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**Notification No. B 42** — The United Nations Bill is hereby published for general information. It was introduced in Parliament on the 5th day of October 2001.

# United Nations Bill

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**Bill No. 42/2001.**

*Read the first time on 5th October 2001.*

## THE UNITED NATIONS ACT 2001

**(No.     of 2001)**

### ARRANGEMENT OF SECTIONS

#### Section

1. Short title and commencement
  2. Power to make regulations to enable effect to be given to Article 41 of Charter of United Nations
  3. Immunity from suit
  4. Protection of persons for acts done under this Act
  5. Liability for breach of regulations
  6. Liability of citizens of Singapore for offences committed outside Singapore
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A BILL

*intituled*

An Act to enable Singapore to fulfil its obligations respecting Article 41 of the Charter of the United Nations.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act may be cited as the United Nations Act 2001 and shall  
5 come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Power to make regulations to enable effect to be given to Article 41 of Charter of United Nations**

2.—(1) Subject to subsection (2), if, under Article 41 of the Charter of the United Nations signed at San Francisco on 26th June 1945 (being the Article which relates to measures not involving the use of armed force), the Security Council of the United Nations calls upon the Government to apply any measures to give effect to any decision of that Council, the Minister may, from time to time, make all such regulations as appear to him to be necessary or expedient for enabling those measures to be effectively applied, including (without prejudice to the generality of the preceding words) provisions for —

- (a) the apprehension, trial and punishment of persons offending against the regulations; and
- (b) empowering any person or class of persons to exercise, when investigating any offence under this Act or any regulations made thereunder, all or any of the powers of a police officer under the Criminal Procedure Code (Cap. 68) in relation to seizable offences.

(2) The measures to be applied under subsection (1) shall not apply to any financial institution or class of financial institutions to the extent that the financial institution or class of financial institutions is or may be subject to the directions of the Monetary Authority of Singapore under section 27A of the Monetary Authority of Singapore Act (Cap. 186).

(3) No regulation made under this Act shall be deemed to be invalid because it deals with any matter provided for by any written law, or because of repugnancy to or inconsistency with any written law other than the Constitution.

(4) All regulations made under this Act shall be presented to Parliament as soon as possible after publication in the *Gazette*.

(5) All expenses incurred by the Government in applying any such measures as are mentioned in this section shall be defrayed out of moneys provided by Parliament.

### **Immunity from suit**

3.—(1) No action, suit or other legal proceedings shall lie against —

- 5 (a) any party to a contract for failing, neglecting or refusing to carry out any act required by the contract; or
- (b) any person for failing, neglecting or refusing to carry out any act under any written law,

where such failure, neglect or refusal is solely attributable to, or occasioned by, the provisions of this Act or any regulations made thereunder.

(2) Nothing in this section shall affect the operation of the Frustrated Contracts Act (Cap. 115).

### **Protection of persons for acts done under this Act**

4. No person shall be personally liable in respect of any act done by him in the execution or purported execution of this Act or any regulations made thereunder if he did it in the honest belief that his duty under this Act or any regulations made thereunder required or entitled him to do it.

### **Liability for breach of regulations**

20 5.—(1) Every person who commits, or attempts to commit, or does any act with intent to commit, or counsels, procures, aids, abets, or incites any other person to commit, or conspires with any other person (whether in Singapore or elsewhere) to commit any offence against any regulations made under this Act shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(2) Nothing in this Act or any regulations made thereunder shall prevent any person from being prosecuted under any other written law for any act or omission which constitutes an offence under this Act or any regulations made thereunder, or from being liable under that other written law to any punishment or penalty higher or other than that provided by this Act or the regulations, but no person shall be punished twice for the same offence.

## **Liability of citizens of Singapore for offences committed outside Singapore**

**6.—**(1) The provisions of this Act have effect, in relation to citizens of Singapore, outside as well as within Singapore, and where an offence under this Act or any regulations made thereunder is committed by a citizen of Singapore in any place outside Singapore, he may be dealt with in respect of that offence as if it had been committed within Singapore. 5

(2) Any proceedings against any person under this section which would be a bar to subsequent proceedings against that person for the same offence, if the offence had been committed in Singapore, shall be a bar to further proceedings against him, under any written law for the time being in force relating to the extradition of persons, in respect of the same offence outside Singapore. 10

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### **EXPLANATORY STATEMENT**

This Bill seeks to enable Singapore to fulfil the obligations undertaken by her respecting Article 41 of the Charter of the United Nations which relates to measures (not involving the use of armed force) decided by the Security Council to be employed to give effect to its decisions.

Clause 1 relates to the short title and commencement.

Clause 2 empowers the Minister to make regulations to enable effect to be given to Article 41 of the Charter of the United Nations. It also provides that the regulations made under the Bill will be valid notwithstanding that they deal with any matter that has been provided for in any written law or is repugnant to or inconsistent with any written law other than the Constitution. The measures to be applied under the regulations made under the clause will not apply to any financial institution or class of financial institutions to the extent that the financial institution or class of financial institutions is or may be subject to the directions of the Monetary Authority of Singapore under section 27A of the Monetary Authority of Singapore Act (Cap. 186).

Clause 3 provides for immunity from legal proceedings arising from the failure to carry out any act required under a contract or any written law where such act is prohibited by the Bill or any regulations made thereunder.

Clause 4 confers immunity from suit on any person for any act done honestly in execution of the Bill or any regulations made thereunder.

Clause 5 deals with criminal liability for any breach of regulations made under the Bill and provides the punishment for such offences.

Clause 6 deals with the liability of citizens of Singapore for offences committed outside Singapore.

#### EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.

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