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INTERNATIONAL ORGANISATIONS (IMMUNITIES AND PRIVILEGES) ACT 1948

INTERNATIONAL ORGANISATIONS (IMMUNITIES AND PRIVILEGES) (IEA REGIONAL COOPERATION CENTRE) ORDER 2025

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In exercise of the powers conferred by section 2(2) of the International Organisations (Immunities and Privileges) Act 1948, the President makes the following Order:

Citation and commencement

1. This Order is the International Organisations (Immunities and Privileges) (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;

“archives of the OECD or IEA” means all records and correspondence, documents and other materials including tapes and films, sound recordings, computer software and written material, video tapes, discs and multimedia support (either in conventional or digital form) and any other support storing any information or materials belonging to or held by the OECD or on its behalf, in Singapore in relation to any or all of the following:

- (a) the IEA;
- (b) the Centre;
- (c) the activities of the IEA or the Centre;

“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;

“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;

“premises of the OECD or IEA” means any building or part of a building (including any land ancillary to the building or part), which is a clearly demarcated, non-public space utilised permanently, or temporarily, as the premises of the Centre or for any meeting convened by the IEA in Singapore;

“property of the OECD or IEA” means all property, including income, funds and assets belonging to, held or administered by the OECD or on its behalf, in relation to all or any of the following:

- (a) the IEA;
- (b) the Centre;
- (c) the activities of the IEA or the Centre.

Status of OECD

3. The OECD, being an organisation specified in the First Schedule to the Act, has the legal capacities of a body corporate.

Immunities and privileges of OECD

4.—(1) The OECD has immunity from legal process, except insofar as in any particular case the OECD has expressly waived its immunity.

(2) The waiver mentioned in sub-paragraph (1) does not extend to any measure of execution.

(3) The property of the OECD or IEA, wherever located and by whomsoever held, are immune from search, requisition, confiscation, expropriation or any other form of interference, by any form of legal process.

(4) The OECD has the like inviolability of the archives of the OECD or IEA, and the premises of the OECD or IEA, as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to the President.

(5) A public officer or an officer of a statutory body must not enter the premises of the OECD or IEA except with the consent of and under the conditions approved by the OECD.

(6) The consent mentioned in sub-paragraph (5) is implied in the case of fire, or any other emergency, requiring immediate action.

(7) The OECD has the like exemption or relief from the following taxes as may be accorded to a foreign sovereign Power:

- (a) income tax on any of its income (including incidental interest, if any) derived from Singapore;
- (b) property tax on all non-residential property in Singapore that are owned by the OECD for its official use;
- (c) goods and services tax in respect of goods (except any tobacco or motor vehicle) and services purchased, consumed or used in Singapore by the OECD for its official use;
- (d) goods and services tax on all imports (except any tobacco or motor vehicle) used by the OECD for its official use;
- (e) customs and excise duty imposed under section 10(1) of the Customs Act 1960 on the import of all goods (except any tobacco or motor vehicle) used by the OECD for its official use.

(8) The OECD is exempt from any prohibition or restriction on the import or export of any goods that are used by the OECD for its official use.

Immunities and privileges of officials assigned to Centre

5.—(1) Subject to paragraph 8, every official assigned to the Centre has immunity from legal process in respect of words spoken or written and acts performed by the official assigned to the Centre in his or her official capacity.

(2) Subject to paragraph 8, every official (not being a citizen or permanent resident of Singapore) assigned to the Centre has the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the President, in respect of the following taxes:

- (a) income tax in respect of salaries, emoluments and indemnities, pensions or any other element of remuneration paid to the official by the OECD;
- (b) customs and excise duty imposed under section 10(1) of the Customs Act 1960 on the import of all used personal and household effects (except any tobacco, liquor or motor vehicle);
- (c) goods and services tax on the import of all used personal and household effects (except any tobacco, liquor or motor vehicle).

(3) The exemption or relief conferred under sub-paragraph (2)(b) and (c) applies only to any used personal and household effects (except any tobacco, liquor or motor vehicle) that are imported within 6 months after the official assigned to the Centre takes up his or her assignment in Singapore.

Immunities and privileges of officials on mission to Centre

6.—(1) Subject to paragraph 8, every official on mission to the Centre has immunity from legal process in respect of words spoken or written and acts performed by the official on mission to the Centre in his or her official capacity.

(2) The immunity enjoyed by an official on mission to the Centre under sub-paragraph (1) continues even after the completion of his or her mission to the Centre.

Immunities and privileges of IEA experts

7.—(1) Subject to paragraph 8, every IEA expert has immunity from legal process in respect of words spoken or written and acts performed by the IEA expert in the performance of his or her mission.

(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 enjoyed by an IEA expert under sub-paragraph (1) continues even after the completion of his or her mission.

(4) The immunity conferred under sub-paragraph (1) 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);
- (b) in the case of a civil action by any party arising from any road traffic accident caused by the IEA expert; and
- (c) in respect of any act performed by the IEA expert in his or her personal capacity.

Waiver of immunity or privilege

8.—(1) Any immunity or privilege conferred on a person under paragraph 5, 6 or 7 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 the Secretary-General of the OECD or Executive Director of the IEA — the OECD; or
- (b) in any other case — the Secretary-General of the OECD.

Made on 26 December 2024.

By Command,

LIN QINGHUI
*Acting Secretary to the Cabinet,
Singapore.*

[C850-710/19; AG/LEGIS/SL/145/2020/9]