

CONVENTION ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF ISRAEL AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND¹

The government of the United Kingdom of Great Britain and Northern Ireland and the Government of Israel.

Being resolved to co-operate in the social field:

Affirming the principle, already accepted by both Contracting Parties, that the nationals of one Party should receive under the social security legislation of the other Party equal treatment with the nationals of the latter Party.

Desirous of making arrangements enabling persons who go from the territory of one Party to the territory of the other either to keep the rights which they have acquired under the legislation of the former Party or to enjoy corresponding rights under the legislation of the latter.

Desirous also of making arrangements for insurance periods completed under the legislation of the two Parties to be added together on the purpose of determining the right benefit, Have decided as follows:

Definitions and Scope-Part I

Article 1

For the purpose of the present Convention -

(1) “**Territory**” means, in relation to the United Kingdom, England, Scotland, Wales, Northern Ireland and the Isle of Man, and in relation to Israel, the territory of Israel, which, for the purpose of this convention, shall mean the territory administered by the Government of Israel on the 19 July, 1956;

(2) “**National**” means, in relation to the United Kingdom a citizen of the United Kingdom and Colonies, and, in relation to Israel, a person having Israeli citizenship;

(3) “legislation” means, according to the context, the laws and regulations specified in Article 2 in force in any part of the territory of one (or the other) Contracting Party;

¹. Signed in London at: 29/4/1957

Validity from: 1/11/1957

- (4) “**Competent authority**” means, in relation to the United Kingdom, the Minister of Pensions and National Insurance, the Ministry of Labour and National Insurance for Northern Ireland, or the Isle of Man Board of Social Services, as the case may require, and, in relation to Israel, the Minister of Labour;
- (5) “**Child**” means, in relation to any person, a child, within the meaning of the legislation which is being applied, who is treated under that legislation as being a child of that person or included in this family;
- (6) “**Parent**” includes a person who is treated as a parent under the legislation which is being applied;
- (7) “**Dependant**” means a person for whom an increase of benefit is payable under the legislation which is being applied;
- (8) “**Insurance period**” means in relation to one (or the other) Party, a period in respect of which contributions appropriate to the benefit in question have been paid under the legislation of that Party;
- (9) the word “**Benefit**” and “**Pension**” include any increase in the benefit or pension and any additional allowances payable therewith;
- (10) “**Old age pension**” means, in relation to the United Kingdom, a contributory old age pension or retirement pension payable under the legislation of the United Kingdom and, in relation to Israel, an old age pension payable under the legislation of Israel;
- (11) “**Orphan’s benefit**” means, in relation to the United Kingdom, a guardian’s allowance payable under the legislation of the United Kingdom, and, in relation to Israel, “orphan’s benefit” payable under the legislation of Israel,
- (12) “**Death benefit**” means, in relation to the United Kingdom, death benefit payable under the legislation of the United Kingdom, and in relation to Israel, a pension or grant payable under the legislation of Israel to the dependant of an insured person whose death was due to an industrial injury;
- (13) any reference to “**Industrial injury**” includes a reference to industrial disease within the meaning of the legislation which is being applied.

Article 2

- (1) The provisions of the present Convention shall apply -
- (a) in relation to the United Kingdom, to -
- (i) the National Insurance Act 1946, The National Insurance Act (Northern Ireland) 1946, the National Insurance (Isle of Man) Act 1948, and the legislation in force before the 5th July, 1948, which was replaced by those Acts;
- (ii) the National Insurance (Industrial Injuries) Act, 1946, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948;

(b) in relation to Israel, to the National Insurance Act, 1953.

(2) Subject to the provisions of paragraph (3) of this Article, the Convention shall apply also to any law or regulation which amends, supplements or consolidates the legislation specified in paragraph (1) of this Article.

(3) The Convention shall apply, only if the Contracting Parties so agree, to any law or regulation which amends or supplements the legislation specified in paragraph (1) of this Article for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) Party has made with a third party.

General Provisions -Part II

Article 3

Subject to the provisions of the present Convention a national of one Contracting Party shall be subject to the obligations and entitled to enjoy the advantages, of the legislation of the other Party under the same conditions as a national of the latter Party.

Article 4

If a person is temporarily employed in the territory of one Contracting Party and is not ordinarily resident there, and if his employer is resident in the territory of the other Party, or has his principal place of business there, then -

(a) those provisions of the legislation of the latter Party which concern the payment of contributions shall apply to him as if he were employed in the territory of that Party;

(b) the legislation of the former Party shall not apply to him.

Article 5

(1) The present convention shall not apply to established members of the Foreign Service of either Contracting Party.

(2) Subject to the provisions of paragraph (1) of this Article, where a national of one Party is employed in the Government service of that Party in the territory of the other Party and is not ordinarily resident in that territory, or a person is employed in the private service of such a national and is not ordinarily resident in that territory -

(a) those provisions of the legislation of the former Party which concern the payment of contributions shall apply to him as if he were employed in the territory of that Party;

(b) the legislation of the latter Party shall not apply to him.

(3) Where a person to whom paragraphs (1) and (2) of this Article do not apply is employed in a diplomatic or consular post of one Party in the territory of the other, or is employed there in the private service of a diplomatic or consular official of the former Party, the legislation of the Party in whose territory he is employed shall apply to him.

Article 6

Where a person is employed in the territory of one Contracting Party and those provisions of the legislation of the other Party which concern the payment of contributions apply to him in accordance with the provisions of Article 4 or Article 5, he shall be treated, under that legislation, for the purpose of any claim to receive benefit for an industrial accident occurring, or an industrial disease contracted, during his employment in the territory of the former Party, as if that employment were insurable, and as of the accident had occurred or the disease had been contracted in the territory of the latter Party; and, if the latter Party is the United Kingdom, he shall be treated for the purpose of any claim to receive sickness benefit under the legislation of the United Kingdom as if he were in the territory of the United Kingdom.

Article 7

The competent authorities of the two Contracting Parties may agree to modify the provisions of Articles 4 and 5 in relation to particular persons or classes of persons.

Benefit-PART III

Article 8 - Benefit of One Party Payable in the Territory of the Other

(1) Where, under the legislation of one Contracting Party, a person would be entitled to receive an old age pension, widow's benefit, benefit in respect of an industrial injury, or death benefit, if he were in the territory of that Party, he shall be entitled to receive that benefit while he is in the territory, of the other Party.

(2) So long as there are restrictions imposed by one Contracting Party on the transfer of funds to persons outside the territory of that Party, and these restrictions prevent persons in the territory of the other Party from receiving any benefit under the legislation of the former Party in accordance with the provisions of paragraph (1) of this Article, arrangements shall be made to enable any such person to appoint a person or bank in the territory of the former Party to receive that benefit on his behalf or to enable him to receive that benefit on his return to that territory.

Article 9 - Beneficiary of One Party with Dependant in the Territory of the Other

Where a person is entitled to receive an old age pension, widow's benefit or benefit in respect of an industrial injury under the legislation of one Contracting Party, and would be entitled to receive an increase of that benefit for a dependant if the dependant were in the territory of that Party, he shall be entitled to receive that increase while the dependant is in the territory of the other Party.

Article 10 - Benefit of One Party in Respect of a Child in the Territory of the Other

(1) Where, under the legislation of one Contracting Party, a woman would be entitled to receive widow's benefit or death benefit if a child had been in the territory of that Party at the time when one of his parents died, she shall be entitled to receive that benefit if the child was in the territory of the other Party at that time.

(2) Where, under the legislation of one Party, a woman would be entitled to receive widow's benefit or death benefit if a child were in the territory of that Party, she shall be entitled to receive that benefit while the child is in the territory of the other Party.

Article 11 - Old Age Pensions

(1) If a person has been insured under the legislation of both Parties, then -

(a) for the purpose or determination whether he is entitled to receive an old age pension under the legislation of either Party, any insurance period completed by him under the legislation of the other Party shall be treated as if it were an insurance period completed by him under the legislation of the former Party; and

(b) if he is entitled to receive an old age pension under the legislation of the former Party, the rate of that pension shall be a part of the rate of the pension which would have been payable to him under that legislation if every insurance period completed by him under the legislation of the latter Party had been as insurance period completed by him under the legislation of the former Party, namely that part which bears the same relation to the whole as the total of all the insurance periods completed by him under the legislation of the former Party bears to the total of all the insurance periods completed by him under the legislation of both Parties.

(2) if a woman claims an old age pension under the legislation of the United Kingdom, wholly or partly by virtue of her husband's contributions, the provisions of paragraph (1) of this Article shall apply to her, subject to the modification that any reference in those paragraphs to an insurance period completed by her shall be construed as including a reference to an insurance period completed by her husband.

Article 12 - Widow's Benefit

If a man has been insured under the legislation of both Parties, then -

(a) for the purpose of determining whether his widow is entitled to receive widow's benefit under the legislation of either Party, any insurance period completed by him under the legislation of the other Party shall be treated as if it were an insurance period completed by him under the legislation of the former Party; and

(b) If the widow, is entitled to receive widow's benefit under the legislation of the former Parties, the rate of that benefit shall be a part of the rate of the benefit which would have been payable to her under that legislation if every insurance period completed by her husband under the legislation of the latter Party had been an insurance period completed by him under the legislation of the former Party, namely, that part which bears the same relation to the whole as the total of all the insurance periods completed by him under the legislation of the former Party bears to the total of all the insurance periods completed by him under the legislation of both Parties.

Article 13 - Orphan's Benefit

For the purpose of any claim to receive orphan's benefit under the legislation of one Contracting Party in respect of a child who is resident in the territory of that Party, any insurance period completed by a parent of the child under the legislation of the other Party shall be treated as if it were an insurance period completed under the legislation of the former Party.

Article 14 - Insurance Periods to be Ignored

(1) For the purpose of determining, in accordance with the provisions of Articles 11, 12 and 13, whether a person is entitled to receive benefit under the legislation of Israel, and for the purpose of determining, in accordance with the provisions of Articles 11 and 12, what benefit would have been payable under that legislation if insurance periods completed under the legislation of the United Kingdom had been completed under the legislation of Israel, no account shall be taken of any insurance period completed under the legislation of the United Kingdom before the 1st April, 1954.

(2) For the purpose of applying the provisions of paragraph (2) of Article 11 and paragraph (2) of Article 12, no account shall be taken of any insurance period which a person completed under the legislation of the United Kingdom if, in the calculation of the yearly average of contributions paid by him or credited to him under that legislation no account is taken of contributions paid in respect of that period.

Article 15 - Industrial Injuries

Where a person has contracted an industrial disease and has been employed in the territory of Both Contracting Parties in occupation involving the risk of that disease, he shall, subject to the provisions of Articles 6 and 16, be treated, for the purpose of any claim to receive benefit for that disease under the legislation of the Party in whose territory he was last so employed, as if he had been so employed only in that territory.

Article 16

Where a person is receiving or has received any benefit for an industrial injury under the legislation of one Contracting Party, and claims benefit for an industrial injury under the legislation of the other Party, account shall be taken of the former, benefit as if it were or had been paid under the legislation of the latter Party.

Article 17

(1) If the person is in the territory of Israel and is entitled to receive benefit under the legislation of the United Kingdom in respect of an industrial injury, he shall be entitled to receive also under the legislation of Israel such medical treatment as he would have been entitled to receive if the injury had been an industrial injury as defined by the legislation of Israel.

(2) If a person is in the territory of the United Kingdom and is entitled to receive benefit under the legislation of Israel in respect of an industrial injury, he shall be entitled to receive the benefits in kind provided under the National Health Services of the United Kingdom.

Article 18 - Maternity Benefit

(1) Where a woman would have been entitled to receive a maternity grant under the legislation of one Contracting Party if she had been confined in the territory of that Party, she shall be entitled to receive that grant if she is confined in the territory of the other Party.

(2) A woman who is confined in the territory of the United Kingdom shall not be disqualified from receiving a maternity grant under the legislation of Israel on the ground that her confinement did not take place in a hospital.

(3) Where a woman is entitled to receive a maternity grant under the legislation of the United Kingdom, and is confined in the territory of Israel, she shall be entitled to receive medical treatment in a public hospital in that territory at the same charge as a woman who is entitled to receive a maternity grant under the legislation of Israel.

Article 19

For the purpose of any claim to receive a maternity allowance under the legislation of one Contracting Party, a woman who is in the territory of that Party and has completed an insurance period under that legislation since her last arrival in that territory shall be treated as if any insurance period completed by her under the legislation of the other Party were an insurance period completed by her under the legislation of the former Party.

Article 20 - Claims made Independently of the Convention

Subject to the provisions of Article 16, any person claiming benefit under the legislation of either Contracting Party may choose to have his claim determined without regard to the provisions of this Part of the Convention.

Miscellaneous Provisions-Part IV

Article 21

The competent authorities -

- (i) shall make such administrative arrangements as may be required for the application of the present Convention;
- (ii) shall communicate to each other information regarding any measure taken by them for the application of the Convention;
- (iii) shall communicate to each other, as soon as possible, information regarding any changes made under their national legislation which affect the application of the Convention;
- (iv) shall furnish assistance to one another with regard to any matter relating to the application of the Convention.

Article 22

Where, under the provisions of the present Convention, any benefit is payable by an authority of one Contracting Party to a person who is in the territory of the other Party, the payment may, at the request of that authority, be made by an authority of the latter Party as agent for the authority of the former Party.

Article 23

No benefit paid under the legislation of one Contracting Party by virtue of the present Convention shall be reimbursed out of the funds of the other Party.

Article 24

Where, for the purpose of a claim to receive benefit under the legislation of one Contracting Party, it is necessary for a person in the territory of the other Party to be medically examined, the competent authority of the latter Party, at the request of the competent authority of the former Party, shall arrange for him to be examined at its own expense.

Article 25

(1) Any exemption from, or reduction of legal dues, charges and fees provided for in the legislation of one Contracting Party in connection with the issue of any certificate or document required to be produced for the purpose of that legislation, shall be extended to certificates and documents required to be produced for the purposes of the legislation of the other Party.

(2) Where any certificate or other document has to be produced to the competent authority of one (or the other) Party for the purpose of applying the present Convention, that authority shall not require the certificate or other document to be legalized or authenticated by a diplomatic or consular authority.

Article 26

Any claim, notice or appeal which should, for the purposes of the legislation of one Contracting Party, have been presented within a prescribed period to an authority of that Party, but which is in fact presented within the same period to the corresponding authority of the other Party, shall be treated as if it had been presented to the authority of the other Party. In such cases, the authority of the latter Party shall, as soon as possible, arrange for the claim, notice or appeal to be sent to the competent authority of the former Party.

Article 27

(1) The competent authorities of the two Contracting Parties shall endeavor to resolve by negotiation any disagreement relating to the interpretation or application of the present Convention.

(2) If any such disagreement has not been resolved by negotiation within a period of three months, the disagreement shall be submitted to arbitration by an arbitral body, whose composition and procedure shall be agreed upon by the two Parties.

(3) The decision of the arbitral body shall be made in accordance with the principles and spirit of the present Convention and shall be final and binding.

Article 28

(1) No provision of the present Convention shall confer any right to receive any payment of benefit for a period before the date of the entry into force of the Convention.

(2) No provision of Part II of the Convention shall apply to any period during which a person was employed before the date of the entry into force of the Convention.

(3) Subject to the provisions of paragraphs (1) and (2) of this Article, any benefit, other than a maternity grant, shall be payable in accordance with the provisions of Convention in respect of events which happened before the date of its entry into force; and such benefit shall be paid as from that date, if the claim therefor is submitted within six months of that date.

(4) Any period during, which a person was insured under the legislation of one (or the other) Contracting Party before the date of entry into force of the Convention shall be taken into account for the purpose of determining any right to benefit in accordance with the provisions of the Convention.

Article 29

In the event of the termination of the present Convention, any right acquired by a person in accordance with its provisions shall be maintained, and negotiations shall take place for the settlement of any rights then in course of acquisition by virtue of those provisions.

Article 30

The present Convention shall be ratified and the instruments of ratification shall be exchanged as soon as possible. The Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged.

Article 31

The present Convention shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced by notice in writing given by either Contracting Party to the other three months before the expiry of any such yearly period.

In witness whereof the undersigned, duly authorized by their respective Governments, have signed the present Convention and affixed thereto their seals.

Done in duplicate at London, this 29th day of April, 1957, in the English and Hebrew languages, both texts being equally authoritative.

(signed) Eliahu Elath

(Signed) Allan Herbert Percy Noble

PROTOCOL

BETWEEN THE GOVERNMENT OF ISRAEL AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AMENDING THE CONVENTION ON SOCIAL SECURITY SIGNED AT LONDON ON 29 APRIL 1957²

ADMINISTRATIVE ARRANGEMENTS FOR THE IMPLEMENTATION OF THE CONVENTION ON SOCIAL SECURITY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND ISRAEL

The government of Israel and the Government of the United Kingdom of Great Britain and Northern Ireland;

Desiring to conclude a Protocol to amend the convention of Social Security signed at London on 29 April 1957, hereinafter referred to as “the Convention” have agreed as follows:

Article I

Article 1 of the Convention shall be amended as follows:

(a) In paragraph (3) for the words “(or the other) Contracting Party” there shall be substituted the words “of the Contracting Parties”,

(b) For paragraph (4) there shall be substituted the following:

“”competent authority” means the authority responsible for the social security schemes in all or part of a territory of each Party; in relation to the territory of the United Kingdom, the Secretary of State for Social Services, the Department of Health and Social Services for Northern Ireland, and the Isle of Man Board of

². Signed in London at: 17/6/1983

Validity from: 1/4/1984

Social Security, and, in relation to Israel, the Minister of Labour and Social Affairs”

(c) After paragraph (5) there shall be inserted a new paragraph as follows:

“(5A) “children’s allowances” means, in relation to the United Kingdom, child benefit payable under the legislation of the United Kingdom, and, in relation to Israel, children’s allowance payable under the legislation of Israel”.

(d) For paragraph (8) there shall be substituted the following:

““insurance period” means a period in respect of which contributions appropriate to the benefit in question have been paid, credited, or treated as paid under the legislation of one of the Contracting Parties;”

(e) For paragraphs (11), (12) and (13) the following paragraphs shall be substituted:

“(11) “widow’s benefit” means, in relation to the United Kingdom: widow’s allowance, widowed mother’s allowance and widow’s pension payable under the legislation of the United Kingdom and, in relation to Israel, survivor’s benefit (except orphan’s benefit) payable under the legislation of Israel;

(12) “orphan’s benefit” means, in relation to the United Kingdom, a guardian’s allowance payable under the legislation of the United Kingdom and, in relation to Israel, a survivor’s benefit payable in respect of a double orphan under the legislation of Israel;

(13) “benefit in respect of an industrial injury” means, in relation to the United Kingdom:

(a) sickness benefit of invalidity pension payable in respect of incapacity for work resulting from

(i) personal injury caused by an accident arising out of and in the course of employment; or

(ii) an industrial disease or personal injury due to the nature of any employment which is payable within a period of ninety days (disregarding Sundays) beginning with the day of the accident or the date of onset of the disease;

(b) disablement benefit;

(c) industrial death benefit;

and, in relation to Israel, industrial injury benefit payable under the legislation of Israel;

(14) “competent institution” means the authority from which the person concerned is entitled to receive benefit or would be entitled to receive benefit if he were resident in the territory of the Party where that authority is situated;

(15) other terms in this Convention have the meaning given to them under the applicable legislation”.

Article II

Article 2 of the Convention shall be amended to read as follows:

“(1) The provisions of this Convention shall apply,

(a) in relation to the United Kingdom, to:

(i) the Social Security Acts 1975 to 1982 and the Social Security (Northern Ireland) Acts 1975 to 1982;

(ii) the Social Security Acts 1975 to 1982 (Acts of Parliament) as applied to the Isle of Man by Orders made under the provisions of the Social Security Act 1982 (an Act of Tynwald);

(iii) the Child Benefit Act 1975, the Child Benefit (Northern Ireland) Order 1975, and the Child Benefit Act 1975 (an Act of Parliament) as applied to the Isle of Man by Orders made under the provisions of the Social Security Act 1982 (an Act of Tynwald);

and the legislation which was consolidated by those Acts of Orders or repealed by legislation consolidated by them;

(b) in relation to Israel, to the National Insurance Law (Consolidated Version) 5728 - 1968, as far as it applies to the insurance branches included in this Convention.

(2) Subject to the provisions of paragraphs (3), (4) and (5) of this Article, this Convention shall apply also to any legislation which supersedes, replaces, amends, supplements or consolidates the legislation specified in paragraph (1) of this Article.

(3) This Convention shall apply, unless the Parties agree otherwise, only to benefits described in the legislation specified in paragraph (1) of this Article at the date of coming into force of this Convention and for which specific provision is made in this Convention.

(4) This Convention shall apply to any legislation which relates to a branch of social security not covered by the legislation specified in paragraph (1) of this Article only if the two Parties make an agreement to that effect.

(5) This Convention shall not apply to legislation on social security of the Institutions of the European Communities nor to any convention on social security which either Party has concluded with a third party nor to any laws or regulations which amend the legislation specified in paragraph (1) of this Article for the purpose of giving effect to such a convention but shall not prevent either Party from taking into account under its legislation the provisions of any other convention which that Party has concluded with a third party provided this shall

not reduce the amount of benefit payable under the provisions of this Convention.”

Article III

Article 4 of the Convention shall be amended as follows:

- (a) At the beginning of the first line insert “(1)”;
- (b) After “(a)” there shall be inserted the words “for the first two years of that employment”;
- (c) There shall be added the following paragraph:

“(2) Where the person’s employment continues for longer than two years, the legislation of the latter Party shall continue to apply to him provided that the competent authorities of the two Parties agree thereto, and provided that the employment has not lasted for longer than five years.

Article IV

For paragraph (2) of Article 5 of the Convention there shall be substituted the following:

“(2) Subject to the provisions of paragraph (1) of this Article, where a person is employed in:

- (i) the government service, of
- (ii) the public service, or
- (iii) the maritime or airline undertakings

of one Party in the territory of the other Party and is not ordinarily resident in that territory, or a person is employed in the private service of a person referred to in sub-paragraph (i) or (ii) of this paragraph and is not ordinarily resident in that territory, then those provisions of the legislation of the former Party which concern the payment of contributions shall apply to him as if he were employed in the territory of that Party and the legislation of the latter Party shall not apply to him.”

Article V

Article 8 of the Convention shall be amended as follows:

- (a) In paragraph (1) after the words “widow’s benefit” there shall be inserted the word “or”; and the words “or death benefit” shall be omitted;
- (b) [Amendment to paragraph (1) of the Hebrew text which does not affect the English text;]
- (c) There shall be added the following paragraph:

“(3) Except where otherwise provided for in this Convention, pensions and other cash benefits may not be reduced, modified, suspended or withdrawn on account of the recipient residing in the territory of the other Contracting Party.”

Article VI

Article 10 of the Convention shall be amended as follows:

- (a) In paragraph (1) for the word “woman” there shall be substituted the word “person”, for the words “death benefit” there shall be substituted the words “benefit” there shall be substituted the words “benefit in respect of an industrial injury”, and for the word “she” there shall be substituted the words “that person”;
- (b) In paragraph (2) for the words “death benefit” there shall be substituted the words “benefit in respect of an industrial injury”.

Article VII

A new Article 10A shall be inserted after Article 10 of the Convention as follows:

“SPECIAL PROVISIONS RELATING TO THE APPLICATION OF THE LEGISLATION OF THE TERRITORY OF THE UNITED KINGDOM AND ISRAEL

Article 10A

- (1) For the purpose of calculating entitlement under the legislation of the United Kingdom to an old age pension in accordance with Article 12 of this Convention, or to widow’s benefit in accordance with Article 14, insurance periods completed under the legislation of Israel before 6 April 1975 shall be treated as if they had been insurance periods completed under the legislation of the United Kingdom
- (2) For the purpose of calculating entitlement under the legislation of the United Kingdom to an old age pension in accordance with Article 12 of this Convention, to widow’s benefit in accordance with Article 14, or to maternity allowance in accordance with Article 19, insurance periods completed as a self employed person or as a non employed person or credited insurance periods under the legislation of Israel after 5 April 1975 shall be treated as if they had been insurance periods completed as a self-employed person or as a non-employed person, or credited insurance periods as the case may be, under the legislation of the United Kingdom.
- (3) Subject to the provisions of Article 11 (2) of this Convention, for the purpose of calculating an earnings factor for assessing entitlement to any benefit referred to in Articles 12, 14 or 19 of this Convention and provided under the legislation of the United Kingdom, a person shall be treated for each week beginning in a relevant tax year commencing on or after 6 April 1975, the whole of which week is an insurance period completed as an employed person under the legislation of Israel, as having paid a contribution as an employed earner on earnings equivalent to two-thirds of that year’s upper earnings limit.

(4) For the purpose of calculating entitlement under the legislation of Israel to an old age pension in accordance with Article 12 of this Convention or to widow's benefit in accordance with Article 14 or to maternity allowance in accordance with Article 19, insurance periods completed under the legislation of the United Kingdom before 6 April 1975 shall be treated as if they had been insurance periods completed under the legislation of Israel.

(5) for the purpose of calculating entitlement under the legislation of Israel to an old age pension in accordance with Article 12 of this Convention, or to widow's benefit in accordance with Article 14, or to maternity allowance in accordance with Article 19, any earnings factor achieved in any tax year commencing on or after 6 April 1975 under the legislation of the United Kingdom shall be converted by the competent authority of the United Kingdom to an insurance period by dividing the earning factor by that year's lower earnings limit. The result shall be expressed as a whole number, any remaining fraction being ignored. The figure so calculated, subject to a maximum of the number of weeks during which the person was subject to that legislation in that year, shall be treated as representing the number of weeks in the insurance period completed under that legislation.

(6) Where it is not possible to determine accurately the periods of time in which certain insurance periods were completed under the legislation of one Party, such periods shall be treated as if they did not overlap with insurance periods completed under the legislation of the other Party, and they shall be taken into account to the best advantage of the beneficiary."

Article VIII

For the heading and Article 11 of the Convention there shall be substituted the following:

"OLD AGE PENSIONS AND WIDOW'S BENEFIT

Article 11

(1) Where a person is entitled to an old age pension, otherwise than by virtue of the provisions of this Convention, that pension shall be payable and the provisions of Article 12 of this Convention shall not apply under that legislation. For the purposes of this paragraph, "old age pension" shall not include a Category B retirement pension payable to a married woman under the legislation of the United Kingdom by virtue of the contributions of her husband.

(2) For the purpose of determining entitlement to additional component payable under the legislation of the United Kingdom, no account shall be taken of any insurance period completed under the legislation of Israel; and for the purposes of this Article and Article 12 of this Convention additional component shall be treated as a separate benefit to which the provisions of Article 12 do not apply".

Article IX

For the heading and Article 12 of the Convention there shall be substituted the following:

Article 12”

(1) The provisions of this Article shall apply for the purpose of determining entitlement to old age pension in respect of a person under the legislation of one Party under which there is no entitlement in respect of that person in accordance with the provisions of Article 11 of this Convention.

(2) In accordance with the provisions of Article 10A of this Convention, the insurance authority of that Party shall determine:

(a) the amount of the theoretical pension which would be payable if all the insurance periods completed by that person under the legislation of both Parties had been completed under its own legislation;

(b) the proportion of such theoretical pension which bears the same relation to the whole as the total of the insurance periods completed by him under the legislation of that Party bears to the total of all the insurance periods which he has completed under the legislation of both Parties.

The proportionate amount thus calculated shall be the rate of pension actually payable to that person by the competent institution.

(3) For the purpose of applying the provisions of paragraph (2) of this Article:

(a) the insurance authority of the United Kingdom shall take account only of insurance periods (completed under the legislation of either Party) which would be taken into account for the determination of pensions under the legislation of the United Kingdom if they were completed under that legislation and, where appropriate, shall take into account in accordance with that legislation insurance periods completed by a spouse;

(b) no account shall be taken of any graduated contributions paid under the legislation of the United Kingdom before 6 April 1975 and the amount of any graduated pension payable by virtue of such contribution shall be added to the amount of any pension payable in accordance with paragraph (2) of this Article under that legislation;

(c) no account shall be taken under the legislation of the United Kingdom of any increase of benefit payable under that legislation by virtue of deferred retirement, but any such increase of benefit payable under that legislation shall be added to any benefit payable under that legislation which has been calculated in accordance with paragraph (2) of this Article;

(d) where a compulsory insurance period completed under the legislation of one Party coincides with a voluntary insurance period completed under the legislation of the other Party, only the compulsory insurance period shall be taken into account, provided that the amount of pension payable under the legislation of either Party in accordance with paragraph (2) of this Article shall

be increased by the amount by which the pension payable in accordance with that legislation would have been increased if all voluntary contributions paid under that legislation had been taken into account;

(e) where a period for which contributions have been paid under the legislation of one Party, other than a voluntary contribution period, coincides with a period for which contributions have been credited under the legislation of the other Party, only the former period shall be taken into account.

(4) For the purpose of applying the provisions of paragraphs (1) to (3) of this Article, no account shall be taken under the legislation of Israel of any contribution paid or credited under the legislation of the United Kingdom for any contribution year which ended before 1 April 1954.

(5) The right to an old age pension under the legislation of Israel shall remain conditional on the beneficiary having been a resident of Israel or the United Kingdom or the Isle of Man immediately before becoming entitled to an old age pension.

(6) Any provisions under the legislation of Israel regarding exemption of Israeli residents from qualifying periods giving entitlement to old age pension will not apply to the provisions of paragraph (5) of this Article in relation to old age pension.”

Article X

For the heading and Article 13 of the Convention there shall be substituted the following:

“Article 13

Where a person does not simultaneously satisfy the conditions for entitlement to an old age pension under the legislation of both Parties, his entitlement under the legislation of one Party shall be established as and when he satisfies the conditions laid down by the legislation of that Party. The provisions of Article 12 of this Convention shall be applied where there is no entitlement under the provisions of Article 11 of this Convention to an old age pension under the legislation of that Party and his entitlement shall be determined afresh under those provisions when the conditions under the legislation of the other Party are satisfied.”

Article XI

For the heading and Article 14 of the convention there shall be substituted the following:

Article 14

(1) Subject to the provisions of paragraph (2) of this Article, the provisions contained in Articles 11 to 13 of this Convention shall apply, with such

modifications as the differing nature of the benefits shall require, to widow's benefits.

(2) The right to a widow's pension under the legislation of Israel shall remain conditional on the beneficiary and the deceased having been residents of Israel or of the United Kingdom or the Isle of Man at the time of the death.

(3) Any provisions under the legislation of Israel regarding exemption of Israeli residents from qualifying periods giving entitlement to widow's pension will not apply to the provisions of paragraph (2) of this Article in relation to widow's pension.

(4) Vocational training and subsistence allowance for widows and orphans under the legislation of Israel are payable only to persons if they reside in Israel and only for as long as they are actually present in Israel.

(5) Funeral grant under the legislation of Israel shall not be payable in respect of a person who died outside Israel and was not a resident of Israel on the day of his death."

Article XII

A new Article 14A shall be inserted after Article 14 of the Convention as follows:

"ORPHAN'S BENEFIT

Article 14A

(1) Where orphan's benefit is payable to a person under the legislation of the United Kingdom it shall not cease to be payable solely because that person and/or the orphan in respect of whom it is payable is resident in the territory of Israel.

(2) Where orphan's benefit is payable to an orphan under the legislation of Israel it shall not cease to be payable solely because that person is ordinarily resident in the United Kingdom.

(3) The right to an orphan's benefit under the legislation of Israel shall remain conditional on the orphan and the deceased having been residents of Israel or of the United Kingdom or the Isle of Man at the time of the death.

(4) Vocational training and subsistence allowance for widows and orphans under the legislation of Israel are payable only to persons if they reside in Israel and only for as long as they are actually present in Israel.

(5) Any provisions under the legislation of Israel regarding exemption of Israeli residents from qualifying periods giving entitlement to orphan's benefit will not apply to the provisions of paragraph (3) of this Article in relation to orphan's benefit.

(6) Where, but for the provisions of this paragraph, orphan's benefit would be payable under the legislation of both Parties, benefit would be payable only under the legislation of the Party in whose territory the orphan is resident."

Article XIII

In the heading to Article 15 of the Convention there shall be added the words “AND DISEASES”.

Article XIV

Paragraph (3) of Article 18 of the Convention shall be omitted.

Article XV

For Article 19 of the Convention there shall be substituted the following:

“(1) For the purposes of a claim to receive maternity allowance under the legislation of the United Kingdom, a woman in the territory of the United Kingdom who has paid contributions in respect of gainful employment during a period, or periods, amounting to at least twenty-two weeks between the date of her last arrival in the territory of the United Kingdom and the date of her claim for maternity allowance, shall be treated as if any insurance period completed by her under the legislation of Israel were an insurance period completed by her under the legislation of the United Kingdom.

(2) For the purpose of a claim to receive maternity allowance under the legislation of Israel, a woman who gives birth in the territory of Israel and has completed insurance periods amounting to at least five months under the legislation of Israel between the date of her last arrival in the territory of Israel and the date of her confinement and who is not entitled to maternity allowance under the legislation of the United Kingdom shall be treated as if any contributions paid by her as an employed earner or self-employed person under the legislation of the United Kingdom were an insurance period completed by her under the legislation of Israel.

(3) When calculating the rate of benefit in accordance with paragraph (2) of this Article only income accrued in the territory of Israel shall be taken into account.”

Article XVI

For the heading and Article 20 of the Convention there shall be substituted the following:

“CHILDREN’S ALLOWANCES

Article 20

(1) Entitlement to children’s allowances shall be determined in accordance with the legislation of the Contracting Party in whose territory the children reside.

(2) Where entitlement to children's allowances exists under the legislation of both Contracting Parties they shall be paid only by the Contracting Party in whose territory the children reside"

Article XVII

Article 23 of the Convention shall be omitted.

Article XVIII

In paragraph (2) of Article 25 of the Convention for the words "(or the other) Party" there shall be substituted the words "of the Contracting Parties".

Article XIX

This Protocol shall come into force and shall have effect for the amendment of the Convention from the First day of April nineteen hundred and eighty four.

In witness whereof, the undersigned, duly authorized thereto by their respective Governments, have signed this Protocol.

Done in duplicate at London this 17th day of June 1983, in the Hebrew and English languages, both texts being equally authoritative.

For the Government
Of Israel

(-)
Dvora Avineri

For the Government of
the United Kingdom of Great Britain and
Northern Ireland

(-)
Malcolm Leslie Rifkind

ARRANGEMENT

ARRANGEMENTS FOR THE IMPEMENTATION OF THE CONVENTION ON SOCIAL SECURITY BEWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND ISRAEL³

For the purposes of applying the convention on Social Security between the United Kingdom of Great Britain and Northern Ireland and Israel in accordance with the

³. Signed in Jerusalem at: 9/11/1983

Validity from: 1/4/1984

provisions of Article 21 (1) of that Convention, the competent authorities of the Contracting Parties have made the following Administrative Arrangements.

GENERAL PROVISIONS - PART I

SECTION 1

(1) For the purpose of these Arrangements:

(a) “**Convention**” means the Convention on Social Security between the United Kingdom of Great Britain and Northern Ireland and Israel signed at London on 29 April 1957 and the Protocol signed at London on 17 June 1983 amending the aforementioned Convention.

(b) “**Arrangements**” means the Arrangements” contained herein for administering the Convention.

(2) Other expressions used in these Arrangements will have the same meaning as in the Convention, unless these Arrangements provide otherwise.

SECTION 2

(1) The following bodies have been designated the competent institutions for the purpose of the application of Article 1 (14) of the Convention:-

(a) In the United Kingdom:

(i) in Great Britain, the Department of Health and Social Security, Overseas Branch, Newcastle upon Tyne, England NE98 1YX;

(ii) in Northern Ireland, the Department of Health and Social Services, Overseas Branch, Castle Buildings, Stormont, Belfast, Northern Ireland BT4 3HH;

(iii) in the Isle of Man, the Isle of Man Board of Social Security, Hill Street, Douglas, Isle of Man.

(b) in Israel:

The National Insurance Institute

13 Weizmann Avenue

Jerusalem

Israel

(2) The following bodies have been designated liaison offices between the competent institutions of both Parties:-

(a) In the United Kingdom: the appropriate competent institutions.

(b) In Israel:

The Liaison Office
The National Insurance Institute
13 Weizmann Avenue
Jerusalem
Israel

(3) The liaison offices will have the duties defined in these Arrangements. For the implementation of the Convention they may communicate directly with one another and with the persons concerned or the persons authorized by them. They will assist one another for the implementation of the Convention.

(4) Where for the purpose of these Arrangements, certificates, reports and forms are provided the appropriate texts will be decided by:-

(a) In the United Kingdom:
the appropriate liaison offices.

(b) in Israel:
The Department of International Conventions
The National Insurance Institute
13 Weizmann Avenue
Jerusalem
Israel

APPLICATION OF THE PROVISIONS WHICH DETERMINE - PART II THE LEGISLATION APPLICABLE

SECTION 3

(1) In cases arising under Article 4 of the Convention, the competent institution of the Party whose legislation is being applied will issue to the insured person or to his employer on application, a certificate showing that the insured person remains liable under that legislation.

(2) In cases arising under Article 4 (2) of the Convention the employer must apply to the competent institution whose legislation is being applied for any extension of the existing certificate, and if the institution of the territory in which the person is employed consents to the extension, the appropriate certificate of extension will be issued.

APPLICATION OF THE SPECIAL PROVISIONS FOR OLD - PART III AGE PENSION AND WIDOWS BENEFIT

SECTION 4

(1) Where a claim under the provisions of Articles 11, 12, 13 and 14 of the Convention is received by the competent institution of one Party and it appears that there may be title to benefit under the legislation of the other Party, the competent institution of the former Party will notify the competent institution of the latter Party, sending all relevant information. At the same time, the competent institution of the former Party will verify all necessary particulars of the claimant, the insured person and his dependants and will obtain a claim under the legislation of the other Party. The competent institution of the former Party will notify the competent institution of the latter Party, sending all relevant information. At the same time, the competent institution of the former Party will verify all necessary particulars of the claimant, the insured person and his dependants and will obtain a claim under the legislation of the other Party.

(2) The competent institutions of each Party will thereafter notify each other of any other fact relevant to the determination of the claim.

PROVISIONS FOR APPLICATION OF THE SPECIAL - PART IV ORPHAN'S BENEFIT

SECTION 5

(1) Where a person living in the territory of one Party claims orphan's benefit for an orphan living in that territory, and the provisions of Article 14A(6) of the Convention may apply, the competent institution which receives the claim will before making the first payment, notify the competent institution of the other Party.

(2) Where a person living in the territory of one Party claims orphan's benefit under the legislation of the other Party and the provisions of Article 14A(6) of the Convention may apply, the competent institution in the latter territory shall enquire, from the competent institution in the former territory, whether or not a claim for orphan's benefit has been made in that territory.

APPLICATION OF THE SPECIAL PROVISIONS FOR - PART V BENEFITS FOR INDUSTRIAL INJURIES AND DISEASES

SECTION 6

(1) For the implementation of Articles 15,16 and 17 of the Convention, the competent institutions of each Party shall, on request, send to each other such information as may be required.

(2) The competent institutions of each Party shall, on request, provide relevant medical documents, subject where necessary, to the applicants signing of a waiver of medical confidentiality.

FOR APPLICATION OF THE SPECIAL PROVISIONS - PART VI MATERNITY BENEFIT

SECTION 7

For the implementation of Article 19 of the Convention, the competent institution of one Party will send appropriate forms for maternity allowance to the competent institution of the other Party, who will provide such information as may be required.

APPLICATION OF THE SPECIAL PROVISIONS FOR - PART VII CHILDREN'S ALLOWANCES

SECTION 8

(1) Where a person living in the territory of one Party claims children's allowances for child dependants living in that territory, and the provisions of Article 20(2) of the Convention may apply, the competent institution which receives the claim will, before making the first payment, notify the competent institution of the other Party.

(2) Where a person living in the territory of one Party claims children's allowances in respect of a child or children living in that territory, under the legislation of the other Party and the provisions of Article 20(2) of the Convention may apply, the competent institution of the latter territory will enquire from the competent institution of the former territory, whether or not a claim for children's allowance has been made in that territory.

MISCELLANEOUS PROVISIONS - PART VIII

SECTION 9

The competent institution of one Party will obtain where necessary from the competent institution of the other Party any certificate, declaration or other information they may require concerning any beneficiary for the purpose of the application of the Convention.

SECTION 10

(1) The competent institution of one Party may request the competent institution of the other Party to assist in the medical and administrative control of persons resident in the territory of the latter Party.

(2) The expenses incurred for this control shall be borne by the competent institution which was requested to assist in this control.

SECTION 11

Payment of benefit shall be made directly to the beneficiaries.

SECTION 12

Where a person resident in the territory of one Party is dissatisfied with the decision taken by the competent institution of the other Party, he may send his appeal to the competent institution of the former Party who will send the appeal to the competent institution of the other Party giving the date of receipt of the appeal.

FINAL PROVISIONS - PART IX

SECTION 13

These arrangements will come into operation at the same time as the protocol amending the aforementioned Convention and may be modified as required by discussion between the competent authorities.

Done in duplicate in Jerusalem on 9/11/83 in English and Hebrew both texts being equally authentic.

Signed :

On behalf of The Competent
Authorities of The United Kingdom
(-)
JTSL HUTCHISON
HEAD OF OVERSEAS BRANCH

On behalf of the Israeli
Competent Authority
(-)
DVORA AVINERI
DIRECTOR DEPARTMENT OF
INTERNATIONAL CONVENTIONS