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INTERNATIONAL ORGANISATIONS
(IMMUNITIES AND PRIVILEGES) ACT 1948
(SECTION 2)

INTERNATIONAL ORGANISATIONS
(IMMUNITIES AND PRIVILEGES)
(INTERNATIONAL CIVIL AVIATION ORGANIZATION)
ORDER 1949

ARRANGEMENT OF PARAGRAPHS

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[23 September 1949]

Citation

1. This Order is the International Organisations (Immunities and Privileges) (International Civil Aviation Organization) Order 1949.

Status of International Civil Aviation Organization

2.—(1) The International Civil Aviation Organization set up under Article 43 of the Convention on International Civil Aviation signed at Chicago on 7 December 1944 (called in this Order the Organization)

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is an organisation of which the Government and the governments of foreign sovereign Powers are members.

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

Immunities and privileges of the Organization

3.—(1) The Organization has immunity from suit and legal process, except insofar as in any particular case it has expressly waived its immunity.

(2) No waiver of immunity is deemed to extend to any measure of execution.

(3) The Organization has the like inviolability of its 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 Republic of Singapore.

(4) The Organization has the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

(5) The Organization has exemption from taxes on the importation of —

- (a) goods directly imported by the Organization for its official use in Singapore or for exportation; and
- (b) any of the publications of the Organization directly imported by it,

subject to compliance with any condition that the Director-General of Customs may prescribe for the protection of the revenue.

(6) The Organization has exemption from prohibitions and restrictions on importation or exportation —

- (a) in the case of goods directly imported or exported by the Organization for its official use; and
- (b) in the case of any publication of the Organization directly imported or exported by it.

(7) The Organization has the right to avail itself —

- (a) for telegraphic communications sent by it and containing only matter intended for publication by the press; or
- (b) for broadcasting (including communications addressed to or despatched from places outside Singapore),

of any reduced rate applicable for the corresponding service in the case of press telegrams.

Immunities and privileges of representatives of members

4.—(1) Except insofar as in any particular case any privilege or immunity is waived by the member governments whom they represent, representatives of member governments to the Assembly or to the Council of the Organization, to any Commission (however named) provided for in the constitution of the Organization, or to any committee of such Assembly, Council or Commission —

- (a) enjoy, while exercising their functions as such, and during their journeys to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents;
- (b) enjoy immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives; and
- (c) are not, where the incidence of any form of taxation depends on residence, deemed to be resident in Singapore during any period when they are present in Singapore while exercising their functions or during their journeys to and from the place of meeting.

(2) In this Order, “representatives of member governments” includes their official staff accompanying them as such representatives, who are —

- (a) delegates;
- (b) deputy delegates;
- (c) advisers;

- (d) technical experts; or
- (e) secretaries of delegations.

(3) Sub-paragraphs (1) and (2) do not confer any immunity or privilege on any person —

- (a) as the representative of the Government;
- (b) as a member of the staff of a representative mentioned in sub-paragraph (a); or
- (c) who is a citizen of Singapore.

Immunities and privileges of Secretary General, Deputy Secretary General and President of Council of the Organization

5. Except insofar as in any particular case any privilege or immunity is waived by the Organization, the Secretary General or Deputy Secretary General of the Organization and the President of the Council of the Organization are accorded in respect of themselves, their spouses and their children under 21 years of age —

- (a) the like immunity from suit and legal process;
- (b) the like inviolability of residence; and
- (c) the like exemption or relief from taxes (including exemption from income tax in respect of emoluments received by them as officers of the Organization),

as are accorded to an envoy of a foreign sovereign Power accredited to the Republic of Singapore and the envoy's spouse and children.

Immunities and privileges of persons serving on Committees of or employed on missions on behalf of the Organization

6. Except insofar as in any particular case any privilege or immunity is waived by the Organization, persons (other than officials of the Organization) serving on Committees of, or employed on missions on behalf of, the Organization enjoy —

- (a) while exercising their functions as such, and during their journeys to and from the place of meeting — immunity from personal arrest or detention and from seizure of their

personal baggage and inviolability of all papers and documents relating to the work of the Organization; and

- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions, such immunity to continue even though the person concerned is no longer employed on missions on behalf of the Organization.

Immunities and privileges of other officials of the Organization

7. Except insofar as in any particular case any privilege or immunity is waived by the Organization, officials of the Organization (other than those referred to in paragraph 5) enjoy —

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties; and
- (b) exemption from income tax in respect of emoluments received by them as officers or employees of the Organization.

Publication of names

8. The names of the persons to whom paragraphs 4, 5, 6 and 7 apply are to be set out in a list compiled and published from time to time by the President under section 2(3) of the Act, and the list must show in regard to each person —

- (a) the date as from which, for the purposes of this Order, he or she first held the office or employment in question; and
- (b) the date when he or she ceased to hold that office or employment.

[Note: The Government of the Republic of Singapore succeeded the International Civil Aviation Organization on 18 March 1966.]

COMPARATIVE TABLE
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