

## Unjust Enrichment Law, 1979

### **Duty of restitution**

1. (a) When a person (hereinafter: beneficiary) obtains any property, service or other benefit from another person (hereinafter: benefactor) without legal cause, then the beneficiary will make restitution to the benefactor, and if restitution in kind is impossible or unreasonable, he will pay him the value of the benefit.

(b) It is immaterial whether the benefit was obtained through an act of the beneficiary or of the benefactor, or in any other way.

### **Exemption from restitution**

2. The Court may exempt the beneficiary from all or part of the duty to make restitution under section 1, if it finds that receipt of the benefit did not involve any loss to the benefactor, or that other circumstances render restitution unjust.

### **Deduction of expenses**

3. In making restitution, the beneficiary may deduct what he has reasonably expended or undertaken to expend or invested in order to obtain the benefit.

### **Person who pays another person's debt**

4. A person who pays another person's debt, without being obliged to that person to do so, is not entitled to restitution unless the other person has no reasonable cause to object to the payment of all or part of the debt, and not in excess of the amount paid.

### **Person who acts to protect another person's interest**

5. (a) If a person did - in good faith and within reason - any act to protect the life, physical integrity, health, honor or property of another person without being under obligation to him to do so, and if - in that connection - he incurred or undertook to incur any expenses, then the beneficiary shall indemnify the benefactor for his reasonable expenses, including obligations incurred by him toward a third party, and if damage was caused to the benefactor's property in consequence of the act, then the court may order the beneficiary to pay compensation to the benefactor, if it finds it just to do so under the circumstances of the case.

(b) For purposes of the requirement for compensation under subsection (a), a person whose property is used for the protection of any of the aforesaid values shall be treated as a person who does something for its protection.

(c) The obligation to indemnify or to compensate under this section will not fall on a beneficiary who objects, or who has reasonable cause to object to the act or to the use of the property or to the amount of expense, unless the act was done or the property used to protect his life, integrity or health.

**Scope of application and saving of remedies**

6 .(a) The provisions of this law shall apply where no other law contains any special provisions on the matter in question and no agreement between the parties provides otherwise.

(b) This law shall also apply to the State.

(c) This law shall not derogate from any other available remedy.

**Repeal**

7. Section 3 of the Law of Torts Amendment (Repair of Bodily Harm) Law 1963 is hereby repealed.

Menachem Begin- Prime Minister

Shmuel Tamir- Minister of Justice

Yitzhak Navon- President of the State of Israel

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