

No. 8206

**SINGAPORE
and
MALAYSIA**

**Agreement relating to the separation of Singapore from
Malaysia as an independent and sovereign State. Signed
at Kuala Lumpur, on 7 August 1965**

Official text: English.

Registered by Singapore on 1 June 1966.

**SINGAPOUR
et
MALAISIE**

**Accord relatif à la constitution de Singapour en tant qu'État
indépendant et souverain, détaché de la Malaisie. Signé
à Kuala-Lumpur, le 7 août 1965**

Texte officiel anglais.

Enregistré par Singapour le 1^{er} juin 1966.

No. 8206. AN AGREEMENT¹ RELATING TO THE SEPARATION OF SINGAPORE FROM MALAYSIA AS AN INDEPENDENT AND SOVEREIGN STATE. SIGNED AT KUALA LUMPUR, ON 7 AUGUST 1965

An Agreement dated the 7th day of August, 1965, and made between the Government of Malaysia of the one part and the Government of Singapore of the other part.

Whereas Malaysia was established on the 16th day of September, 1963, by a federation of the existing states of the Federation of Malaya and the States of Sabah, Sarawak and Singapore into one independent and sovereign nation ;

And whereas it has been agreed by the parties hereto that fresh arrangements should be made for the order and good government of the territories comprised in Malaysia by the separation of Singapore from Malaysia upon which Singapore shall become an independent and sovereign state and nation separate from and independent of Malaysia and so recognised by the Government of Malaysia ;

Now therefore it is agreed and declared as follows :

Article I

This Agreement may be cited as the Independence of Singapore Agreement, 1965.

Article II

Singapore shall cease to be a State of Malaysia on the 9th day of August, 1965, (hereinafter referred to as "Singapore Day") and shall become an independent and sovereign state separate from and independent of Malaysia and recognised as such by the Government of Malaysia ; and the Government of Malaysia will proclaim and enact the constitutional instruments annexed to this Agreement in the manner hereinafter appearing.

Article III

The Government of Malaysia will declare by way of proclamation in the form set out in Annex A to this Agreement that Singapore is an independent and sovereign

¹ Came into force on 9 August 1965, the date of independence of Singapore, by signature.

state separate from and independent of Malaysia and recognised as such by the Government of Malaysia.

Article IV

The Government of Malaysia will take such steps as may be appropriate and available to them to secure the enactment by the Parliament of Malaysia of an Act in the form set out in Annex B to this Agreement and will ensure that it is made operative as from Singapore Day, providing for the relinquishment of sovereignty and jurisdiction of the Government of Malaysia in respect of Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in the Government of Singapore in accordance with this Agreement and the constitutional instruments annexed.

Article V

The parties hereto will enter into a treaty on external defence and mutual assistance providing that :

- (1) the parties hereto will establish a joint defence council for purposes of external defence and mutual assistance ;
- (2) the Government of Malaysia will afford to the Government of Singapore such assistance as may be considered reasonable and adequate for external defence, and in consideration thereof, the Government of Singapore will contribute from its own armed forces such units thereof as may be considered reasonable and adequate for such defence ;
- (3) the Government of Singapore will afford to the Government of Malaysia the right to continue to maintain the bases and other facilities used by its military forces within Singapore and will permit the Government of Malaysia to make such use of these bases and facilities as the Government of Malaysia may consider necessary for the purpose of external defence ;
- (4) each party will undertake not to enter into any treaty or agreement with a foreign country which may be detrimental to the independence and defence of the territory of the other party.

Article VI

The parties hereto will on and after Singapore Day co-operate in economic affairs for their mutual benefit and interest and for this purpose may set up such joint committees or councils as may from time to time be agreed upon.

Article VII

The provisions of Annex J and K of the Agreement relating to Malaysia dated the 9th day of July, 1963 are hereby expressly rescinded as from the date of this Agreement.

Article VIII

With regard to any agreement entered into between the Government of Singapore and any other country or corporate body which has been guaranteed by the Government of Malaysia, the Government of Singapore hereby undertakes to negotiate with such country or corporate body to enter into a fresh agreement releasing the Government of Malaysia of its liabilities and obligations under the said guarantee, and the Government of Singapore hereby undertakes to indemnify the Government of Malaysia fully for any liabilities, obligations or damage which it may suffer as a result of the said guarantee.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto, have signed this Agreement.

DONE this 7th day of August, 1965, in two copies of which one shall be deposited with each of the Parties.

For the Government of Malaysia :

Y. T. M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M.

Prime Minister

TUN ABDUL RAZAK BIN DATO HUSSEIN, S.M.N.

Deputy Prime Minister

DATO (Dr.) ISMAIL BIN DATO ABDUL RAHMAN, P.M.N.

Minister of Home Affairs

TAN SIEW SIN, J.P.

Minister of Finance

DATO V.T. SAMBANTHAN, P.M.N.

Minister of Works, Post and Telecommunications