AGREEMENT

BETWEEN

THE GOVERNMENT OF THE STATE OF ISRAEL

AND

THE GOVERNMENT OF THE REPUBLIC OF POLAND

ON

GAINFUL OCCUPATION FOR FAMILY MEMBERS OF A MEMBER OF A DIPLOMATIC MISSION OR CONSULAR POST

The Government of the State of Israel and the Government of the Republic of Poland have agreed that family members of a member of the diplomatic mission or consular post of the Republic of Poland in the State of Israel and family members of a member of the diplomatic mission or consular post of the State of Israel in the Republic of Poland, will be entitled, on a reciprocal basis, to perform work in the receiving State in accordance with the law of that State and the provisions of this Agreement.

Article 1

For the purpose of this Agreement:

1) "performance of work" means employment, other gainful occupation or fulfillment of a function on the board of a legal person conducting business activity;

2) "member of diplomatic missions or consular posts" means any employee of the sending State performing the functions of diplomatic representative, consular officer or member of administrative and technical staff in the receiving State, who is not a national of that State and does not possess the right of permanent residence in it, pursuant to the definitions contained in article 1, letter "e" and "f" of the 1961 Vienna Convention on Diplomatic Relations and in Article 1.1, letters "d" and "e" of the 1963 Vienna Convention on Consular Relations;

3) "family members" mean the following persons forming part of the household of and dependent on a member of the diplomatic mission or consular post of the sending State:
   a) spouses;
   b) children under 21 years of age;
   c) children under 25 years of age who are in full-time attendance at a post-secondary educational institution;
   d) physically or mentally disabled children who are unmarried and incapable of supporting themselves.

Article 2

1. When a family member of a member of the diplomatic mission or consular post of the sending State wishes to perform work in the territory of the receiving State, the Embassy of the sending State will submit an appropriate request in writing to the Diplomatic Protocol of the Ministry of Foreign Affairs of the receiving State.
2. The request referred to in Article 2.1 will identify the family member wishing to perform work in the receiving State and will also contain a short description of the position he/she intends to occupy, information about the potential employer and any other information required by the competent authorities of the receiving State, in accordance with its domestic law.
3. The Diplomatic Protocol of the Ministry of Foreign Affairs of the receiving State, after corroborating that the family member in question meets the conditions elaborated in this Agreement and according to the domestic law, will inform the Embassy of the other

State, as expeditiously as possible, that the family member concerned may perform work in the territory of the receiving State.

Article 3

1. If a family member who performs work on the basis of this Agreement enjoys immunity from the civil and administrative jurisdiction of the receiving State, such immunity shall not apply in respect of any act or omission carried out in the course of the gainful occupation.
2. If a family member performs work on the basis of this Agreement enjoys immunity from criminal jurisdiction of the receiving State, in the case of serious offences carried out in the course of the gainful occupation, upon the written request of the receiving State, the sending State will give careful consideration to waive such immunity. Where immunity is not waived, the family member will be withdrawn from the receiving State.

Article 4

A family member who performs work in accordance with the provisions of this Agreement will be subject to fiscal and social security regimes of the receiving State for all matters connected with his/her gainful occupation in that State.

Article 5

1. This Agreement does not permit family members to perform work in positions that under the domestic law of the receiving State may only be held by nationals of that State.
2. This Agreement does not exempt family members from any requirements, procedures or fees which may ordinarily apply to any employment, whether relating to personal characteristics, professional or trade qualifications or otherwise. In the case of professions requiring special qualifications, the member of the family shall not be exempted from fulfilling the applicable requirements.
3. The provisions of this Agreement shall not be interpreted as implying the recognition, by the other contracting Party, of a degree for pursuing a profession. Recognition thereof will take place in accordance with the domestic law of the receiving State.

Article 6

1. The Embassy of the sending State will inform the Diplomatic Protocol of the Ministry of Foreign Affairs of the receiving State about any changes in the status of family members engaged in gainful occupation, including a requested change in employers, which shall require a further application.
2. A family member may engage in gainful occupation until the day:
    1) he/she loses the status of a person forming part of the household of and dependent on a member of the diplomatic mission or consular post, or

2) of the termination or the expiry of his/her employment contract or other contract for the performance of work, or

3) of the conclusion of the fulfillment of functions in the receiving State by the person on whom the status of that family member depends.

3. The duration of gainful occupation of a family member may be extended within the limits envisaged by the provisions of the Vienna Convention on Diplomatic Relations of April 18 1961 or other applicable international instruments.

Article 7

The Parties to this Agreement may amend or supplement it through diplomatic channels. Such amendments shall enter into force through the same procedures as this Agreement, as detailed in Article 8.

Article 8

This Agreement will enter into force on the date of the second diplomatic note by one Party informing the other that its internal procedures for the entering into force of this Agreement have been complied with. This agreement shall remain in force for an indefinite period of time, unless terminated by either Party, providing 6 months prior written notice through diplomatic channels.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Agreement.

Signed in Warsaw on the 14th day of May, 2014, which corresponds with the 14th day of Iyyar, 577.4 of the Hebrew calendar, in two original copies, each in the Hebrew, Polish and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF THE STATE OF ISRAEL

FOR THE GOVERNMENT OF THE REPUBLIC OF POLAND