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

INTERNATIONAL ORGANISATIONS
(IMMUNITIES AND PRIVILEGES)
(UNITED NATIONS DEVELOPMENT PROGRAMME)
ORDER 2020

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
2. Definitions
3. Status of Office
4. Inviolability of premises
5. Immunities and privileges of Office
6. Immunities of Representatives of Members and Participants in United Nations Meetings
7. Immunities and privileges of Officials of Office
8. Immunities and privileges of Head of Office
9. Non-application of Part IV of Second Schedule to Act
10. Waiver of immunity

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) (United Nations Development Programme) Order 2020 and is deemed to have come into operation on 25 September 2012.

Definitions

2. In this Order, unless the context otherwise requires —

“Agreement” means the agreement between the Republic of Singapore and the United Nations Development Programme, signed on 25 September 2012, concerning the establishment of the Office;

“Head of Office” means the official who is the Head of the Office;

“Office” means the Global Centre for Public Service Excellence established and operated by the United Nations Development Programme in Singapore;

“Official of the Office” means a United Nations staff member, within the meaning of Article 97 of the Charter of the United Nations, whose employment and contractual relationship is defined by a letter of appointment that is subject to regulations promulgated by the General Assembly pursuant to Article 101, paragraph 1, of the Charter, and who is assigned to the service of the Office, but does not include anyone who is recruited in Singapore and paid hourly rates;

“Premises of the Office” means the building or part of the building occupied by the Office for the purposes of the Office, and includes any other premises used with the concurrence of the Government for any meeting, seminar, training course, symposium, workshop or similar activity organised by the Office, for the duration of such meeting, seminar, training course, symposium, workshop or activity;

“property of the Office” means all property, including funds, income and other assets belonging to the Office or held or administered by the Office in furtherance of its official functions.

Status of Office

3.—(1) The Office is an organisation of which the Government and the governments of foreign sovereign Powers are members.

(2) The Office has the legal capacities of a body corporate.

Inviolability of premises

4.—(1) The Premises of the Office has the like inviolability as is accorded in respect of the official premises of an envoy of a foreign sovereign Power accredited to the Republic of Singapore.

(2) A public officer or an officer of a statutory body must not enter the Premises of the Office except with the consent of and under the conditions approved by the Head of Office.

(3) The consent mentioned in sub-paragraph (2) is implied in the case of fire or any other emergency requiring immediate action.

(4) The Premises of the Office must not be used or permitted to be used as a refuge for avoiding arrest under the laws of Singapore or in any other manner incompatible with the functions of the Office as set out in Article II of the Agreement.

Immunities and privileges of Office

5.—(1) The Office and the property of the Office enjoy immunity from every form of suit and legal process for acts done in the performance of its functions, except insofar as the Secretary-General of the United Nations has expressly waived its immunity.

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

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

- (a) income tax on its income;
- (b) property tax in respect of the property of the Office;
- (c) goods and services tax on all imports (except vehicles) for the official use of the Office;
- (d) stamp duty in relation to the Premises of the Office;
- (e) all customs and excise duty in respect of its publications, and articles imported or exported by the Office for its official use, and its publications.

(4) The Office is exempted from any prohibition or restriction on the import or export of articles for its official use, and its publications.

(5) All articles to which sub-paragraphs (3)(e) and (4) apply must not be sold in Singapore except under conditions agreed with the Government.

Immunities of Representatives of Members and Participants in United Nations Meetings

6.—(1) A Representative of a Member of the United Nations, of its principal or subsidiary organ or of any specialised agency of the United Nations, invited to any meeting, seminar, training course, symposium, workshop or similar activity organised by the Office, while exercising his or her function and during his or her journey to and from the place of meeting, seminar, training course, symposium, workshop or similar activity (as the case may be), enjoys the following immunities:

- (a) immunity from arrest or detention;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by him or her in his or her capacity as such Representative.

(2) The immunity mentioned in sub-paragraph (1)(b) continues to be accorded to an individual referred to in sub-paragraph (1), even if he or she is no longer a Representative of a Member of the United Nations, its principal or subsidiary organ, or a specialised agency of the United Nations.

Immunities and privileges of Officials of Office

7. Every Official of the Office enjoys the following immunities and privileges:

- (a) immunity from legal process (even after termination of employment with the United Nations) in respect of words spoken or written and all acts performed by him or her in his or her official capacity;
- (b) exemption from taxation on salaries and emoluments paid to him or her by the United Nations.

Immunities and privileges of Head of Office

8. Without affecting paragraph 7, the Head of Office, during his or her residence in Singapore, enjoys the following immunities and privileges:

- (a) the like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to the Republic of Singapore;
- (b) the like inviolability of residence as is accorded to such an envoy.

Non-application of Part IV of Second Schedule to Act

9. Part IV of the Second Schedule to the Act does not apply to extend any immunity or privilege conferred by this Order to any person.

Waiver of immunity

10. The Secretary-General of the United Nations is to waive the immunity of an individual under this Order in any case where, in the Secretary-General's opinion, the immunity would impede the course of justice and the waiver does not prejudice the interests of the United Nations.

Made on 28 October 2020.

By Command,

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

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