



THE STATUTES OF THE REPUBLIC OF SINGAPORE

STATE IMMUNITY ACT 1979

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

State Immunity Act 1979

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title and application
2. Interpretation

PART 2

PROCEEDINGS IN SINGAPORE BY OR AGAINST OTHER STATES

Immunity from jurisdiction

3. General immunity from jurisdiction

Exceptions from immunity

4. Submission to jurisdiction
5. Commercial transactions and contracts to be performed in Singapore
6. Contracts of employment
7. Personal injuries and damage to property
8. Ownership, possession and use of property
9. Patents, trade marks, etc.
10. Membership of bodies corporate, etc.
11. Arbitrations
12. Ships used for commercial purposes
13. Customs duties, etc.

Procedure

14. Service of process and judgments in default of appearance
15. Other procedural privileges

PART 3

SUPPLEMENTARY PROVISIONS

Section

16. States entitled to immunities and privileges
 17. Restriction and extension of immunities and privileges
 18. Evidence by certificate
 19. Excluded matters
-

An Act to make provision with respect to proceedings in Singapore by or against other States, and for purposes connected therewith.

[26 October 1979]

PART 1

PRELIMINARY

Short title and application

1.—(1) This Act is the State Immunity Act 1979.

(2) Subject to subsection (3), Part 2 does not apply to proceedings in respect of matters that occurred before 26 October 1979 and, in particular —

(a) sections 4(2) and 15(3) do not apply to any prior agreement; and

(b) sections 5, 6 and 11 do not apply to any transaction, contract or arbitration agreement,

entered into before that date.

(3) Section 14 applies to any proceedings instituted after 26 October 1979.

Interpretation

2.—(1) In this Act —

“commercial purposes” means purposes of any transactions or activities that are mentioned in section 5(3);

“court” includes any tribunal or body exercising judicial functions;

“ship” includes a hovercraft.

(2) In this Act —

(a) references to an agreement in sections 4(2) and 15(3) include references to a treaty, convention or other international agreement; and

(b) references to entry of appearance and judgments in default of appearance include references to any corresponding procedures.

PART 2

PROCEEDINGS IN SINGAPORE BY OR AGAINST OTHER STATES

Immunity from jurisdiction

General immunity from jurisdiction

3.—(1) A State is immune from the jurisdiction of the courts of Singapore except as provided in the following provisions of this Part.

(2) A court is to give effect to the immunity conferred by this section even though the State does not appear in the proceedings in question.

Exceptions from immunity

Submission to jurisdiction

4.—(1) A State is not immune as respects proceedings in respect of which it has submitted to the jurisdiction of the courts of Singapore.

(2) A State may submit after the dispute giving rise to the proceedings has arisen or by a prior written agreement; but a provision in any agreement that it is to be governed by the law of Singapore is not to be regarded as a submission.

(3) A State is deemed to have submitted —

(a) if it has instituted the proceedings; or