

**APPENDIX 72 - PAGE 1 OF 16**  
**GENETIC INFORMATION LAW, REGULATIONS – 2002**

Genetic Information Law Regulations, 2000 –

**Chapter 1: Interpretation**

The purpose of the law

**1.** The purpose of this Act to regulate genetic testing and genetic counseling and to protect the right to privacy regarding the subject of identified genetic information, all without affecting the quality of medical care, medical and genetic research, medical promotion and protection of public welfare.

Settings

**2.** In this Act –

"Responsible for research" - a person responsible for research used DNA samples or results of genetic testing;

"Responsible for a minor, ward or incompetent person" - a parent, including a stepparent, effort and guardian;

"Genetic testing" - testing a person's DNA sample for characterization and comparison of Sequences of DNA;

"Genetic testing order" - a genetic test to determine the family relationships of person;

"Genetic testing for research" - genetic testing carried out for research purposes;

"Clinical Trials Regulations" - Public Health Regulations clinical trials in human; Person (Law, 1980 -9 (2)

"clinical geneticist" - an appropriate professional qualifications stated in section 4 recognized by the Director;

"DNA sample" - a biological sample from a person taken to derive person's DNA, in genetic testing;

"Unidentified DNA sample" - a sample of DNA bearing an identifying detail of subject, or details have been separated from the sample but may be traced in anyway;

"Advisory Committee" - the Supreme Helsinki Committee appointed under the regulations of experiments medical, Chief Scientist of the Ministry of Science and representative of the Minister of Science;

"Scientific Committee" - Committee for Research and Development Scientific and Technological Committee;;

"Privacy Law" - Protection of Privacy Act, 1981 -;

"Penal Law" - Penal Law 1977 -;

"Patients' Rights Act" - Patient's Rights Law, poulder "1996 -7

"Genetic counselor" - an appropriate professional qualifications as stated in section 3 (9) the Director;

"Recognized institution" - defined in the Council for Higher Education Law, 1958 –

"Identified genetic information" - all the genetic information relating to a particular subject that appears on identifying details;

"Genetic information" - information stemming from genetic testing;

"Genetic institute" - genetic class hospital registered under the Public Health Ordinance, Containing a laboratory that conducts genetic testing;

"Genetic testing laboratory" - a medical laboratory for conducting genetic testing received

License under section 4

"Medical laboratory" - a medical laboratory registered by the Public Health Ordinance;

"Subject" - a person from whom taken, or intended to be taken a DNA sample for conducting genetic testing;

"Nothing wrong - lawyer," "Confidential" and "minor" - as defined in the Legal Capacity and Guardianship,

; Htsc"b 1962 -

; "Health Ordinance" - Public Health Ordinance, 1940

; "Doctors orders" - the Physicians Ordinance [New Version], Htsl"z 1976 -

"Identifying detail" - one of the following: name and surname, identity number, ID number

Then given by a governmental authority;

"Relative" - who is a blood relative of a subject;

; (1) "a genetic medical practitioner" - an appropriate professional qualifications stated in section 4

(4) "specialist" - an appropriate professional qualifications as provided in section

"License" - license granted to a laboratory for genetic testing under Section

"Results of genetic testing identified" - Results of genetic testing bearing an identifying detail of the subject, or details have been separated by the results but may be traced in any way;

"Minister" - Minister of Health.

## **Chapter II: Genetic testing - Licensing and genetic counseling**

### **Article A: General**

Taking samples and conducting genetic tests

**3.** (A) not identified DNA sample taken from a man, not genetic testing and will be Genetic counseling on the test results except in accordance with this Law.

(B) a genetic test will be held at the gene or genetic testing laboratory provisions of this subsection shall not apply to genetic testing for research.

(C) did not conduct an examination of genetic research unless the research has been approved by any law.

(D) not to order genetic testing will be held under an order of Family Court.

Licensing

Conditions of license for genetic testing laboratory

**4.** (A) The Director may grant a license for medical genetic testing laboratory, Conditions prescribed, if all the following:

(1) the applicant is a resident of Israel or a corporation registered in Israel;

(2) the applicant has appropriate premises and equipment and other means for genetic testing, as prescribed by the Minister;

(3) the applicant or laboratory director, was not convicted of the nature, severity or circumstances that should be granted a license;

(4) Director of the laboratory is a geneticist or a clinical geneticist or other medical professional, provided that each has received permission from the director to conduct a medical laboratory under section 36 of the Public Health Ordinance.

(B) at the laboratory genetic testing, genetic and which are held with the provisions of subsection (a) (0) to (4), mutatis mutandis, shall not require a license under this section.

#### Validity of a permit

5. Validity of a permit genetic testing laboratory for three years, and be subject to renewal.

#### Refusal to grant a license, revocation, limitation or suspension

6. (A) The Director may refuse to grant a license or revoke, or suspend and restrict it deems fit, after giving the applicant or licensee the opportunity to

His arguments, if applies in respect of the following:

- 1 (not or ceases to provisions of Article 4
- 2 (a material condition violated the license conditions set by the Director
- 3 (the license was granted on the basis of false information;

(4) the court held that the licensee or its representatives violated a provision of this Act, the Patients' Rights Act, the Public Health Ordinance, the Protection of Privacy Act

#### Or the Physicians Ordinance;

(5) The applicant for the license, the licensee, director of the laboratory for genetic testing or employee of the laboratory, was convicted of an offense the nature, severity or circumstances should refuse to grant a license, revoke, limit or suspend it.

(B) The Director may suspend an application, or suspend the license or make License, as it deems fit, after giving opportunity to those set out in paragraph

(1) to present his case, if one of the following:

(1) was filed against the licensee, applicant or director of the laboratory for genetic testing of an offense under this Act or under the laws of the subscriber; in subsection (a) (4)

(2) filed a complaint against one of those listed in paragraph (1) under section 41 payable to doctors;

(3) has been restricted or suspended the license of one of those listed in paragraph (1), as applicable, under section 44of the Physicians Ordinance.

(C) the decision of the Director under this section may be appealed to the District Court, within thirty days from the decision was brought to the attention of the appellant.

(D) the Director orders the cancellation or suspension of license shall also determine what will be done in the samples the DNA, and may order, among other things, transferred to the Ministry of Health or another licensee.

(E) The provisions of Section 00 the Public Health Ordinance shall apply to the laboratory for genetic testing and genetic institute and be considered for this purpose in a medical facility which requires registration under the provisions of the order.

#### Prohibition Transfer a license

7. (A) A license issued under this Act is not transferable.

(B) the transfer of control of a corporation that is a licensee shall require prior written approval of the Director, and the Director may determine that such transfer requires a new license.

#### Fee

8. The Minister, with the approval of the Knesset Finance Committee, prescribe a fee for -

- (1) applying for a license and for renewal of a license;
- (2) conducting safety tests;
- (7) performing quality tests.

## Part C: Genetic Counseling

### Professional qualifications

#### Bookmark

**9.** Purposes of this Act with appropriate professional qualifications is one of the following:

(1) for a geneticist - medical practitioner with a specialist in medical genetics under the Physicians Ordinance;

(2) for a clinical geneticist - a doctorate in biological sciences from an accredited institution or equivalent degree from an institution abroad approved by the Director, in a similar field, and two years' experience in practical work after graduation at the gene or genetic testing laboratory recognized by the Director and that

Has received recognition from a clinical geneticist;

(3) for a genetic counselor - a master's degree in human genetics from an accredited institution, or institution abroad approved by the Director, with practical training provided genetic counseling laboratory for genetic testing or genetic institute recognized by the Director and which has received recognition from as a genetic counselor;

(4) for a specialist - a doctor with a specialist degree under the Physicians Ordinance.

### Genetic counseling

**10.** Genetic counseling or clarification in respect of clinical significance - genetic test results conducted on a subject only by persons specified in paragraphs (1) to (4) as provided in which:

(1) a geneticist - genetic counseling and clarification, including;

(2) a clinical geneticist - and genetic counseling under the terms of recognition by the Director;

(3) a genetic counselor - an explanation and genetic counseling under the terms of recognition by the Director;

(4) a specialist - an explanation and medical advice – genetic field of specialty.

## Chapter III: taking a sample

### Article: Taking a sample of DNA editing and saving genetic testing informed consent

**11.** (A) shall not be taken a sample of DNA and genetic testing will take place without the informed consent of the subject, and the provisions of Chapter Four Rights Law, shall apply mutatis mutandis.

(B) consent to the taking of DNA samples for conducting a study is made in writing.

Providing additional clarification regarding sample identified

**12.** (A) regarding the obtaining of informed consent to taking a DNA sample is identified and its examination

Shall be subject to detailed further in paragraph 13 (b) Patient's Rights Law and by any law, explanation of the significance of conducting genetic testing to him and to his relatives.

(B) any subject shall be given a written explanation of his rights in respect taking

DNA samples and conducting genetic tests under this Act and under any other law, the form approved by the Director.

### Research

**13.** The study used only unidentified DNA samples or the

Study used DNA samples that identify individuals are separated from them in a way that can, in any way to return them, and the study was approved by. Any law, the provisions of sections 11 and 12.

## Article B: Communication of results of genetic testing

### Communication of results of genetic testing

**14.** (A) the results of genetic testing shall be in accordance with instructions of the subject, a subject or those who ordered.

(B) Notwithstanding the provisions of subsection (a), the clinician may decide not to subject results of genetic testing conducted, in whole or in part, if the knowledge could cause serious damage to physical or mental health of the subject, or to risk his life; decided to immediately notify such handler the ethics Committee of the decision and attach the results not transmitted to the subject and his arguments for - transmitting them, and for the purposes of the provisions of article 18 Rights Law.

(C) genetic counseling and clarification regarding the clinical significance - the genetic results of genetic testing conducted subject shall be given subject or those who ordered, in accordance with section 10.

## Chapter IV: Storage of DNA Samples Save a sample

**15** (a) a DNA sample is identified and the results of genetic testing conducted thereon shall be stored According to the rules set by the Director.

(B) rules under subsection (a) The Director shall determine, inter alia, provisions on minimum period for which results and samples will be preserved, and may prescribe rules for different types of genetic testing and results, and only incurred -

(1) sample (unidentified DNA was taken for medical treatment identifying details have not been separated from the sample;

(2) sample (DNA taken for the purpose of research and results of genetic testing conducted in respect thereof, will be separated from the sample identification details and results of the testing, unless the subject has given written consent to keeping the sample or the results of the testing.

(C) For purposes of paragraph (b)) 0 (the Director shall, in consultation with the Advisory Committee, Procedures regarding the separation of identifying details from DNA samples, subject to the methods and research purposes.

(D) rules under this section shall be published in the Official Gazette.

### Deletion of identifying details

**16.** Subject may order in writing the deletion of identifying details from DNA samples taken or will be taken away from him or results of genetic testing conducted in respect of such deletion shall be made in a way that you can go back and identify, in any manner, the subject.

### Chapter Four: providing genetic information identified genetic database

**17.** Holder identified genetic information as defined in the database privacy protection must be registered under the said Law, and Protection of Privacy Act provisions will apply this law as there is no other provision for the matter concerned.

### Secrecy

**18.** (A) A person who receives genetic information relating to a subject in the line of duty or during work, shall not disclose or make any use, unless he has obtained the consent of the subject that, and mouth.

(B) A licensee, responsible for research, addresses the person providing genetic counseling, genetic institute Director, Lab Manager for genetic testing and who is taking part in the study, shall take

reasonable steps necessary to ensure that workers under shall not disclose any matters brought to their attention while on duty or during work .

Transmission of information after

**19.** A licensee, responsible for research, addresses the person providing genetic counseling, genetic institute director and director of a laboratory for genetic testing may provide genetic information to another, under the provisions of Section 20 of the patient's rights, except for subsection (a) (5)which, mutatis mutandis.

Provision of information for treatment soon

**20.** Addresses the person providing genetic counseling may provide genetic information to another therapist or another person providing genetic counseling for treatment soon the subject, unless the subject has given notice of his objection thereto despite the objection of the subject can provide the information to another therapist if the ethics committee, after hearing the respondent, is convinced that:

- (1) Delivery of genetic information regarding the subject is required for maintaining the health of a relative or improving health, and prevention of death, illness or serious disability of a relative, including an unborn;
- (2) Delivery of genetic information is the only way to achieve the provisions of paragraph (1)
- (3) Benefits of providing genetic information relative caregiver exceed the damage subject disclosing genetic information, or the respondent's reasons for not providing information of the nearest therapist are reasonable under the circumstances.

How delivery of genetic information

**21.** Delivery of genetic information under this chapter shall be performed only if the case requires, and while every effort to suppress the identity of the subject.

Waiver of confidentiality

- 22.** (A) shall not be a waiver of medical confidentiality regarding medical records or medical information, consent to communication of identified genetic information.  
(B) consent to release of genetic information shall be expressly and in writing.

Delivery of genetic information for research purposes

**23.** Who holds genetic information or genetic database may communicate the information possessed lawfully approved research purposes, instruction or publication in a scientific journal, if one of the following:

- (1) Genetic information is transferred without any identifying details;
- (2) Subject has given written consent to transfer genetic information; publication under this paragraph not disclosed any identifying details of the subject, unless he has given explicit consent, prior written consent.

## **Chapter V: minor, confidential and legally incompetent**

Conducting genetic testing on a minor, ward or incompetent

**24.** DNA sample shall not be taken minor whose age is less than sixteen years, ward or incompetent person, or genetic testing shall, unless the person responsible for the minor, ward or incompetent, consent thereto in writing and any one of these conditions:

- (1) Discovered in the minor, ward or incompetent evidence to indicate a disease or disability diagnosis of which requires a genetic test;
- (2) Testing is required to clarify the existence of a carrier gene of a disease or disability, according to reasonable medical assessment can be prevented, to postpone the outbreak or improve or advance the state of the minor, ward or incompetent person;
- (3) Testing is required for one of the goals listed in the 27.
- (4) Testing is required for lawfully approved research.

#### Consent of a minor who is sixteen years

**25.** DNA sample shall not be taken a minor who is sixteen years and not genetic testing, unless all the following conditions:

- (1) Explanation may be a minor under section 10 in the presence of charge on him;
- (2) Responsible for the minor and the minor have given written consent to the taking of the sample and conducting the test.

#### Special provisions regarding consent and special details

- 26.** (A) consent to the taking of DNA samples and conducting genetic testing for research will give the minor who is sixteen years and responsible for him or responsible for the minor under the age of sixteen years, ward or incompetent, provisions regarding saving or separating identifying information deleted.  
(B) A minor who has reached eighteen years, may revoke, restrict or modify the consent given by or given to him regarding his participation in the study while being a minor.

#### Conducting genetic testing on a minor, ward or incompetent for another family member Aovabor

**27.** (A) shall not be taken from a sample of DNA minor, ward or incompetent person, not for the minor, ward or incompetent person, respectively, and genetic testing shall be, but one of the following purposes, if the person responsible for the minor, ward or incompetent to consent writing - fill minor sixteen years has also consented in writing:

- (1) Finding a genetic match between the minor, ward or incompetent person and another person for treatment of that person's illness;
  - (2) Clarify the existence of a gene for a disease or disability of a relative of the minor, ward or incompetent according to reasonable assessment can be prevented, to postpone the outbreak or improve or promote the state of the relative including unborn relative, and all without causing any harm or mental health of a minor, confidential, or incompetent.
- (B) conducting genetic testing ward or incompetent person for another person who is not related, subject to approval by the Family Court.  
(C) the Minister of Justice, with the approval of the Scientific Committee, make regulations within nine months from the date of publication of this Law regarding procedure for proceedings under this section.

#### Delivery of Test Results

**28.** The results of testing conducted on a minor, ward or incompetent shall be responsible for the minor, ward or incompetent person only, if one of the following:

- (1) It turned out that the subject does not carry gene for a disease;
- (2) Proved the existence of a disease or gene for a disease, clinical assessment of beer seems to intervention or treatment at this stage may lead to prevention of disease, to delay the outbreak or improve the condition of the minor, ward or incompetent person, and all without causing any harm or mental health of the minor, ward or incompetent.

**Chapter VI: Prevention of discrimination**  
**Prevention of discrimination in employment**

(Amendment Regulations)

**29.** (A) An employer shall not require an employee or job candidate) In this section - works (genetic information or undergo genetic testing.

(B) An employer required to provide genetic information or undergo genetic testing, in violation of subsection (a), shall not affect the employee owing to his refusal to provide genetic information or to genetic testing for the purposes of hiring, promotion, employment conditions or dismissal.

(C) Employer shall not make use of genetic information or the results of genetic testing of an employee, including for the purposes of hiring, promotion, employment conditions or dismissal.

(D) (1) to protect the health of an employee the Minister may, in consultation with the Minister of Social Affairs and the approval of the Scientific Committee, and despite the provisions of subsection

(A), determine which jobs to certain types of work necessary genetic testing.

(2) Minister determined under paragraph (1), an employer may, notwithstanding the provisions of subsection (A), a candidate needs to work, after announcing he had been accepted to work and before starting work, undergo genetic testing to be conducted with maximum protection of privacy; light of the results of genetic testing conducted shall take the employer, to the extent possible, all necessary measures to enable the candidate to work to work in the same workplace, while maintaining his health.

(3) Regulations made under paragraph (1) may be prescribed by provisions on the editing methods of genetic testing, methods of using genetic test results and for the purposes of means used to protect worker health.

(E) The provisions of this section shall apply in respect of employers and employees, mutatis mutandis, and as applicable, an employer also in practice, the work of contractor personnel employed with an employer practice and one candidate for employment as aforesaid; in this subsection, "Actual employer" and "kbln personnel" - as defined in the employment of workers by employment contractors of 1996.

Observations regarding insurance

**30.** (A) of this section, "insurer" - an insurer or insurance agent, as defined in the Supervision of Insurance Business, 1981 -, or HMO, as defined in National Health Insurance Law, 1984.

(B) An insurer shall not ask an insured or applying for insurance) below - insured (whether through genetic testing and will ask the insured results of genetic testing or undergo genetic testing.

(C) In addition to the provisions of subsection (b) An insurer shall not identified using genetic information or refusal to provide him with such information, to refuse, postpone or make the person's insurance coverage increase or decrease the rate of insurance premiums or affect in any way the insurance terms .

(D) (1) Notwithstanding subsection (b), Hznia insured entering into a life insurance, sickness or disability, an amount exceeding the amounts prescribed by the Minister of Finance for any such insurance, the insurer may ask the insured whether he has a genetic test for disease designated by the Minister health for three years before filing the proposal, and whether the results are known to him.

(2) Where the conditions mentioned in paragraph (1), and introduced the insured before the insurer the test results the insurer may, notwithstanding the provisions of subsection (c), to use, as specified in that subsection, the genetic information to him.

(3) The provisions of paragraphs (1) and (0) shall not apply to a person who wishes to insure himself in life insurance as a condition of recorded mortgage on residential property owned residential property for the purpose of such acquisition.

(E) An insurer who received genetic information under subsection (d), shall not transmit, and use of personal information shall only be for the contract of insurance for which information was provided, and shall be subject to the provisions of section 14, mutatis mutandis.

(F) Regulations under this section shall be approved by the committee.

## **Chapter VII: use of genetic information by security agencies and law enforcement agencies**

### Terms

**31.** In this section –

"Public body" - as defined in Section 23 Protection of Privacy Law operates one of the purposes Set out in section 23 (a);

"Law enforcement" - Israeli police, prosecuting authorities, the National Center for Forensic Medicine, and any other body prescribed by the Minister of Justice by order;

"The security authorities" - the Israel Defense Forces and any other body prescribed by the Minister of Justice by order;

"Manual" - genetic testing, and any act permitted by law for the purposes set out in section 32 (a) and includes any action permitted in respect of investigative material as defined in section 74 of the Criminal Procedure] Consolidated Version [,laid "in 1982.

### Manual sampling and genetic testing results

**32.** (A) The security authorities and law enforcement authorities may make use of DNA samples in their lawful possession for these purposes only:

(1) To identify a criminal procedure, criminal investigation, decrypt or prevention of crimes, for discovering and apprehending offenders including for trial with all that entails)below - criminal proceedings;

(2) For gathering intelligence and preventing harm to national security;

(3) To identify unknown persons and bodies or to locate and identify the deceased, dead, missing or kidnapped;

(4) For research in connection with the purposes set out in paragraphs (1) to (3)

(5) For duly approved research, but only with the patient in writing.

(B) The security authorities and law enforcement authorities may transmit the results of genetic testing conducted under subsection (a) without the DNA sample transfer to another public body for use in the line of duty.

### Expanding the applicability

**33.** Provisions of this chapter shall also apply to results of genetic testing not conducted by the security authorities and law enforcement authorities but was received in Israel illegally.

### Storing a sample and results

#### Testing

**34.** DNA sample or genetic test results be kept by the security authorities and law enforcement agencies to ensuring the secrecy.

### Database Information

**35.** (A) the database containing the results of genetic testing held by the security authorities and law enforcement provisions of the Privacy Protection Law.

(B) the security agencies and law enforcement authorities duly Security Authority Privacy Protection Act.

Regulations regarding Chapter VII

**36.** The Minister shall prescribe regulations to carry out this section –

- (1) For purposes of security authorities in consultation with the Minister of Defense;
- (2) For purposes of law enforcement authorities in consultation with the Minister of Public Security.

Application - Special Provisions

**37.** (A) the taking of DNA samples and use, using the results of genetic testing, conducting genetic testing, DNA sample keeping and saving results of genetic testing for the purposes set out in section 32, the provisions of this Act and the provisions of this Chapter.

(B) The provisions of this Act shall derogate from the powers of security agencies and law enforcement authorities under any law.

### **Chapter VIII: Penal Offenses**

**38.** (A) who does one of the following, - five years imprisonment or a fine of five times the fine prescribed in section (61) (a) (3) of the Penal Code:

- (1) Discloses or provides information or uses it in violation of section (a) or in violation of Sections 19, 20, 21, 22 or 23
  - (2) Does not take reasonable steps to maintain secrecy in violation of section 18 (b);
  - (3) Takes a sample of DNA minor whose age is less than sixteen years, ward or incompetent person, or conducts genetic testing in violation of sections 24 and 26;
  - (4) Takes a sample of DNA minor who is sixteen years of age or skin testing; genetic contrary to the provisions of sections 25 and 26;
  - (5) Takes a sample of DNA minor, ward or incompetent person's own purposes, and not one of the purposes listed in section 27 or in violation of that section;
  - (6) Does not provide results of testing conducted on a minor, ward or incompetent in accordance with the provisions of section 28 or hand over the results of such testing in contravention of those provisions.
- (B) the person engaging in genetic testing without a license or not in accordance with its terms, shall be liable - two years imprisonment or a fine of four times the fine prescribed in section (61) (a) (3) of the Penal Code.

(C) who does one of the following, - one year imprisonment or a fine of three times the fine prescribed in section (61) (a) (3) of the Penal Code:

- (1) Conducts genetic testing set not by court order under section 3 (d);
- (2) Does not provide results of genetic testing in accordance with Section 14 (a) or(B) or hand over the results as contrary to the provisions of those subsections;
- (3) Does not provide genetic counseling and clarification regarding the provisions of sections 10 and 14 - (c) or gives advice and clarification as contrary to the provisions of those sections;
- (4) Does not maintain an identified DNA sample and the results of genetic testing conducted in respect of contravention of the rules prescribed under section 15;
- (5) Does not delete identifying details of tested against instructions or the provisions of section 16;
- (6) Does not notify the Director of the termination of activity in accordance with section 43 or does not operate in accordance with that section or the instructions of the Director under section 6 (d).

(D) who does one of the following, - one year imprisonment or a fine of six times the fine prescribed in section (61) (a) (4) of the Penal Code:

- (1) Requires an employee or job candidate genetic information or requiring him to undergo genetic testing in violation of section 29 (a) or in violation of section 29 (d);

- (2) Harms an employee for the purposes of hiring, promotion, employment conditions or dismissal for refusing to provide genetic information or to undergo genetic testing in violation of section 29 (b);
- (3) Makes use of genetic information or the results of genetic testing for the purposes of hiring, promotion, employment conditions or dismissal in violation of section 29 (c);
- (4) Does not take the necessary measures to enable the candidate to work to work a job while maintaining health in violation of section (29) (d) (2) were fulfilled;
- (5) Asks an insured if he had a genetic test or ask the insured results of genetic testing or ask him to undergo genetic testing in violation of section 30 (b) or (d);
- (6) Makes use of genetic information is identified or refusal of a person to submit information, in violation of Section 30 (c);
- (7) Transmits genetic information in contravention of the provisions of section 30 (e).

#### Corporate officer liability, and employer

**39.** An officer of a corporation must supervise and do everything possible to prevent offenses under section 38 by the corporation, not any of its employees violates this provision is liable - six months imprisonment or a fine under section 61 (a) (3) of the Criminal Law for this purpose, "officer" - director, General Manager, co-operative or other official in the corporation, which is responsible on behalf of the corporation for the area where the offense was committed.

(B) If an offense under section 38 by the corporation or by an employee, it is presumed that the senior officer of a corporation has violated its obligation under subsection (a), unless he proves that he did everything possible to fulfill his duty.

(C) The provisions of this section shall apply, mutatis mutandis, to the employer for the purposes of offenses under section 38 committed by an employee.

### **Chapter IX: Miscellaneous Provisions Advisory Committee**

**40.** The Advisory Committee will track the progress of medicine, science and biotechnology in the field of genetic information shall submit to the Minister, each year, report, advise the Minister on these matters, and shall make recommendations to the Minister on the need to adjust and alter this law, in light of these developments and information from human genome research project.

#### Report

**41.** Commissioner of Insurance shall submit annually a report to the Minister of Finance on the global insurance market developments in light of developments in genetic research regarding the provisions of section 30.

#### Representative of the tested

**42.** Anywhere in this Law, which contains provisions regarding informed consent, providing information to a subject, giving an explanation and genetic counseling and provision of instructions by a subject, the subject may appoint a representative, any of these matters, the manner prescribed under Section 16 of the Patients' Rights and in accordance with conditions set out under section said.

#### Changes to the licensed activity

**43.** Stopped the activity licensed or is going to stop it shall notify the Director as soon as possible and not later than thirty days before the date of termination of operations, and deliver the samples to the DNA in his possession and the results of genetic tests under the provisions of the Director, under section 6 (d).

#### Implementation and regulations

**44.** (A) the Minister charged with the implementation of this Act and may, with the approval of the Scientific Committee regulations for its implementation.(B) the first regulations under this Law shall be submitted to the Commission within nine months of publication.

#### Preservation of Laws

**45.** This Law shall add to the provisions of the law rather than detract from them, and so as not to set the matter in question special provisions in this law.

### **Chapter X: Indirect corrections**

#### Amendment of the Equal Opportunities

**46.** Equal Opportunities Act, TRIP – 1988

(1) Section 15, the end will come:

“(C) contravenes the provisions of Article 29 of the Genetic Information Regulations, 2000, - shall be liable to the penalty prescribed in section 38 (d) Act.”

(2) After Article 20 shall be inserted:

"Expanding Scope 20 percent. Provisions of this Act shall apply, mutatis mutandis, to the breach of the provisions under section 29 of the Genetic Information Regulations, 2000 -, and these violations shall be a breach of Article 2 of this law."

#### Amendment of the Labor Court

**47.** Labor Courts Law, 1969 -, Annex II, the end should read: "Article 29 of the Genetic Information Regulations, 2000."

### **Chapter XI: First, Application, Transitional Provisions and Temporary**

#### First

**48.** Commencement of this Law, a year after its publication.

#### Transitional Provisions

**49.** (A) If, immediately before the publication of this Law, conducted genetic tests or providing genetic counseling, may continue this occupation for two years from the commencement of this Act.

(B) taken tested a sample of DNA is detected before the commencement of this Law, can be edited in research and only separated from identifying information in any manner whatsoever, and the provisions of law regarding the obtaining of informed consent shall not apply to this sampling, unless the respondent, when giving consent to the taking sampling other provision, and only separated from it, in any way, identifying details.

#### Inception

**50.** This Act also applies to state, however, for purposes of security authorities and law enforcement agencies, the provisions of Chapter VII only.

#### Temporary Order

**51.** Validity of section 30 (c), three years after the publication of this Law.

Roni Milo  
**Prime Minister**  
Avraham Burg  
**President**

Ehud Barak  
**Minister of Health**  
Moshe Katsav  
**Speaker of the Knesset**