

[PA] Government Decision Number 23 of 2010

**Regarding the Regulation of
Payment of the Monthly Salary to the Prisoner**

[Source: Issue No. 90 of the PA Records]

The Government:

Relying on the revised Basic Law of 2003 and its amendments, and particularly Clause 70; and on the Law of Prisoners and Released Prisoners Number 19 of 2004, and particularly Clauses 3, 7; and based on the recommendation of the [PA] Minister of Prisoners and Released Prisoners' Affairs; and based on what was ratified in the government meeting held in Ramallah on June 28, 2010; and based on the authorities entrusted to us; and based on the needs of the public interest - the following regulation is hereby issued:

Clause 1 - Definitions

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The Ministry: The Ministry of Prisoners and Released Prisoners' Affairs

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Prisoner: Anyone imprisoned in the occupation's prisons as a result of his participation in the struggle against the occupation

Released prisoner: Any prisoner who was released from the occupation's prisons

The monthly salary (*ratib*): The monthly sum of money that the prisoner who is not a public servant receives and which is paid to him or to his family in accordance with the table that is presented in this regulation, and which is stopped immediately after his release from the occupation's prisons.

Authorized representative: The person who is authorized to receive the salary on behalf of the prisoner

The authorized administration: The General Directorate for Prisoners' Affairs in the ministry

Documentation: All the documents required: Diplomas, certificates confirming arrest, certificates regarding personal status, certificates testifying to [professional] experience, and others as will be determined by the ministry

Year: The Gregorian calendar year

Month: One twelfth of the year

Clause 2 – The Monthly Salary

1. Every prisoner will receive a monthly salary that will be paid to him or to his family, provided that he does not receive a monthly salary from any governmental or semi-governmental body or any official institution.
2. Governmental departments, official institutions, and semi-official institutions are not authorized to stop the payment of salaries to public servants who work for them in the event of their arrest.

Clause 3 – Documentation

For the purpose of the payment of a prisoner's monthly salary, his relatives are required to present the necessary documentation to the authorized administration, as follows:

1. An original document of the Red Cross attesting to his arrest, and an updated document must be brought every three months for a prisoner who is still in detention.
2. An indictment from the Israeli military prosecution or a certified copy.
3. A copy of the prisoner's identity card, if he has one.
4. A copy of the authorized representative's identity card.
5. A copy of the marriage certificate.
6. Copies of the children's birth certificates.
7. Account number of [the prisoner's] authorized representative at one of the banks in the territory of the Palestinian Authority.
8. The sentence of the Israeli courts, or a certified copy.
9. *Technical – not translated*

Clause 4 – House Arrest

A person placed under house arrest by the Israeli occupation authorities will receive the benefits of these regulations, on condition that his relatives present the necessary documentation to the authorized administration.

Clause 5 – Power of Attorney

1. If the prisoner is married, his wife will be considered his authorized representative, as long as he did not authorize someone else.
2. If the prisoner is not married, one of his parents will be the authorized representative. In the case of dispute, the prisoner will designate one of them or any other person.
3. The authorization of a representative is executed through a power of attorney [form] issued by the Red Cross and signed by the prisoner, or through a personal power of attorney signed by him and certified by a lawyer of the Ministry and by the General Administration for Legal Matters of the Ministry. The document will be valid only at the Ministry for the purpose of paying the salaries.

Clause 6

Technical – Not translated

Clause 7 – The [starting] Time of Payment of Salary

The payment of the salary begins on the date of his [the prisoner's] arrest.

Clause 8 – Supplements

Taking into consideration that which was mentioned in Clause 5 of this regulation:

1. If the prisoner is married to more than one wife, the payment of the salary will be done in the following manner:
 - a. Each of them [the wives] will receive the supplement she is entitled to according to the salary table, and the supplement to which her children from her prisoner husband are entitled.

- b.** The prisoner's basic salary will be divided by the number of his wives.
 - c.** The salary will be transferred after calculating the payments according to paragraphs a and b of this sub-clause, and it will be transferred to the bank account of each of his wives in accordance with the table that is presented in Clause 12 of this regulation.
- 2.** A special supplement will be paid to prisoners from [East] Jerusalem and the Interior¹; if a prisoner is married to more than one wife, each of his wives is entitled to a supplement equal to that given to the prisoners of [East] Jerusalem and the Interior.

Clause 9 – Supplement for Children

- 1.** A supplement for children up to the age of 18 will be paid in accordance with the table in Clause 12 of this regulation.
- 2.** The supplement for children will continue to be paid if they continue their studies in any educational institute, until completing the studies or reaching the age of 25, whichever is the earlier of the two.
- 3.** A supplement will be paid for every unmarried daughter who is not working.
- 4.** The payment of the supplement for disabled children of prisoners will continue after they reach the age of 18, on condition that the disability is certified by official medical reports confirming the inability [of the disabled child] to provide for himself.

Clause 10 – Termination of the Salary

The payment of the salary will be terminated in the following instances:

- 1.** If the prisoner was released.
- 2.** If the prisoner passed away in prison, his salary will continue to be paid to his heirs until his file is settled at the Families of the Martyrs [and Wounded] Institution.

Clause 11 – [Gender] Equality

¹ PMW NOTE - Palestinian Authority term for Israel

There will be equality between the married male prisoners and the married female prisoners in the monthly salary that is paid to the prisoners in the Israeli prisons, and likewise [there will be equality] in the supplements given in the designated table, as follows:

1. A supplement for a husband and a supplement for children will be paid to a married female prisoner according to the table in Clause 12 of this regulation.
2. A female prisoner will receive a supplement for her husband and a supplement for her children on condition that the husband is not working.

Clause 12

The salary for a prisoner will be paid based on the years he has served in prison in accordance with the following table:

Number of years of imprisonment	Basic salary in [Israeli] shekels	Supplement for a wife in shekels	Supplement for children up to age 18 in shekels	Supplement [for residents of East] Jerusalem in shekels	Supplement for prisoners of the Interior [in shekels]
Up to 3 years	1,400	300	50 shekels for each child	300	500
3-5 years	2,000	300	50 shekels for each child	300	500
5-10 years	4,000	300	50 shekels for each child	300	500
10-15 years	6,000	300	50 shekels for each child	300	500
15-20 years	7,000	300	50 shekels for each child	300	500
20-25 years	8,000	300	50 shekels for each child	300	500
25-30 years	10,000	300	50 shekels for each child	300	500
Over 30 years	12,000	300	50 shekels for each child	300	500

Clause 13 – The Table

The table presented in Clause 12 of this regulation will be linked to the cost of living index approved by the government.

Clause 14 – Financial Implementation

The provisions of this regulation for financial payments will take effect starting Jan. 1, 2011, depending on the available financial resources.

Clause 15

Technical – Not translated

Clause 16

Technical – Not translated

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Prime Minister Salam Fayyad

