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

DIPLOMATIC AND CONSULAR RELATIONS (PERMANENT COURT OF ARBITRATION) ORDER 2007

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[1 October 2007]

Citation

1. This Order is the Diplomatic and Consular Relations (Permanent Court of Arbitration) Order 2007.

Definitions

2. In this Order —

“Administrative Council” means the Administrative Council of the Permanent Court of Arbitration;

“International Bureau” means the International Bureau of the Permanent Court of Arbitration;

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“Official of the PCA” means —

- (a) the Secretary-General;
- (b) any PCA Legal Officer; or
- (c) any member of the staff of the International Bureau;

“participant”, in relation to a PCA Proceeding, means —

- (a) a witness, expert, counsel or party to the PCA Proceeding;
- (b) an agent or other representative of a party to the PCA Proceeding;
- (c) an interpreter, translator or court reporter taking part in any hearing, meeting or other activity in relation to the PCA Proceeding; or
- (d) any person appointed by the PCA to assist any PCA Adjudicator in a hearing, meeting or other activity in relation to the PCA Proceeding;

“Permanent Court of Arbitration” or “PCA” means the Permanent Court of Arbitration based in The Hague;

“PCA Adjudicator” means any arbitrator, mediator, conciliator or member of a fact-finding commission of inquiry taking part in any hearing, meeting or other activity in relation to any PCA Proceeding;

“PCA Agreement” means the Host Country Agreement between the Government of the Republic of Singapore and the Permanent Court of Arbitration dated on 25 April 2022;

“PCA Legal Officer” means any legal officer of the PCA appointed to serve in Singapore by the PCA pursuant to the PCA Agreement;

“PCA Meeting” means any meeting or conference convened by the PCA or the PCA Office, or under the sponsorship or auspices of either;

“PCA Office” means the PCA Office in Singapore for the Promotion of Dispute Resolution through the Mechanisms of the Permanent Court of Arbitration;

“PCA Proceeding” means any dispute resolution proceeding administered by or under the auspices of the PCA in which one or more of the parties is a State, a State-controlled entity or an intergovernmental organisation;

“Secretary-General” means the head of the International Bureau.

Additional immunities and privileges of PCA

3. The PCA enjoys and has, in addition to its immunities and privileges under the International Organisations (Immunities and Privileges) (Permanent Court of Arbitration) Order 2007 —

- (a) freedom of communication for all official purposes; and
- (b) the right to send and receive correspondence by courier or in a bag, such courier to enjoy the same privileges and immunities 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.

Additional immunities and privileges of Officials of the PCA and PCA Adjudicators

4. Every Official of the PCA, and every PCA Adjudicator, who is not a citizen or permanent resident of Singapore enjoys and has, in addition to his or her immunities and privileges under the International Organisations (Immunities and Privileges) (Permanent Court of Arbitration) Order 2007, exemption from —

- (a) all public service of any kind whatsoever; and
- (b) military obligations,

except insofar as in any particular case that exemption is waived —

- (c) in the case of a PCA Adjudicator or an Official of the PCA (other than the Secretary-General) — by the Secretary-General; or

(d) in the case of the Secretary-General — by the Administrative Council.

Additional privilege of a PCA Legal Officer

4A. In addition to the immunities and privileges of a PCA Legal Officer under the International Organisations (Immunities and Privileges) (Permanent Court of Arbitration) Order 2007, a PCA Legal Officer enjoys exemption from custom duties when importing furniture and effects for the PCA Legal Officer's personal use within 6 months after taking up the appointment in Singapore.

Immunities and privileges of participants in PCA Proceedings

5.—(1) Every participant in a PCA Proceeding who is not a citizen or permanent resident of Singapore enjoys and has —

- (a) immunity from suit and legal process of every kind in respect of all words spoken or written and all acts done by him or her in connection with a PCA Proceeding;
- (b) inviolability of his or her documents and papers; and
- (c) the right to send and receive correspondence by courier or in a bag, such courier to enjoy the same privileges and immunities 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,

except insofar as in any particular case that immunity or privilege is waived —

- (d) in a case where the participant represents or is designated by a State which is a party to the PCA Proceeding — by the State; or
- (e) in any other case — by the Secretary-General.

(2) The immunity under sub-paragraph (1)(a) continues to apply even after the participant in the PCA Proceeding ceases to be such a participant.

(3) Every participant in a PCA Proceeding who is a citizen or permanent resident of Singapore enjoys and has immunity from suit

and legal process of every kind in respect of all words spoken or written and all acts done by him or her in connection with a PCA Proceeding, except insofar as in any particular case that immunity is waived —

(a) in a case where the participant represents or is designated by a State which is a party to the PCA Proceeding — by the State; or

(b) in any other case — by the Secretary-General.

(4) The immunity under sub-paragraph (3) continues to apply even after the participant in the PCA Proceeding ceases to be such a participant.

Immunities and privileges of person assisting in conduct of PCA Proceeding or PCA Meeting

6.—(1) Every person assigned by the Government to assist in the conduct of any PCA Proceeding or PCA Meeting in Singapore pursuant to the PCA Agreement, enjoys immunity from suit and legal process of every kind in respect of all words spoken or written and all acts done by him or her in the course of providing the assistance, except insofar as in any particular case that immunity is waived by the Secretary-General.

(2) The immunity under sub-paragraph (1) does not apply to any person who is a citizen or permanent resident of Singapore.

COMPARATIVE TABLE
DIPLOMATIC AND CONSULAR RELATIONS
(PERMANENT COURT OF ARBITRATION) ORDER 2007

This subsidiary legislation has undergone renumbering in the 2026 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the previous version.

2026 Ed.	S 518/2007
5—(2)	5—(1A)
(3)	(2)
(4)	(3)