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## No. S 91

### INTERNATIONAL ORGANISATIONS (IMMUNITIES AND PRIVILEGES) ACT (CHAPTER 145)

### INTERNATIONAL ORGANISATIONS (IMMUNITIES AND PRIVILEGES) (MULTILATERAL INVESTMENT GUARANTEE AGENCY) (AMENDMENT) ORDER 2020

In exercise of the powers conferred by section 2(2) of the International Organisations (Immunities and Privileges) Act, the President makes the following Order:

#### **Citation and commencement**

1. This Order is the International Organisations (Immunities and Privileges) (Multilateral Investment Guarantee Agency) (Amendment) Order 2020 and comes into operation on 6 February 2020.

#### **Amendment of paragraph 2**

2. Paragraph 2 of the International Organisations (Immunities and Privileges) (Multilateral Investment Guarantee Agency) Order (O 16) (called in this Order the principal Order) is amended —

(a) by inserting, immediately after the definition of “asset”, the following definition:

““Chairman” means the person selected as Chairman by the Council of Governors under Article 31(b) of the Convention;”;

(b) by inserting, immediately after the definition of “Convention”, the following definitions:

““Director” means a member of the Board of Directors mentioned in Article 30 of the Convention;

“Governor” means a member of the Council of Governors mentioned in Article 30 of the Convention;”;

(c) by deleting the full-stop at the end of the definition of “MIGA” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

““President” means the President of MIGA mentioned in Article 30 of the Convention.”.

### **Deletion and substitution of paragraph 5**

3. Paragraph 5 of the principal Order is deleted and the following paragraph substituted therefor:

#### **“Inviolability of official archives**

5. MIGA has the like inviolability of official archives as is accorded in respect of the official archives of an envoy of a foreign sovereign Power accredited to the President of Singapore.”.

### **Amendment of paragraph 6**

4. Paragraph 6 of the principal Order is amended by deleting the words “, on any article” and substituting the words “on any article,”.

### **Deletion of paragraph 8**

5. Paragraph 8 of the principal Order is deleted.

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**Deletion and substitution of paragraph 9**

6. Paragraph 9 of the principal Order is deleted and the following paragraph substituted therefor:

**“Immunity and exemptions for high officials**

9.—(1) Each of the following persons enjoys immunity from legal process in respect of acts performed by the person in his or her official capacity:

- (a) a Governor and his or her alternate;
- (b) a Director and his or her alternate;
- (c) the President.

(2) Each of the following persons enjoys exemption from taxation on or in respect of salaries, expense allowances and other emoluments paid to him or her by MIGA:

- (a) the Chairman;
- (b) a Director and his or her alternate;
- (c) the President.

(3) Each Governor and his or her alternate enjoy exemption from taxation on or in respect of expense allowances paid to him or her by MIGA.

(4) Sub-paragraphs (2) and (3) do not apply to any person who is a citizen or permanent resident of Singapore.”.

**Deletion and substitution of paragraph 10**

7. Paragraph 10 of the principal Order is deleted and the following paragraph substituted therefor:

**“Immunity and exemption for staff**

10.—(1) Each member of the staff of MIGA enjoys —

- (a) immunity from legal process in respect of acts performed by the member in his or her official capacity; and

(b) exemption from taxation on or in respect of salaries, expense allowances and other emoluments paid to him or her by MIGA.

(2) The exemption under sub-paragraph (1)(b) does not apply to any member of the staff of MIGA who is a citizen or permanent resident of Singapore.”.

#### **New Part IV**

8. The principal Order is amended by inserting, immediately after paragraph 10, the following Part:

“PART IV

GENERAL

#### **Waiver of immunities and privileges**

11.—(1) Any immunity or privilege under this Order may be waived by MIGA to such extent and upon such conditions as MIGA may determine, except where the waiver prejudices the interests of MIGA.

(2) Any immunity or privilege under this Order is to be waived by MIGA if MIGA is of the opinion that the immunity or privilege —

(a) impedes the course of justice; and

(b) can be waived without prejudicing the interests of MIGA.”.

Made on 3 February 2020.

By Command,

TAN KEE YONG  
*Secretary to the Cabinet,  
Singapore.*

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