

WOMEN'S EQUAL RIGHTS LAW, 5711—1951*

1. A man and a woman shall have equal status with regard to any legal proceeding; any provision of law which discriminates, with regard to any legal proceeding, against women as women, shall be of no effect.

Equality
before the
law.

2. A married woman shall be fully competent to own and deal with property as if she were unmarried; her rights in property acquired before her marriage shall not be affected by her marriage.

Property of
a married
woman.

3. (a) Both parents are the natural guardians of their children; where one parent dies, the survivor shall be the natural guardian.

Equality in
respect of
guardianship

(b) The provisions of subsection (a) shall not derogate from the power of a competent court or tribunal to deal with matters of guardianship over the persons or property of children with the interest of the children as the sole consideration.

4. (a) Notwithstanding anything contained in any other law, rights in an estate, being *mulk* land or movable property, shall be determined in accordance with the provisions of the Second Schedule to the Succession Ordinance⁵.

Rights in an
estate, being
mulk land
or movable
property.

(b) The provisions of subsection (a) shall apply to any estate the order for the distribution of which is made after the coming into force of this Law, even if the deceased died before such coming into force.

(c) The provisions of subsection (a) do not apply to such items of an estate as are disposed of by will.

¹ P.G. No. 1232 of the 24th December, 1942, Suppl. II, p.1945 (English Edition).

² P.G. No. 1383 of the 8th January, 1945, Suppl. II, p. 17 (English Edition).

³ P.G. No.1359 of the 14th September, 1944, Suppl. II, p. 939 (English Edition).

⁴ P.G. No. 1138 of the 6th November, 1941, Suppl. II, p. 1677 (English Edition).

* Passed by the Knesset on the 13th Tamuz, 5711 (17th July, 1951) and published in *Sefer Ha-Chukkim* No.82 of the 22nd Tamuz, 5711 (26th July, 1951), p. 248; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 75 of the 3rd Iyar, 5711 (9th May, 1951), p. 190.

⁵ *Laws of Palestine* vol. II, cap. 135, p. 1378 (English Edition).

Marriage
and divorce.

5. This Law shall not affect any legal prohibition or permission relating to marriage or divorce.

Protection
of women.

6. This Law shall not derogate from any provision of law protecting women as women.

Application
of Law.

7. All courts shall act in accordance with this Law; a tribunal competent to deal with matters of personal status shall likewise act in accordance therewith, unless all the parties are eighteen years of age or over and have consented before the tribunal, of their own free will, to have their case tried according to the laws of their community.

Amendment
of Criminal
Code Ordinance,
1936.

8. The Criminal Code Ordinance, 1936¹, shall be amended as follows:
(a) Paragraph (c) of the proviso to section 181 is repealed;
(b) the following section shall be inserted after section 181:

"Dissolution
of marriage
against the
will of the
wife.

181A. Where the husband dissolves the marriage against the will of the wife without a judgment of a competent court or tribunal ordering the wife to dissolve the marriage, the husband is guilty of a felony and shall be liable to imprisonment for a term not exceeding five years."

Implementa-
tion.

9. The Minister of Justice is charged with the implementation of this Law.

DAVID BEN-GURION
Prime Minister

PINCHAS ROSEN
Minister of Justice

CHAIM WEIZMANN
President of the State