

No. 46627

**Israel
and
Uruguay**

Agreement between the Government of the State of Israel and the Government of the Oriental Republic of Uruguay on gainful occupation for family members of a member of a diplomatic mission or consular post. Montevideo, 10 October 2008

Entry into force: *23 January 2009 by notification, in accordance with article 8*

Authentic texts: *English, Hebrew and Spanish*

Registration with the Secretariat of the United Nations: *Israel, 9 October 2009*

**Israël
et
Uruguay**

Accord entre le Gouvernement de l'État d'Israël et le Gouvernement de la République orientale de l'Uruguay sur l'exercice d'une activité à but lucratif par les membres de la famille d'un membre d'une mission diplomatique ou d'un poste consulaire. Montevideo, 10 octobre 2008

Entrée en vigueur : *23 janvier 2009 par notification, conformément à l'article 8*

Textes authentiques : *anglais, hébreu et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Israël, 9 octobre 2009*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE STATE OF ISRAEL
AND
THE GOVERNMENT OF THE ORIENTAL REPUBLIC OF URUGUAY
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 Oriental Republic of Uruguay (hereinafter referred to as the "Parties");

Realizing that the members of the family of a diplomatic agent forming part of his household, in particular spouses, may wish to work in the State where the member of a diplomatic mission or consular post is assigned to duty;

Desirous of facilitating the engagement of such family members in a gainful occupation in the receiving State;

Have reached the following Agreement:

Article 1- Authorization to engage in a gainful occupation

1. The members of the family forming part of the household of a member of a diplomatic mission or consular post of the sending State appointed to carry out an official mission in the receiving State shall be authorized to engage in a gainful occupation in the receiving State in accordance with the provisions of the applicable legislation of the receiving State and the provisions of this Agreement.
2. The receiving State shall retain the right to withhold authorization for employment in certain areas, inter alia:
 - a. If the employer is the receiving State, including its semi-autonomous agencies; foundations, state-owned and mixed public-private corporations;
 - b. If the activity affects national security.
3. Any authorization to engage in a gainful occupation in the receiving State shall be valid only during the tenure of the member of a diplomatic mission or consular post in the receiving State or at the latest three months thereafter.

Article 2- Definitions

For the purpose of this Agreement:

1. "A member of a diplomatic mission or consular post" means any employee of the sending State who is not a national of or permanently resident in the receiving State and who is assigned to official duty in the receiving State in a diplomatic mission or consular post.
2. "A member of the family" of a diplomatic mission or consular post means:
 - a. The spouse or de-facto spouse, in accordance with the applicable legislation of the receiving State;
 - b. Unmarried dependant children under the age of 21 years or unmarried dependent children under the age of 25 years pursuing full-time courses leading to a substantial qualification at universities or higher education centers recognized by each State, and
 - c. Unmarried children who are physically or mentally disabled but able to work.

Article 3- Procedures

1. The engagement of a member of the family in a gainful occupation in the receiving State shall be governed by the provisions of this Agreement and shall be subject to prior authorization of the relevant authorities through a request sent on behalf of the member of the family by the Embassy of the sending State to the Protocol Department of the Ministry of Foreign Affairs of the receiving State, specifying the position applied for, the details of the potential employer and any other information requested by the appropriate authority in accordance with its procedures and forms. The relevant authorities of the receiving State, after checking whether the person in question fits the categories defined in this Agreement and taking into account applicable internal provisions, shall officially inform the Embassy of the sending State, through the Protocol Department of the Ministry of Foreign Affairs of the receiving State, that the person is authorized to engage in the requested position, according to the applicable legislation of the receiving State.
2. Should the member of the family seek to change his/her employers at any time after receiving a work permit, a further request for authorization must be sought.
3. Authorization for a member of the family or of the potential employer to engage in a gainful occupation will not imply exemption 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.

The provisions of the Agreement shall not be interpreted as implying the recognition, by the other contracting Party, of a degree for pursuing a profession.

Article 4- Civil or administrative privileges and immunities

In the case of members of the family who enjoy immunity from the civil or administrative jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, 1961 or in accordance with the rules of the customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963 such immunity shall not apply in respect of any act or omission carried out in the course of the gainful occupation and falling within the civil or administrative jurisdiction of the receiving State. Such a waiver of immunity from civil or administrative jurisdiction shall not be construed as extending to immunity from execution of the sentence, for which a specific waiver will be required.

Article 5- Criminal immunity

In the case of members of the family who enjoy immunity from the criminal jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, 1961 or in accordance with the rules of customary International law as they are embodied in the Vienna convention on Consular Relations, 1963:

- a. The sending State shall waive the immunity of the dependant concerned from the criminal jurisdiction of the receiving State in respect of serious offences carried out by the dependant in the course of the remunerated activity, except in special instances where the sending State considers that such a waiver could be contrary to its interests. Any waiver of immunity shall be made in writing.
- b. Such a waiver of immunity from criminal jurisdiction shall not be construed as extending to immunity from execution of the sentence, for which a specific waiver will be required.

Article 6- Fiscal and social security regimes

In accordance with the Vienna Convention on Diplomatic Relations, 1961 and in accordance with the rules of the customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963 members of the family shall be subject to the fiscal and social security regimes of the receiving State for matters connected with their gainful occupation in that State.

Article 7- Settlement of disputes

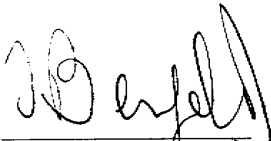
Any differences or disputes regarding the interpretation or application of this Agreement shall be settled through mutual consultations.

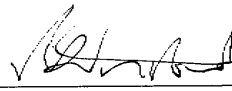
Article 8- Entry into Force

This Agreement shall enter into force on the date of the second of the diplomatic Notes by which the Parties notify each other that their internal legal requirements for the entering into force of the Agreement have been complied with. It shall continue in force until terminated by either Party, providing six months notice in writing through diplomatic channels.

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

Signed in Montevideo, on the 10th day of October, 2008, which corresponds to the 11th of Tishrei 5769 in two original copies, each in the Hebrew, Spanish and English languages, all texts being equally authentic. In case of divergence, the English text shall prevail.



For the Government of the State of Israel

For the Government of the Oriental
Republic of Uruguay