

CONVENTION ON SOCIAL SECURITY BETWEEN THE STATE OF ISRAEL AND THE KINGDOM OF DENMARK¹

The Government of the State of Israel and the Government of the Kingdom of Denmark resolved to cooperate in the field of social security, decided to conclude a Convention for this and have agreed as follows:

Title 1 - Definitions and General Provisions

Article 1

1. For the purpose of the present Convention:

- a) “**Contracting Party**” means, according to the context, the State of Israel or the Kingdom of Denmark;
- b) “**Territory**” means, in relation to the State of Israel, its territory; in relation to the Kingdom of Denmark, its national territory, with the exception of Greenland and the Faroe Islands; and
- c) “**legislation**” means, according to the context, the current laws, ordinances and administrative regulations, as specified in Article 2;
- d) “**Competent authority**” means, in relation to the State of Israel, the Minister of Labour and Social Affairs and in relation to the Kingdom of Denmark. The Minister of Social Affairs;
- e) “**Competent institutions**” means the institutions responsible for providing benefits under the applicable legislation;
- f) “**Residence**” means habitual residence which is lawfully established;
- g) “**Stay**” means temporary sojourn;
- h) “**Worker**” means:
 - in relation to the Kingdom of Denmark,
 - in respect of any period prior to the date of September 1, 1977, any person who, from the fact of pursuing an activity in the service of an employer, was subject to the legislation on accidents at work and occupational diseases;
 - in respect of any period prior commencing on the date of September 1, 1977 or a later date, any person who is subject to the legislation on the Labour Market Supplementary Pension Scheme (ATP);
 - in relation to the State of Israel, any person, according to the meaning assigned thereto in national legislation, as specified in Article 2;

¹. Signed in Jerusalem at: 3/7/1995

Validity from: 1/4/1996

i) “Self-employed person” means:

in relation to the Kingdom of Denmark’ any person who is entitled to benefits in pursuance of the legislation of daily cash benefits, in the event of sickness or maternity, on the basis of earned income other than wages or salary;

in relation to the State of Israel, any person, according to the meaning assigned thereto in national legislation, as specified in Article2;

j) “**Periods of insurance**” means contribution periods, as defined or recognized as periods of insurance by the legislation under which they were completed and all periods treated as such, where they are regarded by the said legislation as equivalent to periods of insurance;

k) “**Periods of employment**” means periods defined or recognized as such by the legislation under which they were completed and all periods treated as such, where they are regarded by the said legislation as equivalent to periods of employment;

l) “**Periods of residence**” means periods defined or recognized as periods of residence by the legislation under which they were completed or are considered to be completed;

m) “**Benefits**” and “**pensions**” means all benefits and pensions, including all elements thereof, under the applicable legislation, revaluation increases and supplementary allowances, unless otherwise provided by this Convention, as well as lump-sum benefits which may be paid in lieu of pensions;

n) “**Member of the family**” means a member of the family according to the legislation of the Contracting Party in whose territory the competent insurance institution is based, at whose expense the benefits are granted.

2. Other terms, words and expressions which are used in the present Convention have the meaning respectively assigned to them in the legislation concerned.

Article 2

This Convention shall apply:

in relation to the Kingdom of Denmark to the legislation on:

- a) national health security;
- b) hospital service;
- c) maternity care;
- d) daily cash benefits in the event of sickness and childbirth;
- e) work injury insurance;
- f) family allowances;
- g) social pension;
- h) labour market supplementary pension (ATP)

in relation to the State of Israel to the National Insurance Law (Consolidated Version) 5728-1968, as far as it applies to the following branches:

- a) old age and survivors' insurance;
- b) invalidity insurance;
- c) work injury insurance;
- d) maternity insurance;
- e) children's insurance.

Article 3

1. This convention shall apply to all laws and regulations amending or supplementing the legislation specified in Article 2 of this Convention.
2. Notwithstanding the provision of paragraph 1 of this Article, this convention shall apply to laws or regulations of new branches of social security only if so agreed between the Contracting Parties.
3. This Convention shall not apply to legislation which extends the application of the legislation specified in Article 2 to new groups of beneficiaries if the competent authority of the Contracting Party concerned so decides, and gives notice to that effect within six months from the date of the communication of that legislation, as mentioned in Article 30, c.

Article 4

Any person who, under the provisions of Articles 7, 8, 9 and 10 of this Convention, is subject to the legislation of a Contracting Party, shall enjoy the same rights and be subject to the same obligations under the said legislation as a national of the latter Party, in conformity with the provisions contained in Titles III-VI of this Convention.

Article 5

Save as otherwise provided in this Convention, a benefit, to which right has been acquired under the legislation of one of the Parties or under the provisions of this Convention, shall not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the beneficiary is resident or staying in the territory of the other Contracting Party and that the benefit is payable in the territory of the other Contracting Party.

Article 6

The provisions of the legislation of a Contracting Party for reduction, suspension or withdrawal of benefits, in cases of overlapping with other benefits or other income, may be invoked, even though the right to such benefits was acquired under the legislation of

the other Contracting Party or such income arises in the territory of the other Contracting Party.

However, this provision shall not apply when the person concerned receives benefits of the same kind in respect of invalidity, old age, death (pensions) or work injury and occupational disease, which are awarded by the institutions of both Contracting Parties, in accordance with the provisions of this Convention.

Title II - Applicable Legislation

Article 7

1. A national of one Contracting Party, when he is resident in the territory of the other Contracting Party, shall be subject to the legislation of the latter Party, as specified in Article 2 of this Convention or, as regards insurance branches specified in Article 2 which do not depend on residence, to the legislation of the Contracting Party in whose territory he is employed, under the conditions provided for in the said legislation.

2. Paragraph 1 of this Article shall apply by analogy to refugees, as referred to in the Convention of 28 July 1951 relating to the Status of Refugees and the Protocol of 31 January 1967 to the said Convention and to stateless persons, as referred to in the Convention of 28 September 1954 relating to the Status of Stateless Persons.

Article 8

1. The general rule of Article 7 shall be subject to the following exceptions:

a) A worker resident in the territory of a Contracting Party and employed by an undertaking, whose registered office or place of business is situated in the territory of that Party and who is posted by that undertaking to the territory of the other Contracting Party, to perform work there on a temporary basis for the account of the undertaking, shall continue to be subject to the legislation of the former Party during the first two years of his stay in the territory of the latter Party.

If the duration of the work to be performed in the territory of the other Contracting Party exceeds two years, owing to unforeseeable circumstances, the legislation of the former Party shall continue to apply, until the completion of the work, provided the competent authorities of both the Contracting Parties give their consent. Such consent must be requested before the end of the initial two-year period.

b) Traveling personnel employed by transport undertakings or by airlines whose registered office or place of business is situated in the territory of one Contracting Party and who is working in the territory of the other Contracting Party shall be subject to the legislation of the former Party.

c) The crew of a vessel and other persons employed on board a vessel shall be subject to the legislation of the Contracting Party whose flag the vessel is flying. If, for the purpose of loading unloading, repair or watch on board a vessel flying the flag of the Contracting Party during its stay in the territory of the other Contracting Party, a worker resident in the territory of the latter Party is employed, he shall be subject to the legislation of the Party.

d) In relation to Israel, the first sentence of subparagraph c) above applies also where a ship flies the flag of a third country but has a crew which is paid by an undertaking having its principal place of business or by a person resident in Israel.

2. The provisions of paragraph 1, a) and b) shall apply by analogy to the accompanying family members, in so far as they are not, by virtue of their employment, entitled to benefits under the legislation of the Contracting Party in whose territory they reside.

Article 9

1. This Convention does not affect the provisions of the Vienna Convention or Diplomatic Relations or the general principles of customary international law regarding consular privileges and immunities with respect to the legislation specified in Article 2.

2. The provisions of Article 8, a) shall apply without limitation in time to government and other public employees, as well as accompanying members of the family, when they are posted to the territory of the other Contracting Party.

Article 10

The competent authorities of the two Contracting Parties may, by mutual agreement, provide for further exceptions to the rules of Articles 7, 8 and 9, in the interest of certain persons or groups of persons.

Title III - Childbirth and Maternity Cash Benefit

Article 11

1. A woman who is insured for hospitalization in case of childbirth, according to the legislation of one Contracting Party, shall, when temporarily staying in the territory of the other Contracting Party, receive the corresponding benefit according to the legislation of the Party.

2. The provision of paragraph 1 of this Article does not apply to a woman who moves from one country to the other for the specific purpose of receiving such benefit.

Article 12

1. If a person has completed periods of insurance amounting to at least eight weeks under the legislation of one Contracting Party, periods of insurance previously completed under the legislation of the other Contracting Party shall, if necessary, be taken into account for the establishment of that person's entitlement to a maternity cash benefit as if these periods had been completed under the legislation of the first Contracting Party.
2. When calculating the benefit in accordance with paragraph 1 of this Article, only income accrued in the territory of the Contracting Party which pays the benefit shall be taken into account.

Title IV - Work Injuries and Occupational Diseases

Article 13

1. The rights to benefit in respect of a work injury shall be determined by the legislation of the Contracting Party to whose legislation the insured person was subject at the time the work injury was sustained, cf. Articles, 7, 8, 9 and 10 of this Convention.
2. If a person has sustained a work injury to which the legislation of one Contracting Party applies and later sustains a work injury to which the legislation of the other Contracting Party applies, the competent institution of the latter Party, for the purpose of determining the degree of disability of the said person under the legislation of that Party, shall take account of the former injury as if the legislation of the latter Party applied to it. However, the competent institution of the latter Party shall be liable to pay benefits only in respect of the late work injury, as determined by the legislation administered by the said institution.

Article 14

1. Benefits in respect of an occupational disease shall be awarded under the legislation of the Contracting Party to whose legislation the insured person was subject at the time he pursued an activity likely to give rise to that disease, even if the disease is first diagnosed in the territory of the other Contracting Party.
2. Where the insured person has pursued, in the territories of both Contracting Parties, an activity likely to give rise to the disease in question, only the legislation of that Party in whose territory the said person has last pursued such activity before the disease was diagnosed shall be applied and, for this purpose, account shall be taken of any pursuit of such activity in the territory of the other Party. However, in cases where the disease in question manifestly is attributable to an activity of the said nature pursued in the territory of the other Contracting Party, only the legislation of the latter Party shall be applied.

Article 15

In the event of aggravation of an occupational disease for which a Danish or an Israeli national has received or is receiving benefits under the legislation of a Contracting Party, the following rules shall apply:

a) If the beneficiary has not, while in receipt of benefits, pursued an activity under the legislation of the other Contracting Party likely to give rise to or aggravate the disease in question, the competent institution of the first Party shall be bound to meet the cost of the benefits under the legislation which it administers, taking into account the aggravation;

b) if the beneficiary, while in receipt of benefits, has pursued, under the legislation of the other Contracting Party, an activity likely to give rise to or aggravate the disease in question, the competent institution of the first Party shall be bound to meet the cost of the benefits under the legislation which it administers, without taking into account the aggravation. The competent institution of the second Party shall grant a supplement to the beneficiary the amount of which shall be determined according to the legislation which it administers and shall be equal to the difference between the amount of benefits due after the aggravation and the amount which would have been due prior to the aggravation, if the disease in question had occurred under the legislation of that Party.

Article 16

1. When person, who, in accordance with Articles 8, 9 and 10, is insured under the legislation of one Contracting Party, needs urgent medical care as a consequence of a work injury occurring in the territory of the other Contracting Party, such care shall be supplied by the insurance institution of that Contracting Party, according to its national legislation.
2. The cost of the urgent care provided in accordance with paragraph 1 of this Article shall be borne by the insurance institution providing it.

Title V - Family Benefits

Article 17

Subject to the provisions of Article 18 of this convention, a child who is resident in the territory of Denmark and whose father or mother is an Israeli national resident in the territory of Denmark shall be entitled to family allowance under Danish legislation, under the same conditions apply to Danish nationals.

Article 18

Children of widows or widowers who are Israeli nationals, as well as orphan children of Israeli nationals, when the children are resident in the territory of Denmark, shall be entitled to special family allowance under Danish legislation, under the same rules as apply to such children of Danish nationals, provided the child or one of its parents has been resident in the territory of Denmark for at least six months and the deceased father and/or mother was resident in the territory of Denmark at the time of the death.

Article 19

A child who is resident in the territory of Israel and whose father or mother is a Danish national resident in the territory of Israel shall be entitled to family allowance under the Israeli legislation, under the same conditions as apply to Israeli nationals.

Article 20

Where in respect of the same child, a right to family allowance is acquired simultaneously under the legislation of both Contracting Parties, payment of family allowance may be claimed only under the legislation of the Contracting Party whose territory the child is predominantly staying.

Title VI - Old-Age and Survivors', Invalidity and Anticipatory Benefits

Chapter 1 - Benefits Under Danish Legislation

Article 21 - Old Age and Anticipatory Pensions

1. Israeli nationals shall be entitled to anticipatory pension provided that, in the qualifying period laid down in the Social Pensions Act, they have been physically and mentally capable of carrying on normal occupation for a continuous period of residence of not less than 12 months in the territory of Denmark.
2. Entitlement to anticipatory pension awarded for social reasons in respect of Israeli nationals shall be subject to the condition that they have been permanently resident in the territory of Denmark for a period of not less than 12 months immediately before the time of submission of the claim for pension and that the need for pension arose while they were resident in the territory of Denmark.
3. Notwithstanding other provisions of this Convention, the condition on residence in Denmark laid down in the Social Pension Act concerning award of an anticipatory pension granted for social reasons shall apply to Danish citizens resident in Israel.

Article 22

1. Social pension shall be payable to an Israeli national resident in the territory of Israel only if the person concerned has carried out an occupation as a worker or self-employed person in the territory of Denmark for not less than 12 months of the qualifying period provided for under the Social Pensions Act.
2. Where the conditions under paragraph 1 of this Article have not been complied with, social pension shall continue to be payable to an Israeli national who has

been awarded social pension also after he has moved to the territory of Israel, provided the person concerned, during the qualifying period laid down in the Social Pensions Act, has been permanently resident in Denmark for not less than 10 years, of which at least 5 years are immediately preceding application for the pension.

Article 23

For the implementation of paragraph 1 of Article 22 the following provisions shall apply:

- a) where membership contributions have been paid in respect of a member of the Danish Labour Market Supplementary Pension Scheme (ATP) for one year, the person concerned shall be regarded as having completed a period of employment of 12 months in the territory of Denmark;
- b) where a person establishes that he or she was employed in the territory of Denmark for any period before 1 April 1964, that period shall also be accepted;
- c) where a person established that he or she was self-employed in the territory of Denmark for any period, that period shall also be accepted.

Article 24

1. Notwithstanding the provisions of Article 22, the following supplements, allowances and benefits under the Social Pensions Act shall be payable to a national of a Contracting Party resident outside the territory of Denmark only according to the provisions of that Act:

- a) pensions supplement
- b) personal allowance
- c) outside assistance allowance
- d) constant attendance allowance
- e) disability benefit.

2. Where a person who is not a Danish national has acquired the right to a Danish anticipatory pension, the conversion of his pension into a pension payable on a higher scale, as a result of an aggravation of his invalidity, shall not take place, if the pensioner is resident outside the territory of Denmark.

Article 25

The provisions laid down in the Social Pensions act, making periods of stay abroad equivalent to residence in the territory of Denmark in the calculation of the period of residence, shall, notwithstanding the provisions of Article 4, apply only to Danish nationals.

Article 26

The special provisions contained in the Danish legislation on membership of foreign workers of Labour Market Supplementary Pension Scheme (ATP) shall, notwithstanding the provisions of Article 4, apply to Israeli workers employed in the territory of Denmark.

Article 27 - Funeral Benefit

Where an Israeli national has died while resident in Denmark, the estate shall be entitled to receive death grant funeral benefit under the Danish legislation provided that the deceased was entitled to Danish health security.

Chapter 2 - Benefits Under Israeli Legislation

Old Age and Survivors - Article 28

1. Where a national of one of the Contracting Parties or a person designated in Article 7, paragraph 2 of this Convention has been insured in Israel for at least 36 months, out of that 12 months as a worker or self-employed person but does not have sufficient Israeli periods of insurance for entitlement to an old age pension, periods of residence completed under the legislation of Denmark shall be taken into account as far as they do not coincide with Israeli periods of insurance. No account shall be taken of any residence period completed under the legislation of Denmark before 1 April 1954.
2. If the beneficiary qualifies for the benefit when periods of insurance completed under the legislation of both Contracting Parties are added together, the competent Israeli insurance institution shall determine the benefit as follows:
 - a) The Israeli benefit which is payable to a person who has completed the qualifying periods of insurance according to Israeli legislation shall be taken into account as a theoretical sum.
 - b) On the basis of the above theoretical sum, the insurance institution shall calculate the partial benefit payable according to the ratio between the length of Israeli periods of insurance which the person has completed under the legislation of Israel and the total of all insurance periods completed by him under the legislation of both Contracting Parties.
3. The right to an old age pension shall be conditional on the beneficiary having been resident in Israel or Denmark immediately before claiming an old age pension.
4. The right to a survivor's pension shall be conditional on the beneficiary and the deceased having been residents in Israel or in Denmark at the time of the death, provided the deceased had been permanently resident in Israel for not less than 5

years in the last 10 years immediately before the application for the pension or the deceased having received an old age pension immediately before his death.

5. Vocational training and subsistence allowances for widows and orphans are payable to persons designated in paragraph 1 of this article only if they reside in Israel and for as long as they are actually present in Israel.

6. Funeral grant 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 29 - Invalidity

1. A person covered by this Convention shall be entitled to invalidity benefit if he has been insured as a resident in Israel for at least twelve consecutive months immediately prior to becoming an invalid and provided that he has been physically and mentally capable of carrying on normal occupation for a continuous period of residence of not less than 12 months in the territory of Israel.

2. Special service for handicapped, subsistence allowances for handicapped children of an insured person, professional rehabilitation for a handicapped person, vocational training and a subsistence allowance for his spouse are payable to such a person, as mentioned above, provided he is resident in Israel and for as long as he is actually present in Israel.

3. A person covered by this Convention who resides outside Israel and is entitled to an Israeli invalidity pension shall continue to receive the pension that he was awarded even if there is an increase in the degree of his invalidity as a result of an aggravation of his invalidity or the addition of a further cause of invalidity arising abroad.

Title VII - Miscellaneous Provisions

Article 30

The competent authorities of the Contracting Parties or bodies designated by them shall:

- a) conclude the necessary administrative agreement for the application of this Convention;
- b) communicate to each other all information regarding the measures taken for the application of this Convention;
- c) communicate to each other all information regarding changes made in their legislation which may affect the application of this Convention;
- d) designate in the above-mentioned administrative agreement liaison bodies with a view to facilitating the application of this Convention.

Article 31

For the purpose of applying this Convention,

- a) The competent authorities and institutions of the Contracting Parties shall lend their good offices and act as though applying their own legislation. As a rule, such mutual administrative assistance shall be afforded free of charge by the said authorities and institutions;
- b) The authorities and institutions of the Contracting Parties may communicate directly with each other and with the persons concerned or their representatives. In such communication, use shall be made of the English language;
- c) The authorities, institutions, tribunals and courts of the Contracting Parties may not reject claims or other documents submitted to them on the grounds that they are written in the official language of the other Contracting Party.

Article 32

1. Any exemption from or reduction of taxes, stamp duty, notarial or registration fees provided for in the legislation of a Contracting Party, in respect of certificates or documents required to be produced for the purposes of the legislation of that Party, shall be extended to similar certificates or documents required to be produced for the purposes of the legislation of the other Contracting Party or of this convention.
2. All statements, documents and certificates of any kind whatsoever required to be produced for the purposes of this Convention shall be exempt from authentication by diplomatic or consular authorities.

Article 33

Any claim for old age, invalidity or survivor's or anticipatory benefits, for pensions and benefits in respect of accidents at work and occupational diseases and for death grants (funeral benefits) shall be submitted in accordance with the provisions of the administrative agreement to be concluded in pursuance of Article 30.

Article 34

Any claim, declaration or appeal which should have been submitted, in order to comply with the legislation of a Contracting Party, within a specified period to an authority, institution, tribunal or court of that Party, shall be admissible if it is submitted within the same period to a corresponding authority, institution, tribunal or court of the other Contracting Party. In such a case, the authority, institution, tribunal or court receiving the claim, declaration or appeal shall forward it without delay to the competent authority, institution, tribunal or court of the former Party, either directly or through the competent authorities of the Party concerned. The date on which such claims, declarations or appeals were submitted to the authority, institution, tribunal court of the

other Contracting Party shall be considered as the date of their submission to the competent authority, institution, tribunal or court which shall investigate them.

Article 35

The administrative agreement to be concluded in pursuance of Article 30 shall provide for the procedures to be followed:

- a) in carrying out the medical examinations and administrative checks required by virtue of the legislation of a Contracting Party, in cases where a person claiming benefit under the legislation of that Party or a person in receipt of benefit under the legislation of that Party, is resident or staying in the territory of the other Contracting Party;
- b) in the payment of benefit to persons who are resident or staying in a Contracting Party other than that in whose territory the institution responsible for such payment is situated.

Article 36

1. Payments under this Convention may legitimately be made in the currency of the Contracting Party making the payment.
2. Should currency restrictions be introduced by either of the Contracting Parties, the two Governments shall immediately and jointly take steps to safeguard transfers between their territories of necessary amounts of money for the purpose of implementing this Convention.

Article 37

1. If an insurance institution in the territory of one of the Contracting Parties has made an advance payment, then an amount accruing for the same period as the advance payment, according to the legislation of the other Contracting Party, may be withheld. If an insurance institution of one of the Contracting Parties has paid an excessive rate of benefits for a period for which an insurance institution of the other Contracting Party is to pay a corresponding amount of compensation, then the excess payment may similarly be withheld.
2. The advance payment or excess amount shall be deducted from compensation relating to the same period which has been paid subsequently. If there is no such subsequent payment or if the payment is not sufficient for the clearance required, full clearance or deduction for the remaining amount can be made from current benefit payments, though in the manner and subject to the restrictions laid down by the legislation of the Contracting Party which is to perform the clearance.

Article 38

1. The competent authority of the Contracting Parties shall endeavor to resolve, by mutual agreement, any dispute that may arise in connection with the application of this Convention.
2. If any such dispute is not resolved by agreement, the dispute may, on the request of either Contracting Party, be submitted to arbitration by a court of arbitration, whose composition and procedure shall be agreed upon by the Contracting Parties.
3. Each of the Contracting Parties shall be bound to comply with and enforce the decisions handed down by the court of arbitration.

Title VIII - Final and Transitional Provisions

Article 39

1. No entitlement to payment of benefits shall be acquired under this Convention for any period prior to the date of its entry into force.
2. All periods of insurance and periods treated as such and all periods of employment or residence completed under the legislation of a Contracting Party, before the date of entry into force of this Convention, shall be taken into account for the determination of rights to benefits under this Convention. Notwithstanding this provision, periods of residence completed under Danish legislation prior to 1 April 1957 shall not be taken into account for the calculation of the amounts of social pensions under Danish legislation payable to Israeli nationals resident in the territory of Israel; periods of residence completed under Israeli legislation prior to 1 April 1954 shall not be taken into account for the calculation of the amounts of benefits under Israeli legislation payable to Danish nationals resident in the territory of Denmark.
3. Subject to the provision of paragraph 2 of this Article, a right shall be acquired under this Convention, even though relating to a contingency which materialized prior to the entry into force of this Convention.
4. Any benefit which has not been awarded or which has been suspended by reason of the nationality of the person concerned or his residence in the territory of the other Contracting Party shall, on the application of that person, be awarded or resumed with effect from the date of entry into force of this Convention, provided that the rights previously determined have not given rise to a lump-sum payment. Where the legislation of a Contracting Party does not require the filing of a claim for a benefit, such benefit shall be awarded without the person concerned submitting any application.
5. Upon an application being received, a benefit granted prior to the entry into force of this Convention shall be recalculated in compliance with the provisions of

the same. Such benefits may also be recalculated without any application being made. This recalculation may not result in any reduction of the benefit paid.

6. If the application referred to in paragraph 4 and 5 of this Article is submitted within two years from the date of entry into force of this Convention, the rights acquired under this Convention shall have effect from that date. If the application referred to in paragraph 4 and 5 of this Article is submitted after the expiry of the two-year period following the date of entry into force of this Convention, rights which have not been forfeited or are not barred by limitation shall have effect from the date on which the application was submitted, except where more favorable provisions of the legislation of any of the Contracting Parties apply.

Article 40

1. This Convention is concluded for an indefinite period as from the date of its entry into force, which shall be fixed by the Contracting Parties by exchange of letters on the accomplishment of their respective constitutional procedures required for the entry into force of the present Convention. The Convention shall enter into force on the first day of the second month after the date of the last notification.

2. The Convention may be denounced by notification by one of the Contracting Parties to the other Contracting Party. The Convention shall cease to be in force on the 31st December, after at least 12 months of the date of notification.

3. The termination of the Convention shall be without prejudice to any rights acquired by a person, in accordance with its provisions. Any questions relating to the award of future benefits by virtue of rights in the course of acquisition at the time, when the convention ceases to have effect on account of denunciation, shall be fixed by special agreement.

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

Done in triplicate at Jerusalem this 3rd day of July 1995, which corresponds to the 5th of Tammuz 5455, in the English, Hebrew and Danish languages, each version being equally authoritative.

FOR THE GOVERNMENT OF
THE KINGDOM OF
DENMARK

FOR THE GOVERNMENT
OF THE STATE
OF ISRAEL

Administrative

Administrative Agreement for the Implementation of the Convention on Social Security between the State of Israel and the Kingdom of Denmark, concluded in Jerusalem on 3rd July 1995 (5 Tammuz 5755)

Pursuant to Article 30, a) of the Convention on Social Security between the State of Israel and the Kingdom of Denmark, concluded on 3rd July 1995, the competent authorities:

for Israel, the Ministry of Labour and Social Affairs

For Denmark, the Ministry of Social Affairs have agreed on the following provisions:

Part 1 - General Provisions

Article 1

1. For the application of this Administrative Agreement, "Convention" means the Convention on Social Security between the State of Israel and the Kingdom of Denmark, signed in Jerusalem on 3 July 1995.
2. For this Agreement, the terms defined in Article 1 of the Convention shall have the meaning attributed to them in the said Article.

Article 2 - Liaison bodies

1. The following are designated as liaison bodies, pursuant to Article 30,d) of the Convention:

for Israel, the National Insurance Institute, Jerusalem

for Denmark, concerning supplementary pensions,

Arbejdsmarkedets Tillaegspension, ATP" (the Labour Market Supplementary Pensions Office

concerning all other cases,

Direktoratet for Social Sikring og Bistand (National Directorate of Social Security Assistance)

2. The liaison bodies of the Contracting Parties shall agree on the forms necessary to implement the Convention and this Administrative Agreement.

3. Where the person concerned fails to submit a required certificate, the insurance institution requesting the certificate shall be entitled to obtain such certificate from the competent institution of the other Contracting Party through the liaison body of the other Contracting Party.

Article 3 - Competent Institutions

The competent institutions of both Contracting Parties, cf. Article 1,c) of the Convention, are listed in the Annex to this Agreement.

Part II - Implementation of Title II of the Convention

Applicable Legislation - Article 4

1. For postings in pursuance of the first sentence of Article 8, a) of the Convention, the institution of the Contracting Party whose legislation is to apply shall, on request, issue a certificate of fixed duration, whereby it certifies that the worker and the employer remain subject to the legislation of that Party for the performance of the work in question. Such certificate issued in Israel by the National Insurance Institute, Jerusalem

in Denmark by Direktoratet for Social Sikring og Bistand

The certification is to be given on a form, cf. Article 2 of this Agreement.

2. The worker shall submit a duplicate of the certificate of posting issued in pursuance of the preceding paragraph to the competent institution of the Contracting Party to whose territory the worker is posted.

3. The institutions indicated in paragraph 1 above shall notify each other of the issue of such certificate.

4. The consent to the maintenance of the legislation of the Contracting Party from whose territory a worker is posted, as mentioned in the second sentence of Article 8, a) of the Convention, shall be obtained by the employer from the institution whose legislation shall continue to apply. The same shall apply to cases provided for in Article 10. Such consent is given:

in Israel by the National Insurance Institute, Jerusalem

in Denmark by Direktoratet for Social Sikring og Bistand (the National Directorate of Social Security and Assistance)

This consent is to be entered on the certificate of posting

Part III - Implementation of Title III of the Convention

Article 5 - Childbirth and Maternity Cash Benefit

1. Where Article 12 of the convention is applied by an institution of one Contracting Party, the person concerned shall present a certificate for the periods

completed under the legislation of the other Contracting Party that he requests be taken into account. Such certificate is to be issued:

In Israel, by the National Insurance Institute, Jerusalem

in Denmark, by the last municipality of residence.

2. Where the person concerned fails to present such certificate, the competent institution shall be entitled to obtain the certificate from the competent institution of the other Contracting Party, cf. paragraph 1 above.

The certificate referred to in the preceding paragraphs shall be issued on a form, cf. Article 2 of this Agreement.

Article 6

1. In the case of childbirth during a temporary stay, cf. Article 11 of the Convention, the competent institution of the Contracting Party in which the woman is insured shall issue a certificate whereby it certifies her entitlement to hospitalization in case of confinement, under the legislation of that Party. Such certificate is, on request, to be sent to the institution of the place of stay or to the insured person.

2. Article 11,2) of the Convention is to be interpreted thus: A woman is entitled to hospitalization in pursuance of the legislation of the Contracting Party in whose territory she is staying temporarily, for holiday or other purposes, only if confinement takes place outside the period for which confinement could reasonably be expected.

Part IV - Implementation of Title IV of the convention

Article 7 - Work Injuries and Occupational Diseases

When an accident at work is sustained or an occupational disease is first diagnosed in the territory of a Contracting Party other than that in which the competent institution is situated, such accident or disease shall be notified in conformity with the procedure provided for by the legislation administered by the competent institution. Such notification shall be submitted to the competent institution.

Article 8

The competent institution shall be entitled to obtain from the authorities and institutions of the other Contracting Party any medical and documentary evidence which the institution considers necessary for its investigation of the claim.

Article 9

Where the institution of a Contracting Party to which an occupational disease is notified in pursuance of Article 7 of this Agreement ascertains that the person suffering from such disease has last pursued an activity likely to cause such occupational disease in the territory of the other Contracting Party, the institution shall forward the notification and any accompanying documents to the other Contracting Party justifying its decision.

Article 10

1. Where an aggravation of an occupational disease occurs in the territory of the Contracting Party other than that in which the institution from which the person suffering from such disease has received or is receiving benefits is situated, the aggravation shall be notified to the other Contracting Party in conformity with the procedure provided for by the legislation administered by the said institution. Such notification shall be submitted to the institution from which the person concerned has received or is receiving benefits.
2. The institution from which the person suffering from an occupational disease has received or is receiving benefits shall be entitled to obtain from the authorities and institutions of the other Contracting Party all available information on any activity likely to cause or aggravate the occupational disease in question pursued by the person suffering from such disease in the territory of the other Contracting Party, after the first payment of benefit.
3. Where for the application of Article 15,b) of the Convention the institution from which the person concerned has received or is receiving benefits in respect of an occupational disease ascertains that it shall not be bound to meet the costs due after any aggravation of the occupational disease, the institution shall supply the competent institution of the other Contracting Party with particulars of this decision and all the medical and documentary evidence of the occupational disease previously established.

Article 11

The competent institution shall notify the claimant in writing of its decision in respect of his claim for the benefits provided for in the case of an accident at work or an occupational disease.

Article 12

1. In the cases referred to in Articles 13-16 of the Convention, a certificate issued by the competent insurance institution showing that the person concerned is covered by the legislation which is applied shall be submitted to the insurance institution in the country where the accident occurred.
2. Where, for an industrial injury occurring in the territory of one of the Contracting Parties, more than urgency medical care is necessary, cf. Article 16 of

the Convention, the competent institution by whose legislation the injured person is covered shall be entitled to make an agreement of continued medical treatment, etc. with the competent institution of the Contracting Party in whose territory the accident occurred. The expenses of such continued medical treatment are to be borne by the competent institution by whose legislation the injured person is covered.

Part V - Implementation of Title V of the Convention Family Benefits

Article 13 - Avoidance of Double Payments of Family Benefits

In cases where an insurance institution in one Contracting Party has reason to believe that Article 20 of the Convention might be applicable, it shall inform the competent institution of the other Party, through the liaison body of the other Contracting Party.

Part VI - Implementation of Title VI of the Convention Old Age and Survivors', Invalidity and Anticipatory Pensions, and Death Grant (Funeral Benefit)

Article 14

Where it appears from a claim submitted to a competent institution of one Contracting Party or benefits under the legislation of that Party that insured person has been subject to the legislation of the other Contracting Party, the claim shall equally be regarded as a claim for benefits under the legislation of the latter Party.

Article 15

Claims for benefit shall be submitted to the competent institution of the Contracting Party in whose territory the claimant is resident, in conformity with the procedure provided for by the legislation administered by that institution. The date of the submission of the claim to the said institution shall be regarded as the date on which the claim was submitted to the institution of the other Contracting Party.

Article 16 - Procedure for Applications

1. The competent institution of one Contracting Party which receives a claim for benefits payable under the legislation of the other Contracting Party shall, without delay, send the application form to the liaison body of the other Party.
2. The competent institution of the former Party shall, together with the application form, send all available documentary evidence that the institution of the latter Party may require to establish the claimant's eligibility.

3. Each of the competent institutions shall subsequently determine the claimant's eligibility and notify the other institution of its decision in respect of the claim.

4. The application form referred to in paragraphs 1-2 above shall be drawn up in conformity with the provision of Article 2 of this Agreement.

Article 17

1. Applications for a death grant in respect of an Israeli national who has died during a stay in Israel but who was a resident of Denmark and comprised by Danish health security are to be submitted to the municipality of residence of the deceased.

2. Applications for a death grant, in respect of an Israeli national who has died during a stay in Israel but who was comprised by Danish social legislation, in pursuance of Articles 8, 9 or 10 of the Convention, are to be sent to the Danish Ministry of Health.

3. Information of the documentary evidence which must accompany the application for a death grant can be obtained from the Danish municipality of residence or Ministry of Health, respectively.

Part VII - Miscellaneous Provisions

Article 18 - Medical Examinations and Administrative Control

1. The competent institution of one Party shall, within the conditions and limits laid down by the legislation which it administers, upon request, provide the liaison body of the other Contracting Party with any available medical and documentary evidence of the claimant's or beneficiary's disability.

2. Where the competent institution of one Party requires that a claimant or beneficiary residing in the territory of the other Party undergoes an additional medical examination, the liaison body of the latter party shall, at the request of the liaison body of the former Party, make arrangements for such examination to be carried out in accordance with the provisions it administers, at the expense of the institution requesting the medical examination. Such requests shall be made on a form, cf. Article 2 of this Agreement.

3. Amounts resulting from the application of the provision of paragraph 2 above shall be reimbursable without delay, on receipt of a detailed statement of the costs incurred.

4. Where a claimant or beneficiary of a benefit pursuant to the legislation of one Contracting Party is staying or residing in the territory of the other Contracting Party, an administrative control shall - if the competent institution so requests - be accomplished, either through the liaison bodies or direct, by the corresponding institution of the other Contracting Party in whose territory the claimant or

beneficiary is staying or residing, pursuant to the legislation of the latter Contracting Party. Such control shall be free of charge.

5. The competent insurance institutions shall further inform each other of circumstances which are of importance for determining the claimant's eligibility for pension, enclosing relevant medical documents, subject, where necessary, to the applicant's signing of a waiver of medical confidentiality.

6. The competent insurance institutions shall inform each other of decisions which are taken during the process of settling a pension.

Statistics - Article 19

The liaison bodies shall exchange statistical data of payments which have been made in the other Contracting Party.

Payment of Benefits - Article 20

Benefits in cash pursuant to the legislation of one Contracting Party to beneficiaries staying or residing in the territory of the other Contracting Party shall be paid direct to such beneficiaries. However, the Israeli and Danish competent authorities shall be entitled to agree on other procedures for the payment of such benefits.

Translation Assistance - Article 21

The liaison bodies shall, if necessary, assist each other in translating applications and other documents, written in their respective languages, to English.

Entry into Effect - Article 22

This Administrative Agreement shall take effect on the date of entry into force of the Convention and shall have the same period of duration.

In witness whereof the undersigned, duly authorized have signed this Administrative Agreement.

Done in three copies in Jerusalem, this 3rd day of July 1995, in English, Hebrew and Danish, each version being equally authoritative.

MINISTER OF LABOUR
AND SOCIAL AFFAIRS

MINISTER OF SOCIAL
AFFAIRS

ANNEX

Competent Institutions

Article 1, e) of the Convention

Article 3 of the Administrative Agreement

1. Maternity

a) Benefits in kind, temporary stay:

The county in question KØbenhavn og Frederiksberg municipalities

b) Certification of entitlement to midwifery:

The claimant's municipality of residence for posted workers: The employer's municipality

c) Cash benefits:

The claimant's municipality of residence for posted workers: The employer's municipality

2. Accidents at work and occupational diseases

a) Benefits in kind and periodical benefits:

Arbejdssadestrelsen (National Board of Industrial Injuries)

AebelØgade 1

2100 KØbenhavn Ø

b) Cash Benefits:

The claimant's municipality of residence.

3.Family Benefits:

The claimant's municipality of residence

4.Social Pensions:

For persons resident outside Denmark: Direktoratet for Social Sikring og Bistand
(National Directorate of Social Security and Assistance)

5. Labour Market Supplementary Pension (ATP):

(ATP) Labour Market Supplementary Pensions Office, Kongens Vaenge 8, 3400 Hillerod

6. Death Grant (funeral benefit):

The claimant's municipality of residence. For persons resident outside Denmark: Sundhedsministeriet (Ministry of Health), Herluf Trolles Gade 11, 1052 KØbenhavn K