

**International Organisations (Immunities and Privileges) (Permanent Court of Arbitration) Order 2007**

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**No. S 519**

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

**INTERNATIONAL ORGANISATIONS (IMMUNITIES AND PRIVILEGES)  
(PERMANENT COURT OF ARBITRATION) ORDER 2007**

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

**Citation and commencement**

**1.** This Order may be cited as the International Organisations (Immunities and Privileges) (Permanent Court of Arbitration) Order 2007 and shall come into operation on

1st October 2007.

## Definitions

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

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

“Deputy Secretary-General” means the deputy to the head of the International Bureau;

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

“Official of the PCA” means —

(a) the Secretary-General;

(b) the PCA Legal Officer; or

(c) any member of the staff of the International Bureau;

*[S 33/2018 wef 15/01/2018]*

“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;

*[S 33/2018 wef 15/01/2018]*

“PCA Agreement” means the Host Country Agreement between the Government of the Republic of Singapore and the Permanent Court of Arbitration signed in Singapore on 25 July 2017;

*[S 33/2018 wef 15/01/2018]*

*[Deleted by S 33/2018 wef 15/01/2018]*

*[Deleted by S 33/2018 wef 15/01/2018]*

“PCA Legal Officer” means the legal officer of the PCA posted to Singapore by the PCA pursuant to the PCA Agreement;

*[S 33/2018 wef 15/01/2018]*

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

*[S 33/2018 wef 15/01/2018]*

“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;

“policy of insurance” means a policy of insurance in respect of third-party risks which complies with the requirements of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189);

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

### **Status of PCA**

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

(2) The PCA (including the PCA Office, as an organ of the PCA) shall have the legal capacities of a body corporate.

*[S 33/2018 wef 15/01/2018]*

### **Immunities and privileges of PCA and PCA Office**

**4.—**(1) The PCA and the PCA Office, including —

- (a) the property and assets of the PCA;
- (b) any office or meeting space provided by the Government for any activity undertaken in connection with any PCA Proceeding; and
- (c) any office space provided by the Government for the PCA Legal Officer and staff supporting him to discharge their official duties,

are immune from suit and legal process.

(2) The immunity mentioned in sub-paragraph (1) does not apply —

- (a) where there is an express waiver of the immunity by the PCA in any particular case; or
- (b) in the case of a civil action arising out of any accident caused by a motor vehicle belonging to, or operated on behalf of, the PCA, where any damages claimed are not recoverable under any policy of insurance in force in relation to the use of that motor vehicle.

(3) Subject to sub-paragraph (6), the official archives of the PCA (including all documents and electronic data belonging to or held by the PCA), and the official premises of the PCA, have the same inviolability as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to the President.

(4) The property and assets of the PCA, wherever located and by whomsoever held, are immune from search, confiscation, expropriation or other form of judicial constraint,