



Draft Legislation FOREIGN OWNERSHIP OF REAL ESTATE IN PALESTINE

Article (1) Definitions

Real Estate: Any land or building or part of building or any material right or subordinate right to it or any real estate by assignment, and in general anything permanently attached, not possible to move without damage, either below ground or above.

Owner: The known owner of real estate whether his ownership is registered at the Land Registration Department or Financial Department or department of Notary Public or via any agreement or contract or transfer or any portion and or and material right by any reason of obtaining ownership, and return owner here includes possessor or authority of disposition according to the law.

National Authority: Palestinian National Authority.

Occupiers: The Israeli occupying government and its civil and military institutions, settlements and whomever is under their authority.

Foreigner: Any non-Palestinian, either if it is a person real or artificial

Article (2)

By virtue of the terms of the Law any actions conducted by or being conducted by the occupying authority on Palestinian real estate are considered absolutely null and void

Article (3)

A) It is prohibited for all persons who are non-Arab Palestinian, whether they are persons real or artificial, to possess any real estate in Palestine or to obtain any material right, by any reason of ownership except by inheritance.

B) Without conflict to the terms of this law, and with prior approval of the Council of Ministers, the citizens of any nation are excluded from the terms Article (3. A.) if there is reciprocity.

C) Occupiers may not be excluded from Article (3.A.)

Article (4)

With the exception of the terms of Article (3.A.) of this law, the Council of Ministers may allow by a Ministerial Decree, may allow non-Palestinians to possess any real estate except agricultural land, as long as the land is used for all the following purposes: 1 . Diplomatic centers by members of the diplomatic corps on the condition of reciprocity. 2 . Economic development or to carry out public services or to achieve public benefits.

Article (5)

- 1 . All Foreigners (non-Occupiers), who possess or have any rights in real estate in Palestine must submit a list of their material groups or holdings of real estate to the Palestinian Land Registration Department within one calendar year of the taking effect of this law.
- 2 . It is considered absolutely null and void for any claim of ownership by Foreigner if that Foreigner fails to submit the list and within the period mentioned in Article (5.1). and the ownership of these real estate or material rights will be transferred to the National Authority

Article (6)

It is forbidden to carry out any brokerage or mediation or provision of services to conclude or to certify any transaction or agreements for real estate in Palestine for Occupiers or Foreigners, whether they are inside or outside Palestine or one or all parties involved in the transaction or agreement are Occupiers or Foreigners, which violates the term of this Law.

Article (7)

Any agreement or transaction or disposition is considered absolutely null and void if it violates the terms of this Law.

Article (8)

- 1 . All Palestinian that violates the terms of this law has committed the crime of high treason, and will punished according to Criminal Law.
- 2 . Any Foreigner that violates the terms of this Law has committed harm to national security, and will punished according to Criminal Law.
- 3 . Any real estate or funds connected to the crime will be seized and transferred to the National Authority.

Article (9)

Statutes of Limitation will not affect in the implementation of the terms of this Law.

Article (10)

Anything that contradicts the articles of this Law is nullified.

Article (11)

The terms of this law will take effect on the day it is published in the official Gazette.

We would like to hear your comments regarding this law