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|  | **Non-Ionizing Radiation Regulations, 5769-2009 ¹** | |
|  | By virtue of my powers under Sections 5, 8, 23, 19 and 25(a) of the Non-Ionizing Radiation Law, 5766-2006 (hereinafter - The **Law**), with the consent of the Minister of Finance in accordance with Section 23 of the Law, and Section 39 of the Budget Basic Law, 5755-1985, in consultation with the Minister of National Infrastructure under Section 25(c) of the Law, and with the approval of the Knesset's Interior and Environmental Protection Committee, I hereby promulgate the following regulations: | |
|  | **Section 1: Definitions** | |
| **Definitions** | 1. Under these regulations –  “Permit type” – Construction permit and operating permit both for a specific type of radiation source, as specified in Column B in the table of the First Supplement:  “Applicant” – Submits an application for receiving a permit:  “Amateur radio operator’s device” – A station for maintaining a wireless connection, operated by a bearer of a radio amateur certificate, in accordance with the regulations of the Wireless Telegraph (Licenses, Certificates and Fees), 5747-1987. | |
|  | **Section 2: Permit validity period and fee rates** | |
| **Permit validity for construction or operation** | 2. (a) Validity of a construction permit, operating permit or permit type, as specified in Column B of the Table  In the First Supplement, according to the types of radiation sources as specified in Column A of the Law shall be subject to Section 5 of the Law, for the period specified alongside them in Column C.  (b) Making a change in the radiation source, except for a non-material change, requires obtaining a construction permit, an operating permit, or a new permit type, as the case may be: In these regulations, a “non-material change" – a change that does not involve changing the location of a radio frequency radiation source, and which, following its execution, the level of radiation from the radiation source for which the change is requested will not exceed 10% of the maximum exposure levels allowed for the radiation, as stated in the Second Supplement. | |
|  | 1. K.T. 6744, 5769 (January 19, 2009), p. 381 (S.T. in K.T. 6760, 5769, p. 580). Amendments: K.T. 6858, 5770 (January 14, 2010), p. 638;  K.T. 6921, 5770 (August 8, 2010), p. 1553; [5770 (№ 2)];  K.T. 7017, 5771 (July 20, 2011), p. 1185;  K.T. 7142, 5772 (July 12, 2012), p. 1469;  K.T. 7270, 5773 (July 22, 2013), p. 1541;  K.T. 7396, 5774 (July 17, 2014), p. 1504;  K.T. 7543, 5775 (August 16, 2015), p. 1822;  K.T.7738, 5777 (December 7, 2016), p. 247. | |
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| **Transfer of permit**  (Amendment 5777) | 2a. (a) A construction permit, operating permit or permit type can be transferred, provided that prior written approval is given by the Commissioner.  (b) The Commissioner is empowered to make the granting of the permit conditional on the receipt of information, as well as documents necessary for the purpose of deciding on the application, and the Commissioner may also stipulate conditions in the permit as necessary to ensure compliance with the conditions of the permit. |
| **Application fees** [Amendments: 5770, 5770 (№ 2),5771, 5772, 5773, 5774, 5775] | 1. (a) For an application for a permit, as stated in Regulation 2, the applicant will pay, at the time of its submission, a fee as specified in Column D of the table in the First supplement, as the case may be. 2. Notwithstanding the provisions of Sub-regulation (a), no additional fee shall be required for an application to extend the validity of a construction permit, or to grant permission to make a change that is not material to the radiation source during the period of validity of the construction permit or operating permit. 3. For an application for a permit to make material changes in the radiation source – 4. During the validity period of the construction permit, the applicant shall pay a fee of 50% of the fee set forth in Sub-regulation (a); 5. During the validity period of the operation permit, the applicant shall pay a fee of 20% of the fee set forth in Sub-regulation (a). 6. If an operating permit is revoked at the request of the permit holder, the relative portion of the fee paid for the operating permit will be refunded, less the portion paid for the first five years. 7. For requesting a permit to provide service, the applicant will pay a fee of NIS 5,954 at the time of submitting the request. |
| **Index-Linked** | 1. (a) The fee amounts specified in Regulation 3(e) and in Column D of the table in the First Supplement shall be linked to the index and will change on July 1 of each year (hereinafter: The Day of Change), according to the rate of change of the new index as compared to the basic index. 2. The changed fee amount, as stated in Sub-regulation (a) will be rounded to the nearest whole new shekel. 3. The Director General of the Ministry of Environmental Protection will publish in a statement for the Records, the wording of Regulation 3(E) and the wording of the First supplement as amended, as stated in provisions of Sub-Regulations (a) and (b). 4. In this Regulation –   “The Index” – The Consumer Price Index published by the Central Bureau of Statistics;  “New Index” – The last published Index before the Day of Change;  “Basic Index” – The last published index before the previous Day of Change, and regarding the first Day of Change following the application of these regulations – the Index published in July 2007. |

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| **Section 3: Radiation measurements** | |
| **Obligation to conduct annual measure-ments** | 1. (a) The holder of an operating permit shall make measurements of the generated radiation during the operation of the radiation source that is the subject of the permit, except for a radio amateur’s device. 2. Measurements as stated in Sub-regulation (a) shall be made at the end of each year of operation according to the permit, as well as at any other time as ordered by a supervisor, through the holder of a service permit and in accordance with written instructions provided by a supervisor. 3. The holder of a permit type shall take measurements as stated in Sub-regulations (a) and (b), in ten percent (10%) or less of all the radiation sources that are used according to the permit, if the supervisor permits it, provided that the radiation sources examined in the previous year are not included; However, the supervisor is empowered to give instructions for taking measurements of specific radiation sources. |
| **Obligation  to report** | 1. (a) The holder of an operating permit will report the results of measurements conducted as stated in Regulation 5 to the supervisor, within 14 days of their execution via a computer file. 2. The report, as stated in Sub-regulation (a), will be conducted in accordance with the instructions of a supervisor and will include, inter alia, a description and details of the technical data of the radiation source regarding the measurements, information regarding the time of the measurements, how they were carried out and their results, as well as details about the permit holder who conducted the service provided. 3. The holder of a permit for providing a service will report to the supervisor, via a computerized file and in accordance with his/her instructions, in accordance with the specifications in Sub-regulation (b), any measurements made and the measured radiation levels exceeding the permitted maximum exposure levels under these regulations, immediately after the date of its execution. |
|  | **Section 4: Conditions for granting a service permit** |
| **Conditions for granting a service permit** | 1. The Commissioner shall not issue a permit for the provision of a service until it has been proven to the Commissioner’s satisfaction that all of the following are met by the applicant: 2. An application has been submitted for a service permit by signing it, according to the form in the Second Supplement, including the necessary certificates and documents to verify the details in the form: 3. The applicant has appropriate professional training, as specified in Regulation 8: 4. The applicant successfully passed professional tests, with a score of not less than 70 (out of 100), as specified in Regulation 9: 5. He has the appropriate equipment and means to provide the service, as specified in Regulation 10. |
| **Professional training** | 8**.** The Commissioner shall not issue a permit for the provision of a service until one of the following is met by the applicant: |

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|  | 1. The applicant holds a B.A. in Science (B.Sc.) from a recognized institution, as defined in the Council for Higher Education Law, 5768-1958, or from another institution which the committee for evaluating degrees in the Ministry of Education has confirmed issues a degree equivalent to such a degree as is customary in recognized institutions in Israel, or an electronics or electrical engineer, registered in the Register of Engineers and Architects as stated in Section 9 of the Engineers and Architects Law, 5768-1958 or electronics or electrical engineers, registered in the Register of Practical Engineers and Technicians as stated in Section 2(c) of the said Law; 2. The applicant had a valid permit before the Law came into force to provide or operate non-ionizing radiation testing services, in accordance with the Pharmacists' Regulations, provided the applicant successfully completed courses on matters relevant to the provision of the Service, at the discretion of a Supervisor. |
| **Professional tests** | 1. (a) At least once a year, a supervisor will conduct professional tests for service permit applicants in a manner and at dates in accordance with a program published on the Ministry of Environmental Protection’s website. 2. The professional examinations program will enable the supervisor to determine the level of knowledge and the degree of understanding of the permit applicant for the provision of service in the following topics: knowledge of types of radiation and how they are formed; calculation of radiation fields and radiation transfer into material; biological effects of radiation exposure; detection, measurement and masking methods; the Ministry of Environmental Protection's policy regarding public exposure to radiation, knowledge of the legislation, procedures and professional guidelines established by the Ministry of Environmental Protection. 3. The professional tests will be conducted in two stages by a team of examiners: 4. Stage 1 – Written test on theory: 5. Stage 2 – For those who successfully completed the Stage 1 test – an oral test that will include a practical test. 6. The examination team, as stated in Sub-regulation (c), shall have three members, including a supervisor, a representative of the Ministry of Health, and a service permit holder who has at least five years of experience in performing radiation measurements, appointed by a supervisor. |
| **Equipment and means** | 1. A supervisor shall not issue a permit for the provision of a service unless it has been proven to the supervisor’s satisfaction that:   (a) The permit applicant has radiation measuring equipment that corresponds to the type of service for which the request for a service permit was submitted:   1. For measuring radio frequencies radiation – a wide-band radiation intensity meter and sensors that are appropriate for the measured frequency range and meet the requirements of Israel Standard 5021, which is deposited for public review in the offices of the Commissioner: 2. For measuring radiation from electrical installations: 3. Magnetic field strength meter and appropriate sensor as detailed in IEEE Std. 644-1994, deposited for public review in the offices of the Commissioner: |

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|  | (2) Electric-field strength meter and appropriate sensor as specified in IEEE Std. 644-1994, deposited for public review in the offices of Commissioner:  (b) The equipment stated in Sub-regulation (a) was calibrated according to the manufacturer's instructions, in a laboratory that performs calibration according to International Standard ISO 17025, which is deposited for public review in the offices of the Commissioner. |
| **Obligation to report** | 11**.** (a) The holder of a service permit shall submit to the Commissioner a report signed by an accountant, on a form as directed by the Commissioner, listing customer details for which the permit holder carried out radiation measurements, if the exchange paid by each of them exceeds 20% of the licensee's annual income. Such a report shall be submitted by May 1 of each year, for the year preceding its submission.  (b) If there were several permit holders for the provision of service, working or employed within the framework of one business, the said report in Sub-regulation (a) will relate to the total revenue turnover of the said business. |

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|  | **Section 5: Various Instructions** |
| **Public advisory** | 1. (a) The Commissioner will publish the information in the Commissioner’s possession on the Ministry of Environmental Protection’s website, as specified in Section 19 of the Law, and will update it at least monthly. 2. At the time of the update as stated in Sub-regulation (a), the Commissioner will transfer a computerized file containing the information detailed in Section 19(1), (2) and (6) of the Law to the Local Government Center. 3. Once a year, the Commissioner shall prepare a report of the non-ionizing radiation control activities carried out on the Commissioner’s behalf that year, and submit it to the Knesset's Interior and Environmental Protection Committee by May 1 of each year for the preceding year of its submission. |
| **Penal** | 1. (a) A person who commits one of the following is liable to imprisonment for six months or a fine as stated in Section 61 of the Penal Code, 5737-1977: 2. He does not make measurements of the generated radiation during operation of the radiation source that is the subject of the permit contrary to the provisions of Regulation 5; 3. He does not report the results of measurements made to the Commissioner, as stated in Regulation 5, contrary to the provisions of Regulation 6; 4. He does not report to the Commissioner in accordance with the instructions of Regulation 11. 5. If the offense is an ongoing offense, the court shall impose an additional fine of five percent of the amount of the fine set for that offense, for each day that the offense continues beyond the period of time set in a supervisor’s written notice, and which begins upon its delivery. 6. An offense under this regulation is a strict liability offense. |
| **Commence-ment** | 14. These regulations will come into force 30 days after the publication date. |

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| [Amendments: 5770, 5770 (№ 2), 5771, 5774, 5775, 5777] | **First Supplement**  (Regulations 1, 2, 3, and 4) | | | |
|  | Row A | Row B | Row C | Row D |
| Fee |
|  | Types of radiation sources | Type of Permit | Permit Validity | In NIS |
|  | Ultra-violet (UV) radiation | Construction permit | Three months | 594 |
| Operating permit | One year | 594 |
| Permit type for radiation source with weighted power density not exceeding 3x10-6 W/cm² | Five years | 594, plus 238 for each radiation source |
|  | Laser radiation | Construction permit | Three months | 594 |
| Operating permit | One year | 594 |
| Permit type for Class 3 type radiation source | Five years | 594, plus 238 for each radiation source |
|  | Ultra-violet (IR) radiation | Construction permit | Three months | 594 |
| Operating permit | One year | 594 |
| Permit type for radiation source with weighted power density not exceeding  100 mW/cm2 | Five years | 594, plus 238 for each radiation source |
|  | Radiation at a frequency less than 10 MHz | Construction permit | Five years | 595,291 |
| Operating permit | Twenty-five years | 29,764 |
| Permit type for devices with transmission output up to 14 watts | Five years | 594, plus 238 for each radiation source |
|  | Radio frequency (RF) radiation, at frequencies from 10 MHz to 400 MHz | Construction permit | Five years | 1,500 for transmitter power up to 250 watts, plus 1,500 for each additional power level of up to 250 watts |
| Operating permit | Five years | 750 for transmitter power up to 250 watts, plus 750 for each additional power level of up to 250 watts |

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| Row A | Row B | Row C | Row D |
| Fee |
| Types of radiation sources | Type of permit | Permit validity | In NIS |
|  | Permit type for devices with transmission output up to 14 watts | Five years | 597, plus 239 for each radiation source |
| Radio frequency (RF) radiation at frequencies above 400 MHz | Construction permit | One year | 1,191 |
| Operating permit | Five years | 3,573 |
| Permit type for devices with transmission output up to 5 watts | Five years | 1,191, plus 594 for each radiation source |
| Radio frequency (RF) radiation from an amateur radio operator’s device | Construction permit | One year | 120 |
| Operating permit | Five years | 120 |
| Extremely low frequency radiation- (ELF)  (1) From an electricity generating plant except for a plant generating direct current electricity  as specified in Paragraph (2) | Construction permit | Five years | 296 for every megavolt-Ampere electricity generation capacity |
| Operating permit | Twenty-five years | 148 for every megavolt-Ampere electricity generation capacity |
| Permit type for an electricity generating plant of up to 1 megavolt-Ampere | Five years | 591, plus 237 for each radiation source |
| (2) A direct current electricity generation plant | Construction permit | Five years | 5,919 |
| Operating permit | Twenty-five years | 17,754 |
| Permit type for an electricity generating plant of up to 1 megavolt-Ampere | Five years | 2,957, plus 1,184 for each radiation source |
| Extremely low frequency radiation- (ELF) from an electricity transmission facility  In this matter, each of the following will be considered one facility:  A high-voltage electricity line from a power station to a switching station, or a high-voltage line from a substation or switching station to a substation | Construction permit | Five years | 595,291 |
| Operating permit | Twenty-five years | 297,644 |
| Permit type for an electricity transmission facility with a fixed configuration that cannot be changed | Twenty-five years | 2,974, plus 1,191 for each radiation source |

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| Row A | Row B | Row C | Row D |
| Fee |
| Types of radiation sources | Type of permit | Permit validity | In NIS |
| Extremely low frequency radiation (ELF) from an electricity distribution and supply facility. In this matter, each of the following will be considered one facility:  High-voltage line from a substation to a distribution transformer or a low-voltage line from a distribution transformer to a customer’s meter | Construction permit | Five years | 5,954 |
| Operating permit | Twenty-five years | 17,858 |
| Permit type for an electricity distribution facility with a fixed configuration that cannot be changed | Twenty-five years | 2,974, plus 1,191 for each radiation source |
| Extremely low frequency radiation (ELF) from a transformation facility including a switching station | Construction permit | Five years | 5,954 |
| Operating permit | Twenty-five years | 17,858 |
| Permit type for an electricity transformation facility with a fixed configuration that cannot be changed | Twenty-five years | 2,974, plus 1,191 for each radiation source |

**Second Supplement**

(Regulations 2(b) and 7(1))

**Application form for a permit to provide a service for measuring non-ionizing radiation**

Date

**To:**

Division for Noise and Radiation Prevention

Ministry of Environmental Protection

Jerusalem

**Re: Request for a permit to provide a service for measuring non-ionizing radiation**

1. According to Section 3 of the Non-Ionizing Radiation Law, 5766-2006, an application is hereby submitted for a permit to provide a service for measuring non-ionizing radiation (hereinafter: The **Service**):

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| Details | Post high-school | Higher education | | | Diploma studies at the Institute of Higher Education |
| BA Degree | MA Degree | PhD Degree |
| School/Institution name |  |  |  |  |  |
| School/Institution address |  |  |  |  |  |
| Major/Track |  |  |  |  |  |
| Number of years study |  |  |  |  |  |
| Date completed studies |  |  |  |  |  |
| Degree or diploma |  |  |  |  |  |
| * Attach a certificate of professional education in the field of science (B.Sc.) or a certificate of an electronics or electrical engineer, or an electronics / electrical practical engineer and a certificate regarding the degree equivalence from the Degree Evaluation Committee in the Ministry of Education, if required as stated in Regulation 8. | | | | | |

1. **Permit Applicant’s Personal Information** \*

Given name and surname ………………………………….

Identity № ……………………

Company name or entity ………………………………….

Address ……………………………………………………

Telephone …………….,…………

Cellular phone …………….…………

Fax ………………………………

email ………………………….……………………………

\* A photocopy of the permit applicant's identity card, as well as resume (printed) must be attached, detailing the experience in the field of radiation measurements, such as: use of frequency analysis, field intensity meter, etc.

1. **Type of permit requested:**

[] In radio frequencies (RF) range at frequencies above 400 MHz.

[] In radio frequencies (RF) range at frequencies above 10 MHz.

[] In radio frequencies (RF) range at frequencies above 10 MHz.

[] In range of electric grid frequency (ELF).

[] In laser radiation range.

[] Infrared (IR) radiation range.

[] Ultra-violet (UV) radiation range.

1. **Details of education: \***

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **d. Relevant training details (courses / advanced training):** \* | | | | | | | | |
| Course/Training name | Organizing institution | | | Location | | Dates | Number of class hours | |
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| \* Attach documents  **e. Details of the equipment that will be used to provide the service: \*** | | | | | | | | |
| Manufacturer’s Name: | | Model | Sensor | | Frequency range | | | Calibration date |
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|  | |  |  | |  | | |  |
| \* Attach calibration certificates, in Hebrew or English only | | | | | | | | |

**f. Permit applicant’s declaration:**

I hereby declare that the details given above are complete, correct, and exact.

I am aware that as part of the permit procedure, it will be necessary to check criminal information concerning me, and I give my prior consent, and declare that, as far as I know, there is no record of me in the criminal register maintained by the Israel Police under the Criminal Registry Law and the Return Regulations, 5741-1981, and there are no criminal proceedings pending against me in court.

Given name and surname ……………………………..

ID ……………………… Signature …………………

The completed forms, including the required certificates, scanned in JPG format, must be sent to the Commissioner via email.

28 Kislev, 5769 (December 25, 2008)

Gideon Ezra

Minister of Environmental Protection