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DIPLOMATIC AND CONSULAR RELATIONS ACT 2005 (SECTION 6(3))

DIPLOMATIC AND CONSULAR RELATIONS (UNITED NATIONS DEVELOPMENT PROGRAMME) ORDER 2020

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[25 September 2012]

Citation

1. This Order is the Diplomatic and Consular Relations (United Nations Development Programme) Order 2020.

Definitions

2. In this Order —

“archives of the Office” means all records, correspondence, documents, manuscripts, computer records, still and motion

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pictures, film and sound recordings, belonging to or held by the Office in furtherance of its official functions;

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

“Office” means the Global Centre for Public Service Excellence, now known as the Global Centre for Technology, Innovation and Sustainable Development, 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;

“Service Contractor” means an individual who is hired by the United Nations Development Programme as an independent contractor to provide secretarial, finance, information technology, human resource and other administrative support services to the Office.

Additional immunities and privileges of Office

3. The Office, in addition to its immunities and privileges under the International Organisations (Immunities and Privileges) (United Nations Development Programme) Order 2020, enjoys the following immunities and privileges:

- (a) inviolability of all archives of the Office, and all documents in whatever form, wherever they are located in Singapore and by whomsoever held;
- (b) inviolability of the official correspondences of the Office;
- (c) freedom from censorship of the official communications of the Office;
- (d) the right to use codes;

- (e) the right to send and receive correspondence by courier or in a bag, such courier to enjoy the same inviolability as a diplomatic courier, and such bag to have the same status as a diplomatic bag, under Article 27 of the Vienna Convention on Diplomatic Relations.

Immunities and privileges of Representatives of Members and Participants in United Nations Meetings

4. In addition to the immunities under the International Organisations (Immunities and Privileges) (United Nations Development Programme) Order 2020, 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 journeys to and from the place of meeting, seminar, training course, symposium, workshop or similar activity (as the case may be), enjoys the following immunities and privileges:

- (a) inviolability of all their official papers and documents;
- (b) the right to use codes and to receive papers and correspondence by courier or in sealed bags;
- (c) the same immunities and facilities in respect of their personal baggage as are accorded to an envoy of a sovereign Power accredited to the Republic of Singapore;
- (d) the like exemption or relief from taxes as is accorded under Article 34 of the Vienna Convention on Diplomatic Relations to a diplomatic agent, other than the following:
 - (i) customs duty for the import of goods;
 - (ii) excise duty on goods whether manufactured in Singapore or elsewhere.

Additional immunities and privileges of Head of Office and Officials of Office above Grade D1

5.—(1) In addition to the immunities and privileges under the International Organisations (Immunities and Privileges) (United

Nations Development Programme) Order 2020, every Official of the Office who is at least Grade D1 (including the Head of Office) and who is not a citizen or permanent resident of Singapore enjoys exemption from customs and excise duty and vehicle taxes (including goods and services tax, the fee for a certificate of entitlement, registration fee and additional registration fee) when importing or purchasing one motor vehicle for personal use.

(2) Where the Official of the Office who is at least Grade D1 has enjoyed the exemption under sub-paragraph (1) in respect of any motor vehicle, he or she does not enjoy the exemption in respect of any other motor vehicle within 4 years after the date on which he or she became the registered owner of the firstmentioned vehicle under the Road Traffic Act 1961.

(3) In addition to the immunities and privileges under sub-paragraph (1), the Head of Office also enjoys the following:

- (a) like immunities and privileges as are accorded under Articles 29 to 32, 35, 36(2) and 39 of the Vienna Convention on Diplomatic Relations to a diplomatic agent;
- (b) exemption from property tax in respect of premises used as his or her residence;
- (c) exemption from stamp duties in respect of any tenancy agreement entered into by the Head of Office for premises used as his or her residence;
- (d) exemption from foreign domestic worker levy in respect of 3 foreign domestic workers employed by him or her;
- (e) exemption from taxes in respect of water supplied by the Public Utilities Board to his or her residence in Singapore;
- (f) exemption from customs and excise duties when purchasing petroleum of premium or intermediate grade.

Additional immunities and privileges of Officials of Office

6.—(1) In addition to the immunities and privileges under the International Organisations (Immunities and Privileges) (United Nations Development Programme) Order 2020, every Official of the Office enjoys the following:

- (a) the like exemption as is accorded under Article 33 of the Vienna Convention on Diplomatic Relations to a diplomatic agent;
- (b) exemption from import duties and goods and services tax for the import of furniture and personal effects (but not tobacco, liquor and vehicles) for the first 6 months after he or she takes up his or her post in Singapore.

(2) All new items imported into Singapore by an Official of the Office under the exemption mentioned in sub-paragraph (1)(b) must not be disposed of by sale in Singapore less than 12 months after the date of purchase, except with the prior written consent of the Government.

Immunity of Service Contractor

7. A Service Contractor, if agreed to by the Government, enjoys immunity from legal process in respect of words spoken or written and acts performed by him or her when exercising his or her functions in accordance with his or her contract with the United Nations Development Programme.

Waiver of immunity

8. 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.

Non-application of immunity

9. Despite anything in this Order, no immunity mentioned in paragraph 7 is to be enjoyed by any individual who is a citizen or permanent resident of Singapore.