



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**INTERNATIONAL ORGANISATIONS
(IMMUNITIES AND PRIVILEGES)
ACT 1948**

2020 REVISED EDITION

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International Organisations (Immunities and Privileges) Act 1948

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An Act to make provisions as to the immunities, privileges and capacities of international organisations, in particular those of which the Government and foreign governments are members; to confer immunities and privileges on the staff of such organisations and representatives of member governments and in respect of premises and documents of such organisations; and for purposes connected with the matters aforesaid.

[16/2016]

[28 July 1948]

Short title

1. This Act is the International Organisations (Immunities and Privileges) Act 1948.

Privileges, immunities and capacities of certain international organisations and their staff

2.—(1) This section applies to the following:

(a) any organisation declared by an order of the President to be an organisation of which the Government and the government or governments of one or more foreign sovereign Powers are members;

(b) any organisation specified in the First Schedule.

[16/2016]

(2) The President may by order —

(a) provide that any organisation to which this section applies (referred to in this Act as the organisation) shall, to such extent as may be specified in the order, have the immunities and privileges set out in Part 1 of the Second Schedule, and shall also have the legal capacities of a body corporate;

(b) confer upon —

(i) any persons who are representatives (whether of governments or not) on any organ of the organisation or are members of any committee of the organisation or of an organ thereof;

(ii) such number of officers of the organisation as may be specified in the order, being the holders of such high offices in the organisation as may be so specified; and

(iii) such persons employed on missions on behalf of the organisation as may be so specified,

to such extent as may be specified in the order, the immunities and privileges set out in Part 2 of the Second Schedule; and

- (c) confer upon such other classes of officers and employees of the organisation as may be specified in the order, to such extent as may be so specified, the immunities and privileges set out in Part 3 of the Second Schedule,

and Part 4 of the Second Schedule shall have effect for the purpose of extending to the staff of such representatives and members as are mentioned in paragraph (b)(i) and to the families of officers of the organisation any immunities and privileges conferred on the representatives, members or officers under paragraph (b), except insofar as the operation of Part 4 of the Second Schedule is excluded by the order conferring the immunities and privileges:

Provided that the order shall be so framed as to secure that there are not conferred on any person any immunities or privileges greater in extent than those which, at the time of the making of the order, are required to be conferred on that person in order to give effect to any international agreement in that behalf.

[16/2016]

(3) Where immunities and privileges are conferred on any persons by an order made under subsection (2), the President —

- (a) shall compile a list of the persons entitled to immunities and privileges conferred under subsection (2)(b), and may compile a list of the persons entitled to immunities and privileges conferred under subsection (2)(c);
- (b) shall cause any list compiled under this subsection to be published in the *Gazette*; and
- (c) whenever any person ceases or begins to be entitled to the immunities and privileges to which any such list relates, shall amend the list and cause a notice of the amendment or, if the President thinks fit, an amended list to be published in the *Gazette*.

(4) Every list or notice published under subsection (3) shall state the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to the immunities and privileges in question may, if a list of those persons has been so published, be

conclusively proved by producing the *Gazette* containing the list or, as the case may be, the last list taking effect before that time, together with the *Gazettes* (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in that list.

Diplomatic immunities of representatives attending international conferences

3.—(1) Where a conference is held in Singapore and is attended by the representatives of the Government and the government or governments of one or more foreign sovereign Powers and it appears to the President that doubts may arise as to the extent to which the representatives of the foreign Powers and members of their official staff are entitled to diplomatic immunities, the President may —

- (a) compile a list of the persons aforesaid who are entitled to such immunities, and cause that list to be published in the *Gazette*; and
- (b) whenever it appears to the President that any person ceases or begins to be entitled to such immunities, amend the list and cause a notice of amendment or, if the President thinks fit, an amended list, to be published in the *Gazette*,

and every representative of a foreign Power who is for the time being included in the list shall, for the purpose of any law and rule of law or custom relating to the immunities of an envoy of a foreign Power accredited to the President, and of the retinue of such an envoy, be treated as if he were such an envoy, and such of the members of his official staff as are for the time being included in the list shall be treated for that purpose as if they were his retinue.

(2) Every list or notice published under subsection (1) in relation to any conference shall include a statement of the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to diplomatic immunities as representatives attending the conference or as members of the official staff of any such representative may, if a list of those persons has been so published,

be conclusively proved by producing the *Gazette* containing the list or, as the case may be, the list taking effect before that time, together with the *Gazettes* (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in that list.

Application to United Nations

4. This Act in its application to the United Nations has effect subject to the following modifications:

- (a) any reference to the governing body or any committee of the organisation shall be construed as referring to the General Assembly or any council or other organ of the United Nations;
- (b) the powers conferred by section 2(2) include power by order to confer on the judges and registrars of the International Court and on suitors to that Court and their agents, counsel and advocates, such immunities, privileges and facilities as may be required to give effect to any resolution of, or convention approved by, the General Assembly of the United Nations.

Reciprocal treatment

5. Nothing in sections 2, 3 and 4 shall be construed as precluding the President from declining to accord immunities or privileges to, or from withdrawing immunities or privileges from, nationals or representatives of any Power on the ground that that Power is failing to accord corresponding immunities or privileges to Singapore nationals or representatives.

Amendment of First Schedule

6. The Minister may, by notification published in the *Gazette*, amend the First Schedule.

[16/2016]

FIRST SCHEDULE

Sections 2(1)(b) and 6

SPECIFIED ORGANISATIONS

1. International Tribunal for the Law of the Sea.
2. Bank for International Settlements.

[16/2016; S 47/2020]

SECOND SCHEDULE

Section 2(2)

IMMUNITIES AND PRIVILEGES

PART 1

IMMUNITIES AND PRIVILEGES OF THE ORGANISATION

1. Immunity from suit and legal process.
2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to the President.
3. The like exemption or relief from taxes and rates, other than import, export or excise duties on any article or articles, as may be accorded to a foreign sovereign Power.
4. Exemption from import or excise duties on any article or articles directly imported by the organisation for its official use in Singapore, such exemption to be subject to compliance with such conditions as the Director-General of Customs may prescribe for the protection of the revenue.
5. Exemption from prohibition and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.
6. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to, or despatched from, places outside Singapore), of any reduced rates applicable for the corresponding service in the case of press telegrams.

SECOND SCHEDULE — *continued*

PART 2

IMMUNITIES AND PRIVILEGES OF REPRESENTATIVES, MEMBERS OF
COMMITTEES, HIGH OFFICERS AND PERSONS ON MISSIONS

1. The like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to the President.
2. The like inviolability of residence as is accorded to such an envoy.
3. The like exemption or relief from taxes as is accorded to such an envoy.

PART 3

IMMUNITIES AND PRIVILEGES OF OTHER OFFICERS
AND EMPLOYEES

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.
2. Exemption from income tax in respect of emoluments received as an officer or employee of the organisation.

PART 4

IMMUNITIES AND PRIVILEGES OF REPRESENTATIVE'S STAFF AND OF
HIGH OFFICER'S FAMILY

1. Where any person is entitled to any such immunities and privileges as are mentioned in Part 2 of this Schedule as a representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof, his official staff accompanying him as such a representative or member shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign Power accredited to the President is entitled to the immunities and privileges accorded to the envoy.
2. Where any person is entitled to any such immunities and privileges as are mentioned in Part 2 of this Schedule as an officer of the organisation, that person's wife or husband and children under the age of 21 years shall also be entitled to those immunities and privileges to the same extent as the wife or husband and children of an envoy of a foreign sovereign Power accredited to the President are entitled to the immunities and privileges accorded to the envoy.

[16/2016]

LEGISLATIVE HISTORY
INTERNATIONAL ORGANISATIONS
(IMMUNITIES AND PRIVILEGES)
ACT 1948

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

1. Ordinance 19 of 1948 — Diplomatic Privileges Ordinance, 1948

Bill	:	G.N. No. S 163/1948
First Reading	:	15 June 1948
Second and Third Readings	:	13 July 1948
Commencement	:	28 July 1948

2. Ordinance 22 of 1951 — Diplomatic Privileges (Amendment) Ordinance, 1951

Bill	:	G.N. No. S 123/1951
First Reading	:	24 April 1951
Second and Third Readings	:	22 May 1951
Commencement	:	1 June 1951

3. 1955 Revised Edition — Diplomatic Privileges Ordinance (Chapter 268)

Operation	:	1 July 1956
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4. Ordinance 71 of 1959 — Transfer of Powers Ordinance, 1959

(Amendments made by section 5 read with the Second Schedule to the above Ordinance)

Bill	:	30/1959
First Reading	:	22 September 1959
Second and Third Readings	:	11 November 1959
Commencement	:	20 November 1959 (section 5 read with the Second Schedule)

5. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959

Commencement	:	20 November 1959
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6. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959

Commencement : 20 November 1959

7. 1970 Revised Edition — International Organizations (Immunities and Privileges) Act (Chapter 309)

Operation : 31 August 1971

Note: The Diplomatic Privileges Ordinance was renamed as the International Organizations (Immunities and Privileges) Act in the 1970 Revised Edition.

8. 1985 Revised Edition — International Organisations (Immunities and Privileges) Act (Chapter 145)

Operation : 30 March 1987

9. Act 4 of 2003 — Customs (Amendment) Act 2003

(Amendments made by section 26 read with item (14) of the Schedule to the above Act)

Bill : 6/2003

First Reading : 10 March 2003

Second and Third Readings : 21 March 2003

Commencement : 1 April 2003 (section 26 read with item (14)) of the Schedule)

10. 2013 Revised Edition — International Organisations (Immunities and Privileges) Act (Chapter 145)

Operation : 31 October 2013

11. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016

(Amendments made by section 12 of the above Act)

Bill : 15/2016

First Reading : 14 April 2016

Second and Third Readings : 9 May 2016

Commencement : 10 June 2016 (section 12)

12. G.N. No. S 47/2020 — International Organisations (Immunities and Privileges) Act (Amendment of First Schedule) Notification 2020

Commencement : 16 January 2020

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number