

No. 8451

**ISRAEL
and
FRANCE**

Convention on social security. Signed at Paris, on 17 December 1965

Official texts : Hebrew and French.

Registered by Israel on 14 December 1966.

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et
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Convention de sécurité sociale. Signée à Paris, le 17 décembre 1965

Textes officiels hébreu et français.

Enregistrée par Israël le 14 décembre 1966.

[TRANSLATION — TRADUCTION]

No. 8451. CONVENTION ON SOCIAL SECURITY¹ BETWEEN
ISRAEL AND FRANCE. SIGNED AT PARIS, ON 17 DE-
CEMBER 1965

The Government of the State of Israel and
The Government of the French Republic,
Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one State should receive under the social security legislation of the other equal treatment with the nationals of the latter,

Desirous of enabling their nationals to keep the rights which they have acquired under the legislation of one State and of providing for the aggregation of insurance periods completed by their nationals under the legislation of both States,

Have decided to conclude a Convention to co-ordinate the application to French and Israel nationals of French legislation on social security and Israel legislation on national insurance and, to this end, have agreed as follows :

TITLE I

GENERAL PRINCIPLES

Article 1

1. French and Israel employed persons or persons treated as such shall be subject to the social security legislation specified in article 2 below and applying in Israel and in France respectively and shall, subject to the reservations set out in article 2, enjoy the benefits thereof under the same conditions as the nationals of each State.

2. The territories to which the provisions of this Convention shall apply are .

—in relation to France . metropolitan France and the Overseas Departments ,

—in relation to Israel : the State of Israel.

¹ In accordance with article 29, the Convention came into force on 1 October 1966, the first day of the third month following the exchange of notifications stating that the Convention had been approved in accordance with the constitutional provisions in force in each of the two countries. The said notifications were exchanged at Paris on 21 and 28 July 1966.

Article 2

1. The provisions of the present Convention shall apply .

(1) In relation to France, to

- (a) The legislation relating to the organization of the social security schemes ;
- (b) The social insurance legislation applicable to persons employed in non-agricultural employment, with the exception of the provisions concerning voluntary insurance under the old age insurance scheme for persons employed outside French territory ,
- (c) The social insurance legislation applicable to persons employed and persons treated as employed in agricultural employment ;
- (d) The legislation relating to the contributory scheme for old age allowances for non-employed persons ,
- (e) The legislation on the prevention of, and compensation for, industrial accidents and occupational diseases ;
- (f) The legislation relating to family allowances ;
- (g) Special social security schemes, in so far as they deal with the insurance or benefits covered by the legislation specified in the foregoing paragraphs, and, in particular, the scheme of social security in the mining industry.

(2) In relation to Israel, to

—The national insurance legislation applicable to employed persons and persons treated as employed persons and concerning insurance against old age and death, industrial accidents and occupational diseases, benefits in respect of maternity expenses and pensions for large families

2. This Convention shall also apply to all laws or regulations by which the legislation specified in paragraph 1 of this article has been or may be amended or supplemented.

Provided that this Convention shall not apply :

(a) To laws or regulations covering a new branch of social security unless the Contracting States have concluded an agreement to that effect.

In particular, agreements concerning sickness insurance and invalidity insurance shall be concluded when the Government of Israel has instituted a legal insurance scheme covering these risks.

(b) To laws or regulations extending existing schemes to new categories of beneficiaries unless the Government of the Party amending its legislation raises no objection and notifies the Government of the other Party to that effect within a period of three months from the date of the official publication of the said laws or regulations.

Article 3

1. All employed persons or persons treated as such under the laws applicable in each of the Contracting States who are employed in the territory of one of the States shall be subject to the laws in force at their place of employment.

2. The principle laid down in paragraph 1 of this article shall apply subject to the following exceptions .

(a) An employed person or a person treated as such who is ordinarily resident in the territory of one of the Contracting States and is employed in the other State by an enterprise having an establishment in the first-mentioned State shall remain subject to the legislation in force in the State of his regular place of employment, if his employment in the territory of the second State does not exceed twelve months, where the said employment is prolonged for unforeseen reasons beyond the period originally intended and exceeds twelve months, the application to him of the legislation in force in the State of regular employment may be continued by way of exception with the agreement of the Government of the State in which he is temporarily employed ;

(b) An employed person or a person treated as such in the service of a transport enterprise of one of the Contracting States and employed in the mobile section (travelling personnel) of that enterprise shall be subject only to the provisions in force in the State in which the enterprise has its principal place of business.

3. The competent administrative authorities of the Contracting States may by agreement provide for exceptions to the rules given in paragraph 1 of this article. They may also agree that the exceptions provided for in paragraph 2 shall not apply in particular cases.

Article 4

1. The provisions of article 3, paragraph 1, shall apply to all employed persons and persons treated as such, regardless of nationality, who are employed in French or Israel diplomatic or consular missions or are in the personal employ of officers of such missions.

Provided that

(a) Diplomatic and consular officers *de carrière* and officers on the staff of chancelleries shall be excepted from the operation of this article ;

(b) Employed persons and persons treated as such who are nationals of the country represented by the diplomatic or consular mission and who are not permanently established in the country in which they are employed may opt between the application of the legislation of the country of their place of employment and that of the legislation of their country of origin.

2. Persons employed in the service of a Government department of one of the Contracting Parties who are subject to the legislation of that Party and are sent to the territory of the other Party shall continue to be subject to the legislation of the sending State.

TITLE II

SPECIAL PROVISIONS

Chapter 1

MATERNITY AND DEATH BENEFITS

Article 5

1. Employed persons who transfer their residence from France to Israel, and their dependants, shall be entitled to maternity benefits under the Israel scheme, provided that they satisfy in Israel the conditions imposed for receipt of such benefits, insurance periods and equivalent periods completed in France being aggregated if necessary.

2. Employed persons who transfer their residence from Israel to France, and their dependants, shall be entitled to maternity benefits under the French scheme provided that :

- (a) They have been working in an employment subject to insurance in France ;
- (b) That they satisfy in France the conditions imposed for receipt of such benefits, insurance periods or periods recognized as equivalent completed in Israel being aggregated if necessary.

Article 6

On the death of an employed person or person treated as such who has moved from one State to the other, death benefits shall be payable in accordance with the legislation of the State of the new place of employment provided that :

- (1) The deceased has been working in that State as an employed person or person treated as such ;
- (2) The deceased satisfied the conditions imposed for receipt of the said benefits under the legislation of the State of the new place of employment, insurance periods and periods recognized as equivalent completed in the other State being aggregated if necessary.