 4112 - 1  
8th November 1981

Distribution of Orders

Subject: Order for the establishment of the Civilian  
Administration (Judea and Samaria)  
(No.947) 5742-1981

1. Enclosed herein is the order referred to in Hebrew and in Arabic. The following are its main points:
2. Article 1--This article defines the term "Head of the Civilian Administration" as whoever is appointed by the Commander of the IDF forces in the region to be Head of the Civilian Administration.
3. Article 2--This article establishes the Civilian Administration in the region. The tasks of the Civilian Administration, as they are defined in this article, are to see to the civilian affairs of the local residents, this while paying heed to considerations of public order.
4. Article 3--This article deals with the powers of the Head of the Civilian Administration. These powers are:
  - a) All the powers set forth in the local law, except for military powers set forth in a number of local laws that are set forth in the first schedule.
  - b) All the civilian powers that are set forth in the security legislation and which are detailed in the second schedule. This schedule sets forth all the orders in which powers have been accorded to staff officers, heads of branches (?), the Area Commander, the Deputy Commander of the Region, and the other officials in the civilian spheres.
5. Article 4--The IDF Area Commander will continue to sign the orders and the chief legislation in both military and civilian subjects. Article 4 grants the Head of the Civilian Administration the authority to draw up subsidiary legislation in all the matters in which he has been authorized to act.
6. Article 5--The Head of the Civilian Administration is authorized to appoint staff officers and workers in the local apparatus who are employed in the region. He may also empower staff officers or any other person to draw up subsidiary legislation, each person within his own sphere of activity.
7. Article 6--The aim of this article is to clarify that this order does not transfer to the Head of the Civilian Administration all the powers which are today held by the staff officers, or to the other office-holders who will be subordinate to him, as long as he has not explicitly assumed them for himself.
8. This order shall enter into effect on 11 Heshvan 5742 (8th November 1981).

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Baruch Hollander, lt.-col.  
Legal Adviser



Order No.947Order Regarding the Establishment of a Civilian Administration

By virtue of my authority as IDF Area Commander, and since I believe that this is required to preserve orderly administration and the public order, and in order to ensure the wellbeing and the good of the population and to supply and implement public services, I herewith order as follows:

- |   |   |
|---|---|
| Definitions                                       | 1. In this order - "Head of the Civilian Administration" - whoever is appointed by me to be the head of the Civilian Administration in the region.  |
| Establishment of a Civilian Administration        | 2. A Civilian Administration is hereby established in the region. The Civilian Administration will administer the civilian affairs in the region, in accordance with the directives of this order, for the wellbeing and good of the population and in order to supply and implement the public services, and taking into consideration the need to maintain an orderly administration and public order in the region.  |
| Powers of the Head of the Civilian Administration | 3. a) The Head of the Civilian Administration shall be accorded powers as detailed below:<br><br>1. All the powers set forth in the law, except for powers set forth in acts of legislation that are detailed in the first schedule.<br><br>2. All the powers set forth in the security legislation detailed in the second schedule.<br><br>b) With respect to this article, acts of legislation that were issued by virtue of the law after the determining date shall be regarded as part of the law and not as security legislation. |
| Subsidiary legislation                            | 4. The Head of the Civilian Administration is authorized to proclaim subsidiary legislation by virtue of the law and of the security legislation according to which he is empowered to act.   |
| Appointments and powers                           | 5. The Head of the Civilian Administration may, within the framework of the powers that have been accorded him:<br><br>a) appoint office-holders in the Civilian Administration;<br><br>b) authorize any person to act according to the law and to the security legislation;<br><br>c) authorize any person as noted in subsection (b) to proclaim subsidiary legislation by virtue of the law and the security legislation.  |

Preservation  
of powers

6. Nothing in this order shall be detrimental to any appointment made or authority granted by virtue of the law and the security legislation before this order took effect, unless the Head of the Civilian Administration, within the framework of the powers granted him, shall assume them himself or grant them to someone else.

## Appendix 2

### Summary of the Laws Listed in Schedule 1 of the Order

#### The law For The Defence of East Jordan of 1935 and the Orders and Regulations passed by virtue thereof

The Emir of Jordan may announce the application of this law in time of emergency. When applicable, it gives the Emir wide powers to issue regulations concerning a large number of issues including deportation, supervision of all publications telecommunications, arrest and search, sequestration of property and imposition of rationing.

Violators of the above may be tried by special summary courts established by the Emir. The penalties include death penalty and life imprisonment. The law also empowers the Emir, inter alia, to take possession for public purposes, of any land, building or any other property including gas, electrical and water establishments, water springs, water reservoir, and to requisition any land or building for housing members of the army.

#### The Defence(Emergency) Regulations 1945

These regulations were initially issued by the Government of the British Mandate to curb both Arab and Jewish resistance. They were then condemned by Jewish dissidents who compared them to regulations promulgated by the Nazi regime in Germany and considered them "unparalleled in any civilized countries."

These regulations empower the authorities, inter alia, to detain people without trial, issue deportation and administrative detention orders, restrict movement and place persons under town arrest, and to censor publications. They provide wide powers of search and arrest and prohibit unlawful associations and membership in illegal organizations which are widely defined.

They also empower the authorities to demolish houses and dispossess owners of their lands. A large proportion of prisoners tried at military courts in the West Bank are charged under these regulations. The applicability of these regulations and in particular the provisions concerning deportation has been challenged in the High Court of Justice in Israel but the court ruled that they do apply because, inter alia, in 1968 the Israeli Military Government issued an interpretive proclamation "in order to remove all doubt" that all Emergency Regulations in force on May 14, 1948 would be deemed to have remained in force on the West Bank unless expressly repealed by a Jordanian Law before June 1967.

#### The Prisons Law of 1953

Empowers the Minister of Defence to declare any building or camp or any other place, a prison in accordance with this law if the number of prisoners increases over the number that can be housed in the existing prisons. The law declares the powers and duties of the authorities over the prisoners. It prescribes prison offences and the punishment that may be given to prisoners for them. The law also declares the establishment of a prison's authority for the administration of the prisons.

### The Guards Law of 1925

Empowers village councils to appoint guardsmen who will be delegated with the duty to preserve security and guard buildings and cultivated fields in the villages and outside the towns. In cities where a municipal council exists, that council shall appoint guardsmen for the adjoining fields and cities. The Law gives the qualification of candidates, the duties of the village council towards the guardsmen, and the powers of the guardsman. This law has been amended by several military orders. It is now being used by the local councils of Israeli settlements who have made guards duty compulsory.

APPENDIX - 3

SUMMARY OF MILITARY ORDERS LISTED IN SCHEDULE 2 OF THE ORDER

MILITARY ORDER NO.

- 7 - "Order Prohibiting Trade and Financial Deals (Banks) - 1967"
- Ordering closed all the Banks and Lending Establishments in the Area and prohibiting them from conducting any business or contacting banks or their agents or branches abroad.
- 9 - "Order Concerning Freezing Accounts and Delivery of Records and Accounts (Banks) - 1967"
- Authorizing army officers to enter into, request records, freeze accounts and confiscate books, records and documents from any bank or Lending Establishment in the Area.
- 21 - "Order Concerning Safeguarding the Rights of Depositors - 1967"
- Granting the "Person Responsible"\* extensive powers over all bank deposits and assets, including the power to distribute, alter or alienate the assets.
- 25 - "Order Concerning Deals in Real Property - 1967"
- Making it illegal to conduct any business transaction involving land or real property without a special permit from the competent military authority.
- 28 - "Order Concerning Income Tax and Property Tax - 1967"
- Granting the "Person Responsible" all the powers of the Jordanian Government and Jordanian officials with regard to tax laws, their application, and the assessing and levying of taxes pursuant to them.
- 31 - "Order Concerning Appointments Pursuant to Customs and Stamp Laws - 1967"
- Granting the "Person Responsible" all the powers and appointments made pursuant to a number of Jordanian tax laws (Tobacco, Alcohol, Salt, Local Products, Petrol Tax, Stamp, and other laws), and any regulations, orders, or decisions made pursuant to such laws.

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\* The "Person Responsible" is defined in this and the other military orders where it appears as the "person designated for the purposes of that order by the Area Commander." This person is usually an Officer in the Military Government.

MILITARY ORDER NO.

- 32 - "Order Concerning the Tobacco Law - 1967"

Imposing new taxes on cigarettes and requiring licenses from the "Person Responsible" for producing or marketing certain tobacco products.

- 33 - "Order Concerning Depositing Money for Security Reasons - 1967"

Authorizing the "Person Responsible" to transfer monies found in the safes of banks or financial institutes in the West Bank to accounts in Israeli Banks kept in trust in the name of the Commander of the Israeli forces in the West Bank.

- 36 - "Order Concerning Appointments Pursuant to Postal Laws - 1967"

Granting the "Person Responsible" for Postal matters all the powers, appointments and authority vested in the Jordanian Government, any of its subdivisions or any person by any law, regulation or agreement relating to postal services communications, or the like.

- 37 - "Order Concerning Appointing Employees in the Governmental Structure - 1967"

This order which has been amended several times grants the "Person Responsible", all the extensive powers and authorities possessed by the Jordanian Government or its subdivisions or any other person concerning government employees, their appointment, replacement, determination of their salaries, work conditions, etc.

- 38 - "Order Concerning Alcoholic Beverages - 1967"

Imposing new taxes on locally produced alcoholic beverages but otherwise confirming the Jordanian Law No.15 on Alcoholic Beverages of 1953.

- 44 -

Has been cancelled. The text cannot be found anywhere. This is apparently a typographical error. Order No.45 may be what is intended.

- 45 - "Order Concerning the Banks Law - 1967" (Not listed in Schedule 2)

Granting the Examiner of Banks all the rights, privileges and powers vested by the Jordanian Banks Law in the Jordanian Government, the Central Bank or anyone else and exempting any person who obtains a license from the Examiner of Banks from all the liquidity, registration or other requirements under Jordanian banking law (thereby in effect cancelling Jordanian banking law and substituting for it Israeli banking law since the same person holding the post of Examiner of Banks in Israel has also been appointed Examiner of Banks in the West Bank and he would, if he ever grants a license to a local bank, enforce Israeli banking criteria, laws, and regulations).

MILITARY ORDER NO.

- 47 - "Order Concerning Transport of Agricultural Products - 1967"

Prohibiting the import or export (from the West Bank) of any agricultural products (defined very broadly to include all animals or plants or their products) without a permit from the "competent authority". Also granting the "competent authority" extensive powers in enforcing this order and setting conditions in any permit it grants.

- 49 - "Order Concerning Closed Areas (Prohibition on Transporting Goods) 1967"

Prohibiting bringing in or taking out of the West Bank any goods without a permit from the "Person Responsible".

- 50 - "Order Concerning Import and Distribution of Newspapers - 1967"

Prohibiting the import or distribution of any publication in the West Bank without a license from the "Person Responsible". "Publication" is very broadly defined to cover any pamphlet, newspaper, magazine, manuscript, book, document, prepared, given, sold, or shared with any person.

- 55 - "Order Concerning Insuring Mechanical Vehicles (Third Party Dangers) (Temporary Regulations) - 1967"

Imposing the prevailing Israeli Insurance Law on the West Bank and requiring drivers to obtain insurance certificates from the "Pool" of Israeli Insurance Companies and cancelling all Jordanian Insurance laws that contradict the above.

- 56 - "Order Concerning Road Transport - 1967"

Imposing an elaborate system of licensing for West Bank cars and drivers, which together with its frequent amendments, slowly replaced Jordanian Motor Vehicle Law No.49 with orders that have come to be almost identical with Israeli Motor Vehicle Law, with some significant differences.

- 58 - "Order Concerning Abandoned Property - (Private Property) - 1967"

Appointing a Custodian of Absentee Properties and authorizing him to possess and control as fully as an owner all properties real or personal belonging to Palestinian absentees (defined as those who left the West Bank before, on, or after June 7, 1967).

- 59 - "Order Concerning Government Properties - 1967"

Granting the "Person Responsible" full power to possess and dispose of all government property or rights or debts accruing to the Jordanian Government. A certificate by the "Person Responsible" that certain lands or properties are "government properties" is sufficient evidence of that fact until the contrary is proven.

MILITARY ORDER NO.

- 65 - "Order Concerning Prohibition on Professions - 1967"

Prohibiting non-residents from carrying out directly or indirectly in the West Bank, commercial enterprises (including factories, offices, stores) or practicing any skill or trade without first obtaining a license from the "Person Responsible".

- 68 - "Order Concerning the General Census Law - 1967"

Altering the Jordanian Census Law to fit the need for preparing identity cards for the residents of the West Bank, then transferring enhanced authorities under the Jordanian Census Law to the "Person Responsible".

- 76 - "Order Establishing Israeli Currency as Legal Tender - 1967"

Establishing Israeli currency as legal tender in the West Bank, while retaining the status of the Jordanian Dinar as legal tender.

- 80 - "Order Concerning Extending the Tenure of the Local Administrative Authorities - 1967"

Extending the tenure of all local authorities (until further military orders are issued) and authorizing them to operate on less than full quorum, despite anything in the local laws to the contrary.

- 83 - "Order Concerning Establishment of Israeli Currency as Legal Tender (Additional Regulations) - 1967"

Order the acceptance of payment in Israeli Currency for obligations previously denominated in Jordanian dinars.

- 87 - "Order Concerning the Temporary Tourism Law - 1967"

Transferring all the rights and authorities vested in the Jordanian Government, its ministers or employees under the Temporary Jordanian Tourism Law to the "Person Responsible" and cancelling all licenses, or appointments issued under that law unless ratified by the Israeli "Person Responsible".

- 90 - "Order Amending the Customs Law (Amendment No.1) - 1967"

Permitting the opening of postal parcels for inspection even in the absence of the importer.

- 91 - "Order Granting Powers Concerning Education - 1967"

Transferring to the "Person Responsible" all the powers and authorities vested by any Jordanian Law or regulation in any person or authority other than the Jordanian Government or its ministers or its subdivisions, for the purpose of determining educational policy and approving class schedules or textbooks.



MILITARY ORDER NO.

- 92 - "Order Concerning Powers for Water Concerns - 1967"

Granting the "Person Responsible" extensive powers over all matters pertaining to water, previous laws and regulations and licenses relevant to its extraction, transport, consumption, measurement, research, drilling, protection from pollution, taxes, etc... Also authorizing him to create or dissolve organizations licensed to act in matters relating to water in any manner.

- 93 - "Order Concerning the Law on Supervising Insurance Operations - 1967"

Appointing an Inspector and transferring to him all the appointments and privileges given to anyone under the Jordanian insurance laws; and amending Jordanian insurance law to increase the Inspector's powers, and to permit the Inspector to license foreign insurance companies to operate in the West Bank.

- 94 - "Order Concerning Cooperative Societies - 1967"

Transferring to the "Person Responsible" all powers of appointment and all other privileges vested by the Jordanian Law on Cooperative Societies of 1956 in the Jordanian Government or any of its departments or any other person, and ordering the re-registration of existing cooperative societies according to that law and the regulations to be issued by the "Person Responsible".

- 96 - "Order Concerning Customs Area - 1967"

Declaring the West Bank to be a "customs area" from which no export or import of any goods is permitted except in accordance with a license issued by the "Person Responsible" appointed under Military Order No.31.

- 103 - "Order Concerning Customs Duties - 1967"

Authorizing the "Person Responsible" appointed by virtue of Military Order No.31, to set customs schedules and levy duties on all goods brought into the Area and ordering that monies levied pursuant to this Order be placed in a special fund to be used for developing the West Bank.

- 107 - "Order Concerning the Use of School Textbooks - 1967"

Prohibiting the use for teaching purposes of any of the textbooks listed in the appendix to that order.

- 109 - "Order Concerning Income Tax Appeals - 1967"

Transferring all the powers of the Special Court for Hearing Income Tax Appeals to the Court of First Instance of the Southern District, with a single judge sitting to hear such cases.

MILITARY ORDER NO.

112 - "Order Concerning Government Cases - 1967"

Suspending any case, proceeding or hearing before any judicial body to which the Jordanian Government or any of its subdivisions or employees was a party on June 7, 1967 unless the Military Commander agrees in writing for such proceeding to continue.

113 - "Order Concerning Amending the Collection of Public Monies Law - 1967"

Granting the "Person Responsible" or the Military Commander all the powers vested by the Jordanian Law on Collection of Public Monies in the Jordanian governor, mutasarref or District Commissioner.

118 - "Order Concerning Film Supervision Law - 1967"

Granting the "Person Responsible" all the powers vested in the Jordanian Government, one of its ministers, its employees or any committee, by virtue of the Jordanian Film Supervision Law of 1951.

119 - "Order Concerning Antiquities Law - 1967"

Granting the "Person Responsible" all the powers vested by the Jordanian Antiquities Law of 1966 in the Jordanian Antiquities Department, the Jordanian Government or one of its ministers.

128 - "Order Concerning Opening Work Places - 1967"

Order all storekeepers and owners, managers, employees, or workers to keep such places open and provide services except in the days preset by such persons as their weekly or yearly holidays. Also authorizing the Military Commander to seal shut or confiscate the contents of any workplace violating this order, regardless of whether or not any person was convicted of such violation.

133 - "Order Concerning Selling Official Publications - 1967"

Authorizing the Military Commander to order any storekeeper to display and sell official publications to all who ask at the stated price and in whatever quantity the customer requests.

134 - "Order Concerning the Prohibition on the Work of Tractors and Agricultural Equipment from Israel - 1967"

Prohibiting anyone to bring into the West Bank or to operate there a tractor or agricultural equipment registered or located in Israel without a permit from the "Person Responsible".

145 - "Order Concerning Israeli Attornies before the Courts (Temporary Order) - 1967"

Authorizing members of the Israeli Bar association to represent West Bank clients and practice law before all West Bank Courts for six months, (later extended indefinitely and still currently in force).

MILITARY ORDER NO.

- 147 - "Order Concerning Collecting the Increase on Stamp Taxes - 1967"

Levying as a new tax a 50% increase on the stamp tax mandated by the Jordanian National Guard Tax Law of 1954, then cancelling the said law in its entirety.

- 149 - "Order Concerning Labeling of Goods - 1967"

Authorizing the "Person Responsible" to make regulations mandating the placing of labels on goods by whoever possesses them in the manner and time he orders.

- 150 - "Order Concerning Abandoned Property (Private Property) (Additional Regulations) (No.1) - 1967"

Ordering anyone who possesses or controls any property, including shares, defined as belonging to individuals outside the territory, to report the details of such property within 30 days, and authorizing the Officer in Charge of Absentee Property to take over juridical entities he believes are controlled by residents in enemy countries; and imposing the burden of proving ownership or a right to possession in any property so seized on anyone who claims it.

- 158 - "Order Amending the Water Supervision Law - 1967"

Adjusting Jordanian Law on Water Supervision of 1953 to regulate very strictly all activities concerning water extraction or use and subjecting such activity to a detailed licensing scheme granting the "Person Responsible" vast discretionary powers to grant, cancel, or condition licenses as he sees fit without having to provide any reason therefore.

- 159 - "Order Concerning the Jordanian Electricity Authority Law - 1967"

Granting the "Person Responsible" all the powers vested in the Board of Directors of the Jordanian Power Authority by virtue of Jordanian Electrical Power Authority Law of 1967.

- 172 - "Order Concerning Objections Committees - 1967"

Creating objections committees composed of three military officers each, at least one of them with legal training, such committees can hear appeals on matters within their jurisdiction. They are not bound by the rules of evidence and may set their own rules of procedure. They may hold their sessions in secret. They have the authority to make recommendations to the Area Commander, but if they don't or if the Commander refuses to accept their advice, the action objected to continue to be valid. The committees have jurisdiction over matters listed in the appendix of the order which are increased from time to time. (They generally cover administrative or discretionary activities of the "Person Responsible" or sensitive matters that the Military government does not wish to leave in the hands of the courts. See W.B.R.L. p. ed.).

MILITARY ORDER NO.

- 173 - "Order Concerning Israeli Travel Agencies and Tour Guides - 1967"

Forbidding Travel Agents and Tour Guides from offering any services in the West Bank except as part of a tour originating in Israel and licensed by the "Person Responsible" and fulfilling the terms and conditions of such license.

- 180 - "Order Concerning Israeli Licenses for Firearms - 1967"

Permitting holders of Israeli licenses for firearms to carry such firearms in the West Bank.

- 191 - "Order Concerning Village Administration Law No.5 of 1954 - 1967"

Granting the "Person Responsible" all the powers vested in the district governor or the Minister of Interior by the abovecaptioned Jordanian law, and amending that law to enable the "Person Responsible" to appoint a Mukhtar (village elder) instead of having him elected, and to remove a duly elected or appointed Mukhtar if he believes him to be unfit for his job delinquent in his duties, or abusing his position.

- 194 - "Order Concerning the Municipalities Law - 1967"

Granting the "Person Responsible" all the powers vested in the Jordanian King, Government, Ministers or District Commissioner by virtue of the Municipalities Law of 1955 and making several amendments to that law.

- 215 - "Order Concerning Vehicle Insurance (Third Party Dangers) - 1967"

Imposing in the West Bank, Israeli Vehicle Insurance Law (Third Party Dangers) with all its provisions, forms and the mechanisms for its implementation.

- 216 - "Order Concerning the Authority to Execute Deals - 1967"

Stating that the authority to conclude any business deal or sign any documents on behalf of the Military Commander of the West Bank lies in the person or persons appointed for concluding such a deal, whether generally or specifically, by the Military Commander.

- 219 - "Order Concerning Registering and Inspecting Mechanical and Engineering Equipment - 1967"

Forbidding the use of any construction, mechanical or engineering equipment or tools that have not been registered with the appointed registrar and authorizing an appointed inspector to inspect all such equipment. Furthermore, the location or ownership of such equipment may not be altered without notifying the "registrar" a long appendix to the order lists the construction, engineering and mechanical equipment to which the order applies.

MILITARY ORDER NO.

- 227 - "Order on the Prohibition against the Use of Jordanian Revenue Stamps - 1968"

Prohibiting the use of revenue stamps on documents, except as directed by the official appointed to be responsible for revenue stamps and denying legal value or validity to any document carrying stamps in contravention of the provisions of this order.

- 237 - "Order Concerning Appointments Pursuant to the Mukhtars Law - 1968"

Granting the "Person Responsible" all the powers vested in the Minister of Interior and the "Administrative Employee" under the Jordanian Mukhtar's Law of 1958.

- 246 - "Order Concerning Inspectors of Antiquities - 1968"

Granting to the person appointed by the "Person Responsible" as "Inspector of Antiquities as defined in Jordanian Law and Military Order No.119) all the extensive powers a soldier enjoys by virtue of the Order Regarding Securities Regulations.

- 251 - "Order Concerning Cancelling and Withdrawing of Drivers' Licences - 1968"

Authorizing the licensing authority (established under Military Order No.56) to withdraw, temporarily or permanently or conditionally the license of a driver it considers unfit or dangerous, or for reasons of safety. It also authorizes a police officer, after an accident to suspend a driver's license.

- 256 - "Order Concerning Professional Associations - 1968"

Transferring the powers of the Registrar in the Jordanian Labor Law to the person appointed as Registrar by the Military Commander of the West Bank and directing existing Professional Associations to deliver to the Registrar within 30 days of demand full details about their budget, by-laws, list of officers and committee members, any copies of any document or registration they hold or possess by law.

- 260 - "Order Concerning Attorney's Licenses (Temporary Rules) - 1968"

Requiring the approval of the Area Commander of the West Bank for making any changes in the list of lawyers authorized to practice in the West Bank.

- 263 - "Order Concerning Appointments Pursuant to Animal Diseases Law - 1968"

Transferring to the "competent authority" (created by Military Order No.47) all the powers, duties and appointments vested in the Jordanian Government, its subdivisions or any authority other than a local authority by virtue of the Jordanian Animal Diseases Law of 1945.

MILITARY ORDER NO.

264 - "Order Concerning Authenticating Signatures - 1968"

Authorizing the "Person Responsible" to authenticate signatures and documents, without which authentications no document originating outside Israel or the Occupied Territories is valid or legal within the West Bank. Furthermore, the "Person Responsible" must authenticate all documents originating in the West Bank for use outside. He may withhold, postpone or condition such authentication for reason of security, public order, or orderly government of the West Bank.

271 - "Order Concerning Claims (except Article 2g) - 1968"

Granting a resident of the West Bank injured due to the actions of the Israeli Army or its employees and who claims compensation therefore, the right to present his claim to the Officer in Charge of Claims. If the Commander approves the claim, it may be handled by the Officer in Charge of Claims whose decisions are appealable to an "Objections Committee" (See Military Order No.172).

271 - "Article(2g) only. (This Article was added by means of Military Order No.385, and the powers it describes are specifically excluded from schedule 2 and from the authority of the Head of the Civilian Administration).

Prohibiting the bringing of any claims arising in an area declared by the Commander of the West Bank to be a "battlefield zone" unless one obtains a Certificate from the Commander that the damage occurred during an operation conducted out of military necessity.

275 - "Order Concerning the Explosives Law - 1968"

Granting all the powers vested in the Jordanian Governor by the Jordanian Explosives Law of 1953 to the "Person Responsible" and transferring the powers vested in policemen by that law to any Israeli soldier, policeman, special inspector or person designated by the Israelis as a "public security person" under Military Order No.121.

280 - "Order Concerning Regulating Public Bathing Places - 1968"

Prohibiting bathing except in a location licensed for that purpose by the "Responsible Authority" and granting that authority wide rule-making authority to regulate all aspects of bathing in such places in addition to the prohibitions or directions stated in the Order itself.

293 - "Order Concerning Inapplicability of Tenant Protection Laws in Certain Cases - 1969"

Exempting land leased to or possessed by the Custodian of Absentee Properties and the Custodian of State Properties from the provisions of the Tenant Protection Law and the regulations relating to it.

MILITARY ORDER NO.

- 295 - "Order Concerning Executing Financial Transactions in Postal Offices - 1969"

Enabling the Officer in Charge of Postal Matters to authorize post offices to carry out certain financial transactions such as accepting postal money-orders and opening depositors' account, and to recognize Israeli postal bank transfers.

- 297 - "Order Concerning Identity Cards and Registration of the Inhabitants - 1969"

Requiring all adults to apply for an Identity Card carry it at all times, produce it whenever required to do so by a soldier or another person authorized to ask for it; and detailing extensive provisions regarding its content and use; also making other provisions regarding registration of births, deaths, and similar matters.

- 299 - "Order Concerning Supervision of Currency, Bills of Exchange and Gold - 1969"

Imposing extensive controls and regulations over possession, exchange, transfer in or out of the West Bank or dealing in foreign currency, bills of exchange and gold or gold certificates, and giving the "competent authority" rule-making powers to carry out these controls through unpublished regulations.

- 306 - "Order Concerning Forestry Laws - 1969"

Transferring to the "competent authority" appointed by the Commander of the Area all the powers and authorities vested in the Jordanian Government, its subdivisions or any other person by virtue of seven Jordanian Forestry laws listed in that order.

- 309 - "Order Concerning Customs Authorities - 1969"

Granting the "Person Responsible" extensive powers based on Jordanian laws and previous military orders to enforce customs laws and regulations and penalize violators of such laws or of a number of military orders including No.47, 49, 96, 103, 149, 227 mentioned hereinabove.

- 310 - "Order Concerning Independence of the Judiciary Law - 1969"

Transferring to the "Person Responsible" and to the "Appointed Committee" respectively all the powers vested by the Jordanian law on the Independence of the Judiciary, in the Jordanian Minister of Justice and the "Judicial Committee".

- 321 - "Order Concerning Expropriation of Land for Public Purposes - 1969"

Transferring all the powers granted to the Jordanian Government by the Jordanian Law of Expropriating Land for Public purposes, to the "competent authority" appointed by the Commander, and amending that Jordanian Law to facilitate expropriation by the Israeli Military authorities by eliminating the publishing requirements and transferring the authority of the Court under that law to an Israeli "Objections Committee" created by virtue of Military Order No.172.

MILITARY ORDER NO.

- 324 - "Order Concerning Attorney Licenses (Extending Period of Validity) - 1969"

Extending until further notice Military Order No.260, and reaffirming that the list of attorneys authorized to practice in the West Bank continues to be in effect.

- 327 - "Order Concerning Protection of Holy Places - 1969"

Authorizing the "competent authority" appointed by the Area Commander to issue regulations governing behavior in Holy Places and the guarding of such places, also prohibiting desecration of holy places on denial of access to them or "insulting the feelings" of religious people towards their holy places.

- 328 - "Order Concerning Extending the Tenure of the Boards of Directors of Chambers of Commerce - 1969"

Extending the tenure of the boards of directors of West Bank Chambers of Commerce until further orders are issued from the Commander, and authorizing such boards to continue to act even if they lack quorum.

- 338 - "Order Requiring guarantees and Confiscating such Guarantees - 1969"

Authorizing the Area Commander to refuse to give a license until certain guarantees are given that his conditions for that license are fulfilled. The Commander may set the amount of the guarantee and order that it be collected and confiscated. Such order will have the executive effect of a fine levied by a military court (i.e. unappealable, ed.).

- 348 - (Not listed in Appendix 2. See Textual Criticism).  
"Order Concerning Judicial Assistance - 1969"

Arranging for mutual recognition of decisions and service of process and execution of judgements between the West Bank and Israel and setting up a special execution department in the West Bank for executing the decisions of Israeli Courts in the West Bank.

- 349 - (Not published. See Textual Analysis).

- 350 - "Order Concerning Indirect Taxes (Overpayment or Underpayment of the tax) - 1969"

Specifying a period of time during which indirect taxes and customs duties levied incorrectly can be remedied by refunds or demands for additional payments.

- 360 - "Order Concerning Chambers of Commerce - 1969"

Transferring to the "Person Responsible" all the tasks and powers given to the Jordanian Minister of Commerce or District Commissioner or Mutassaref under Jordanian Chambers of Commerce and Industry Law, and authorizing such "Person Responsible" to exempt anyone from the duty of obtaining the authentication of a Chamber, even through the law may so require.



MILITARY ORDER NO.

- 363 - "Order Concerning Protection of Natural Resorts - 1969"

Authorizing a "competent authority" created by the Area Commander to supervise and regulate all activities within areas declared to be "protected natural areas" and prohibiting anyone from injuring, removing or altering animals, plants or things which have been declared as "protected" by the relevant authority.

- 370 - "Order Concerning Imposing Duties on Stored Goods - 1970"

Authorizing the "Person Responsible" to impose duties on stored goods kept in the possession of a merchant for the requirements of his business.

- 373 - "Order Concerning Public Parks - 1970"

Creating a "competent authority" to supervise and manage areas declared by the Commander as public parks, and authorizing that authority to set up rules and regulations for conduct in public parks and to levy the fees listed for entry into such parks.

- 389 - (Not listed in the Arabic Text at all).

"Order Concerning Utilizing Natural Resources - 1970"

Transferring to the "competent authority" appointed by the Commander all the powers, privileges and appointments held by the King, Prime Minister, any minister and the Jordanian Natural Resources Department by virtue of the Jordanian Law on Regulating Natural Resources; also substituting the Objections Committee (see Military Order No.172) for all local courts for the purposes of this law.

- 397 - "Order Concerning Trademarks - 1970"

Creating a Registry of Trademarks in the West Bank and delegating to the "Person Responsible", all the powers of the Jordanian Council of Ministers, the Trade Minister and the Registrar of Trademarks under the Jordanian Trademark Law of 1952.

- 398 - "Order Concerning Companies - 1970"

Transferring all the powers vested by the Jordanian Companies Law in the "Person Responsible, making his decisions appealable only to an Objections Committee (see Military Order No.172) and making other amendments and alterations to the Jordanian Companies Law.

- 399 - "Order Concerning Transportation (Road Regulations) - 1970"

Imposing detailed regulations in five long sections concerning all aspects of transportation on public roads copied almost verbatim from the Israeli law on the same subject.

MILITARY ORDER NO.

- 401 - "Order Concerning the Weights and Measurements Law - 1970"

Granting to the "Person Responsible" all the powers vested in the Jordanian Government, its ministers, departments or any person by the abovementioned law as well as making several other amendments to the law.

- 408 - "Order Concerning Pension Law (Employees from Other Areas) - 1970"

Regulating the transfer of pension rights for employees who used to work in Gaza and North Sinai and who now work in the West Bank.

- 412 - "Order Concerning Local Courts - 1970"

Granting the "Person Responsible" all the powers of the Jordanian Minister of Justice according to several Jordanian Laws; eliminating reference to the Court of Cession; granting some of its powers to the Court of Appeals when it sits as a High Court of Justice, and making several other changes in the administration of West Bank Courts.

- 418 - "Order Concerning Town and Village Planning and Construction Law - 1971"

Transferring to the "Person Responsible" and committees created by the Commander all the powers of the Jordanian Minister, and the town and village planning committees, and empowering a Supreme Planning Council appointed by the Commander, to issue, cancel or alter building licences or exempt any person from the requirement of obtaining one.

- 419 - "Order Concerning the Law on the Possession by Juridical Persons of Real Property - 1971"

Transferring the powers vested in the Jordanian Council of Ministers by the abovementioned law to the "Person Responsible".

- 424 - "Order Concerning Display of Signs on Work Places - 1971"

Authorizing the Military Commander to order the display and maintenance of signs in visible places outside work places.

- 427 - "Order Concerning Electric Works (Regulation and Supply) - 1971"  
(except the powers specified in Article 2).

Empowering the Area Commander to order the use of private property for connecting and supplying Electric Power in the West Bank, and requiring a license from the "Person Responsible" for anyone to work in supplying, connecting, generating or providing electrical power; also setting rates for electricity cost and further amending the Jordanian Electric Authority Corporation Law.

Article 2, specifically exempted from the jurisdiction of the Head of the Civil Administration empowers the Area Commander, or whoever he delegates for that purpose to operate power stations and carry out other activities, if he believes it is necessary for the provision of essential services or for the security of the Israeli forces.

MILITARY ORDER NO.

- 437 - "Order Concerning the Practice of the Auditing Profession - 1971"
- Amending Jordanian Auditors' Law and empowering the Area Commander to set up a committee for granting licenses to auditors.
- 439 - "Order Concerning Labor Law - 1971"
- Amending provisions of Jordanian Labor Law concerning labor arbitration committees.
- 446 - "Order Concerning Amending the Civil Service Regulations - 1971"
- Amending the Jordanian regulation concerning the constitution of disciplinary committees for civil servants.
- 448 - "Order Concerning Amendment of Law on Re-registration of Immovable Property - 1971"
- Amending articles of Jordanian Law on Re-registration of Immovable Property concerning the constitution of committees for re-registration purposes and appeal, and setting up a special Objections Committee with jurisdictions to hear appeals based on these matters.
- 450 - "Order Concerning Land Laws - 1971"
- Transferring all powers vested by Jordanian Law in the Director of Lands and surveys to the "Person Responsible", taking into consideration the provisions of Military Order No.451.
- 451 - "Order Concerning Land Survey - 1971"
- Transferring all powers vested in the Director of the Survey Department, by Jordanian Law, to the "Person Responsible".
- 454 - "Order Concerning Municipal Elections - 1971"
- Declaring that municipal elections shall be carried out within the period determined by the "Person Responsible".
- 457 - "Order Concerning the Law Regulating Natural Resources - 1972"
- Amending Jordanian Law by empowering the "competent authority" (appointed by the Commander) to assess the value of land and water shares or any damage accruing as a result of the actions of the authority and giving jurisdiction in these matters to the Objections Committee (see Military Order No.172) whose decisions shall be final.
- 459 - "Order Concerning Municipal Elections (Temporary Provisions - 1972"
- Empowering the "Person Responsible" to specify by order an additional period for the submission of the names of candidates for the municipal elections.

MILITARY ORDER NO.

- 470 - "Order Concerning Appointments Pursuant to the Crafts and Industries Law - 1972"

Transferring all powers vested by virtue of the above Jordanian Law in the Jordanian Government or to any of its authorities or to any person, except municipal councils, to the "Person Responsible" who is empowered to issue regulations to execute any of his powers according to the above law. The order also empowers the Area Commander to prohibit or cancel any license issued pursuant to that law.

- 471 - "Order Concerning Exemptions from licenses for Crafts, Industries and Professions - 1972"

Empowering the Area Commander to exempt anyone from the necessity of obtaining any license required for practicing a craft, industry or profession in the West Bank.

- 474 - "Order Concerning Amendment of the Law for Preservation of Trees and Plants (Inspectors) - 1972"

Amending Jordanian Law by empowering a military officer to appoint inspectors whose powers include the power to arrest anyone violating the provisions of this law or refusing to identify himself.

- 484 - "Order Concerning Water Authority (Bethlehem, Beit Jala, Beit Sahour) - 1972"

Establishing a water authority for the three towns and providing regulations therefor.

- 486 - "Order Concerning Amendment of Game Protection Law - 1972"

Amending Jordanian Law by, inter alia, prohibiting any person from hunting except after obtaining a hunting license and in accordance with the provisions of that license.

- 487 - "Order Concerning Interest (Determining Amounts) - 1972"

Empowering the Inspector of Banks (appointed by the Area Commander) to determine maximum interest rates on loans regardless of any provision in Jordanian Law to the contrary.

- 501 - "Order Concerning Amendment of the Regulation on Educational Fees - 1972"

Amending the Jordanian regulation for levying an education tax.

- 502 - "Order Concerning Supervision of Prices (Cement) - 1972"

Determining the maximum price of cement as shown in the appendix to the order, and prohibiting any merchant from refusing to sell cement in his possession at that price.

MILITARY ORDER NO.

514 - "Order Concerning Pension Law - 1973"

Granting the Civil Pension Committee appointed by the Area Commander all the powers vested by the Jordanian Pension Law in the Jordanian Government, any of its subdivisions or to any person, and granting the Objections Committee (See Military Order No.172) jurisdiction to hear appeals arising out of this Order; and making other amendments to the Jordanian Pension Law.

515 - "Order Concerning Service with the Military Government (Restrictions after Resignation) - 1973"

Imposing restrictions on employment of previous employees of the military government.

528 - "Order Concerning Lawyers-in-Training - 1973"

Authorizing the "Person Responsible" to issue regulations on procedures concerning the acceptance, training and supervision of lawyers-in-training; and permitting such persons to do their training with any judge or prosecutor.

530 - "Order Concerning the Placement of Labels on Products - 1973"

Requiring producers of any product in the West Bank for export to Israel to place a label in Hebrew and Arabic on their products.

532 - "Order Concerning Appointments by Virtue of Telephone Laws - 1973"

Transferring to the "Person Responsible" all powers of appointment and all privileges vested by all Jordanian laws concerning telephones in the Jordanian Government, or any of its subdivisions or to any person.

533 - "Order Concerning Income Tax Law - 1973"

Adding a paragraph to the Jordanian Income Tax Law empowering the "Person Responsible" to make some exemptions from tax in certain cases.

535 - "Order Concerning an Amendment to the Jordanian Telephone Regulation - 1973"

Empowering the officer in Charge of Telecommunications to specify by regulations, reductions in telephone charges and to set up the rules for making them.

538 - "Order Concerning Consumer Goods and Services - 1974"

Prohibiting the unreasonable withholding of consumer goods or services and giving a military officer power to close factories and imprison any person providing service for committing breach of order. Appeal of closure can only be made to the Objections Committee (Military Order No.172).

MILITARY ORDER NO.

- 549 - "Order Concerning the Jordanian Law on Public Plays (Supervision) - 1974"

Amending Jordanian Law on same subject and transferring powers of council set up under the law to members of the military command.

- 555 - "Order Concerning Patents and Designs (New Registration) - 1974"

Transferring all powers vested according to Jordanian Law in the Registrar, Prime Minister, Council according to Jordanian Law of Patents and Designs to the "Person Responsible".

- 558 - "Order Concerning Dangerous Drugs - 1975"

Empowering the "Person Responsible" to issue permits for importing, exporting, keeping and producing dangerous drugs.

- 569 - "Order Concerning the Registration of Special Transactions in Land - 1975"

Empowering the Registrar (defined as someone appointed for the purposes of this order) to establish and administer a register for special transactions affecting lands which are defined in the order concerning government lands which have been taken for military purposes or which have been confiscated for public purposes. The order gives jurisdiction to the Objections Committee to hear appeals by persons aggrieved by the order.

- 570 - "Order Concerning Elections for Village Council for the Village of Beita - 1975"

Ordering that new elections be carried out for the village council of Beita village.

- 573 - "Order Concerning Elections for Village Council for the Village of Thaheria - 1975"

Ordering that new elections be carried out for the village council of Thaheria village.

- 600 - "Order Concerning Safety Belts in Vehicles - 1975"

Imposing the use of safety belts for passengers of vehicles travelling outside city limits.

- 603 - "Order Concerning Licenses for Public Vehicles - 1975"

Establishing a committee for issuing licenses for public vehicles and imposing regulations therefor. The order gives jurisdiction to the Objections Committee to hear appeals of decisions made pursuant to this order.

MILITARY ORDER NO.

- 602 - "Order Concerning Electricity (Electrical Power Stations and Electrical Works) - 1975"

Prohibiting the establishment of an electrical power station unless by order of the "Person Responsible".

- 614 - "Order Concerning Elections for Village Councils - 1975"

Ordering that elections be held for village councils which, at the date of signing the order, have been exercising their function for a period no less than three years.

- 631 - "Order Concerning the Establishment of Municipal Courts - 1976"

Empowering the Area Commander to issue instructions for the establishment of municipal courts after an application has been submitted to him by a municipality. The order sets up regulations to cover jurisdiction, constitution and other matters pertaining to these courts.

- 645 - "Order Concerning the Extermination of Olive Flies - 1976"

Empowering the municipalities, after obtaining approval of the Officer in Charge of Agricultural Affairs to issue regulations for the extermination of olive flies.

- 653 - "Order Concerning the Imposition of Supervision on Certain Products - 1976"

Prohibiting anyone from managing a place for the production of any product mentioned in the appendix to the order or from importing or exporting any of these products prior to obtaining a license from the "Person Responsible".

- 658 - "Order Concerning an Amendment to the Jordanian Law on Customs Duties on Local Products - 1976"

Imposing the Value Added Tax through amending the abovementioned Jordanian Law.

- 662 - "Order Concerning Insurance Against Labour Injuries - 1976"

Imposing on employers the duty to insure their employees. The order requires that an insurance policy be approved by the authority set up by the Area Commander, and provides regulations governing such insurances.

- 663 - "Order Concerning the Jordanian Labour Law (Work Injuries) - 1976"

Transferring to the "Person Responsible: all powers and powers of appointment vested by the Jordanian Labour Law in the Jordanian Government, or the labour minister, or to any minister or to the Director of Labour or to the Inspector of Labour; also amending several articles of the Jordanian Law.

MILITARY ORDER NO.

- 677 - "Order Concerning Compensation for Victims of Road Accidents - 1976"

Requiring the driver of a car involved in an accident to compensate all those riding with him in the car who were injured and setting up other regulations concerning victims of road accidents.

- 697 - "Order Concerning the period of Functioning of Councils of Chambers of Commerce - 1977"

Ordering all existing councils of chambers of commerce to continue to function until a further order is made by the Area Commander, without new elections and regardless of whether no quorum can be obtained.

- 733 - "Order Concerning Explosives (Licensing of Explosives) - 1977"

This order falls in the collection of Military Order No.42 which has to the best of our knowledge not been distributed to lawyers or any other group of people in the West Bank. It has also not been distributed before publication of the collections amongst the separate orders that are sometimes distributed to lawyers. We therefore, apologize for being unable to summarize the content of this order.

- 738 - "Order Concerning Prohibition of Increasing Prices - 1977"

Prohibiting the increase in prices of items mentioned in the first schedule to that order and of services mentioned in the second schedule beyond the determined rate (7%) except after obtaining a special license from the "Person Responsible".

- 741 - "Order Concerning Medical Services - 1978"

This order falls in the collection of Military Order No.42 which has to the best of our knowledge not been distributed to lawyers or any other group of people in the West Bank. It has also not been distributed before publication of the collections amongst the separate orders that are sometimes distributed to lawyers. We therefore, apologize for being unable to summarize the content of this order.

- 742 - "Order Concerning the Resumption of Functions of Village Councils - 1977"

Extending the tenure of village councils, whether or not it had ended, until further orders are issued.

- 745 - "Order Concerning Licensing of Medical Professions and their practices - 1978"

This order falls in the collection of Military Order No.42 which has to the best of our knowledge not been distributed to lawyers or any other group of people in the West Bank. It has also not been distributed before publication of the collections amongst the separate orders that are sometimes distributed to lawyers. We therefore, apologize for being unable to summarize the content of this order.



MILITARY ORDER NO.

- 768 - "Order Concerning Powers of Licensed Surveyors - 1978"
- Transferring all powers and appointments vested or by virtue of the laws concerning licensed surveyors in the council of ministers or any other person to the "Person Responsible".
- 776 - "Order Concerning Jordanian Law for Licensing Petition Writers - 1979"
- Amending the Jordanian Law on petition writers and transferring all the powers which the law vested in the District Commissioner, the Prime Minister, the Minister of Interior or Minister of Justice to the "Person Responsible".
- 783 - "Order Concerning the Administration of Regional Councils - 1979"
- Listing the Regional Councils and declaring that their administration shall be in accordance with special regulations issued by the Area Commander. The order declares that the publication of these regulations shall be in the manner which the Area Commander shall decide.
- 795 - "Order Concerning Appointments by Virtue of the Law of Registration of Trade Names - 1979"
- Transferring all powers according to the Jordanian Law on Trade Names to the "Person Responsible".
- 807 - "Order Concerning Religious Services - 1979"
- Empowering the authority set up by the Area Commander to establish a religious council in accordance with the provisions of the order. This council shall provide religious services and may pursuant to this purpose buy property and take short or long term leases.
- 817 - "Order Concerning the Protection of Educational Institutions - 1980"
- Empowering the officer appointed by virtue of the order for the protection of Jewish settlements to impose guard duty over students of educational institutions who have completed 16 years of age, and over their guardians, teachers and other employees of the institutions.
- 818 - "Order Concerning Regulation of Planting of Decorative Plants - 1980"
- Restricting the plantation of decorative plants listed in the appendix including carnations and roses, and empowering the Objections Committee to hear appeals from person aggrieved by the implementation of this order
- 822 - "Order Concerning Maintenance of Cleasiness - 1980"
- Imposing a fine on anyone disposing of garbage in public places.

MILITARY ORDER NO.

- 823 - "Order Concerning the Shekel as Currency - 1980"

Declaring the shekel legal tender and imposing the necessary amendments to implement that.

- 830 - "Order Concerning Extension of Tenure of Municipal Councils - 1980"

Ordering that all existing municipal councils shall continue in operation despite any provision in the Jordanian Law or in the Military orders requiring holding of elections and until another order is passed by the Area Commander in this regard.

- 886 - "Order Concerning Supervision of Goods and Services - 1980"

Granting the "Person Responsible" the power to appoint inspectors to enforce provisions of order 538 and the Jordanian regulations of 1959 for supervision and fixing of prices. The inspectors are given the powers of inspection, requisition and interrogation.

- 892 - "Order Concerning the Administration of Local Councils - 1981"

This order has not been distributed to the lawyers or other Arabs in the West Bank to the best of our knowledge. It has also not been translated into Arabic. 35 pages long, it is amongst the longest of Military orders passed to date. It contains provisions concerning election of councils for the administration of the Jewish local councils, establishment of courts of law, and detailing other powers and duties of the "local councils" which are the administrative units of most Jewish settlements in the West Bank.

- 899 - "Order Concerning Official Measurements - 1981"

Empowering the "Person Responsible" with the authorization of the Area Commander to specify specifications and measurements and imposing penalties and punishment for offenders.

- 908 - "Order Concerning Adjustment of sums - 1981"

Ordering that figures for the purpose of tax collection be rounded up to the nearest shekel (this order has not to date been translated into Arabic).

- 912 - "Order Concerning Installation of Water Solar Heaters - 1981"

Imposing regulations on the installation of water solar heaters.

- 291 - "Order Concerning Settlement of Disputes over Land and Water - 1968"

This order suspends the operation of settlement of disputes over land and water.

APPENDIX - 4

This appendix provides a textual analysis of Military Order No.947 pointing out the errors made in both the Hebrew and Arabic versions of the Order which contribute to the difficulty of understanding it.

The nature and causes of the problems faced by the reader of the order are varied. Some of them are due to the unprofessional typing, poor reproduction, and collation. It is very often necessary for the reader to compare the Arabic text to the Hebrew in order to decipher the numbers, words or other ambiguities. However, whereas neither the lawyers nor the rest of the average West Bank population can read the Hebrew language this is beyond their reach. Furthermore, a whole section of the Hebrew version of the Order, the interpretation of the Order provided by Mr. Barouch Hollander, the Legal Advisor to the Military Government, has not been translated into Arabic.

I. The following are problems created by the bad stencil production:

<u>Military Order No. in the</u> <u>Arabic text</u>	<u>as produced looks</u> <u>like</u>
191	111
219	211
271	171
309	301
450	45
212	112
397	317
96	16
549	541
658	158 or 958
662	661 or 663
697	197 or 096

II. The following are incorrect references made in schedule (2) of the Arabic and sometimes also in the Hebrew version. The correct information was obtained by comparison with the Hebrew text, or where a mistake was made there too, through checking the Military Orders reference to which could possibly have been intended:

1. Military Order No.21 is referred to in Arabic as Military Order 1.
2. Military Order No.25 is referred to in Arabic as Military Order 5.
3. Both the Hebrew and Arabic text list Military Order No.44 in schedule 2. The officially published Military Orders do not include this order but indicate that it has been cancelled. It is possible that the listing refers to Military Order No.45 which has the same name ascribed to Military Order No.44 in the Hebrew and the Arabic.
4. Military Order No.59 is referred to in the Arabic as Military Order No.590.

5. The title of the Military Order referred to as No.78 in both versions conforms to that of Military Order No.68 which implies that it is perhaps Military Order No.68 which is intended to be in the list.
6. Military Order No.68 is referred to in the Hebrew as No.78.
7. Military Order No.291, concerning settlement of land and Water Disputes is not listed in its place in the Arabic schedule but is tracked on in the last page of the list. It is in its proper consecutive place in Hebrew, however.
8. Military Order No.327 concerning protection of Holy Places is not listed in Arabic, but appears in the Hebrew list in its proper consecutive place.
9. The official Israeli collection of Military Orders indicates that Military Order No.349 which is listed in both Arabic and Hebrew schedules has not been issued. We have never seen the text of this order and cannot therefore know what it is about. It is possible that this is a reference to Military Order No.348 which carries the same name and is available. We have treated it as such, and summarized it in Appendix 2 but there is no assurance that the Civilian Administration's powers do not include those in a Military Order that has never been published and of the contents of which we have no information whatsoever.
10. Military Order No.350 is referred to in the Arabic as Military Order No. 349. (But see Note 9, above).
11. Military Order No.373 is referred to in the Arabic as Military Order No. 397.
12. Military Order No.389 concerning Utilization of Natural Resources is not listed in its place in the Arabic schedule but is tracked on at the end of the list as Military Order No.3809 instead of 389. It appears in its proper consecutive place in the Hebrew list. (The list of Orders is consecutively numbered in the Hebrew but not in the Arabic version).
13. Military Order No.514 concerning Pension Law was listed in the Arabic in its entirety: the Hebrew text stated that the powers therein were transferred "with the exception of those in Articles 7-16". On closer examination we found that Military Order No.514 contains only 12 articles, but that since it amends the Jordanian Pension Law of 1959, it is possible that the powers mentioned in Articles 7-16 of that law are the ones it is intended to keep out of the scope of authority of the Civilian Administration.
14. Military Order No.533 is referred to in the Arabic as Military Order No.523.
15. Military Order No.569 is referred to in the Arabic as Military Order No.519.
16. Military Order No.570 is referred to in the Arabic as Military Order No.573.
17. Military Order No.602, and Military Order No.603 are placed in reverse order in the Arabic.
18. Military Order No.645 is referred to in the Arabic as Military Order No.631.