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DIPLOMATIC AND CONSULAR RELATIONS ACT 2005

DIPLOMATIC AND CONSULAR RELATIONS (IEA REGIONAL COOPERATION CENTRE) ORDER 2025

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In exercise of the powers conferred by section 6(3) of the Diplomatic and Consular Relations Act 2005, the Minister for Foreign Affairs makes the following Order:

Citation and commencement

1. This Order is the Diplomatic and Consular Relations (IEA Regional Cooperation Centre) Order 2025 and comes into operation on 6 January 2025.

Definitions

2. In this Order —

“Agreement” means the Agreement between the Government of the Republic of Singapore and the Organisation for the

Economic Co-operation and Development on the Establishment and Operation of an International Energy Agency Regional Cooperation Centre in Singapore signed on 13 February 2024;

“ASEAN country” means a member country of the Association of Southeast Asian Nations (ASEAN), which is not a member country of the IEA, an association country of the IEA or an accession country of the IEA;

“Centre” means the IEA Regional Cooperation Centre in Singapore;

“IEA” means the autonomous body known as the International Energy Agency that was established in November 1974 within the framework of the OECD to implement an international energy programme;

“IEA expert” means an individual (who may be a member of staff on loan but not an official) who is —

- (a) appointed by the OECD to carry out official missions for the Centre; and
- (b) hired to provide consultancy, information technology or intellectual services with outputs on advisory, design, supervision or transfer of know-how;

“IEA Governor” means an IEA representative, being the head of a delegation of a member country of the IEA, who is on the Governing Board of the IEA;

“IEA representative” means an individual who —

- (a) is a delegate, an alternate, an advisor, a technical expert or a secretary of a delegation of —
 - (i) a member country of the IEA;
 - (ii) an association country of the IEA;
 - (iii) an accession country of the IEA;
 - (iv) an ASEAN country; or
 - (v) any other intergovernmental organisation; and

(b) is attending a meeting convened by the IEA in Singapore on behalf of that country or organisation;

“IO Order” means the International Organisations (Immunities and Privileges) (IEA Regional Cooperation Centre) Order 2025 (G.N. No. S 6/2025);

“member of staff on loan” means an individual, assigned to the Centre, who is loaned to the IEA by a member country of the IEA, an association country of the IEA, an accession country of the IEA, an ASEAN country or any other intergovernmental organisation;

“OECD” means the Organisation for Economic Co-operation and Development reconstituted under the Convention on the Organisation for Economic Co-operation and Development signed in Paris on 14 December 1960, acting on behalf of the IEA in relation to the Centre and the activities of the IEA or the Centre in Singapore;

“official” means any individual, or any individual falling within a class of individuals, specified by the Secretary-General of the OECD as a member of the staff to whom the Agreement applies.

Immunities and privileges of IEA representatives, etc.

3.—(1) An IEA representative (not being a citizen or permanent resident of Singapore) enjoys immunity from legal process in respect of words spoken or written and acts performed by the IEA representative in his or her official capacity as an IEA representative in Singapore.

(2) The immunity enjoyed by an IEA representative under sub-paragraph (1) continues even after he or she has ceased to exercise his or her function as an IEA representative.

(3) In addition, an IEA representative who is an IEA Governor (not being a citizen or permanent resident of Singapore), while discharging his or her duties as an IEA representative at a meeting convened by the IEA in Singapore, enjoys —

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- (a) immunity from personal arrest or detention for acts performed in his or her official capacity as an IEA representative;
 - (b) inviolability of the IEA Governor's documents and papers;
 - (c) the right to use codes; and
 - (d) the right to receive papers and correspondence by courier or in a sealed bag.

Additional immunities and privileges of OECD

4. In addition to its immunities and privileges under the IO Order, the OECD enjoys the following immunities and privileges:

- (a) inviolability of the official communications and correspondence of the OECD;
- (b) freedom from censorship of its official correspondence and communications and the right to use codes;
- (c) the right to dispatch and receive official communications and correspondence by courier or in a sealed bag, such courier to enjoy the same inviolability as a diplomatic courier, and such bag and courier to have the same status as a diplomatic bag, under Article 27 of the Vienna Convention on Diplomatic Relations.

Additional immunities and privileges of officials assigned to Centre

5. In addition to his or her immunities and privileges under the IO Order, an official (not being a citizen or permanent resident of Singapore) assigned to the Centre enjoys —

- (a) the right to use codes for acts performed in his or her official capacity; and
- (b) the right to dispatch and receive correspondence and other papers and documents by courier for acts performed in his or her official capacity.

Additional immunities and privileges of officials on mission to Centre

6. In addition to his or her immunities and privileges under the IO Order, an official on mission to the Centre enjoys —

- (a) the right to use codes for acts performed in his or her official capacity; and
- (b) the right to dispatch and receive correspondence and other papers and documents by courier for acts performed in his or her official capacity.

Additional immunities and privileges for Secretary-General of OECD and Executive Director of IEA

7. In addition to paragraph 5 and his or her immunities and privileges under the IO Order, the Secretary-General of the OECD and Executive Director of the IEA enjoy the like immunities and privileges that are accorded under Articles 29 to 33, 35, 36(2) and 39 of the Vienna Convention on Diplomatic Relations to a diplomatic agent.

Additional immunities and privileges for IEA experts

8.—(1) In addition to his or her immunities and privileges under the IO Order, an IEA expert enjoys —

- (a) immunity from personal arrest or detention for acts performed by the IEA expert in his or her official capacity;
- (b) inviolability of the IEA expert's documents and papers used by the IEA expert in the performance of his or her mission;
- (c) the right to use codes for the purpose of communicating with the OECD or the IEA; and
- (d) the right to dispatch and receive correspondence and other papers and documents by courier for the purpose of communicating with the OECD or the IEA.

(2) An IEA expert enjoys the immunities and privileges under sub-paragraph (1) during the period of his or her mission, including time spent on journeys in connection with his or her mission.

(3) The immunity conferred under sub-paragraph (1)(a) does not apply —

- (a) to an IEA expert who is a citizen or permanent resident of Singapore (other than any member of staff on loan); and
- (b) in respect of any act performed by the IEA expert in his or her personal capacity.

Waiver of immunity or privilege

9.—(1) Despite anything in this Order but without affecting any immunity or privilege under the IO Order, any immunity or privilege conferred on a person under paragraph 3, 5, 6, 7 or 8 does not apply to that person if, in any particular case, it is waived by the competent authority.

(2) In sub-paragraph (1), “competent authority” means —

- (a) in the case of an IEA representative who is an IEA Governor — the member country of the IEA on whose behalf the IEA Governor attends the meeting convened by the IEA in Singapore;
- (b) in the case of any other IEA representative — the member country of the IEA, association country of the IEA, accession country of the IEA, ASEAN country or intergovernmental organisation (as the case may be) on whose behalf the IEA representative attends the meeting convened by the IEA in Singapore;
- (c) in the case of an official or IEA expert (other than the Secretary-General of the OECD or the Executive Director of the IEA) — the Secretary-General of the OECD; or
- (d) in the case of the Secretary-General of the OECD or the Executive Director of the IEA — the OECD.

Made on 16 December 2024.

ALBERT CHUA
*Permanent Secretary,
Ministry of Foreign Affairs,
Singapore.*

[C850-710/19; AG/LEGIS/SL/82A/2020/5]

(To be presented to Parliament under section 6(4) of the Diplomatic and Consular Relations Act 2005).