

CONSUMER

FOCUS

A JOURNAL ON EDUCATED CONSUMERISM FOR NEW IMMIGRANTS

אנגלית



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C O N S U M E R L A W S

A Word From the Editor

Like many other aspects of Israeli life, smart consumerism in this country requires patience, flexibility, and most of all, information. This first issue of ConsumerFocus magazine is designed to familiarize you with some basic consumer issues, explain your rights as a consumer, and guide you on how to seek redress when those rights have been violated. Thanks to the generosity of *Baduk* magazine, published by the Ministry of Industry, Trade, and Labor, we have been permitted to translate their articles from Hebrew in order to share their contents with you.

In this issue, we also meet Allen Zysblat, responsible for consumer legislation for the Ministry of Justice, who shares his wisdom and advice in an interview, and Dr. Boaz Yam, who helps us to understand insurance in Israel. Finally, the ConsumerFocus staff has put together a resource guide that explains who to turn to and when.

Happy consuming!

Laura L. Woolf
Editor, ConsumerFocus

CONSUMER LAWS ARE DESIGNED TO PROTECT YOU!

A Conversation with Allen Zysblat of the Ministry of Justice

Sound familiar? Your local supermarket consistently fails to label products, and more than once you've noticed discrepancies between the shelf price and the code. Or the materials used for your new kitchen cabinets turn out to be shoddy, and after a short time they start to fall apart; but your agreement limits the liability of the contractor. Is there really anything that you can do? The answer, according to Allen Zysblat, the Senior Director of Legislation and Legal Counsel of the Ministry of Justice, is that there is plenty that you can do.

Allen Zysblat made aliyah some 31 years ago from Vancouver, B.C. He was a law professor at the University of British Columbia, and came to Israel on sabbatical in 1976, when Justice Aharon Barak asked him to stay on to work on legislation and teach. Today Zysblat prepares consumer legislation for the Ministry of Justice, and has taught courses in consumer law at Hebrew University for 25 years. He emphatically point out that, "in the majority of cases, the law is on the side of the consumer!"

According to Zysblat, here's what every consumer should know:

- If goods are not properly price-labeled, consumers may complain to the Commissioner of Consumer Protection (*hamemuneh lehaganat hatzarchan*) of the

Ministry of Industry, Trade, and Labor. The Commissioner has a wide range of authority, and can send inspectors to check complaints, as well as bring merchants to court and impose fines.



For more on the Commissioner's areas of jurisdiction, see the Ministry's website, www.moit.gov.il. The Commissioner's address is 30 Rehov Agron, Jerusalem, 94190, Tel. (02) 6220183/5, Fax: (02) 6243093.

The e-mail address is: consumer.protection@moit.gov.il

- The law mandates that you have fourteen days, from the date of receipt of merchandise, to cancel a sale transacted over the telephone, through a catalogue, from a television shopping channel or other form of television sale, or over the Internet. The company must refund your money if you are dissatisfied for any reason, and may not impose any conditions for the return, as long as you have not damaged the goods.
- The Law of Standard Contracts (a standard contract is one that has been prepared in advance for use in a number of transactions) states that if you sign a contract containing any unfair clauses, or clauses that are weighted against you, any court may cancel the contract, or alter the terms in order to make it more reasonable.
- Over the past few years we've seen a great deal of improvement in protecting credit card holders. There are two situations in which credit card customers have unqualified rights; if your credit card is stolen, or if you lose it. The law states that as long as your report the card lost or stolen, you cannot be charged for any

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purchases made following the report. Further, any funds that were debited from your account must be credited back to you even prior to any investigation. In cases where, through accident or negligence, you lose your credit card, your rights still apply as long as you are not a party to any fraud. The burden of proof is on the bank.

- The law is very successful in protecting consumers in the area of time shares. Between 40-50 companies market time-share apartments, and most of them use pressure techniques so that customers are not always aware of what they are committing themselves to. The law protects you by mandating a grace period of 14 days from signing the contract during which you can cancel the transaction. As a further protective measure, your credit card company may not begin transferring payments for 30 days. When you sign the contract, the company is required to provide a disclosure form, which you sign separately from the contract. The form must list all details, including the location and cost of the time share. The 14-day grace period does not go into effect until this form is signed.
- Defective goods are the responsibility of the merchant, not the suppliers. Some merchants may try to "help"

you by offering you the name of the supplier so that you can seek an exchange or a refund. Don't be fooled by this ploy. The law stipulates that the merchant is liable for the quality of his merchandise, and this it is his responsibility to reimburse the customer. The merchant can then choose to claim compensation from the manufacturer. The same principle applies when customers who purchase travel packages do not receive what they pay for. The tour broker is responsible for the quality of the hotel, for arrangements to visit tourist attractions, and for all other aspects of the package.

- Finally, remember that Small Claims Courts are an effective way to seek redress in cases where your consumer rights have been violated. Costs of filing a suit are relatively low, you do not need a lawyer, and you may introduce any evidence that you see fit.



As Zysblat points out, you need not be afraid to complain, seek compensation, and exercise your rights. The laws are designed to protect you!



For more on Small Claims Courts, see the article entitled "Your Day in Court."

BANK COMMISSION CHARGES – WHAT ARE YOU REALLY PAYING?

From *Baduk Magazine* #23 – January, 2000

How much does your bank charge when you deposit a check? What are the service fees your bank charges when you withdraw money? In other words, how much does you bank cost you each month?

If you are like the majority of the Israeli public, you probably don't know. In most cases, people are unaware of bank charges because they occur on a regular, almost daily, basis.



The banks charge service fees for managing your account, and for every kind of transaction. The banks themselves set the rates for these charges.

The exceptions include charges that are determined by the Bank of Israel, for example transactions between banks.

On the plus side, there is an element of competition between banks as they attempt to attract customers and expand services. It is worthwhile to do some research, and compare the rates between different banks, so that you can choose the bank that best suits your needs.

The law directs every bank to prominently display their list of fees and service charges. Further, the Central Bank is obligated to publicize a comparison of rates between different banks on a periodic basis. This tends to increase the competition between banks, and helps to keep the rates down.

In addition to the display of commission fees, the bank must also display information about where you can receive more details. Further, each department of the bank should have a list of its specific charges, located in a prominent place in or near that department. However, according to *Baduk* magazine, the banks are not all equal in their efforts to uphold the law. Therefore, it is wise to request information, or seek out the information display at your bank, so that you know exactly what you are paying.

KEEPING YOUR COOL

CHOOSING AND INSTALLING AN AIR CONDITIONER

From *Baduk* #24 – February, 2000

Over the past few years, air conditioning has become a fact of life in Israel. There is hardly an office or public building where air conditioning has not been installed. Once enjoyed only by a privileged few, air conditioners have become prevalent in homes throughout the country. Most types of units can be used throughout the year for both cooling and heating.

There is a wide variety of air conditioners, and choosing the right one can be confusing. This article outlines what you need to know about the various types on the market, and what to look for when making a purchase.

Window units

Window unit air conditioner (*mazgan chalon*) are single units, installed so that the exterior of the unit faces outdoors. One of the advantages of a window unit is that it is relatively inexpensive to install and use, although the installation does require some drilling. On the other hand, a window unit can be noisy, and can only cool or heat a small area.

Split units

A split-unit air conditioner (*mefutzal*) is made up of two separate parts that are connected by a pipe and electrical wires. There are a number of split-unit style air conditioners on the market. These include:

- **Floor units**

Floor-unit air conditioners (*mazgan ritzpati*) are designed so that the main unit is installed at floor level. Installation is costly, and the unit takes up room on the lower part of the wall. The air vents are located at the top of the unit. The length of the pipes is limited. Floor units have the advantage of being quiet, and they can be used to control the temperature in different rooms by sharing a wall and installing vents.

- **Overhead units**

Overhead units (*mazgan eili*) are installed at a height of approximately 2 meters from the floor. A great space saver, an overhead unit can be installed in an area where there is no space on the floor. Overhead units

are quiet, and the air vents are on the bottom of the unit. However, overhead units are expensive to install and there is limited piping and airflow. When heating a room, the warm air may rise to the ceiling, leaving the rest of the room cold.

- **Portable air conditioners**

Portable air conditioners (*mazgan nayad*) are situated indoors, and are on wheels. The compressor is placed outside on a window or balcony. Some units have cooling functions only. Among the advantages of a portable air conditioner are that they are quiet, can be moved from room to room, and taken to a new home. Portable air conditioners can heat or cool a small area, and do not require any installation.

- **Mini central air conditioner**

With a mini central air conditioner (*mazgan mini mefutzal*) you can heat or cool several rooms in the house simultaneously. The inner part of the unit is installed overhead, and disseminates air according to ventilation points that you choose when the air conditioner is installed. If you do not wish to heat or cool a specific room, you can simply close the vents. Mini-central units are quiet to operate, but tend to consume a lot of electricity. In some homes, it is necessary to first install three-phase electricity. Installation tends to be costly and complicated. If your home was not constructed with the necessary infrastructure, you may have to install a new ceiling underneath the air conditioner system.

- **Multi-system**

A multi-system air conditioner (*mazgan rav me'aiyed*) is designed with an outer unit containing a centralized network that is often made up of more than one thermostat, and is connected to more than one inner unit. Multi-system units may be further classified according to the type of installation. Some are installed with the inner and outer units at the same level, and some with the inner unit installed above or below the level of the outer unit, in accordance with the manufacturer's specifications, and the desired functions of the unit.

Choosing the Right Air Conditioner for You

When choosing an air conditioner, the first thing that you need to do is to assess the intensity of the heat in the area that you wish to cool. Keep in mind that the heat is influenced by:

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- The number and size of the windows.
- The direction of the room's exposure (rooms with eastern and western exposures are usually hotter than those with northern and southern exposures).
- The climate of the area you live in.
- Insulation.
- The number of people who occupy the room.

By taking all of these factors into account, you can gain a better idea of the type of air conditioner that will best suit your needs. For example, perhaps a floor model is not suitable because you do not have a free wall to install it on. Maybe a window model would not be appropriate because the area that needs cooling is too large. On the other hand, installing a large, powerful model to cool a relatively small area would not be sensible, since the thermostat would go on and off at short intervals, and use a great deal of electricity.

Make sure that any air conditioner you are considering is approved by the Standards Institute (known as having a *"tav teken."*) In Israel, window units and split units all have an official *"tav teken."* Mini-central and multi-system units do not have a *"tav teken"*, but should have a *"tav bitichut"* (quality assurance).

Air conditioners with a *"tav teken"* must also have a yellow "energy" label that lists the model's technical specifications, which are important factors that you should take into account before purchasing. If you do not understand the technical specifications, you may want to consult with an air-conditioning professional.

Installing Your Air Conditioner

According to *Baduk* magazine, a large number of suits involving installation of air conditioners are filed with the Small Claims Courts. The most common complaint is from customers who were quoted one price for installation, only to be charged a higher price during the installation because of items that were not factored into the original price estimate.

For this reason, it is very important to know what kind of questions to ask when purchasing an air conditioner. It is equally important to have the unit installed correctly, and to know how to operate and maintain it properly.

Before installation, be sure that all of the required ducts, vents, electrical connections, and drainage points have been prepared. Only qualified technicians, who are also certified electricians, should do the installation work.

The exterior section of the air conditioner, or the outer unit itself, should be made of a steel panel that is coated in zinc. It should measure least 3 m"m thick. At the time of publication, there is no *tav teken* for the panel itself, but the metal should be galvanized in order to prevent rusting. Similarly, parts such as screws and bolts should be made of galvanized steel, or be coated with material designed to prevent corrosion.

The outer unit should be connected to grooved rubber tubes, and not directly onto the structure, in order to prevent the wall from vibrating when the air conditioner is in use. The air conditioner can also be held in place by an "anchor" attached to the wall. Connecting valves should also be anchored in place in order to prevent the wall from rattling.

The outer unit should be installed as far as possible from windows and other openings in order to reduce the level of noise. It should be installed where it can be easily accessed for maintenance. An air conditioner that has been installed, for example, underneath a window covered with iron bars, will difficult to reach for repairs.

A split-unit model should be installed with the outer unit as near as possible to the inner unit, in order to ensure a free flow of air both entering and exiting the unit.

Piping that is installed on the wall, inside the wall, inside the ceiling, or under the floor should be protected by a reinforced pipe or coating. Drainage hoses should be made out of a material such as reinforced plastic, that does not rust or corrode.

If the external unit has been installed higher than the internal unit, it may be necessary to install an oil trap to prevent oil from leaking from the external unit to the internal one.

Mini-central air conditioners should not be installed near bathrooms, in order to prevent circulated air from containing unpleasant odors.

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An air conditioner that consists of one unit should be situated to permit a uniform and uninterrupted air flow. For example, do not install it behind a wall or cabinet that would prevent the passage of air.

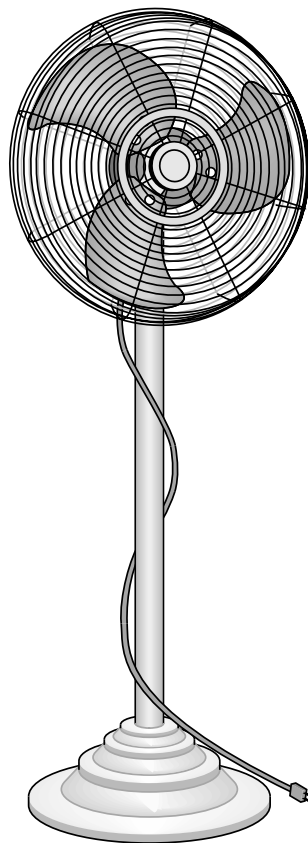
If you are planning to install an air conditioner in an outer wall, a wooden frame should first be constructed in order to hold the unit. The dimensions of the frame must be in accordance with the manufacturer's specifications and the size of the air conditioning unit. Once installed, the air conditioner should be insulated on all sides to prevent water from leaking. Locate the unit where it will not cause a disturbance from escaping air or dripping water, as well to avoid architectural or aesthetic damage to the building or its surroundings.

When the installation is complete, be sure that all the parts are anchored down in place, and cannot come loose. Operate the air conditioner in the presence of the installation technicians, making sure that both the heating and cooling functions work, and that there is no leakage from any of

the parts. Be sure also to repair any damage to your walls caused during installation.

Keep in Mind!

- Installing an air conditioning unit on the outside of your home or apartment is considered a "structural alteration," and requires the approval of the engineering department of your local municipal authority. You will usually have to provide the technical specifications and other details. Authorization is usually for a fee.
- If you live in an apartment building, your municipality will usually require the permission of your neighbors before granting authorization. Forms are available from the municipality.
- If you live in a rented apartment, be sure to receive the landlord's permission before installing an air conditioner. Keep in mind, also, that certain types of installations will not permit you to remove the unit and reinstall it if you move.



KNOW YOUR RIGHTS!

THE CONSUMER'S BILL OF RIGHTS

"Consumers International," an international consumers' organization based in London, and of which Israel is a member, has compiled a list of fundamental consumer rights. The organization views this list as a set of goals that all consumers should work towards.

- **The right to fulfill essential needs:** This includes the right to basic goods and services, including basic foodstuffs, clothing, housing, health, hygiene and education.
- **The right to safety:** This clause is significant in its demand for protection from products and production methods harmful to health and human life. This includes attention to the long-term interests of consumers, as well as to their immediate needs.
- **The right to information:** Consumers have an inviolable right to receive detailed information in order to make informed choices. This also means keeping information relevant and up-to-date so that consumers can make wise, responsible decisions. Consumers must be protected against misleading or incomplete information of any kind. This includes advertisements, labels or packaging, or any other form of information.
- **The Right To Choose:** Consumers must be granted free access to a variety of products and services, at competitive prices. In the event that a commodity or service is controlled by a monopoly, consumers are entitled to a reasonable level of quality, and to efficiency of service. Competition is the heart of fair and proper consumerism.
- **The right to be heard:** The rights of consumers must be taken into account when formulating and implementing overall economic policies. Further, consumers must be represented in both government and private bodies that determine economic policies. They must also be partners to the development of new goods and services prior to the manufacture and marketing stages. It is further the right of consumers to express their opinions

before the Knesset or any other public body prior to the passing of consumer regulations or legislation.

- **The right to fair settlement of disputes:** Consumers are entitled to a fair settlement in the case of a legitimate complaint, including compensation for damaged or substandard goods, inadequate service, and insufficient representation of the consumer's direct interest in a court of law. There must be appropriate legal assistance available to consumers under reasonable conditions, as well as the opportunity to file complaints with a small claims court.
- **The right to education:** The right to education implies the right of consumers to acquire the information and the skills necessary for proper consumer behavior. Consumers must be also be able to receive information and skills that will enable them to state positions and influence policy makers.
- **The right to health and quality of the environment:** This right includes the rights of consumers to ongoing efforts to improve the quality of life, and to the protection and improvement of the environment both in the present, and for future generations.

Rights of patients

The rights of patients in Israel are protected by the 1996 "Patients' Rights Law." These rights include:

- The right of access to appropriate, proper medical care.
- Protection against discrimination of any sort when seeking or receiving medical care.
- The right to information and health education.
- The right to choose a physician or other medical practitioner.
- The right to choose a medical facility.
- The right of the patient to all information related to necessary treatments and procedures.
- The right of patients to participate in their own care.
- The right of patients to be treated with respect and dignity, and to confidentiality of all medical information.
- The right of patients to file complaints.
- The right to compensation in the event of harm.

EAST OR WEST...COLORLESS IS BEST

WHY YOU SHOULD CHOOSE FOODS WITHOUT FOOD COLORINGS

Translated from *Baduk Magazine* #24, February, 2000

For quite some time, a list of carcinogenic food colorings has been circulating in Israel. *Baduk* magazine investigated this list and discovered that, while it is difficult to prove a direct connection between food colorings and disease, there is a link between some colorings and behavioral disturbances. The Ministry of Health says that this list is fabricated, although does admit that the law in Israel falls short. In light of this and other factors, *Baduk's* advice is to avoid foods that contain food colorings.

Food Colorings...What are They?

Chemical substances are used by the food industry throughout the world. A large number of the foods we purchase contain additives that are designed to prevent spoilage caused by bacteria or mold, and to preserve items once they have been exposed to air. However, other chemicals are also added that have no bearing on the food's nutritional value or flavor, only on its appearance. In other words, food colorings.

Food colorings are used in order to make products more attractive to consumers. This is especially true in the case of foods designed for children, e.g. candy, soft drinks, ice cream, and snacks. Claims have been made that these substances are dangerous to health, and can cause diseases including cancer.

It's all a matter of geography

Baduk magazine decided to investigate food colorings after a reader forwarded a list of colorings known in Europe to be harmful. The list includes a claim that it had been compiled by the Villejuif hospital in France. This same reader surveyed the food items in his pantry, and discovered that a number of food colorings, prohibited according to the list, are contained in ice creams and in beverage syrups.

Upon consultation with its food experts, *Baduk* discovered that the issue of food colorings is within the exclusive

jurisdiction of the Ministry of Health. *Baduk* then forwarded the list to the Ministry of Health, along with a request for information on those additives that are permitted in Israel. In response, the Ministry of Health sent *Baduk* a booklet listing food colorings that are permitted in the United States, Europe, and Israel. As for the list supposedly compiled by the Villejuif hospital, the Ministry claimed that it is a baseless fabrication. According to the Ministry, the French hospital is a recognized cancer research facility, and has denied any connection to the list.

Based on the material forwarded by the Ministry of Health, the *Baduk* staff discovered that certain food colorings, prohibited in Europe and the United States, are used here in Israel, while others that have been banned in Israel are used elsewhere. *Baduk* again contacted the Ministry of Health, and requested to know why this discrepancy should exist, who decides what is permissible, and on what basis.

It soon became clear that the issue of food colorings is controversial, and subject to wide differences of opinion. The *Baduk* staff next requested the Ministry of Health's judgment of the various lists in circulation. What *Baduk* wanted to know is whether all of these lists were inaccurate, and how the consumer can be certain that the products for sale in Israel do not contain harmful food colorings.

Food Coloring and Health

Baduk magazine consulted with Dr. Yoram Finkelstein, Director of the Department of Neurology at Sha'arei Tzedek hospital, and an expert on neurotoxicology. The following question was put to him; "Do we endanger our health, and that of our children, when we consume products that contain food colorings?" Here is what he had to say.

"In the modern era, when most of our food is commercially produced, the use of food additives and colorings is widespread among the items that we consume on a regular basis. Competition between manufacturers is fierce, resulting in ongoing attempts to make foods more aesthetically appealing to consumers. Adding colorings has a significant influence on the popularity of a product. According to research, consumers tend to prefer colored foods over non-colored items."

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“Other research has pointed out the power of associative thinking, which links the color of a food with a particular flavor. To be more exact, the color of a food influences the way in which we perceive its taste. In fact, the need to sweeten an item with additional sugar is less necessary when an item is colored; for example, red-colored beverages are perceived to be sweeter-tasting than similar, non-colored drinks. Twenty years ago, a British manufacturer, who attempted to stop adding colorings to his products, found that his sales dropped by some 50%.”

According to Dr. Finkelstein, “The effect of food colorings on health is complex, and depends on a number of factors; foremost, the concentration of colorings used in a food, and second, the overall quantities consumed on an everyday basis. Variations in diet, as well as personal and cultural eating habits also play a part. On top of all of these factors is an individual’s personal sensitivity.”

“It is also important to factor in differences in eating habits based on age. The preference of most children for sweets, which include foods that are colored, tends to expose them more heavily to the effects of food colorings.”

“Difficulties also arise in defining the level and frequency of exposure to food colorings. For example, some foods contain low doses of food coloring, but the consumer is exposed to them over long periods. One example is soft drinks, which are consumed by all age groups, and throughout most of the year. Other types of exposures are short term or seasonal, for example, ice creams and other frozen treats that are consumed in peak quantities during the summer, leading to greater exposure to particular colorings, especially among children, albeit over a shorter time span.”

The problems of using food colorings (natural or synthetic) can be illustrated by looking at the food coloring known as tartrazine, which is also known as yellow hydrazine. Tartrazine is a yellow-red powder that dissolves well in water. It is added to a variety of foods, among them yogurts and yogurt products, canned pulses, mayonnaise, marmalades and jams, preserved fruits, gelatins, and pickles. It is also found in sweets such as ice pops, in soft drinks, and in noodles.

Research has demonstrated a negative neuro-behavioral effect on children who consume tartrazine, especially in

sweet foods and soft drinks. One Australian research study investigated children with hyperactive tendencies. Their diets contained various levels of tartrazine (from 1 to 50 milligrams) consumed at breakfast. Each child was given a differing level of tartrazine each morning. According to daily questionnaires filled out by their parents, a certain connection was found between daily doses of tartrazine, and behavioral and sleep disturbances.

Similar tendencies were found in earlier research, which demonstrated a link between levels of tartrazine and increased motor activities among hyperactive children, although no similar effects were found on non-hyperactive children. The implication of this research is that the effect of tartrazine on children with concentration and attention deficit disorders must be taken into account when determining permissible levels of usage. The significance becomes clear when we note that, in Israel, between 3-5% of school age children are affected by concentration and attention deficit disorders at levels that require treatment. However, there are no exact data to indicate the prevalence of such disorders among adults. There are also no figures that demonstrate the level of risk to other groups posed by the consumption of tartrazine.

On the other hand, it should be noted that the majority of reports on the problems of consuming tartrazine are random, and not the result of systematic research. A thorough study of the effects of consumption of foods containing tartrazine in Israel, and the levels contained in food products that are on our shelves, has yet to be undertaken.

Food Colorings in Israel

Israeli legislation and regulations regarding food colorings are not up to date, although an effort is underway to adjust Israeli standards to European ones. European standards are considered more advanced and comprehensive, as well as based on greater transparency, in other words are more open to investigation. There is also a worldwide, ongoing campaign, being conducted through the World Health Organization, to develop uniform international standards.

Over the past few years, a committee appointed by the Ministry of Health, and based at Sha’arei Tzedek hospital, has worked to update Israel’s food coloring regulations. Dr.

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Finkelstein is one of the committee members. The committee itself was founded by Dr. Uri Wurmser (of the School of Pharmacology). The goal of the committee is to provide consumers with a baseline of security, similar to that in the United States, and to allow manufacturers to produce foods that are both palatable and attractive, through judicious use of food colorings.

The data demonstrate that the main issue is not actually that of the safety of food colorings. Similarly, the need to use colorings is not being questioned. It is fairly certain that most food colorings are not harmful to health if they are consumed in reasonable quantities. The main point is that those foods that are high in nutrients and essential vitamins are difficult to color artificially (think fresh fruits and vegetables). It is those foods containing food colorings that also tend to have little nutritional value. Put another way, large quantities of food colorings do not in themselves pose a risk; the danger lies in the consumption of foods

with little nutritional value, and that are high in sodium, sugar, fat, and calories.

Baduk magazine also consulted with the Standards Institute of Israel, and asked whether they investigate foods that contain food colorings. The response was that they currently do not, nor does any other regulatory body, mainly because such supervision is costly and complicated. This leaves consumers with little choice other than to put their trust in the manufacturers, and to hope that those food colorings listed among a product's ingredients are actually those contained in the food.

As The Standards Institute points out, our approach to food colorings should be to simply avoid consuming foods that contain them. If your food does contain any food colorings, try and be sure that the colorings used are natural and not synthetic (see the adjoining chart).

Reaction: the Ministry of Health replies "The List Circulated in Israel is a Fabrication."

According to the Ministry of Health, the differences in the lists of food colorings permitted for use in Israel, and those permitted in the European Union and the United States, stem from different histories of usage, and from manufacturers' requirements regarding food colorings in different countries.

Those colorings that are permitted for use in Israel are listed in the "Public Health Regulations" (food) (food colorings), 1984. A number of bodies were involved in formulating these regulations, including a panel of experts, Ministry of Health officials, and external advisors. The accepted criteria were based on legislation and guidelines formulated by the World Health Organization, as well as by recognized authorities in the United States and the European Union.

The National Food Service of the Ministry of Health was responsible for the decision to update legislation regarding food colorings. To this end, panels of experts met during the years 1997-1999, and on the basis of their recommendations, amendments to existing legislation were proposed, according to European Union guidelines.

The list of dangerous food colorings circulated in Israel is a fabrication, and has no scientific basis. The hospital that is cited at the top of the list is a recognized and respected oncological research institution, and has denied any connection to the list.

The substance known as "E330," which is warned to be "extremely carcinogenic," is lemon acid, a natural substance found in citrus fruits. Further, Israeli law prohibits a significant number of the food colorings contained in the list. Those food colorings and additives that are permitted by law are those deemed safe to use.

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HOW TO BE SURE — FOOD COLORINGS PERMITTED IN ISRAEL AND ABROAD

Food coloring	Type	Color	Code	Israel	U.S.A.	Europe
Alkanet	natural	red	—	permitted	permitted	not permitted
Alkannin	natural	red	—	permitted	permitted	not permitted
Allura red A.C.	synthetic	orange-red	E129	permitted	permitted	permitted
Aluminum	metallic	silver	E173	permitted	not permitted	permitted
Amaranth	synthetic	red	E123	not permitted	permitted	not permitted
Ammonia caramel	natural brown	E150c	—	permitted	permitted	permitted
Annato extract	natural	yellow orange	E160b	permitted	permitted	permitted
Anthocyanins	natural	red violet	E163	permitted	permitted	permitted
Azorubine	synthetic	red	E122	permitted	not permitted	permitted
Beet red	natural	red violet	E162	permitted	permitted	permitted
Beta-apo-8 Carotenal	natural	orange red	E160e	permitted	permitted	permitted
Beta-apo-8 Carotenic acid Ethyl ester	natural yellow	E160f orange	—	permitted	not permitted	permitted
Beta-apo-8	natural	red	—	permitted	not permitted	permitted
Beta-carotene	natural	red yellow	E160	permitted	permitted	permitted
Brilliant black BN	synthetic	violet	E151	not permitted	permitted	not permitted
Brilliant Blue	FCF	synthetic blue	E133	permitted	permitted	permitted
Brown FK	synthetic	red brown	E154	not permitted	not permitted	permitted
Brown HT	synthetic	red brown	E155	not permitted	not permitted	permitted
Calcium carbonate	natural	white	E170	permitted	permitted	permitted
Canthaxanthin	natural	red orange	E161g	permitted	permitted	permitted
Carmine	natural	red	E120	permitted	permitted	permitted
Carotenes	natural	red yellow	E160a	permitted	permitted	permitted
Caustic sulfite caramel	natural	brown	E150b	permitted	permitted	permitted
Chlorophlins	natural	brown	E140(!)	permitted	not permitted	permitted
Chlorophylls	natural	green	E140(!)	permitted	permitted	permitted
Citrus red No.2	synthetic	red	—	not permitted	permitted	not permitted
Copper complexes of chlorophyllins	natural	green blue	E141(!)	permitted	not permitted	permitted
Curcumin	natural	orange yellow	E100	permitted	permitted	permitted
Erythrosine	synthetic	red	E127	permitted	permitted	permitted
Fast green FCF	synthetic	green	—	not permitted	permitted	not permitted

EAST OR WEST...COLORLESS IS BEST

Food coloring	Type	Color	Code	Israel	U.S.A.	Europe
Gold Elements	metallic	gold	E175	not permitted	not permitted	permitted
Green S	synthetic	blue	E142	not permitted	not permitted	permitted
Indigotine	synthetic	blue	E132	permitted	permitted	permitted
Iron oxide black	synthetic	black	—	permitted	permitted	not permitted
Iron oxide Brown	synthetic	brown	E172	permitted	permitted	permitted
Iron oxide Red	synthetic	red	E172	permitted	permitted	permitted
Iron oxide Yellow	synthetic	yellow	E172	permitted	permitted	permitted
Iron oxides and hydroxides	synthetic	red-yellow brown	E172	permitted	permitted	permitted
Lithol rubine BK	synthetic	red	E180	not permitted	not permitted	permitted
Lutein	natural	yellow	E161b	permitted	not permitted	permitted
Lycopene		yellow-red	E160d	permitted	not permitted	permitted
Orange B	synthetic	red	—	not permitted	permitted	not permitted
Paprika	natural	red	E160c	permitted	permitted	permitted
Paprika Extract	natural	orange-red	E160c	permitted	permitted	permitted
Patent blue V	synthetic	blue green	E131	not permitted	not permitted	permitted
Plain carmel	natural	brown	E 150a	permitted	permitted	permitted
Ponceau 4R	synthetic	red	E124	permitted	not permitted	permitted
Quinoline yellow	synthetic	yellow	E128	not permitted	not permitted	permitted
Red 2G	synthetic	red	E128	not permitted	not permitted	permitted
Riboflavin	natural	yellow	E101!	permitted	permitted	permitted
Riboflavin-5 phosphate	natural	orange-red	E101	permitted	not permitted	permitted
Saffron	natural	orange-yellow	—	permitted	permitted	permitted
Silver	metallic	silver	E174	permitted	not permitted	permitted
Sulfite ammonia caramel	natural	red	E150d	permitted	permitted	permitted
Sunset Yellow FCF	synthetic	orange yellow	E110	permitted	permitted	permitted
Tartrazine	synthetic	orange yellow	E102	permitted	permitted	permitted
Titanium dioxide	natural	white	E171	permitted	permitted	permitted
Tumeric Oleoresin	natural	yellow	—	permitted	permitted	permitted
Ultramarine	natural	blue	—	permitted	permitted	not permitted
Vegetable	natural	black	E153	permitted	not permitted	permitted
Xantophyllis	natural	yellow	E161	permitted	permitted	permitted

HOME GAS SYSTEMS

HOME GAS SYSTEMS ADDED COSTS THAT YOU'LL NEVER SEE

Translated from *Baduk* magazine #34, December 2000



Is it better to have a centralized gas system in your home, or to use gas balloons? Baduk magazine set out to investigate. The findings? Gas balloons are less costly in comparison with the monthly service costs of a central system are very high. On the other hand, the legal advisor of the Ministry of the Environment recommends a central system for safety reasons, for aesthetics, and to spare you aggravation.

To begin with, some statistics:

- The majority of households in Israel use gas for cooking. Other energy sources for cooking, such as electric hotplates, are usually only used when gas would be dangerous, for example in basement apartments.
- In other countries, gas is used mainly for heating, and is sometimes used to heat Israeli homes as well.
- The home gas market is divided into two sectors: private supply of gas balloons, and centralized supply. Gas balloons are most commonly used in older buildings, while newer buildings are more likely to be hooked up to one of the gas companies, and have a built-in infrastructure. Over the past few years, many residents of older apartment buildings have also arranged to have their buildings hooked up to a central system.

Gas Balloons

The balloon system of supplying home gas involves utilization of two balloons that supply gas to household appliances such as heaters. There are two sizes of balloons; a small balloon that contains 12 kilograms of gas, and a larger balloon containing 48 kilograms. When the gas supply is depleted, new balloons must be installed by a technician. Using a larger balloon helps to avoid frequent refills.

The balloons are the property of the gas company, which supplies them for a deposit regulated by the Ministry of Industry and Trade. Customers are free to choose their preferred supplier.

Central Gas Systems

Centralized gas systems are found mainly in newer buildings, although older buildings can also be connected to central systems. During construction of new buildings, the contractor is responsible for setting up the gas connection. Infrastructure costs are covered by the gas company, which supplies the necessary equipment and connection points, which remain their property. The building's residents pay a deposit to the gas company.

In older buildings, connection to a centralized gas supply takes some 15 days from the time of signing the contract.

Baduk Investigates

Baduk investigated the prices of gas balloons supplied by three main gas companies, and discovered some variations in price. Their recommendation is to compare prices before choosing a supplier.

Gas that is supplied to central systems is not subject to any supervision, and is priced at the discretion of the company. The company also determines whether customers pay infrastructure, insurance, and other costs along with each unit of gas they consume, or whether charges are determined separately. According to *Baduk's* findings, the base price paid by customers was lower among some companies; however no conclusions could be drawn, because the base price varies from area to area, and even from building to building.

Service

Service is an important issue, since it also an issue of safety. A gas company's technicians must be able to arrive quickly whenever there is a problem with a gas system or balloon. Obviously, it is also important that technicians are trained professionals capable of dealing with all forms of problems.

When choosing a supplier, be sure to ask how quickly the company is committed to replacing a gas balloon once they have been notified. According to *Baduk's* findings, most companies promise to replace gas balloons within

HOME GAS SYSTEMS

10-16 days of being contacted. They will replace balloons within 24 hours for an extra charge.

The following items are included in the price of gas. Suppliers are prohibited from levying extra fees for them. They include:

- Repairs of gas leaks.
- Delivery and installation of the gas container. A small charge is added for more immediate delivery.
- Replacement of the hose that connects stoves and heater to gas outlets.
- Dismantling of equipment upon discontinuation of service.
- Periodic examinations of gas installations.
- Repairs of equipment lent to the consumer for a deposit.
- Insurance that covers possible damage.

Your gas bill also should include bank charges.

Private Balloons Versus Central Systems

Residents of buildings that are connected to a central gas system are spared a certain degree of aggravation, since the entire building is connected to the same supplier, and the flow of gas remains constant to all residents. It is unnecessary to check the level of supply, or to be responsible for making sure that the system is working. Residents are billed according to their individual consumption,

based on reading the apartment's gas monitor.

According to the gas companies, initial costs of installing a central system are low. While the cost of a private balloon for apartments on higher floors is greater, since it is necessary to install a longer hose, central systems do not levy any additional charges for hose lengths. The cost is identical for each apartment.

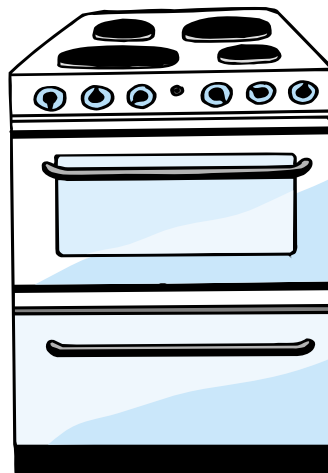
The gas companies, along with the legal advisor of the Ministry of Energy, recommend central systems, even though they are costlier. According to their claims, a central system is safer, more attractive, and requires less effort to ensure a regular supply of gas.

On the other hand, customers with central systems are charged a monthly base fee, that is not regulated, and is determined according to the supplier's calculations. It is this monthly fee that greatly increases the cost of centralized gas.

Customers with private balloon systems pay only for the balloon, making it significantly less expensive.



The bottom line is that a cubic meter of gas costs less with a balloon system than with a central system.



SAVE WATER, SAVE MONEY!

From *Baduk* #23, January 2000



Despite the heavy rains of the last few winters, Israel's water supplies remain perilously limited. While the country searches for ways to assure a steady supply, the average citizen is urged to conserve water at home. You'll find that water conservation can be easy, and not only saves you money but helps to preserve Israel's less than assured sources. Here's how.

The average water consumption in Israel is some 135 liters per day per person, most of which is used for showering and sanitary needs. Therefore, the first place to start saving water is in the bathroom.

- **Dual-handled flushing system:** Every time a toilet is flushed, some 9 liters of water are used. You can cut this amount significantly by installing a dual-handled flushing system. A dual system still you allows you to use the full 9 liters when you need to. However, when you use the smaller handle, only 4.5 liters of water are used - a 50% savings each time you flush.
- **Chaschamim:** a "chascham" is a simple but brilliant invention that can save you some 5% of your household water consumption. The gadget delivers a steady flow of water, but allows you to vary the pressure. You can install a "chascham" on your kitchen and bathroom faucets, as well as on hand-held and overhead showers. It is easy to install a chascham without a professional plumber. You'll find them at building-supply and hardware stores.
- **Automatic Faucets:** No doubt you've used automatic faucets in many public places. Such faucets release a measured amount of water with each use, and stop automatically. Although they still uncommon in private homes, automatic faucets are not necessarily expensive to install, depending on the model.
- **Showerheads:** The market offers a variety of hand-held showerheads, some of them with a "chascham" already installed. While a standard showerhead supplies about 20-30 liters of water per minute, installing a "chascham" can cut that amount in half – a significant difference. You can also find showerheads that allow you to press a switch and temporarily halt the water

flow when you don't actually need it.

- Finally, you can save water and money by installing a device to heat your water quickly. Not only will you enjoy your shower that much sooner, the device prevents you from having to run wasteful quantities of cold water while you wait for your preferred temperature.
- **Water-pressure Regulators:** in many parts of the country, the water pressure is much higher than we really need it to be. Installing a regulator that reduces the pressure will not only lower your water bills, it can help avoid plumbing problems and pipe damage as well.

Water Conservation in the Garden



Your first step for conserving water in the garden is to familiarize yourself with your plants, their life cycles, and their water requirements. When you plan a garden, try to select plants that do not require frequent watering. Not only will you save water, you'll save time as well.

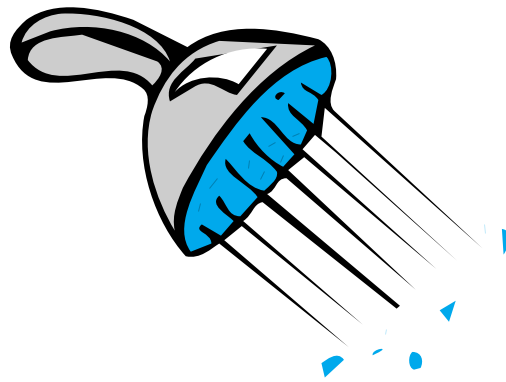
- The best time to water your garden is after sunset. Watering during the earlier, hotter, hours results in rapid evaporation, wasted water, and dryer plants. And remember, over-watering can damage your plants.
- If the grass in your garden starts to become yellow, this can indicate that you have been giving it too much water. To check, simply feel inside the dirt and see how wet it is. If there is moisture around the roots of your plants, they have enough water.
- Don't use sprinklers in strong winds – up to one third of the water can get blown off course and wasted. Similarly, avoid spraying water on paved areas, walkways, and streets. Be sure that all of your watering equipment is in good working order, and check it periodically, replacing parts as needed.
- Another way to conserve is to use water at low pressure. This is especially suitable for watering lawns or other large areas.

Turn off the Faucet!

- Turning off the water while brushing your teeth or soaping dishes can save up to 20 liters of water. When you sit in the bath, turn the water off while you lather up, or

SAVE WATER, SAVE MONEY!

- else use a hand-held showerhead with a stop switch.
- Using a hose to wash your car wastes huge quantities of water. Just 10 minutes of hosing uses some 170 liters of water. Compare that to three bucketfuls of water, which add up to only 21 liters!
- Recycle the water that's left over after rinsing fruits and vegetables, and the cold water that runs while you wait for your shower to heat up. Use it for washing the floor, or watering your houseplants.
- Set your washing machine so that you use the right amount of water for the size of the washload.
- If a water main bursts, call the city maintenance department immediately so that they can repair the damage as soon as possible. You can reach your municipal information lines (*moked ironi*) by dialing 106 in most locations.
- Periodically inspect your plumbing system and make sure that everything is in good working order. Fix leaks as soon as they occur.



INSURANCE IN ISRAEL

Based on the original Hebrew by Dr. Boaz Yam

The aim of this article is to advise on a subject that all immigrants eventually have to consider: insurance. As the subject is a vast and complicated one, the information presented here is a basic survey. You will probably wish to consult with a certified insurance agent or expert for specific questions. Naturally, this article cannot cover all the various aspects of insurance. The goal is to present the main topics, especially the ones you are likely to encounter during your first few months or years in the country.

I have tried to offer include useful comments and practical advice throughout.

Insurance in Israel

The insurance field is one of the largest industries in Israel, with investments in insurance companies exceeding NIS 50 billion (over \$10 million). Premiums stand at approximately NIS 22 billion, comprising 6% of the total GNP. There are dozens of insurance companies. The majority are Israeli firms, but many overseas insurance companies are also represented.

Reforms implemented in recent years have improved efficiency in Israeli insurance services. Some of the new efficiency measures include the amalgamation of insurance companies, alliance with international insurers and banks, the merger of companies, and the introduction of direct insurance providers, which do not operate through agents, and often offer lower rates.

Automobile Insurance

The most common type of insurance is automobile insurance. Policies consist of three main components:

- **Compulsory Insurance** – As its name suggests, this insurance is necessary in order to drive a vehicle. The law forbids driving without compulsory insurance. Rates are determined by the characteristics of the vehicle, such as make and model, and of the driver, such as your age. Compulsory insurance covers any injuries caused to a driver or passengers of your vehicle in an accident, as well as injuries to pedestrians caused by the vehicle.



Until recently, most insurance companies provided compulsory coverage at a standard price. Today, each insurance company sets their own rates, making it worthwhile to comparison shop.



In preparing this article I found a great deal of information on the Association for Insurance Agents Website: www.insurance.org.il.

This site includes a great deal of information (in Hebrew only), addresses and telephone numbers of both local and foreign insurance companies operating in Israel, as well as many other relevant addresses and telephone numbers, such as the National Insurance Institute, health funds, and banks.

You can also find information on the Ministry of Finance website: www.mof.gov.il.

Questions (in Hebrew) can be faxed to the Ministry's Supervisor of Insurance at (02) 5317012, or can be sent to: The Supervisor of Insurance, Public Inquiries, The Ministry of Finance, 1 Rehov Kaplan, P.O.B. 13195, Jerusalem, 91131.

Information on the National Insurance Institute can be found on their Website: www.btl.gov.il. You can access information in a number of languages, including English. You can also download informational booklets on a variety of topics.

• **Third Party Insurance** – Third party insurance covers any property damage that you may cause to a third party. Third party insurance is very important, since even vehicles that may not be worth much money can cause thousands of shekels worth of damage to another car.

• **Comprehensive Coverage** – Comprehensive coverage protects you against damages caused by a third party, and provides compensation in the event of other damage or theft. Compensation may take a variety of forms, including cash coverage for damages, repair of the vehicle, or replacement of the vehicle or of parts.

Keep the following points in mind when choosing an insurer, or in dealings with your current insurer:

- **No claims:** You may be entitled to a discount on your premiums if you can prove that you have not made any claims over the last few years, or can provide proof that you have not made claims from your overseas insurer.
- **Your age:** One of the main influences on the cost of insurance is a driver's age. If you are younger than 24 years of age, your rates will usually be considerably

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higher. Many companies offer discounts to drivers over the age of 30. There is no age limit for acquiring insurance.

- **The Deductible:** Most companies offer a range of options for the deductible portion of the insurance (the deductible is that portion of the costs that you must cover in an accident). The larger the deductible that you choose, the smaller your premium payments will be. If you receive a discount on the basis of 'no claims' (see above), and an accident occurs in which the damage is not extensive, and the claim to the company would be small, consider whether it is worthwhile filing a claim and jeopardizing your benefits. In some cases, it may be more beneficial to sue the other party directly.
- **Replacement Vehicle:** In specific circumstances, most policies provide a temporary replacement vehicle (at no charge). Be sure to verify this before purchasing a policy.
- **Total Loss:** If a vehicle is damaged in an accident beyond 50% of its value, it is declared a "total loss" and the owners receive compensation of the vehicle's worth.
- **Protective Features:** Many insurers insist on the installation of protective features such as shatterproof windshields, alarms, immobilizers, or beepers.
- **Towing and Rescue Services:** You can choose to purchase coverage for towing and rescue services for assistance if your car breaks down.

Homeowner's Insurance

Homeowners' policies offer a range of coverage.

Insurance covering the structure of an apartment includes damage from leaking or burst pipes, as well as damage to items that are permanently attached to the structure, such as bathroom fixtures and kitchen cabinets. Legislation has been recently amended to automatically include structural damage caused by acts of war.

Insurance for the contents of a home covers damage resulting from burglary, fire, water, and other causes. In order to make sure that expensive household items are covered, provide your insurer with documentation of the items, including photographs and serial numbers. You can also ask that your insurance company provide you with a professional assessor.

When you request a mortgage from a mortgage bank, you will be required to obtain two types of insurance; insurance that provides coverage for damage to the apartment, and life insurance to cover the mortgage in the event of the death of the borrower. While the mortgage bank may try to convince you to purchase their policy, you are entitled and encouraged to investigate independent insurers as well.

You can also purchase an insurance policy for household electric appliances to cover repairs or replacements of household appliances. You can include the insurance in your homeowner's policy, or purchase it separately. Before purchasing a policy, compare the cost of premiums with the cost of repairing or replacing an item. Check the waiting period for repairs on insured appliances. Be sure also to consider the age of the appliance and whether it is still under warranty.

Health Insurance and Nursing Care

Health insurance in Israel is divided into three sectors: coverage through the health funds under the National Health Insurance Law, supplemental insurance provided by the health funds for a fee, and private insurance.

The National Health Insurance Law mandates that all residents of Israel be insured through one of the four health funds. Premiums are paid through your salary. The Law specifies a "basket" of basic services that each health fund is equally obligated to provide.

Supplementary insurance for additional treatments and prescriptions that are not part of the "basket" is offered to the members of each health fund for a fee. Any member of a health fund members is entitled to join a supplementary plan, regardless of their state of health.

Some supplementary plans require candidates to undergo a trial period (of up to two years). During the trial period, you may not receive every type of coverage. Transferring from one health fund to another may involve a new trial period.

You can also choose to supplement your health care through private insurance. Private policies are supervised by the Ministry of Finance.

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There are a number of important differences between the health funds' supplementary plans and the coverage offered by private companies.

First of all, supplementary health fund insurance can be subject to changes. A private policy is a legally binding, long term contract, which can not be altered once it goes into effect.

Further, while the health funds are obligated to accept anyone who wishes to register for supplementary insurance, private insurance companies investigate each applicant's state of health in order to determine the extent of coverage, and cost of the premiums.

Private Health Policies

There are two private health insurance tracks. The first, known as a compensatory policy, provides for payment of a predetermined sum to cover medical situations such as heart surgery or malignancies. Compensation payments can be used to cover treatments as the beneficiary sees fit. The second type of insurance, an indemnity policy, insures the holder for reimbursement of medical care only according to the actual expenses.

In general, private insurance policies cover three types of medical situations; operations and transplants, serious illness, and chronic care.

There is a great deal of competition between insurance companies that offer coverage for operations and serious illness. Some policies also include compensation for temporary inability to work, consultation with a medical specialist, coverage of hospitalization or surgery costs, and choice of surgeon.

Some policies also cover overseas procedures, alternative medical treatments, and hospital night nursing. Policies also contain a risk clause if the policyholder passes away, savings plans for the deceased's family, chronic-care coverage, and psychological counseling. Be sure of what your policy does not cover, as well.

Most companies offer a range of flexible terms and payment plans, based on your age, state of health, and whether you smoke.

Some employers offer private health plans to employees at comparably lower rates. Compare the coverage offered by your employer with other options in order to find the policy best suited to your needs.

Be aware that most policies include a waiting period before full coverage takes effect. Medical problems that occur prior to, or during, the waiting period, are not usually covered.

Most private credit card companies insure cardholders for medical coverage when traveling abroad. However, coverage may not always be sufficient, and it might be worthwhile to acquire supplemental coverage from a private insurer.

Chronic-Care Insurance

As Israel's population ages, chronic-care insurance has become more popular.

The need for long-term care is assessed according to the ability of an individual to live independently, and to carry out daily activities such as washing, dressing, and moving about. Persons suffering from Alzheimer's or from senility are automatically classified as chronic-care patients, regardless of their ability to live independently.

The National Insurance Institute provides up to 15 weekly hours of home care, although this is not always sufficient to meet an individual's needs. The health funds provide partial assistance via insurance that is sold alongside standard supplementary policies.

Most private policies provide coverage on a compensatory basis, e.g. the beneficiary is not obligated to provide proof of expenses, and must only show proof that their state of health requires chronic care services.

You can either purchase an individual chronic-care policy, or as a part of disability, life insurance, and other types of plans.

Personal Accident Insurance

Personal accident insurance covers injuries that are not insured through the health funds or the National Insurance Institute. Policies are sold either individually or as part of other plans. Either type of policy should provide sufficient coverage if you are unable to work following an accident.

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The National Insurance Institute does provide some coverage of injuries sustained in a work accident, road accident, during military reserve duty, or in a terrorist attack. However, coverage in most cases is only partial. Private insurance can protect you financially if you are ever faced with the loss of ability to work. Private disability compensation does not usually affect your eligibility for compensation at the same time from the National Insurance Institute.

Before purchasing a private accident policy, clarify the company's definition of disability, who determines the percentage of disability (e.g. the insurance company, the National Insurance Institute, etc.) amounts of compensation, and circumstances that are not included in the coverage.

Life and Pension Insurance

Life and pension insurance is a complex subject, and many aspects are beyond the scope of this article. This section presents the main points.

Risk Insurance - The basic component in life insurance is just that; life insurance, e.g. coverage in the event of the death of the policyholder. The insurance company pays a pre-determined sum to the designated beneficiaries.

The combination of extended life expectancy in Israel (and around the world) with increased competition between insurers has resulted in considerably low premium rates. For example, a young, healthy, non-smoker may be able to find a policy with monthly premiums of less than 10% of the coverage. NIS 1,000,000, worth of coverage can cost such an individual approximately NIS 100 per month.

Risk insurance is often offered by employers, as well as by pension funds and credit card companies. Risk insurance is generally only sold in Israel to individuals up to the age of 65.

Pension plans

Pension plans are complex, and usually require a professional to analyze and assess the advantages and disadvantages of various plans. Factors to take into account include your family status, income, and whether you would prefer to receive a lump sum or a monthly allowance upon retirement. It becomes more complicated for immigrants who have

accrued pension benefits in their country of origin. The following explains the three main kinds of pension plans.

Since the 1950's, insurance companies have been offering a combined policy known as *bituach minhalim* that includes life insurance and a retirement savings plan. Premiums are paid both by the beneficiary and the employer. *Bituach minhalim* can also provide compensation if you lose your ability to work. *Bituach minhalim* plans are legally binding, long-term agreements, which cannot be altered by either side.

A provident fund (*kupat gemel*) is essentially a savings plan in which both the employer and employee set aside a specified monthly sum. Employee payments are deducted from their salaries, while the employer contributes an equal or greater amount. Upon retirement (or termination of employment), you can collect the accumulated sum, including any accrued interest or profits, minus administrative costs. Policies often include life insurance, but do not offer other forms of coverage such as accident insurance.

You can choose to open a provident fund independently, and receive various advantages such as tax benefits, or the right to withdraw funds after fifteen years.

Pension funds (*keren pensia*) existed in Israel even before the founding of the State, as a way for Histadrut workers to insure a secure retirement. Members of a *keren pensia* receive a monthly allowance at retirement age, provided that they pay premiums for a minimum number of years (usually ten). The rate of the monthly allowance depends upon seniority. Veteran workers can generally receive up to 70% of their salaries. Both the employer and employees contribute.

A *keren pensia* has two additional important components: survivors' benefits for spouses and children of deceased recipients, and a disability allowance if you lose your ability to work.

As a result of past mismanagement of pension funds, the Government established new funds in 1995 that are subject to actuarial review. What this means is if an audit reveals that a fund is likely to incur debts, the fund will either increase the cost of the premiums, or pay a decreased benefit. The terms of funds can be altered, and members' rights are not always protected.

THE LEFT SHOE IS FREE!

GIFTS AS A MARKETING TOOL

Translated from *Baduk* #28, June, 2000



In our traditional sources, we find this quote: "Remember the fishes that you ate for free in Egypt" (Exodus, 11; 5). It seems that even our forefathers could not resist a "free lunch!"

"Free gifts" have become amazingly widespread as a marketing tool in Israel. But according to Dr. Michael Shefer, a gift is, at most, some kind of a discount, and is never actually free. Be wary of the "free gift" trap! In the end, you will be paying a price.

Free? Really?

Have you ever really received a genuine gift of merchandise or services at no cost or obligation? "Gifts" are most often a sample size of perfume, mini bottles of drinks, a taste-sized snack, or a limited subscription to a publication.

Genuine gifts, with real monetary value, play no part in the relationship between a commercial entity and the consumer. That relationship is based on profit, not friendship or affection. Why then do companies and shops continue to ply us with gifts? And why do the words "free," and "gift," continue to remain the key components of commercial advertising in Israel?

The kinds of "gifts" and "deals" dangled in front of the consumer can be broken down into three categories:

- "Gifts" that can only be obtained if a product or service is purchased first.
- "Gifts" that are useless without the purchase of an additional product or service.
- "Gifts" that create a dependency.

All three types of "gifts" are really a ploy. The most a merchant can claim is that he is offering a discount to the consumer, but even this claim should be verified.

Conditional Gifts

In the majority of cases, the "gifts" offered to Israeli consumers are conditional upon the purchase of some item or service.

For example, how would you like getting your fourth tire free? Obviously, you will not be entitled to that free fourth tire without purchasing the first three at the full price. Free hair color? Be prepared to spend good money on the first kit before you receive the free one. And how about a free soccer ball? That is only "free" if you purchase six bottles of beer along with it. In all three of these cases, you are only entitled to a "gift" after you spend money. In other words, you are not really receiving any kind of "gift" at all, just the chance to enrich the manufacturer. In the best-case scenario, all you are really entitled to is some kind of discount.

Take another look at the "free" hair color kit. You are really being offered one kit at 50% of the price, but are, in fact, being compelled to buy two. You may even be charged more for the single unit when purchasing "two for one" than you would spend if you simply bought one somewhere else or at some other time.

"Half a Gift"

Then there are the cases when you are offered a "gift" with no strings attached. You can be walking down the street, or leaving a store, and the next thing you know, you are being offered something at no cost, and with no obligation. The average consumer, not suspecting a trick, will most likely grab whatever is being offered. But here's the sting – the "gift" will probably be an item that is completely worthless unless something else is bought along with it. For instance, how does a free cellular phone sound? To most of us it may seem like a real deal, until we discover that in order to operate the phone, we have to purchase the data card from the phone company, sign a contract for service and maintenance, and pay a fee for each call. The cost of the "free" phone is more than made up to the company in service charges and other fees.

In the same manner, computer companies will offer a "free" printer with the purchase of a computer. On the surface, this may seem like a terrific savings. But the manufacturer still comes out the winner by charging inflated prices for ink cartridges that you cannot buy from any other source, and cannot be substituted with any other type.

Offering a "free" cellular phone or computer printer is much the same as bestowing a free left shoe. Even though the

THE LEFT SHOE IS FREE!

customer is, in theory, free to take the one shoe and continue on his way, it is unlikely that he will. In order to enjoy the left shoe, he will first have to lay out good money for right one. If the cost of right shoe is the same or more as the cost of the full pair, the “gift” was nothing more than a ploy.

Addictive gifts

The third category of “gifts” is products and services that are liable to create a dependency in consumer. The most infamous and extreme example is when drug users begin their dependency by trying a substance that they got for free. The dealer considers “gifts” of this sort as an investment. From the point of view of the consumer, accepting such a gift is akin to signing a long and binding contract.

Obviously, not every sort of addictive gift is as pernicious as drugs. A more benign example is a limited subscription to a magazine or newspaper. The publisher invests in a few free publications in the hope that readers will become so used to receiving them on a regular basis that they will happily purchase a subscription following the trial period.

Another common ploy is to offer free cosmetic treatments. An offer of a month’s worth of hair removal treatments may sound appealing, but be sure that at the month’s end you are free not only of hair but of any further obligations. Before accepting any treatments, be sure that you may discontinue them without incurring any penalties.

A Sleight of Hand

The conclusion to be drawn from everything said here is that in most cases any “gift” you are offered is nothing but a gimmick. In reality, you end up paying for that gift by having to purchase whatever product or service the gift comes with, or without which the gift is useless. In more extreme circumstances, the “gift” is liable to cause a dependency. It is the rare gift indeed that comes with no strings attached, and that actually has some value or use.

Put another way, the words “free,” and “gift” should serve as a warning to the wary consumer. What they mean are “stop, think, and beware.” Use your judgment, and consider whether what you are being offered is truly any kind of gift.



Ask Yourself....

Before you accept any gift, or purchase a product in order to receive something else, ask yourself these questions:

- Is the deal being offered truly advantageous in comparison to what else is on the market?
- Will accepting the “gift” result in future expenses?
- Will accepting the “gift” have any negative influence on you?
- If the “gift” was not an item or service that you originally intended to acquire, what is its real value?”

If you are satisfied with the answers to these questions, go ahead and take the gift. If not, avoid it for the trap that it is!



ARE YOU READY FOR WINTER?

Translated from *Baduk Magazine* #34, December 2000



While it is true that our Israeli winters are not especially harsh, anyone who has lived through one knows that they do tend to be chilly and rainy. During the summer, it is easy to ignore the roofing tiles that fall off, or the cracks that appear in the wall. However, if you want to stay warm and dry during the winter, getting your home ready is a must.

One of the most uncomfortable aspects of Israeli winters, one that is difficult to forget if you've ever experienced it, is the dampness, known in Hebrew as *retivot*. But dampness is accompanied by more than just unpleasant moisture seeping in through the walls, and the smell of mildew in clothing. Dampness and mold can also cause rheumatic disorders, aching joints, and allergic reactions, especially among babies and the elderly, and people with weak immune systems.

With this in mind, the goal of winter preparations is keeping our homes impermeable to water.

If you live in an apartment building, it is not enough merely to make sure that your own individual apartment is insulated. All of the building's residents need to collectively insure that common areas and joint property are repaired and insulated as well.

This article concentrates on reinforcing the most vulnerable points in our homes. You will probably be able to do most of the repairs yourself, after which you can relax and enjoy a warm, dry winter.

The Roof

Your first step is to check the state of your roof. The two most common types of Israeli roofs, tiled roofs and flat roofs, each require different types of treatment.

If you have a tiled roof, make sure that all of the tiles are intact. This does not require a professional. It does require you to climb up underneath the roof and check that none of the tiles are loose or cracked. Check during the daytime, so that you can see whether there is any sunlight coming through the tiles. If you can see the sun's rays shining through clearly, this usually indicates loose, broken, or missing tiles. Roofing tiles can be replaced at construction supply stores, and do not require professional installation. Attach the new

tiles by nailing them down, or by attaching them to already existing nails with metal wire. Israeli standards require that every tile in the periphery of the roof be secured, as well as every fourth tile in the rest of the roof. Pay special attention to reinforcing the tiles that are exposed to strong winds. You may want to hire a professional roofer to reinforce the roof.

If there is a window in the roof, be sure that it, too, is in good repair, and is well insulated to prevent water from leaking into the house.

If you have a flat roof, your main concern is to prevent large puddles from forming because of ineffective drainage. Accumulated water on your roof can seep into the house itself. Check the insulation, making sure that it is uniform and has no cracks or damage. Be sure that the slant of the roof allows for proper runoff of rainwater.

At one time, tar was most commonly used to insulate roofs. Today there are products available that are both healthier and more effective, such as acrylics, that can be used by non-professionals. As opposed to tar, acrylics do not emit carcinogenic fumes, do not cause burns, and do not require professional application.

Before the winter rains begin, check that your roof is free of any objects that could interfere with the flow of rainwater to drainage gutters. Be sure that the gutters are clean, and free of any debris that could interfere with drainage. Clean gutters are essential to draining rainwater off of the roof. A good way to test that the drains are clear is by pouring water down them to see if it flows freely.

The connection point between the balustrade and the roof is another point where water can leak inside. Leaks can be prevented by constructing a cement reinforcement between the roof and the rain gutter. The cement should also be insulated against water.

Antennas and Solar Water Heaters

Chilly weather is even more unpleasant when you do not have enough hot water. Avoid this inconvenience by checking the entire solar water-heater system and make any necessary repairs. Run the system for a few hours in order to make sure that there are no leaks, and that the heating system is in good working order.

ARE YOU READY FOR WINTER?

The solar water heaters and absorption panels on your roof should have periodic maintenance checks. As part of your winter preparations, clean the glass part of the panels with a dry cloth. Clean panels mean that solar heat can be efficiently absorbed, and you will enjoy hot water even on cool days. Reinforce the insulation on the faucets of the solar panels in order to prevent leaks.

An antenna that blows down in a storm is more than just an annoyance – it can cause real damage and injury. Before the strong winds and heavy rains begin, be sure that the fastenings of antennas and satellite dishes on your roof are tightly secured.

Windows

Leaky windows can cause you endless problems with dampness. Most vulnerable is the meeting point between the window frame and the outer wall, where any cracks can allow rainwater to seep in. Before the rains arrive, give your windows a good spray with a hose and see if water trickles in. If it does, your insulation is insufficient, and needs to be upgraded. Use materials such as silicon or acrylic, which are fairly inexpensive to purchase, and easy to use. Be sure to remove old sealing material first. You also need to check that the rubber insulation strips between the window frame and the glass are not loose or coming apart.

Walls

The rains in Israel arrive mainly from the west and the south, meaning that walls facing these directions are more exposed to dampness. Cracks in the external walls can cause staining and mildew on the inner walls, as well as peeling paint and structural damage. Once again, the key prevention word is insulation.

Before insulating the walls, be sure to clean them of dust and dirt. Then fill any cracks with an appropriate sealant, such as liquid silicon, and finish with spackle. The quantity of material that you need depends upon how porous the wall is. Be sure to use several layers of material, allowing each layer to dry thoroughly before applying the next one. Choose a sealant based upon the type of cracks that need repair. You may want to consult with a professional when you make your choice. The staff at construction-supply centers and home-repair stores can often be a good source of advice.

In older buildings, tenants should repair cracks in the structure every few years. This way, not only is the building insulated, the value of the property is maintained.

Fixing a Crack in the Wall? Be Sure to Follow Manufacturer's Instructions!

- If you want your sealing job to hold up, be sure to follow the usage instructions for the sealant that you choose.
- If you use the services of a professional, be sure to schedule the work so that it is finished before the winter begins.
- Clarify what is included in the costs before you agree to have a professional make repairs. Find out whether you will be responsible for providing the sealant and other materials. Remember, only use products that have been certified by the Israel Standards Institute!
- Only allow a certified electrician to do any electric work.

Electricity

Wintertime naturally means a greater electricity use. Wiring, sockets, and plugs all need to be in good condition. But never take a chance by making repairs yourself – it cannot be stressed enough that any work must be done by a qualified electrician! An unqualified person doing electrical work can result in serious injuries and irreparable damage.

Gardens and Yards

Don't neglect your yard and garden during your winter preparations. Large puddles of accumulated rainwater can result in water penetrating indoors, especially in ground floor and lower floor dwellings. Proper drainage is essential, and can be accomplished by placing drainage pipes along the periphery of your home. Be sure that the pipes contain enough drainage openings.

A proper outdoor drainage system should be part of the construction plans of your home or garden. If your garden does not have sufficient drainage, and you do not have the resources to invest in a professional system, you can create drainage points on your own. Holes drilled into the stone or cement of your garden wall are a simple way of allowing water to drain away. Finally, don't forget to secure freestanding objects in order to keep them from flying about in the wind and causing injury and harm.

ARE YOU READY FOR WINTER?

Keeping Warm – Choose the Right Heater



Baduk magazine #10 surveyed methods of choosing the most effective kinds of heating for winter. Here's what they have to say:

- An air conditioning/heating unit is the most effective kind of heater in winter in those areas in which the temperature does not drop lower than 7 degrees Celsius at night.
- Keep in mind the size of the space that you want to heat. You also need to factor in whether you want to heat an entire room, or only part of one.
- Heating the entire house can be wasteful if the family tends to congregate only in specific rooms the majority of the time.
- Insulating your apartment and your windows increases the efficiency of your heaters. Insulating the roof (for top-floor apartments), thermal insulation of the outer walls, and double-glazed windows can save you money on heating bills. Insulate external doors and windows as well.
- Never seal up your apartment if you use heaters that burn kerosene or gas with an open flame. Keep a window open so that air can flow and diffuse poisonous, dangerous fumes.
- Where your apartment is positioned in your building, and the geographical location in which you live, both influence the kind of heating that you need. For example, the Coastal Plain is usually warmer in the winter than the Jerusalem region. Similarly, an apartment on a middle floor will be warmer than one on the top or bottom floors, or than a free-standing home.
- Any heater that you purchase must display the manufacturer's name and address, country of manufacture, the electrical capacity in watts or kilocalories, the electrical specifications, instructions for use, and safety guidelines.
- All kerosene, gas, and electric heaters must carry the approval of the Israel Standards Institute (*tav teken*).



KNOW YOUR RIGHTS!



Your consumer rights are legally protected. Here's a summary of what the law says.

- The law prohibits businesses, merchants, and other suppliers of goods and services from entering into a contract with an individual under conditions that exploit any mental or physical disability they may have, or with someone who is incapable of understanding the language in which the transaction is conducted. It is further prohibited to contract business, or charge more than an accepted price, by exploiting a consumer's distress or lack of knowledge, or by applying undue pressure.
- The law requires that the consumer be made aware of any defect, malfunction, or flaw that significantly affects the value of merchandise. It also mandates that consumers be made aware of any special features that require specific care in order to prevent damage.
- The consumer must be informed of all details of a credit arrangement. For example, the price must be clearly stated, along with any interest charges.
- The law stipulates the size of the letter font to be used in a standard contract.
- The law makes provisions for obligating a business to provide guarantees for any advances received.
- The law sets guidelines and conditions for advertising directed towards minors.
- The law allows for cancellation within 14 days of a transaction made with a door-to-door salesman.
- The law stipulates that all details pertaining to the sale of a time-share apartment be provided, and allows for cancellation of the transaction within 14 days.
- All details must be provided for transactions conducted by telephone, via one of the shopping channels, over the Internet, and through public auction. The customer has the right to cancel a transaction within 14 days.
- The law mandates that a clear distinction be made between a newspaper or magazine article, and an advertisement.
- The law enables the consumer to cancel a transaction that was entered into on the basis of false or misleading information. The cancellation may be made within 14 days of a court verdict, but not later than that time.
- The law provides for filing class action suits.
- The law prohibits merchants and companies from misleading consumers, and covers any action or oversight that is liable to mislead a consumer regarding any aspect of a transaction. There are more than 20 instances in which misleading the consumer is considering a criminal action. These include:
 - The quality, nature, quantity, and type of goods or services.
 - The size, weight, form, and components of a product.
 - The length of time in which goods or services are supplied.
 - The use to be derived from goods or services, the usefulness to be derived from a product or service, and any risks that may be involved.
 - The method of caring for an item.
 - The name of a manufacturer, importer, or service provider.
 - The commercial names of goods and services.
 - The place of production.
 - The production or expiration date.
 - Sponsorship or coverage of a product or manufacturer.
 - Conformity with the guidelines of the Israel Standards Institute. Information should be detailed or demonstrated.
 - The existence or availability of replacement parts, supplementary parts, or materials exclusive to, or necessary for, the repair of the item or service.
 - The regular or accepted price for a product or service, or the price that had been charged in the past, including conditions of credit and the interest rate.
 - Expert opinions, or the results of research, on the quality of a product or service, its benefits, the results of using the product or service, and any risks involved.
 - Any prior use of an item.
 - Terms of maintenance and service.
 - Conditions of warranty.
 - The quantity of merchandise in stock of the type involved in a transaction.
 - The existence or lack thereof of the business at the time of the transaction.
 - The origin of a product being sold by a company going out of business.
- It is prohibited for a business to sell, import, or possess misleading products, or to provide services using such products.
- Business are forbidden to display any kind of sign, or to signify in any other way, that they are not responsible for any physical harm that could be caused to a customer

KNOW YOUR RIGHTS!

- on their premises, or in adjoining exterior areas.
- Merchants who post any form of notice that specific transactions may not be cancelled, are also obliged to indicate that the notice does not apply to those forms of cancellation permitted by law.
- Prohibitions against misleading consumers also apply to advertising.
- Manufacturers and importers are prevented by law from determining the price of a commodity being sold to consumers, and from obligating a merchant to sell a product at a specific price. The merchant determines prices, on condition that the difference between the cost of acquiring the product from the manufacturer or importer, and the price at which he sells the commodity, is reasonable. However, it is permissible for a manufacturer to recommend the price at which a product should be sold.
- The government determines the price of certain consumer commodities. These include plain bread, one-liter bags of milk, and other items. Merchants are prohibited from selling these products at higher prices.
- The "Law of Regulation of Goods and Services" (1957), mandates that the price of all products be displayed. Prices must be indicated in Israeli currency only, except for specific goods or services indicated by the law.
- A price must appear either on a product itself, or on its package. This includes products that are for display only. The price must be affixed on a part of the item that is clear and visible. It must be legible, presented in an understandable way, and include all duties, taxes, and other mandatory charges.
- The law exempts specific items from being directly labeled, provided that the price is displayed close by, in a clear and legible fashion. These include:
 - Fresh fruits and vegetables sold in bulk.
 - Dried fruits and nuts sold in bulk.
 - Food items that a customer can request to have chopped or sliced, or that are sold according to units of measurement (e.g. cheeses, pickles, salads, cold cuts, candies, cookies, and bakery goods).
 - Non-edible products for which the customer requests weighing or portioning, for example fabric, cables, nails, and electrical cords.
 - Specific types of unpackaged breads that are sold individually, and that have a set price.
 - Pasteurized milk and chocolate milk, both fresh and 'long-term'.
 - Eggs sold in open trays.
 - Items that are not sold in packages, are displayed for sale in groups arranged in a container, and have a uniform price for each single unit; for example, pens, pencils, erasers, and notions, with the exception of textile goods and footwear.
 - Items that are sold from a stock behind a counter, and to which the customer has no access, for example, replacement parts.
 - Products sold from vending machines.
 - Live animals, flowers, and plants.
 - Daily newspapers published overseas.
- Signs or shelf tickets may be used to display prices of products that are offered at a discount, or as a special purchase, for periods of less than 35 days, during which the price is lower than the regular displayed price. The price ticket or sign must be displayed next to the item, and must list both the sale price and the regular price.
- Price labels that are placed on shelves underneath the products for sale must face upwards.
- If a cash register determines a price that differs from the price listed on a label or sign, or on the product itself, the customer should be charged the lower price.
- Signs or labels that display prices must be large enough that the price listed on them is legible and clear, and can be read without effort.
- The prices of services that are regulated by law must be displayed on a consistent basis, and in a prominent location. The price list must include all services offered, and include all taxes and duties.

YOUR DAY IN COURT

Filing a Small Claims Suit

In Israel's Small Claims Courts (*Batei HaMishpat LeTviot Katanot*) an individual can file a civil suit for a monetary sum not exceeding a set maximum that is periodically updated. You may also file for a court order requiring the exchange or repair of a product, or the cancellation of a transaction.

The Small Claims Courts are also authorized to hear counter-suits, except in cases where the defendant is a corporation. There is no limit on the number of individuals in a group that files a suit. A married couple, a group of tenants, or any group of people may file a suit together. Additionally, several defendants may be sued at the same time regarding the same matter.

Small Claims Courts are located throughout the country.

Filing a Small Claims Suit

You can file a small claim at the magistrates' court whose jurisdiction applies to one of the following locations:

- the place of residence or place of business of the defendant.
- the location in which liability was engendered, e.g., the place where a contract was signed.
- the site intended for the fulfillment of liability.
- the place at which an item or property was transferred.
- the site at which the act or oversight for which the claim was filed was committed.

Claim forms (*ktavei tvia*) and statement of defense forms (*ktav hagana*) can be obtained free of charge at the Court Secretariat office of any Small Claims Court. The fee for filing a claim is a percentage of the monetary amount of the claim. You must pay the fee by purchasing and affixing 'income stamps' (*bulei hachnasa*) to the form. Income stamps are obtainable at any post office branch.

Attach any documents that support your claim to the form, including receipts, professional opinions and appraisals, and prior correspondence. Make sure that the defendant is a legal entity, i.e. an individual or a corporation. Write clearly and precisely the full name and address of the person or company. If possible, indicate an individual's father's name and identity number (*mispar zehut*).

You need to submit at least three copies of the claim sheet to the Small Claims Court. You retain one copy, and one is sent to the defendant. Ensure that your copy has been stamped 'received' (*'nitkabel'*) and dated. For each additional defendant or witness, you will be required to submit an additional copy of the form. Copies of all of your supporting documents must be attached to each copy of the form.

Defending Yourself in a Small Claims Suit

Should you find yourself the defendant in a small claims suit, you have fifteen days from the date you receive the court order in which to submit a statement of defense, including all relevant documents supporting your case. You are entitled to file a counter suit.

You may also file a notice intended for a third party that you believe is responsible for damages.

There is no fee for submitting a statement of defense. However, filing a counter suit does entail the same fee as a regular claim.

If you choose not to submit a statement of defense, the case will likely result in being decided solely on the basis of the plaintiff's suit. Nevertheless, the court has the authority, even in the absence of a statement of defense, to invite the parties in the case to make their respective claims and bring forth evidence. A defendant who is late in filing a statement of defense may submit a written request for an extension of the deadline.

Your Day in Court

Arriving on time at the courthouse is of utmost importance, as tardiness can result in a verdict in favor of the other side. If the defendant does not arrive, the judge may rule on the basis of the plaintiff's argument alone. If the plaintiff fails to appear, the case is usually deferred to a later date. Should neither party show, the judge might nullify the suit. On the day of your court proceedings, bring all relevant documents, as well as any witnesses. If you summon a witness to testify who refuses to appear, you may obtain a subpoena that will require that witness to testify.

YOUR DAY IN COURT

Small Claims Courts are not bound to the judicial procedures customary in other courts of law. Among other differences, the law permits small claims courts to admit evidence that would be inadmissible in any other court of law.

More importantly, neither the plaintiff nor the defendant is entitled to representation by an attorney or any other envoy before a Small Claims Court. The parties are free to seek legal counsel before the proceedings, and may be assisted by an attorney in the preparation of claims and statements of defense.

The plaintiff and defendant may cross-examine each other, as well as each other's witnesses. Be prepared to represent yourself articulately and effectively. You will essentially be your own attorney. The judge will determine the order of presentation of evidence and the claims of the respective parties.

In most cases, your hearing will be completed in one session. The plaintiff will be asked to present evidence, submit relevant documents, and bring forward witnesses. Let your witnesses tell their versions of events. Intervene only if they have forgotten particular points, or there are matters that need to be clarified. The defendant may then cross-examine the plaintiff's witnesses. Afterwards the defendant will present evidence and witnesses, followed by the plaintiff's questioning. Then each side will be invited to deliver summations. Be as clear and succinct as possible.

After the summations, the court will usually deliver its verdict, although a judge may postpone it to a later date.

Appeals of Small Claims Court Decisions

You can appeal a decision of the Small Claims Court before a District Court. You have 15 days from the Small Claims Court's decision to submit a request for appeal, along with a copy of the verdict, to a District Court judge. If your request is approved, the original application serves as the appeal sheet (*ktav irur*) for the case. One District Court judge hears the appeal. A counter appeal may be filed within thirty days of receipt of the appeal notice.

Even after a claim has been filed, it is not too late for the parties to arrive at a compromise settlement. Such an agreement can be affixed to the claim itself and may, if requested by both sides, be granted the legal force of a court ruling.

Enforcement of Verdicts

In order to implement a court decision you should send the liable party a written request for the compensation ordered by the court (be sure to retain a copy for yourself.). If this request is ignored, or the party refuses to pay, you may open a file for the enforcement of a court ruling. Bring a copy of the verdict, certified by the court in which it was given, to an Enforcement Bureau (*Lishkat HaHotza'a LePoal*). Enforcement Bureaus can be found at any of the Magistrates' Courts. Fill out a form detailing the liable party and the steps you would like to be taken against them. You must also pay a fee.

After your request has been processed, the Enforcement Bureau will issue the liable party a warning, instructing them to comply with the court ruling within 20 days.

Be aware that as the winner of the suit, you are responsible for all fees and expenses involved in the enforcement of the verdict. These expenditures, plus interest, are then added to the amount already awarded to you by the court. If an attorney represents you when filing for enforcement of a verdict, the liable party is responsible for your attorney's fee.

If the liable party is unable to pay, they may submit a request to repay the debt in installments to the Enforcement Bureau.

If the liable party neither complies with the Bureau's warning, nor files a request to pay in installments, they are regarded as evading payment. At this point, the Bureau may take harsher measures to ensure payment, including arrest and/or seizure of assets.

Most decisions and orders of the Chief of Enforcement may be appealed by either party before a District Court.

The Bureau of Enforcement is responsible for transferring the money to you. If you receive payments through other channels they must be declared within seven days of receipt.

RESOURCES

This directory is designed to be a general guide to the resources that are available to consumers. Note that the Ministry of Immigrant Absorption does not recommend or endorse any particular body or service. It is up to each individual to investigate and decide upon the most appropriate source of assistance.

The ConsumerFocus staff has done its best to include all bodies that offer consumer service. If any organization was inadvertently left out due to oversight, we apologize for the omission.

The Director of Consumer Protection
Ministry of Industry, Trade and Labor
(Hamemuneh LeHaganat HaTzarchan)
www.industry-trade.gov.il
E-mail: consumerprotection@moit.gov.il

The Director of Consumer Protection is responsible for enforcing the 'Consumer Protection Law' of 1981. This includes prohibitions against misleading consumers, against exploiting consumers in distress, and against misleading advertising.

The law also applies to consumer information, regulation of advertising directed at children, regulation of product labeling, and protection against fraud in door-to-door sales, sales of vacation apartments, and sales by telephone or other electronic means.

5 Rehov Bank of Israel (02) 6662590
Jerusalem 94190

The Israel Consumer Council
www.tamas.gov.il/mzarchnt.htm

The Israel Consumer Council was established by the Ministry of Industry and Trade in order to protect consumer rights and respond to individual consumer complaints.

76 Rehov Mazeh (03) 5604671/2
Tel Aviv 65789

The Standards Institute
www.sii.org.il
vered@sii.org.il

The Israel Standards Institute formulates standards for a variety of products, and tests products manufactured both locally and overseas. The Institute's Website contains a large number of articles containing consumer information (in Hebrew). Several times a year the Institute offers testing

of specific products, such as microwave emissions. In many cases, these tests are free of charge.

42 Rehov Chaim Levanon (03) 6419683
Tel Aviv 69977

Ombudsman and Public Inquiries
mevaker@sii.org.il (03) 6465130

PUBLIC INQUIRIES - GOVERNMENT MINISTRIES

Bank of Israel (02) 6552211
www.bankisrael.gov.il
Complaints about banks

Israel Lands Authority (02) 6208422
www.ila.gov.il
Complaints about property registration.

Ministry of Agriculture (02) 6290111
www.moag.gov.il
Complaints about prices of agricultural products.

Ministry of Communications
www.moc.gov.il

Price Control Division (03) 5198230
Public inquiries about telephone rates, the Postal Authority, cell phone companies.

Multi-Channel Broadcast Division (02) 6702200
Public inquiries about cable television services.

Postal Authority Information 1-700-500-171
Information on postal rates, shipping, and postal codes.

Ministry of Construction and Housing (02) 5847211
www.moch.gov.il
Public inquiries about issues of rental fees and apartment purchases.

RESOURCES

Registrar of Contractors (02) 5847143
Public inquiries about contractors listed in the Register, on issues of faulty construction, work delays, etc.

Ministry of the Interior (02) 6701423
Public inquiries about beaches and swimming pools.

Ministry of National Infrastructures (02) 5005753
Public inquiries about quality, price, (04) 8675129
and distribution of fuel.

Advice on energy conservation 1-800-2233-77

Ministry of Tourism (02) 6754811
Public inquiries about hotels and other tourist services.

Ministry of Transportation Fax: (03) 6230310
Public inquiries about automobile parts, costs of intercity transportation, garages, driving schools, etc.

Union of Garages (03) 5620113

Municipal Authorities 106
Public inquiries about water supplies and water pressure, pipe damage, environmental pests, and other infrastructure issues.

The Public Ombudsman of the State Comptroller's Office (02) 6665000
www.mevaker.gov.il
mevaker@mevaker.gov.il

Public inquiries regarding government services, the Postal Authority, the State Lottery, universities, and other public bodies.

NON-PROFIT AND VOLUNTARY ORGANIZATIONS

The following organizations all accept public complaints and offer advice and assistance with consumer issues. When contacting an organization, be sure to have all relevant documents, including agreements, receipts, and any written communication with the company, merchant, or corporation.

Consumer Hotline
www.kavham.org.il (04) 8243490
P.O.B. 7987 (04) 8244155
Haifa 31078

Consumer Protection Authority of the Histadrut
93 Rehov Arlozorov (03) 6921280
Tel Aviv 62098

Israel Consumers' Association (Independent)
35 Rehov HaMelech George (03) 5285228
Tel Aviv 63299 (03) 5259332

Organization of Religious Consumers (Etzad)
P.O.B. 69 (03) 5793337
Bnai Brak 51100

Women Against Offensive Advertising
Contact the Israel Women's' Network
www.iwn.org.il
E-mail: office@iwn.org.il

Activists identify and respond to advertisements that are offensive or harmful to women and girls. They send letters and apply public pressure on the advertisers to remove the offensive advertisement.

9 Rehov Habonim, Ramat Gan 52462 (03) 6123990

The Ministry of Immigrant Absorption
www.moia.gov.il

National Telephone Information Center (03) 9733333
(English, Russian, Spanish, Fax: (03) 9732143
French and Amharic)

Jerusalem District Office (02) 6214555
15 Rehov Hillel Fax: (02) 6249398
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אנגלית

CONSUMER

FOCUS

A JOURNAL ON EDUCATED CONSUMERISM FOR NEW IMMIGRANTS



Safe Shopping - Choosing a Bunk Bed

Don't be Left in the Dark - Coping with Power Outages

The Israel Standards Institute - A Brief Profile

What to Look for When Choosing Glass Doors

How to Avoid Credit Card Fraud

Health Corner - Avoid Food Poisoning

Kitchen Safety- Pressure Cookers

Know your Rights - The Patients' Rights Law

Your Dream Vacation Became A Nightmare

Your Guide to the Small Claims Courts

A Brief Consumer Glossary

Resources

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מכון התקנים הישראלי
איך לבחור דלת זכוכית
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מדריך לבתי משפט לתביעות קטנות
מילון קצר



Autumn
2004

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A Word From The Editor

As smart consumers, we all seek to protect ourselves from shoddy items and from dangerous products. We cannot simply rely on any official agency to do it for us, although credit must be given the bodies that do work intensively for our benefit in ways we may not even be aware of. But our first defense, as always, is information. This second issue of ConsumerFocus contains tips for safe purchasing of household items such as bunk beds, surveys your rights as a patient, and profiles how to protect yourself against credit card fraud and damage from power outages. The Ministry of Health offers advice on preventing food poisoning, and Baduk Magazine explains what to do when you finally try to get away from it all and your dream vacation becomes a nightmare.

Happy Consuming!

Laura Woolf
Editor, ConsumerFocus Magazine



SAFE SHOPPING

Safe Shopping – Choosing a Bunk Bed

Bunk beds are a popular Israeli solution to the problem of fitting many children into few bedrooms. The market offers many types and models of bunk beds, both locally made and imported. But whatever your taste and budget, keep in mind that a poorly made bunk bed is not just a bad investment—it can be extremely dangerous; the risks range from trapping a child's head or limbs between its slats to complete collapse of one or more of the bunks.

Any bunk bed sold in Israel must receive a quality assurance (*tav taken*) from the Israel Standards Institute. Before purchasing a bed, ask to see up-to-date certification from the Israel Standards Institute that the bed meets all safety and quality requirements, and meets all criteria of "standard number 4007, section 1."

What else should you look for in a bunk bed? The Israel Standards Institute recommends the following:

- Quality materials (wood or wood-based materials)
- Uniform structure (sides and edges made of one piece)
- Security rails on upper bunks on all four sides. They should be no lower than 60-75 millimeters.
- A sturdy ladder that is securely fastened to the bed.
- Be sure to check the strength of the frame and connecting hardware. Do this both when purchasing the bed, and on a periodic basis following purchase.
- Be sure that the bed comes with clear user instructions.
- Be sure that the surface underneath the mattress allows for some air circulation. A completely sealed bottom is forbidden for use.
- Be sure that the surface supporting the mattress is securely fastened and stable. It should not wobble or move. Be sure as well that the distance between the bottom support and the bed frame is not more than 25 millimeters.



POWER OUTAGES

Power Failures – Don't Let Them Leave You in the Dark!

It's chilly and rainy outside. You heat some hot chocolate in the microwave, position the lamp just so, adjust the thermostat on the electric heater, and find your favorite movie to watch. Then, just as you're thinking that life is just about perfect, everything suddenly goes

cold, dark, and silent. Sound familiar? Power outages are a fact of life in many parts of the country. They happen with unpredictable frequency and duration, and while annoying, especially on those dreary winter days, are usually little more than a temporary inconvenience. Keeping a good supply of candles and matches, a working flashlight or an emergency lantern on hand can help. To report an outage, call the Israel Electric Company hotline.

Many electricians recommend that you unplug appliances such as refrigerators and computers to avoid damage in case there is a power surge when the electricity is restored.

While unplugging your appliances can help to protect them, this is not always possible or feasible, and a power failure can result in damage. According to the Israel Consumer Council, if this happens to you, the Israel Electric Corporation should be responsible for compensation for damage resulting from most types of outages. If the Electric Corporation is not willing to assume responsibility and provide compensation, consult with an expert and receive a written, professional assessment of the damage and its cause. If the expert concurs that the damage is a result of a power outage, you can take your case to a Small Claims Court. Many consumers have successfully claimed compensation from the Israel Electric Corporation in this manner.



Israel Electric Company
Hotline 103
www.israel-electric.co.il



The Israel Standards Institute – A Brief Profile

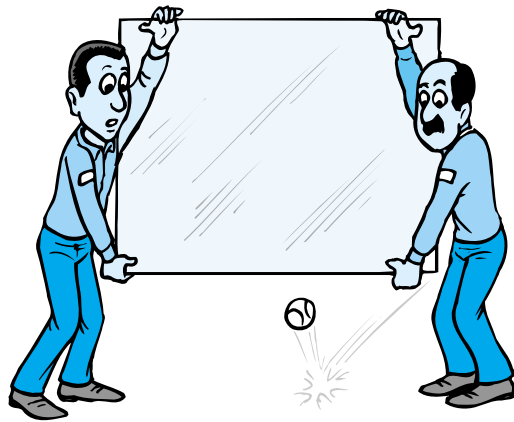
The Israel Standards Institute (*Machon Hatekenim HaYisraeli*) is Israel's official watchdog responsible for preparing and publicizing standards for commercial and industrial products.

Grounded in "The Standards Law (1953)" the Institute determines quality standards for both domestic and imported products. At the same time, The Institute represents Israeli interests to international standards bodies. Together with the Ministry of Trade, Industry, and Labor, the Standards Institute conducts quality checks in shops and stores in order to determine that products meet necessary

standards. Results of such surveys are often publicized in the media.

The Standards Institute offers product testing to the public, several times a year, for products such as microwave ovens. These tests are often free of charge.

To find out more, visit the Israel Standards Institute Website: www.sii.org.il.



Consumer Bulletin - What You Need to Know About Glass Doors

Both esthetic and practical, glass doors are common in many Israeli homes and apartment buildings. But wary consumers should know that, according to the Israel Standards Institute, over the past few years the number

of injuries, and even fatalities, has been climbing, as a result of faulty installation of glass doors

The Israeli standard (*teken*) number 1099 is concerned with the security aspects of glazing in homes, including internal doors within apartment buildings, balcony and garden doors, and roof doors. Institute experts recommend using the following types of glass:

- Tempered glass: tempered glass (*zechuchit mechusemet*) shatters into very small pieces that are less likely to cause injury and do not form sharp shards the way regular glass does when shattered.
- Layered Security Glass (*zechuchit bitichut sichva'ot*): this type of glass is essentially two sheets of glass with a film pasted between them. If this glass is shattered, the shards remain stuck to the film without flying about, thereby minimizing injury.

Be sure that your glass doors are insulated to prevent moisture seeping in during the winter, and that they can be securely locked. Some people put small stickers or other markings on very clean glass doors in order to prevent others from walking into them.

CREDIT CARD FRAUD

Protect Yourself From Credit Card Fraud

As more people use credit cards for purchasing goods and services, the incidence of credit card fraud or abuse is also on the rise. You can protect yourself by taking just a few basic, easy steps.

Your first step in keeping yourself and your credit card secure is to carefully examine each monthly statement and be sure that you recognize all entries. If your bank allows access to your account over the Internet, it is even easier to monitor your account on an ongoing basis.

Whenever you pay with a card try not to let the card out of your sight. For example, at the gas station leave your car if you have to in order to supervise use of your card by the attendant. When you make a credit card purchase that is charged manually, ask for the carbon copy and destroy it.

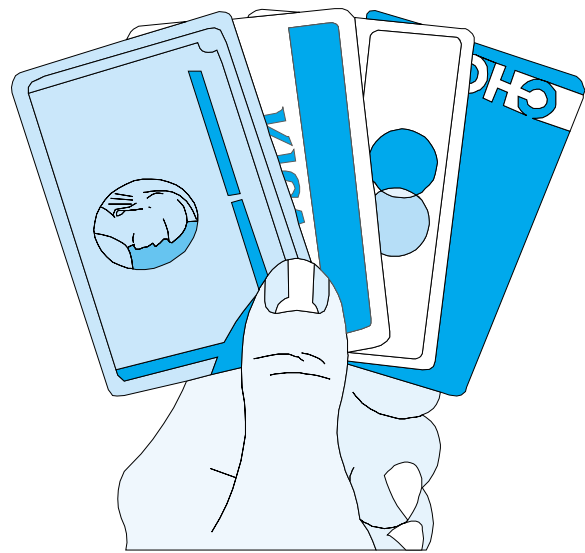
Don't keep your card's secret code anywhere in proximity to the card itself. Do not transmit the code to anyone!

If the worst should happen and someone does gain access to your card, there are laws designed to protect you. Familiarize yourself with your rights, and don't hesitate to exercise them! Here's what every credit card holder needs to know:

- Notify your credit card company as soon as you realize that someone has been using your card. The law protects you from any liability for charges resulting from abuse of your card once you have notified the company.
- If you cannot immediately notify the credit card company,

your liability is still limited. The law permits a maximum charge of NIS 75 + NIS 30 per day following discovery of fraudulent use of your card until you notify the company, or, alternatively, the amount accrued by the fraudulent use of the card, whichever charge is the lower of the two. In any event, you cannot be held liable for more than NIS 450.

- The bank must credit your account for funds that were fraudulently withdrawn from it within 30 days.
- If the bank or credit card company refuses to compensate you or credit your account, consult with one of the consumer protection organizations for assistance. See the Resource Guide for details.
- Remember, the law unequivocally states that you cannot be held liable for fraudulent use of a card, for theft of a card, or for abuse of a card!



KITCHEN SAFETY

Kitchen Safety – Pressure Cookers

Pressure cookers are a great way to prepare food quickly and preserve the nutritional value of cooked food.

A pressure cooker operates on the simple principal of trapping steam inside the pot, hastening the cooking process by significantly raising the temperature. Since the food is cooked quickly, they tend to retain a high rate of vitamins and minerals. At the end of cooking, pot will “whistle” and release steam through a special valve.

The nature of the presser cooker method means that proper care and handling is necessary in order to avoid accidents and damage.

Experts from the Israel Standards Institute recommend the following:

- Whenever you purchase a pressure cooker, be sure that it meets all requirements of the Israel Standards Institute, and that it has updated safety certification from the Institute.

- Be sure to keep the valve and free of obstructions. Purchase replacement parts from an authorized importer or dealer only.
- Make certain that your pressure cooker is accompanied by detailed instructions for use.
- Do not buy a pressure cooker with any kind of defect.
- Check that all pieces match the illustrations in the user manual.
- At the end of cooking, be sure that all the steam has been released before opening the pot.
- Do not put your hands or face directly over the pot when releasing the valve in order to prevent painful steam burns.



KITCHEN SAFETY



Health Corner - Avoid Food Poisoning

Advice from the Ministry of Health on how to avoid food poisoning.

Even the most careful shopper or diner is not immune from the risks of contaminated food and food poisoning. Bacteria that cause food poisoning are found on all types of uncooked food, including raw meats, eggs, fruit, and vegetables. If you experience symptoms of food poisoning, including nausea, stomach pain, diarrhea, and fever, consult your doctor as soon as you can for treatment. If you can trace your poisoning to an identifiable source such as a restaurant, you should inform the Ministry of Health (see the Resources Guide).

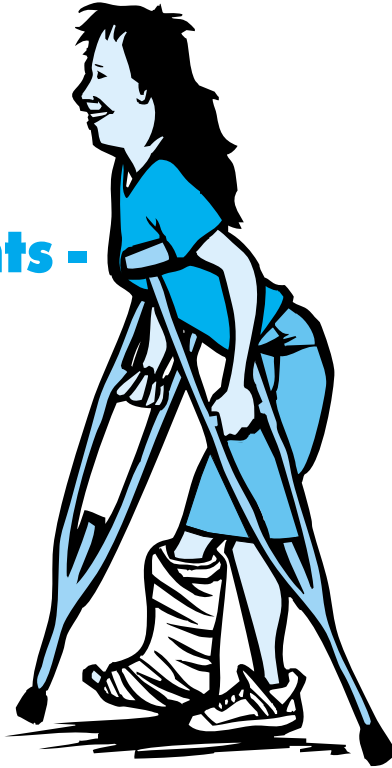
You can avoid food poisoning at home by following Ministry of Health guidelines for proper handling and preparation of food.

- Be sure to store all food properly. Your refrigerator thermostat should read at least 5 degrees Celsius.
- Meat, chicken, and fish that will not be eaten within two days of purchase should be frozen.
- Thaw frozen meats and fish in the refrigerator or in the microwave.
- Always wash your hands before and after handling food.
- Have separate work areas for raw foods and foods that are ready to eat.
- Be sure that food is cooked thoroughly and served hot. If you can keep your hand on the pot handle for more than a few seconds, it is not hot enough.
- Store dry foods (flour, rice, pasta, etc.) in airtight containers made of hard plastic or glass. Do not use plastic bags, as all kinds of pests can easily chew through them. Store your containers on high shelves.
- Be sure to check items for the presence of bugs and other contaminants before use. Beware of purchasing improperly stored foods.
- Eggs that are improperly handled or stored can cause salmonella poisoning. Babies and the elderly are particularly at risk. Be sure to buy eggs only from air-conditioned shops that sell the eggs in closed, disposable containers. Check that the eggs have a stamp that indicates the name and address of the processing facility, grade of the eggs, and sell-by date. Avoid purchasing cracked or broken eggs.
- Washing eggs before storing them can cause salmonella bacteria to be absorbed through the shell. If you must wash eggs, do so immediately prior to use. They should be stored in a refrigerator, in their original container if possible. Store eggs for no longer than 30 days. Never use cracked or broken eggs for any other purposes than hard-boiling or for baking.

Excerpted from the booklet entitled "Guarding Your Health in Israel," available from the Publications Department. See the order form at the back.

PATIENTS' RIGHTS

Know Your Rights - Patients' Rights in Israel



Patients in Israel are protected by the "Patients Rights Law" (1996), which defines the rights of persons requesting or receiving medical treatment, and protects their privacy.

Within the framework of this law are several specific clauses.

- **The Right to Receive Medical Treatment:** Any person in need of medical care is entitled to receive it in accordance with accepted conditions and arrangements for providing medical services in Israel. In emergencies, patients are entitled to urgent care without any preconditions. Caregivers or medical institutions are forbidden to discriminate against patients on the basis of religion, race, gender, nationality, country of origin, or for any other reason.
- **The Right to Privacy:** The right to privacy protects patients from any damage that could result if their medical details were made known, for example, to an employer. Accordingly, a doctor, nurse, or any other health care provider may only release medical information with the patient's signed permission on a special waiver form. The waiver should indicate exactly to whom the information may be given. The patient must sign a

separate waiver for each body that they are permitting access to their information. Medical personnel who violate this law are subject to prosecution. Doctors may, however, use their judgment in sharing information with a patient's family. Parents of minors under the age of 18 are entitled to any pertinent medical information regarding their child, and to use that information as they see fit.

- The law requires doctors to report incidences of specific dangerous or contagious diseases to the Ministry of Health.
- Confidentiality extends to medical records, which must be kept in a secure location that prevents any unauthorized access. No person may add anything, or remove anything, from a patient's medical record, once the record has been signed and dated. Patients are entitled to view sections of their records that contain medical information; they are not, however, always permitted access to sections containing impressions of the caregiver regarding the patient's behavior or other personal notes.
- Patients may request copies of their records, but the original records are the property of the health facility.
- **The Right to be Accompanied:** Patients may be accompanied for treatment by friends or relatives. Persons accompanying the patient are not permitted to interfere in any way with the treatment.
- **The Right to Receive Medical Care with Dignity:** The law ensures the rights of patients to be treated with dignity and respect.
- **The Right to Refuse Medical Treatment:** There are no legal means by which to compel a person to accept unwanted medical treatment. A patient who wishes to refuse treatment must sign a waiver releasing medical staff from liability. This right does not always apply to psychiatric patients, or to other patients who may not be capable authorizing treatment. The law does, however, restrict the medical establishment from unjustified use of its authority to curtail the private freedom of psychiatric patients.

PATIENTS' RIGHTS

In emergencies, when patients may not be able to consent to treatment due to their physical or mental condition, the emergency room staff can sign a form authorizing emergency life-saving treatment.

Complaints and Legal Claims

The Public Ombudsman (*netziv kvilot hatzibur*) of the Ministry of Health is responsible for handling public complaints and inquiries. Any person has the right to lodge a complaint.

Situations that could justify a complaint include refusal to register a person in a health fund, limiting their registration through specific conditions or payments, or cases in which a health fund refuses to provide a service specified as part of the "Basket Of Health Services." The Ombudsman is authorized to recommend appropriate measures to all bodies relevant to the complaint.

If you feel that you have been treated improperly by a health care provider you can submit a complaint to the medical director or administration of the relevant institution. Complaints against a health fund doctor can be submitted to the supervising district doctor (*rofeh mechozi*). Many of the hospitals have public complaints departments. You can submit your complaint in writing or in persons. Include as many relevant details as possible.

Legal suits, as opposed to complaints, are warranted when a patient or family member seeks compensation for harm incurred as a result of medical treatment. Lawsuits can be justified in cases when damage results from a violation of confidentiality, treatment given without the consent of the patient, contraction of contagious ailments as a result of poor medical or hygienic conditions, and medical malpractice. It is up to the claimant to prove a connection between the treatment and the damage.

Note that while Ministry of Health regulations specify that patients sign a consent form for treatment, it is uncommon to sign for treatment in a clinic or private physician's office. The patient's appearance at the clinic is regarded as consent to treatment, and a verbal agreement is generally sufficient.

The National Health Insurance

Public Ombudsman (02) 6714308
kvilot@moh.health.gov.il (02) 5681257
(Voice Mail)
29 Rehov Rivka
Jerusalem

Public Inquiries (02) 5681318
pniot@moh.health.gov Fax: (02)
6725836

For public inquiries regarding physicians and dentists, the Freedom of Information law, and other inquiries that are not related to the National Health Insurance Law.

Da'at – Public health information center.

data@yadsarah.org.il

Da'at offers free health information services about medical conditions, medications, treatments, and other issues.

6 Rehov Chile (02) 6444500
Jerusalem

Society for Patients' Rights in Israel

www.patients-rights.org.il
info@patients-rights.org.il

The Society accepts inquiries and complaints on issues related to patients' rights, and provides information services.

P.O.B. 47002 (03) 6022934
Tel Aviv

Tzvi – Health Consumers Organization

www.esnav.co.il/zvi
zvi@esnav.co.il

Tzvi serves as an umbrella organization for all patients and their families.

P.O.B. 6887 (03) 5252288
Ramat Gan

YOUR DREAM VACATION

Your Dream Vacation Overseas Became a Nightmare?



Here's what the Law Has to Say

Your travel agent promised you a hotel right in the center of things. And you got one, right in the center of the meat-packing district! Okay, there was a pool, just like you wanted. Too bad that no one told you it hasn't been filled yet. At least the meals were slimming – they were never served! And the air-conditioned car you arranged to rent came fully equipped... with paper fans? What can you do besides laugh it off and hope for a better time next year? The fact is that you do have rights, and there is something that you can do besides gnash your teeth.

If your vacation is ruined because of a failure to honor commitments, poor service, or infringement of your rights, you should consult with one of the consumer organizations, as well as the Travel Agent's Association, which was set up to help deal with consumer issues.

Following is just a sample of some of the cases that have been successfully resolved.

The Price Was a Snow Job!

A.G. booked a week-long ski vacation in the Italian Alps, as well as four nights in Frankfurt, through a travel agency in Israel. According to the agency's brochure, the Frankfurt hotel charged \$106 per night for bed and breakfast. The travel agency also added a service fee of \$50 for reserving the room.

To A.G.'s surprise, upon arrival at the hotel in Frankfurt, he discovered that the price of a room according to the reception manager was only 105 deutschemarks (about \$49). In other words, A.G. was charged more than twice the regular price. The reception manager agreed that the price charged by the Israeli travel agent was extortionate, and provided A.G. with written authorization of the hotel's regular price.

According to the exchange rate at the time, the difference between the price that A.G. was charged, and the actual price of the room, was some NIS 836, which in A.G.'s opinion was completely unjustified. He accordingly requested a refund of the difference from the travel agency.

The agency, in its defense, claimed that it had booked the room through an intermediary agency that processed the reservation and determined the price. In the first agency's opinion, the price disparity was the responsibility of the intermediary agency.

A.G. turned to the Israel Consumer Council, which then requested the first agency to produce a receipt testifying to the transaction between themselves and the intermediary agency; they were told that no such receipt or any other documentation was available. Further inquiries vindicated A.G.'s claim, and the first agency was obligated to refund the difference in prices, together with interest and cost of living adjustments.

A Four-Star Scam

The G. family purchased an organized tour of Ireland and

YOUR DREAM VACATION

Scotland. When they booked the tour, the travel agent offered the option of paying the basic tour price for 3-star accommodations, or an upgrade to 4-star accommodations for an extra \$200 (per person in a double room). The G's opted to pay extra for the upgraded accommodations. To their amazement, it quickly became clear that their accommodations, as well as those of some 13 other group members who had upgraded, were no different than those who had chosen the 3-star accommodations. All members of the tour shared the same bus, as well as the same hotel, which more often than not turned out to be a 3-star establishment.

Upon returning to Israel, irate members of the group who had chosen to upgrade pointed out to the travel agent that they had paid extra money for services that they never received, and that there was no justification for charging two different prices for the exact same tour package. The angry travelers claimed that the least that they were entitled to was a refund of the difference (\$200 per person).

The travel agency disagreed. However, "in the interests of fairness" they offered to refund each claimant \$100, on condition that their claims were dropped completely. The G family refused this offer, and filed a complaint with the Travel Agents' Association. The Association investigated their claim, and as a result, the agency was required to refund the full \$200 to each individual, plus filing fees.

An Odyssey of Aggravation

Mrs. B and her daughter sued a tour agent for defective arrangements on an organized tour, and for the resultant aggravation. The two purchased an organized tour to China, Tibet, Nepal, and India. They specified the places that they wished to visit, and stated that they wanted top-level accommodations. The agent was responsible for arranging flights, hotels, tours with local guides, train transport, visas and entry permits, and local representatives who would meet them on arrival and transport their luggage.

According to Mrs. B and her daughter, thanks to the travel agent's incompetence they experienced a series of unnecessary problems and aggravation during every part of their trip, forcing them to waste valuable time trying to clarify and

arrange matters that were supposed to already have been organized and completed.

Take, for example, their arrival at the airport in Beijing, where a local travel representative was to have met them, transported them to their hotel, and arranged for tours of the city. Despite the fact that the time of their flight's arrival was known, and even listed in the itinerary provided by the travel agent in Israel, no one was there to meet them in Beijing. Finally, having grown tired of waiting and searching, they telephoned the local travel bureau, who explained that their representative had waited to greet them the day before, which was the date they had been informed of by the agent in Israel.

Mrs. B. was further upset that the full-day tours of Shanghai and Sichuan that they had been promised turned out to be only half-days. The agreement that someone would meet them at the train and help with their luggage was never fulfilled either.

When Mrs. B and her daughter arrived in Chengdu, a local travel representative was to have met them with plane tickets and entry permits for Tibet. This was news to the tourist bureau in Chengdu, who had never been informed of this arrangement. A telephone call to the agency's main office in Beijing revealed that not only were the local agents never meant to supply the tickets and documents, they were not even authorized to. A full day was wasted in phone calls between China and Israel trying to make arrangements that were already supposed to have been in place.

Upon arrival in Nepal, Mrs. B and her daughter soon discovered that there, too, their arrival permits had not been arranged, resulting in more wasted time, arguments, and even being charged a fine. To add insult to injury, the local representative that did meet them had no intention of helping with their luggage. The guide that had been booked for them tried to extort more money each time he was asked to fulfill any of his obligations. Mrs. B's letter of complaint detailed many more such incidents.

YOUR DREAM VACATION

As a result of her complaint to the Travel Agents Association, the Israeli travel agency compensated Mrs. B and her daughter with a free, 11 day trip to Thailand, as well as a 50% discount for an additional person joining them. The trip included round trip airfare, internal flights, and four-star accommodations. Mrs. B was permitted to choose her preferred dates of travel 30 days in advance. The offer was good for two years.

In addition to the kinds of situations described above, the consumer organizations and the Travel Agents Association regularly deal with such common travel-related complaints as overbooked and delayed flights, lost luggage, and substandard accommodations.

Overbooked Flights

Over the past few years, it has become more and more common for travelers to arrive at the airport only to discover that their flight is already full because it was overbooked.

Due to the high costs of air transport, special legislation permits airlines to overbook flights, and to prevent passengers from boarding. However, the law also entitles passengers to compensation of some \$50-200, and not less than half the cost of the flight, as well as compensation for expenses such as storage of baggage, telephones, etc. upon presentation of receipts. Compensation is offered on condition that the passenger had reserved a seat on the overbooked flight, and that alternative arrangements could not be made within a reasonable period. The airline is obligated to make this information known to passengers that are refused boarding.

Note also that the law permits passengers to claim other damages resulting from being bumped from an overbooked flight. For example, a business traveler that suffered financial damage can sue the airline.

Delayed Flights

If a flight is delayed for reasons that are not the fault of the airline, such as heavy air traffic or poor weather conditions, the airline is not responsible for compensating passengers. However, if the delay was the fault of the airline, the airline is obligated to pay compensation.

Losing your Place on a Chartered Flight

The law prohibits organizers of chartered flights from selling one person's seat on a flight to another passenger for a higher price. If a charter company is forced to cancel or delay a flight because there are not enough passengers, or to combine one flight with another, resulting in a loss of services that passengers were supposed to have received, the passengers are entitled to compensation for those services.

Lost Luggage

If a passenger's luggage is lost or damaged during a flight, the airline is responsible for paying compensation. The law limits the amount of compensation to some \$20 per kilo.

The airlines themselves will often claim that it is the airport ground service luggage handlers that are responsible for any lost or damaged luggage. The law requires services companies to take measures to ensure luggage at the airport. To minimize your risks, be careful to hold on to your luggage claim ticket, and to immediately report any lost luggage to the airline. Be sure to ask for confirmation of your lost-luggage report. If you file a claim for compensation, it should be filed against the airline, the ground services company, and the airport. If it is not clear who was responsible for the loss, the court may obligate all three parties to compensate you.

The consumer organizations also point out that if your luggage contains an item of unusual value, for example an Oriental carpet, it is a good idea to notify the airline of this when you check in, and to arrange for special insurance. This helps you to avoid the problems of limited compensation from the airline.

Unsatisfactory Hotels

Some travelers rate a good hotel as one of the key factors of a vacation, and consider comfort and indulgence a necessity. Others see a hotel as a place to put their head down at night, and don't really care about the frills as long as the place is clean and quiet, or is conveniently located. Travel agents can claim that they are not responsible for

YOUR DREAM VACATION

any defects in a hotel, and that a dissatisfied guest should claim any damages against the hotel. But this is not always the case. If the travel agent was incompetent in making your arrangements, and books you into a hotel that is known to be substandard, this can be regarded as a violation of your agreement, and you could justifiably file a suit.

For example, if you have been guaranteed a four-star hotel and you find yourself staying in a three-star establishment, or in one without a pool and exercise room even those have been promised, it is your right to transfer to a better hotel, and to claim damages from the party responsible for violating the agreement.

In other cases, you can ask the hotel to upgrade your conditions. For example, if you were guaranteed a room on a specific floor, a room with a view, or a non-smoking room, and you do not receive it, you are within your rights to ask the hotel to make the necessary adjustments.

Unsatisfactory Tour Guides

Your tour guide is a key element in an organized tour. A good guide, who is friendly and informative, can help smooth many of the rough edges of an organized trip, and make it a success. On the other hand, even if you do not personally hit it off with your guide, as long as his professional knowledge meets a reasonable standard you don't really have a basis for complaint. But if the guide is incompetent or unknowledgeable, or runs the tour in a defective way and provides substandard service, you are entitled to file a claim for compensation.

Dissatisfaction with a Tour

A successful tour is the result of many factors all working together, and when someone claims that they "are not satisfied" with a tour, they need to be specific. If your fellow travelers are unpleasant, there is not much you can do. It is not the tour organizer's fault or responsibility if other people talk too much or are consistently late for the bus. Inclement weather or strikes at a location you were meant to visit are unfortunately, but again, not the organizer's responsibility.

On the other hand, foul-ups that the organizer is responsible for can justify a claim for compensation. For example, if the organizer promised an air-conditioned bus or a specific number of meals, and these items are not in fact provided, or if a visit to a promised attraction does not take place because the guide failed to secure tickets, the organizer can be considered in breach of contract, and is liable for compensation.

Be sure to save all copies of all documents relevant to your trip (timetables, receipts, etc.) as well as all guarantees from the tour organizer, including any verbal promises.

Poor Airline Service

Regulations regarding airline security are very strict. While flight attendants are expected to behave pleasantly and to provide service during the flight, anytime that they request a passenger to return to their seat, turn off an electronic device, or to fasten a seatbelt, they are fulfilling the obligation of their jobs. However, if an attendant speaks rudely or aggressively, or behaves discourteously, the passenger may file a complaint with the airline.

Protect Yourself

Before spending money on a tour package, keep the following tips in mind.

Before making any payment, make sure that the agency provides you with written details of your package. Clarify that the quoted prices include such items as port taxes, levies, visa fees, etc.

Clarify whether the price you are paying is linked to dollars, Euros, or other currency, and find out how the price is calculated.

Try to investigate the accommodations being offered and how they are rated. Search the Web for sites with reviews from other travelers. Clarify the number of meals you will receive each day. Find out what itinerary will be, and which attractions you will visit. Clarify whether entrance fees to attractions are covered by the price of the tour. Find out what the cancellation fees and deadlines are.

YOUR DREAM VACATION

The law directs all travel agents or organizations to provide the following information, in writing, to any person who purchases a travel package:

- The total cost of the package, including taxes, fees or any other costs that the purchaser must cover, in Israel and abroad.
- The currency that the cost of the package is linked to, how the exchange rate is calculated, and the amount of interest if the payment is made in installments.
- The components of the package, including information on services not included in the cost of the package.
- Details of the accommodations and their rating.
- The number of daily meals.
- The itinerary of the tour, and the places to be visited.
- Transportation in Israel and abroad, including internal flights and ground or water transport, as well as the name of the airline.
- All information relevant to entry into the overseas destinations on the itinerary, including information on visas, entry permits, and other requirements.
- Guarantees of security of payments.
- Payment deadlines and conditions.
- The conditions according to which the tour can be cancelled.
- Conditions of refund of payments in the event that the tour is cancelled by the organizer, and the refund procedure.
- Conditions of cancellation on the part of the purchaser, including penalty fees.
- A list of agency representatives located at the destinations of the tour, including addresses, telephone and fax numbers, public reception hours, and the types of aid they can offer.
- If an unaccompanied minor is participating in the tour, the agency must supply the parents or guardians with information on how to be in contact with the minor.

Translated from "Baduk" magazine # 40

The Travel Agents Association (03) 5269100



SMALL CLAIMS COURT

Your Guide to the Small Claims Court

- Small Claims Courts (*Batei HaMishpat LeTviot Katanot*) hear civil suits for monetary sum not exceeding a set maximum. Consumers can file suits in Small Claims Court for compensation when contracts or terms of sale are violated, for the exchange or repair of a product, or the cancellation of a transaction.
- You can file a small claim at the magistrates' court whose jurisdiction applies to one of the following locations:
 - the place of residence or place of business of the defendant.
 - the location in which liability was engendered, e.g.,
 - the place where a contract was signed
 - the site intended for the fulfillment of liability
 - the place at which the asset or property was transferred
 - the site at which the act or oversight for which the claim was filed was committed.
- Claim forms (*ktavei tvia*) and statement of defense forms (*ktav hagana*) can be obtained free of charge at the Court Secretariat office of any Small Claims Court. The fee for filing a claim is a percentage of the monetary amount of the claim. You must pay the fee by purchasing and affixing 'income stamps' (*bulei hachnasa*) to the form. Income stamps are obtainable at any post office branch. Be sure to attach any documents that support your claim, including receipts, professional opinions and appraisals, and prior correspondence. Make sure that the defendant is a legal entity, i.e. an individual or a corporation. Write clearly and precisely the full name and address of the person or company. If possible, indicate an individual's father's name and identity number (*mispar zehut*). You need to submit at least three copies of the claim sheet to the Small Claims Court. You retain one copy, and one is sent to the defendant. Ensure that your copy has been stamped 'received' (*'nitkabel'*) and dated. For each additional defendant or witness, you will be required to submit an additional copy of the form. Copies of all of your supporting documents must be attached to each copy of the form.
- On the day of your court proceedings, bring all relevant documents, as well as any witnesses. If you summon a witness to testify who refuses to appear, you may obtain a subpoena that will require that witness to testify.
- Neither the plaintiff nor the defendant is entitled to representation by an attorney or any other envoy before a Small Claims Court. Parties are free to seek legal counsel before the proceedings, and may be assisted by an attorney in the preparation of claims and statements of defense.
- You can appeal a verdict of a Small Claims Court within 15 days from the decision. Appeals should be in writing, and sent, along with a copy of the verdict, to a District Court judge.
- In order to implement a court decision, send the liable party a written request for the compensation ordered by the court (be sure to retain a copy for yourself.). If this request is ignored, or the party refuses to pay, you may open a file for the enforcement of a court ruling. Bring a copy of the verdict, certified by the court in which it was given, to an Enforcement Bureau (*Lishkat HaHotza'a LePoal*). Enforcement Bureaus can be found at any of the Magistrates' Courts. Fill out a form detailing the liable party and the steps you would like to be taken against them. You must also pay a fee, which is added onto to the compensation already awarded to you, along with any other expenses involved in enforcing the verdict.

G L O S S A R Y

A Brief Consumer Glossary

People

Commissioner of Consumer Protection	<i>Hamemuneh LeHaganat HaTzarchan</i>	הממונה להגנת הצרכן
Consumer	<i>Tzarchan</i>	צרכן
Customer	<i>Lekoach/lekoacha</i>	לקוח/לקוחה
Importer	<i>Yevoan</i>	יבואן
Manufacturer	<i>Yatzran</i>	יצרן
National Health Ombudsman	<i>Netziv Kvilot HaTzibur</i>	נציג קבילות הציבור
Salesperson	<i>Mocher/mocheret</i>	מוכר/מוכרת

Places

Business	<i>Esek</i>	עסק
Company	<i>Chevra</i>	חברה
Factory	<i>Mifal</i>	מפעל
The Israel Standards Institute	<i>Machon HaTeknim HaYisraeli</i>	מכון התקנים הישראלי
The Ministry of Trade, Industry, and Labor	<i>Misrad HaTa'asiya, HaMischar VeHaAvoda</i>	משרד התעשייה, המסחר והעבודה
Small Claims Court	<i>Beit Mishpat LeTviot Katanot</i>	בית משפט לתביעות קטניות
Store/shop	<i>Chanut</i>	חנות

Things

Agreement	<i>Heskem</i>	הסכם
Authorization	<i>Ishur</i>	אישור
Bill/account	<i>Cheshbon</i>	שבו
Certification of Israel Standards Institute	<i>Tav Tekem</i>	תו תקן
Contract	<i>Choseh</i>	חוסה
Credit Card	<i>Cartis Ashrei</i>	כרטיס אשראי
Damages/compensation	<i>Pitzuim</i>	פיצויים
Installment Payments	<i>Tashlumim</i>	תשלומים
Lawsuit	<i>Tvia Mishpatit</i>	תביעה משפטית
Payment	<i>Tashlum</i>	תשלום
Product	<i>Motzar</i>	מוצר
Product manufactured abroad	<i>Totzeret Chul</i>	תוצרת חו"ל
Product manufactured In Israel	<i>Totzeret HaAretz</i>	תוצרת הארץ
Receipt	<i>Kabala</i>	קבלה
Warranty	<i>Te'udat Achriut</i>	תעודת אחריות
Warranty Period	<i>Tekufat Achriut</i>	תקופת אחריות

R E S O U R C E S

Resources

This directory is designed to be a general guide to the resources that are available to consumers. Note that the Ministry of Immigrant Absorption does not recommend or endorse any particular body or service. It is up to each individual to investigate and decide upon the most appropriate source of assistance.

The ConsumerFocus staff has done its best to include all bodies that offer consumer service. If any organization was inadvertently left out, we apologize for the oversight.

The Director of Consumer Protection Ministry of Industry, Trade and Labor

(Hamemuneh LeHaganat HaTzarchan)
www.industry-trade.gov.il
E-mail: consumerprotection@moit.gov.il

The Director of Consumer Protection is responsible for enforcing the 'Consumer Protection Law' of 1981. This includes prohibitions against misleading consumers, against exploiting consumers in distress, and against misleading advertising. The law also applies to consumer information, regulation of advertising directed at children, regulation of product labeling, and protection against fraud in door-to-door sales, sales of vacation apartments, and sales by telephone or other electronic means.

5 Rehov Bank of Israel (02) 6662590
Jerusalem 94190

The Israel Consumer Council www.tamas.gov.il/mzarchnt.htm

The Israel Consumer Council was established by the Ministry of Industry and Trade in order to protect consumer rights and respond to individual consumer complaints.

76 Rehov Mazeh (03) 5604671/72
Tel Aviv 65789

Israel Electric Company Hotline 103
www.israel-electric.co.il

The Israel Standards Institute

www.sii.org.il
vered@sii.org.il

The Israel Standards Institute formulates standards for a variety of products, and tests products manufactured both locally and overseas. The Institute's Website contains a large number of articles containing consumer information (in Hebrew). Several times a year the Institute offers testing of specific products, such as microwave emissions. In many cases, these tests are free of charge.

42 Rehov Chaim Levanon (03) 6419683
Tel Aviv 69977

Ombudsman and Public Inquiries (03) 6465130
mevaker@sii.org.il

Public Inquiries - Government Ministries

Bank of Israel (02) 6552211
Complaints about banks

Israel Lands Authority (02) 6208422
Complaints about property registration.

Ministry of Agriculture (02) 6290111
Complaints about prices of agricultural products.

Ministry of Communications
Bezek Telephone Company 199
Service Center Line

R E S O U R C E S

Price Control Division (03) 5198230
Public inquiries about telephone rates, the Postal Authority, cell phone companies.

Multi-Channel Broadcast Division (02) 6702200
Public inquiries about cable television services.

Postal Authority Information 1-700-500-171
Information on postal rates, shipping, and postal codes.

Ministry of Construction and Housing (02) 5847211

Public inquiries about issues of rental fees and apartment purchases.

Registrar of Contractors (02) 5847143

Public inquiries about contractors listed in the Register, on issues of faulty construction, work delays, etc.

**The Ministry of Health
District Offices**

136 Rehov HeHalutz (08) 6464719
Beer Sheva

15 Sderot HaPalyam (04) 8633111
Haifa

86 Rehov Yaffo (02) 5314811
Jerusalem

12 Rehov HaArba'a (03) 5634848
Tel Aviv

1 Rehov HaMelacha (04) 6557888
Upper Nazareth

National Food Service (03) 5634782
Fax: (03) 5619549

The Ministry of the Interior (02) 6701423
Public inquiries about beaches and swimming pools.

The Ministry of National Infrastructures (02) 5005753
(04) 8675129

Public inquiries about quality, price, and distribution of fuel.

Advice on energy conservation 1-800-2233-77

The Ministry of Tourism (02) 6754811
Public inquiries about hotels and other tourist services.

The Ministry of Transportation Fax: (03) 6230310

Public inquiries about automobile parts, costs of intercity transportation, garages, driving schools, etc.

Union of Garages (03) 5620113

Municipal Authorities 105/6/7

Public inquiries about water supplies and water pressure, pipe damage, environmental pests, and other infrastructure issues.

**The Public Ombudsman of the
State Comptroller's Office** (02) 6705111

Public inquiries regarding government services, the Postal Authority, the State Lottery, universities, and other public bodies.

Non-profit and Voluntary Organizations

The following organizations all accept public complaints and offer advice and assistance with consumer issues. When contacting an organization, be sure to have all relevant documents, including agreements, receipts, and any written communication with the company, merchant, or corporation.

Consumer Hotline
www.kavham.org.il (04) 8243490
P.O.B. 7987 (04) 8244155
Haifa 31078

R E S O U R C E S

Consumer Protection Authority of the Histadrut
93 Rehov Arlozorov (03) 6921280
Tel Aviv 62098

Israel Consumers' Association (Independent)
35 Rehov HaMelech George (03) 5285228
Tel Aviv 63299 (03) 5259332

Organization of Religious Consumers (Etzad)
P.O.B. 69 (03) 5793337
Bnai Brak 51100

Women Against Offensive Advertising
Contact the Israel Women's' Network
www.iwn.org.il
E-mail: office@iwn.org.il

Activists identify and respond to advertisements that are offensive or harmful to women and girls. They send letters and apply public pressure on the advertisers to remove the offensive advertisement.

9 Rehov Habonim (03) 6123990
Ramat Gan 52462

The Ministry of Immigrant Absorption
www.moia.gov.il

National Telephone Information Center (03) 9733333
(English, Russian, Spanish, French Fax: (03) 9732143
and Amharic)

Jerusalem District Office (02) 6214555
15 Rehov Hillel Fax: (02) 6249398
Publications Department (02) 6241585

Tel Aviv District Office (03) 5209111
6 Rehov Esther HaMalka Fax: (03) 5209173

Haifa District Office (04) 8632323
15 Rehov HaPalyam Fax: (04) 8632336

Beer Sheva District Office (08) 6261222/3
31 Rehov Zalman Shazar Fax: (08) 6280529



OTHER AVAILABLE PUBLICATIONS

אנגלית

The following booklets are available from the Publications Department. To order, simply indicate the booklets you wish to receive and return the order form to the Publications Department, English Section, Ministry of Immigrant Absorption, 15 Rehov Hillel, Jerusalem 94581. The publications will be mailed to you free of charge.

- Guide for the New Immigrant
- The Absorption Basket
- Employment
- Employment Guidance Centers
- Education
- Guarding Your Health in Israel
- A Guide to Services for the Disabled
- A Guide to Transportation in Israel
- A Guide to Ulpan Study
- Health Services in Israel
- Housing
- The Life Cycle in Israel
- Military Service
- National Insurance Institute
- Retirees
- Where to turn
- Accountants
- Artists, Writers, and Athletes
- Computer and Hi-Tech Professionals
- Engineers and Architects
- Lawyers
- Nurses
- Psychologists
- Scientists and Researchers
- Social Workers
- Teachers
- Assistance to Victims of Enemy Actions
- Registering for a Health Fund
- Information for Olim Newspaper
- *Shiluv* Magazine

Name _____

Address _____

Postal Code _____

Date _____



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קליטת
עלייה

הופק על ידי
אגף מידע ופרסום
המשרד לקליטת העלייה
רח' הלל 15, ירושלים 94581
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ירושלים

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e-mail: info@moia.gov.il

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