

ISRAEL

THE PROHIBITION OF GENETIC INTERVENTION (HUMAN CLONING AND GENETIC MANIPULATION OF REPRODUCTIVE CELLS) LAW NUM. 5759/1999 OF DECEMBER 29th, 1998*

Article 1. Purpose of Law

The purpose of this Law is to determine a prescribed period of five years during which no kind of genetic intervention shall be performed on human beings in order to examine the moral, legal, social and scientific aspects of such kinds of intervention and the implications of such on human dignity.

Article 2. Definitions

—*In this Law*—

Advisory committee. The Supreme Helsinki Committee appointed under the Public Health (Medical Experiments on Humans) Regulations 5741- 1980.

Human cloning. The creation of a complete human being, chromosomally and genetically absolutely identical to another person or foetus, living or dead.

Reproductive cell. Human spermatozoon or ovum.

Minister. The minister of Health.

Article 3. Genetic Intervention Prohibited

Throughout the period during which this Law is in force, no person shall perform any act of intervention in the cells of any person with one of the following purposes:

a. Human cloning.

b. Causing the creation of a person by use of reproductive cells that have undergone a permanent intentional genetic modification (Germ Line Gene Therapy).

Article 4. Advisory committee

The advisory committee shall follow up medical, scientific and biotechnological developments in the field of genetic experimentation on human beings, shall report to the minister annually thereon, shall advise the minister in this respect, and shall make recommendations to the Minister in respect of the force of the prohibitions set out in section 3.

* Esta ley ha sido reformada en 2004. Dated: december 29th, 1998 (Sefer Ha-Chukkim, 7 january 1999, num. 1697, p. 47).

Article 5. Permission for Certain Types of Genetic Intervention

(a) Notwithstanding the provisions of section 3, the minister may, if he is of the opinion that human dignity will not be prejudiced, upon the recommendation of the advisory committee and upon such conditions as he may prescribe in regulations, permit the performance of certain types of genetic intervention that are prohibited under section 3.2.

(b) The performance of genetic intervention permitted under sub-section (a) shall be subject to receipt of advance permission upon conditions that shall be prescribed.

(c) The minister shall prescribe in regulations under this section the conditions for the grant of a permit, the arrangements for granting the permit, the methods of supervising the performance of permitted genetic intervention and the obligation to make reports.

Article 6. Penalties

A person who commits any one of the following acts shall be liable to two years' imprisonment:

a) Infringes the provisions of section 3.1.

b) Infringes the provisions of section 3.2, unless acting lawfully pursuant to permit granted under section 5.

Article 7. Preservation of Laws

The provisions of this Law shall add to, and shall not derogate from, the provisions of any law.

Article 8. Validity

This Law shall remain in force for five years from the date of its publication.

Article 9. Performance

The minister shall be responsible for the implementation of this Law.