

**Pollution Insurance Questionnaire**  
**Israel**

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1. In Israel, there are various laws in respect of air, water and land pollution. The main Laws are "The Clean Air Act-2008" which was enacted in order to improve the air quality in Israel and to minimize pollution by setting limits, regulations, strict supervision and enforcement in cases of emissions. The second is the "Environmental Protection Law-2008" which is also named "the Polluter Pays" as it defines the fines that shall be set upon polluters.

In addition, there are regulations relating to the purifying of sewage (2010) and to electrical equipment and batteries (2014) etc.

2. 1) The Environmental damages are described under Tort Liability however some damages lead to penal sanctions.

2) The liability shall be set on the polluters - factories, companies, plants and anyone who actually pollutes. In some cases the state or the local municipality may also be held liable for not supervising and/or monitoring the emissions or the contaminations. It is worth noting that in 2009 the Commissioner of Banks published instructions to banks to relate to environmental hazards when considering the risk of a client.

3) It depends on the Claim, in cases of bodily injury one will need to prove the direct causal connection between the injury/disease to the substance the claimant was exposed to, however in other Claims based on the cause of infringement of the Autonomy of the free will, one will only need to prove Exceptional emission of pollutants.

4) Most legislation is fault based and requires proof of breach of legal liability; however in cases of specific emissions, strict liability may be imposed.

1.3) No

1.4) Ministry of Environmental Protection and the Green Police.

1.4.1) The Ministry of Environmental Protection is in charge of national regulation, strategy, setting standards and precedents. The Green Police operates in the field.

1.4.2) The Ministry of Environmental Protection operates by enacting regulations and rules and the Green Police operated by officers and inspectors on site.

1.5) Yes.

1.5.1) The Green Police and the department of environmental protection of the Police force.

1.5.2) The above entities are monitoring and supervising the potential pollutants and in cases of events of contaminations they are exposed to indictments and fines.

2.1) No

2.2) None

2.3) No

2.4) No policy should be obtained legally.

3.1) Liability Insurance.

3.1.1) Third Party liability, clean-up costs, infringement of the autonomy of the free will, consequential damage, business interruption

3.2) No

3.2.1) The nature of the business of the insured and previous events.

3.3) No

3.4) No

3.5) No

3.6) This is up to each insurer, there is no legal requirement.

4.1) Third Party claims including infringement of the autonomy & Cleanup costs

It should be noted that the standard T.P. policy excludes liability for contamination of air, water and land unless caused by a sudden and accidental occurrence. The Environmental Pollution Policy is not limited to a specific event and covers any emission of gas or substance.

4.2) Third Party loss, Cleanup costs

4.3) Property & BI

4.4) No

4.5) Yes, most policies shall provide cover for mental anguish, distress which includes infringement of the autonomy of the free will.

4.6) Yes, Policies shall cover class actions filed for mental anguish and infringement of the autonomy of the free will.

4.7) No

5. Any Third Party that can prove it sustained damage

6.1 Less than 5%

6.1.1 No data available

6.2 Gas, oil, chemicals

6.3) No data available, in many cases the compensation is not paid directly to the Plaintiff but invested in environmental projects.

6.3.1) Most cases are covered.

7.1) No

7.2) No