

No. 27455

**AUSTRALIA
and
SINGAPORE**

Exchange of notes constituting an agreement concerning assistance to the Singapore armed forces in furtherance of the Five Power Defence Arrangements for Malaysia and Singapore (with annexes). Singapore, 1 December 1971

Authentic text: English.

Registered by Australia on 30 July 1990.

**AUSTRALIE
et
SINGAPOUR**

Échange de notes constituant un accord relatif à une assistance aux forces armées de Singapour dans le cadre des arrangements de défense des cinq puissances pour la Malaisie et Singapour (avec annexes). Singapour, 1^{er} décembre 1971

Texte authentique : anglais.

Enregistré par l'Australie le 30 juillet 1990.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE CONCERNING ASSISTANCE TO THE SINGAPORE ARMED FORCES IN FURTHERANCE OF THE FIVE POWER DEFENCE ARRANGEMENTS FOR MALAYSIA AND SINGAPORE

I

AUSTRALIAN HIGH COMMISSION
SINGAPORE

1st December, 1971

Dear Minister,

I have the honour to refer to the **communiqué** issued by representatives of the Governments of Australia, Malaysia, New Zealand, Singapore and the United Kingdom at the conclusion of the Ministerial meeting in London on 16 April, 1971, to consider matters of common interest to all five Governments relating to the defence of Malaysia and Singapore. In furtherance of the intentions expressed in that **communiqué** I have the honour to propose that the following arrangements shall apply between the Government of Australia and the Government of Singapore as from 1 November, 1971.

- (1) (a) The Government of Australia shall, as may be agreed from time to time between the two Governments, furnish the Government of Singapore with assistance of the kind referred to in Annex I to this Note for the training and development of the Singapore Armed Forces.
- (b) The Government of Singapore shall afford to the Government of

¹ Came into force by the exchange of notes, with retroactive effect from 1 November 1971, in accordance with the provisions of the said notes.

Australia in respect of any Australian force that may be stationed or be present in Singapore with the consent of the Government of Singapore and in respect of the authorised service organisations, civilian component of such size as may be agreed between the two Governments to be necessary and dependants of such a force, rights and facilities in accordance with the provisions of Annex II to this Note.

- (c) The provisions contained in Annex III to this Note shall apply to any Australian force that may be present in Singapore with the consent of the Government of Singapore and to the authorised service organisations, civilian component of such size as may be agreed between the two Governments to be necessary and dependants of such a force (including the persons mentioned in Section 8 of that Annex).
- (d) The provisions contained in Annex IV to this Note shall apply to the land and facilities made available to the Government of Australia for the purposes of this Note.
- (e) The Government of Singapore and the Government of Australia shall afford each other an adequate opportunity for comment upon any major administrative or legislative proposals which may affect the operation of the arrangements described in this Note or in its Annexes.

(2) For the purposes of the arrangements described in this Note, or in its Annexes, the terms used therein shall, unless the context otherwise requires, have the following meanings respectively assigned to them:-

- (a) "installations" means the areas in Singapore made available to the Government of Australia for the

purposes of this Note and includes the immovable property and structures situated thereon or built therein;

- (b) "Australian force" means any body, contingent, or detachment of any naval, land or air forces of Australia when stationed in the territory of Singapore or when present there in connection with their official duties but does not include loan personnel;
- (c) "Australian Service authorities" means the authorities empowered by the law of Australia to exercise command or jurisdiction over members of an Australian force or civilian component or dependants;
- (d) "Singapore authorities" means the authority or authorities from time to time authorized or designated by the Government of Singapore for the purpose of exercising the powers in relation to which the expression is used;
- (e) "civilian component" means the civilian personnel accompanying an Australian force, who are employed in the service of an Australian force or by an authorized service organisation accompanying an Australian force, or by a department or authority of the Government of Australia having functions relating to the armed forces or to defence matters, and who are not stateless persons, nor nationals of, nor ordinarily resident in, Singapore;
- (f) "authorized service organisation" means a body organised for the benefit of, or to serve the welfare of, an Australian force or civilian component or dependants, as may be agreed between the two Governments;
- (g) "dependant" means a person not ordinarily resident in Singapore who is the spouse of a member of an Australian

force or civilian component or who is wholly or mainly maintained or employed by any such member, or who is in his custody, charge or care, or who forms part of his family;

- (h) "loan personnel" means officers and other ranks for the time being provided by Australia to assist in the staffing, administration and training of the Singapore Armed Forces pursuant to the arrangements described in paragraph 1(a) and Annex I of this Note;
- (i) "official vehicles" means vehicles, including hired vehicles, which are exclusively in the service of an Australian force or department or authority having functions relating to the armed forces or to defence matters, or authorised service organisations;
- (j) the expression "of an Australian force" used in relation to "vessels" or "aircraft" includes vessels and aircraft on charter for the service of an Australian force.

2. If the foregoing is acceptable to the Government of Singapore, I have the honour to propose that this Note and its Annexes together with your reply to that effect shall constitute an Agreement between the two Governments in this matter which shall be deemed to have entered into force on 1 November, 1971.

Yours sincerely,

[Signed]

M. F. PARKINSON
High Commissioner

Dr. Goh Keng Swee
Minister of Defence
Ministry of Defence
Republic of Singapore

ANNEX IASSISTANCE BY AUSTRALIA TO
THE SINGAPORE ARMED FORCES

The Government of Australia shall provide as may be agreed between the Government of Singapore and the Government of Australia and on such terms, including terms as to payment, as may be agreed:

- (a) personnel to assist in the staffing, administration and training of the Singapore Armed Forces;
- (b) facilities, including instructional courses abroad, for training members of the Singapore Armed Forces;
- (c) expert advice and assistance in operational and technical matters;
- (d) use of facilities for the purposes of this Note; and
- (e) assistance in the supply of equipment for the Singapore Armed Forces.

ANNEX IIRIGHTS AND FACILITIESSection 1 - Installations

The Government of Singapore shall afford the Government of Australia an adequate opportunity to comment before any development is authorised in the vicinity of the installations, with the exceptions of married quarters, schools, religious and recreational facilities, which in the opinion of the Government of Singapore would hamper their operation or endanger their security.

Section 2 - Training

(1) The Government of Australia may use such defined land and sea areas, air space and facilities related thereto, as may be agreed between the Government of Australia and the Government of Singapore for the purpose of training or exercising an Australian force and the carrying out of joint exercises with the Singapore Armed Forces or with those of other countries.

(2) The Government of Australia shall give the Government of Singapore such prior notice of its intention to use any such areas or air space, or any related facilities, as may be agreed between the two Governments; and the Government of Singapore shall take such measures as may be agreed between the two Governments to restrict civilian movement and activity in the areas or air space concerned during their use by an Australian force, and generally to facilitate the carrying out of such training and exercises.

Section 3 - Survey

The Government of Australia may with the agreement of the Singapore authorities conduct such topographical, hydrographical, geodetic and other surveys as may be required for the purposes of this Note in and over the territory and territorial waters of Singapore. The results of such surveys, including relevant maps, air photographs, triangulations and other control data, shall be made available to the Singapore authorities if required.

Section 4 - Movement of Forces, Vessels, Aircraft and Vehicles

(1) The Government of Singapore shall grant to an Australian force, civilian component and dependants, and vessels, aircraft and vehicles of an Australian force, freedom of entry to, egress from and movement between the installations by water, air and land. Australian ships may visit Singapore ports on reasonable notification or in accordance with such operating arrangements as may be agreed between the Singapore authorities and the Australian Service authorities.

(2) The Government of Singapore shall grant to an Australian force, civilian component and dependants, and to vessels, aircraft and vehicles of an Australian force, freedom of entry to, egress from and movement in and over the territory and territorial waters of Singapore. Aircraft movements shall normally be made in accordance with such laws and regulations of the Government of Singapore for the control of aircraft as may be agreed with the Australian Service authorities from time to

time and the movement of vessels shall be in accordance with the normal international practice and any port laws and regulations.

- (3) (a) The Government of Australia shall have the right to pass explosives (including ammunition) through the ports of Singapore and to transport them to any place and to move them to any extent reasonably necessary within Singapore.
- (b) The Government of Australia shall indemnify the port authorities and the Government of Singapore against any legally enforceable claim presented against them by reason of the happening during the exercise of any of the rights aforesaid in breach of port bye-laws or other laws in Singapore in respect of the transport or storage of explosives of any explosion of such explosives.
- (c) The Government of Australia shall pay compensation to the port authorities and to the Government of Singapore for any damage to property of those authorities or of that Government, as the case may be, resulting from any explosion of such explosives during the exercise by the Government of Australia of any of the rights aforesaid.
- (d) The indemnity or compensation in any case arising under sub-paragraph (b) or (c) of this paragraph shall be such a sum as is agreed between the Government of Australia and the port authorities or the Government of Singapore (as the case may be), after having taken into account all the circumstances of the case.

Section 5 - Control of Aircraft, Vessels and Vehicles

- (1) Except as may be otherwise agreed between the Government of Australia and the Government of Singapore, the Government of Australia may exercise such control over aircraft, vessels and vehicles entering, leaving and within the installations as may be required for the efficient operation, safety and security of such installations.
- (2) The Government of Singapore shall arrange for such control over aircraft, vessels and vehicles entering, leaving and within areas near the installations as is agreed between the Government of Australia and the Government of Singapore to be necessary to ensure the efficient operation, safety and security of such installations.

Section 6 - Navigational Aids

The Government of Singapore shall allow the Government of Australia to install throughout the territory and territorial waters of Singapore such lights and other aids to navigation as the Government of Australia may deem necessary to ensure the proper operation and safety of an Australian force, provided that the location of any such aid shall be agreed with the Government of Singapore.

Section 7 - Telecommunications Systems

- (1) The Government of Singapore shall allow an Australian force to construct and use telecommunications systems (including radio, electromagnetic and radar systems) and as necessary to link them with the systems of the Government of Singapore and with other systems inside or outside

Singapore, on terms and conditions to be agreed between the Government of Australia and the Government of Singapore.

(2) Radio frequencies used by an Australian force will be such frequencies as are requested of the competent authority for Singapore and as assigned and registered for it by that authority.

(3) The Government of Singapore shall facilitate the transmission of broadcast programmes suitable for members of an Australian force, civilian component and dependants, and shall, if requested by the Service authorities, permit such authorities to make arrangements for relaying broadcasts within and between the installations.

(4) The Government of Australia shall continue to use and be responsible for registered frequencies and powers of emission for their telecommunications, radio and radar systems in Singapore unless otherwise agreed between the Government of Australia and the Government of Singapore; and there shall be agreement between the two Governments about the use by the Government of Australia of new frequencies and powers of emission for their telecommunications, radio and radar systems in Singapore.

Section 8 - Postal Services

The Government of Singapore shall permit the Government of Australia to operate, if necessary, Post Offices within and postal services in and between the installations and between such installations and other Post Offices within and outside the territory of the Government of Singapore for the exclusive use of the Government of Australia and members of an Australian force, civilian component and dependants, under arrangements agreed with the Government of Singapore.

Section 9 - Local Purchases

Subject to any wish expressed by the Government of Singapore, the Government of Australia and its contractors and authorised service organisations shall purchase locally goods and commodities which they require for the purposes of this Note if they are available at a suitable price and are of the standard required.

Section 10 - Employment of Local Civilians

Subject to any wish expressed by the Government of Singapore, the Government of Australia and its contractors and authorised service organisations shall employ such local labour as they may require, provided the labour is available and qualified to do the work. The Government of Australia shall have general regard to the laws of Singapore in the employment of such labour, and in the pay and conditions thereof.

Section 11 - Use of Public Services and Facilities

(1) The Government of Australia may employ and use for an Australian force, authorised service organisations, civilian component and dependants any and all public utilities, other services and facilities, airfields, ports, harbours, roads, highways, railways, bridges, viaducts, canals, lakes, rivers and streams in Singapore without payment of duties or taxes except charges for services rendered, and otherwise under conditions generally comparable with those applicable from time to time to the Singapore Armed Forces.

(2) Where, at the request of the Government of Australia, roads or other public services are developed or maintained to a level which would not have been needed but for such request, the Government of Australia shall make a contribution towards the cost of such development or maintenance as the case may be on a basis to be agreed between the Government of Australia and the Government of Singapore.

Section 12 - Construction, Development and Maintenance of Facilities

(1) The Government of Australia may with the agreement of the Government of Singapore construct, develop and maintain such facilities as may be necessary for the purposes of this Note.

(2) Where such facilities serve the needs of both Governments, the costs shall be borne by the two Governments in such proportions as are agreed between them.

Section 13 - Generation and Distribution of Light and Power

Within the installations, the Government of Australia may generate light and power for emergency use in such installations, and transmit and distribute such light and power by means of cables or in any other way whatsoever.

ANNEX IIISTATUS OF FORCESSection 1 - Criminal Jurisdiction

- (1) Subject to the provisions of this section:
- (a) the Australian Service authorities shall have the right to exercise within Singapore all criminal and disciplinary jurisdiction conferred on them by the law of Australia over members of an Australian force or civilian component or dependants;
 - (b) the Singapore authorities shall have jurisdiction over the members of an Australian force or civilian component or dependants with respect to offences committed within Singapore and punishable by the law of Singapore.
- (2)
- (a) The Australian Service authorities shall have the right to exercise exclusive jurisdiction over members of an Australian force or civilian component or dependants with respect to offences punishable by the law of Australia but not by the law of Singapore.
 - (b) The Singapore authorities shall have the right to exercise exclusive jurisdiction over members of an Australian force or civilian component or dependants with respect to offences punishable by the law of Singapore but not by the law of Australia.
- (3) In cases where the right to exercise jurisdiction is concurrent, the following rules shall apply:
- (a) the Australian Service authorities shall have the primary right to exercise jurisdiction over members of an Australian force or civilian component or dependants in relation to:
 - (i) offences against the security of Australia, offences solely against the property of that country or against the person or property of another member of an Australian force or civilian component or of a dependant;
 - (ii) offences arising out of any act or omission done in the performance of official duty;
 - (b) in the case of any other offence, the Singapore authorities shall have the primary right to exercise jurisdiction;
 - (c) if the authorities having the primary right decide not to exercise jurisdiction, they shall notify the other authorities as soon as practicable. The authorities having the primary right of jurisdiction shall give sympathetic consideration to a request from the other authorities for a waiver of their right in cases where those other authorities consider such waiver to

be of particular importance, or where suitable punishment can be applied by disciplinary action without recourse to a court.

(4) The foregoing provisions of this section shall not confer any right on the Australian Service authorities to exercise jurisdiction over persons who are nationals of or ordinarily resident in Singapore unless they are members of an Australian force or civilian component or dependants.

(5) (a) The Australian Service authorities and the Singapore authorities shall assist each other in arresting members of an Australian force or civilian component or dependants and handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions. The Australian Service authorities shall assist the Singapore authorities in the arrest within the installations of other offenders against the laws of Singapore.

(b) The Singapore authorities shall give prompt notification to the Australian Service authorities of the arrest of any member of an Australian force or civilian component or a dependant.

(c) The custody of an accused member of an Australian force or civilian component or a dependant over whom the Singapore authorities are to exercise jurisdiction shall remain with the Australian Service authorities until he is brought to trial by the Singapore authorities.

(6) (a) The Australian Service authorities and the Singapore authorities shall assist each other in carrying out all necessary investigations into offences and in the collection and production of evidence relating to an offence. For the purpose of this paragraph, members of the police forces of Singapore may, by arrangement with the Australian Service authorities, have reasonable access to the installations except to premises which are enclosed and under guard.

(b) The Australian Service authorities and the Singapore authorities shall notify each other of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.

(7) Where an accused has been tried in accordance with the provisions of this section by the Australian Service authorities or the Singapore authorities as the case may be, and has been acquitted, or has been convicted, he may not be tried again for the same offence by the Australian Service authorities or the Singapore authorities as the case may be. However, nothing in this paragraph shall prevent the Australian Service authorities from trying a member of an Australian force for any violation of rules of discipline arising from an act or omission which constituted an offence for which he was tried by the Singapore authorities.

(8) Whenever a member of an Australian force or civilian component or a dependant is prosecuted under the jurisdiction of Singapore he shall be entitled:

(a) to a prompt and speedy trial;

- (b) to be informed in advance of trial of the specific charge or charges made against him;
- (c) to be confronted with the witnesses against him;
- (d) to have compulsory process for obtaining witnesses in his favour if they are within the jurisdiction of Singapore;
- (e) to have legal representation of his own choice for his defence, or to have free or assisted legal representation under the conditions prevailing for the time being in Singapore;
- (f) to have the services of a competent interpreter; and
- (g) to communicate with a representative of his Government and, when the rules of the court permit, to have a representative of that Government present at his trial.

Section 2 - Security

- (1) The Australian Service authorities may take such measures as they deem necessary to ensure the security of the installations and of the equipment, property, records and official information of an Australian force.
- (2) The Singapore authorities shall co-operate with the Australian Service authorities in taking such steps as from time to time may be necessary to ensure the security of the installations of an Australian force, its members, civilian component and dependants and their property.
- (3) The Government of Singapore shall enact such legislation and take such other action as is necessary to ensure the adequate security within the territory of Singapore of the installations and of the equipment, property, records and official information of an Australian force, and the punishment of persons who contravene the laws of Singapore relating thereto.
- (4) An Australian force shall have the right to maintain Service police for the maintenance of discipline within the force and for the security of the installations which it occupies. Such Service police may, with the agreement of and in liaison with the Singapore authorities, be employed outside the installations in so far as such employment may be necessary to maintain the security of such installations or discipline and order among the members of an Australian force.
- (5) For the maintenance of order and security within any military installations occupied by an Australian force, there may be established, as agreed between the two Governments, an Auxiliary Police Force in accordance with the Police Force Act of Singapore.

Section 3 - Compulsory Service

Members of an Australian force or civilian component or dependants shall not be subject to any law enacted in Singapore relating to liability for compulsory service of any kind.

Section 4 - Carriage of Arms

Members of an Australian force may possess and carry arms when authorised to do so by their orders.

Section 5 - Exchange Control

(1) Members of an Australian force or civilian component and dependants shall remain subject to the foreign exchange regulations of Australia but as regards acts done in the territory of Singapore shall also be subject to the exchange control regulations of Singapore in force from time to time.

(2) Remittances between Singapore and Australia shall be freely permitted in respect of:

(a) funds derived by members of an Australian force or civilian component from services or employment in connection with the purposes of this Note;

(b) funds belonging to an authorised service organisation and derived from its recognised trading activities; and

(c) funds derived by members of an Australian force or civilian component or dependants or by an authorised service organisation from sources outside Singapore, subject to the regulations of Australia.

(3) The preceding paragraphs shall not preclude the transmission into or outside Singapore of foreign exchange instruments representing the official funds of an Australian force.

(4) This section shall not apply to persons ordinarily resident in Singapore.

Section 6 - Import, Export, Taxation, etc.

(1) Save as provided expressly to the contrary in this Annex, members of an Australian force or civilian component and dependants shall be subject to the laws and regulations administered by the customs authorities of Singapore.

(2) Official documents under official seal shall not be subject to customs inspection. The package shall be accompanied by a certificate which states that only official documents are enclosed. Samples of the official seals shall be lodged with the customs authorities.

(3) (a) An Australian force may import free of duty equipment, material, vehicles, provisions, supplies and other goods for the exclusive use or consumption of an Australian force or civilian component.

(b) An authorised service organisation may import free of duty and without licence or other restriction reasonable quantities of provisions, supplies and other goods for the exclusive use or consumption of the members of an Australian force or civilian component or dependants.

(c) A member of an Australian force or civilian component or a dependant may import free of duty

used portable articles and household effects, and goods by parcel post.

(4) A member of an Australian force or civilian component may at the time of or within a reasonable period after his entry into Singapore import temporarily and free of duty a private motor vehicle for his personal use and that of his dependants.

(5) Items which have been imported duty free under paragraphs (3) and (4) of this section:

(a) may be re-exported freely, provided that in the case of goods imported under paragraph (3) a certificate is presented to the customs office; the customs authorities may verify that goods re-exported are as described in the certificate and have been imported under the conditions of paragraph (3) or (4) as the case may be;

(b) shall not, if they are owned by a member of an Australian force or civilian component, be disposed of in Singapore by way of either sale or gift except to members of an Australian or a New Zealand or a United Kingdom force or civilian components or dependants thereof. Disposal otherwise may only be made on such conditions, including payment of duty and taxes and compliance with the requirements of the controls of trade and exchange, as may be imposed by the competent Singapore authorities;

(c) may, if they are owned by an Australian force or by an authorised service organisation, be disposed of in Singapore by public sale, auction, tender or private treaty, provided that:

(i) before doing so the Australian Service authorities concerned shall first offer them for sale at a reasonable price having regard to their condition and other relevant circumstances to the Government of Singapore unless the latter shall have indicated that it is not interested in their acquisition;

(ii) in so disposing of stores or goods the Australian Service authorities concerned shall be liable to pay any duties which would be payable on items so disposed of as if they were imported by a private individual into Singapore at the date of such disposal.

(6) The arrangements in paragraph (5)(c) above shall cover only the sale or disposal of unforeseen surpluses or damaged items of official stores and equipment. Any such sale or disposal shall not be made in a manner or with such frequency as seriously to compete with or adversely affect legitimate trade or industry in the territory of Singapore. The Government of Australia or the Government of Singapore shall at the request of the other Government be ready at any time to enter into discussions for this purpose should it appear necessary to that other Government.

(7) The Australian Service authorities shall be allowed delivery of all fuel, oil and lubricants exclusively for use in official vehicles,

aircraft and vessels of an Australian force or civilian component or an authorised service organisation or in the installations, free of all duties and taxes.

(8) In paragraphs (3) to (7) of this section:

(a) "duty" means customs duties and all other duties, taxes and ad valorem registration fees payable on importation and exportation as the case may be, except dues and taxes which are no more than charges for services rendered;

(b) "importation" includes withdrawal from customs warehouses or continuous customs custody, provided that the goods concerned have not been grown, produced or manufactured in Singapore.

(9) The movement of vessels, vehicles or aircraft of an Australian force in and over the territory and territorial waters of Singapore shall be free from harbour charges and all dues, tolls or taxes, except charges for specific services rendered at the request of the Australian Service authorities.

(10) Official vehicles, excluding vehicles hired in Singapore, of an Australian force or civilian component or an authorised service organisation shall be exempt from any regulations relating to the registration of vehicles in Singapore and from any tax payable in respect of the use of such vehicles on the roads of Singapore. However, official vehicles shall carry distinctive number plates, issued by the appropriate Service authorities, which shall readily identify such vehicles.

(11) The Singapore authorities shall accept as valid, without a driving test or fee, the driving permit or licence issued by the Australian Service authorities to a member of an Australian force or civilian component for the purpose of driving official vehicles. For the purpose of driving other vehicles, a driving permit or licence issued by the Singapore authorities shall be obtained.

(12) Authorised service organisations shall be exempt in Singapore from taxes on income and profits, and shall not be liable to the Singapore laws governing the constitution, management, conduct and taxation of companies or other organisations as such.

(13) The Government of Singapore shall exempt from tax the official emoluments paid from Australian Government funds to members of an Australian force or civilian component whilst in Singapore, in respect of their offices under the Government of Australia, if such emoluments are subject to an income tax in Australia, provided that nothing herein contained shall prejudice any claims for exemption or relief from taxation under arrangements between the two Governments for the avoidance of double taxation.

(14) The Australian Service authorities shall take all possible measures and on request shall render all assistance within their power to the Singapore authorities to prevent misuse of the privileges granted and to ensure proper discharge of the obligations imposed under this section and the immediately preceding section. In particular the Australian Service authorities shall by appropriate administrative instructions bring their rights and obligations to the notice of all members of an Australian force, civilian component and dependants.

(15) This section shall not apply to persons ordinarily resident in Singapore.

Section 7 - Entry and Exit

Subject to compliance with the formalities established by Singapore relating to entry and departure, members of an Australian force or civilian component or dependants shall be exempt from passport and visa regulations and immigration inspection on entering or leaving the territory of Singapore. They shall also be exempt from the regulations of Singapore authorities on the registration and control of aliens, but shall not be considered as acquiring any right to permanent residence or domicile in the territory of Singapore.

Section 8 - Persons in transit to and from Malaysia

(1) For the purposes of this section, the definitions of "Australian force", "civilian component" and "dependant" (as set out in paragraph 1(2) of this Note) shall have effect as if any reference therein to the territory of Singapore included a reference to the territory of Malaysia, and the definition of "loan personnel" (as so set out) shall have effect as if, at the end, there were added the words "or the armed forces of Malaysia pursuant to similar arrangements made with the Government of Malaysia".

(2) The provisions of Sections 1, 4, 6 and 7 of this Annex shall apply in relation to members of an Australian force or civilian component or dependants at any time when in the territory of Singapore being in transit to or from Malaysia or when in it for the purposes of their official duty as members of such a force or component.

ANNEX IVLAND

- (1) (a) The Government of Singapore shall make available to the Government of Australia for the purposes of this Note, and for the duration of the Defence arrangement to which it relates, the land and facilities described in Schedules I and II attached hereto as follows:-
- (i) Schedule I - Land required for military units;
 - (ii) Schedule II - Married Quarter and other areas.
- (b) The use of the land (and any structures thereon) as described in Schedule I may be extended to the New Zealand and United Kingdom Service authorities in accordance with the arrangements agreed between the Governments of New Zealand and the United Kingdom and the Government of Singapore.
- (c) The use of the land (and any structures thereon) as described in Schedule II may, with the prior agreement of the Government of Singapore, be extended to the New Zealand and United Kingdom Service authorities in accordance with the arrangements agreed between the Governments of New Zealand and the United Kingdom and the Government of Singapore.
- (2) The Australian Service authorities shall, with the prior agreement of the Government of Singapore, also have use of the land (including the structures thereon) provided by the Government of Singapore to the Governments of New Zealand and the United Kingdom on terms set out in paragraph 4 hereunder.
- (3) All user-rights which prior to this Exchange of Notes were exercisable by the Government of the United Kingdom for the benefit and more convenient use of any land (including any structures thereon) to which Schedule I applies shall be so exercisable by the Government of Australia for the purposes of this Note.
- (4) (a) No rental shall be payable by the Government of Australia in respect of the land to which Schedule I to this Annex applies, but the Government of Australia shall pay to the Government of Singapore such contributions as may from time to time be agreed between them in respect of services ordinarily related to the payment of property tax and which benefit the land (including any structures thereon) to which Schedule I refers;
- (b) Annual rentals based on 75% of the prevailing market rentals for the married quarters made available in Schedule II to this Annex shall be payable by the Government of Australia to the Government of Singapore. The Government of Australia shall be responsible for the upkeep and maintenance of such married quarters;

(c) Annual rentals based on 4% of the capital values of schools and sports/recreational facilities made available in Schedule II to this Annex shall be payable by the Government of Australia to the Government of Singapore. The Government of Australia shall be responsible for the upkeep and maintenance of such facilities.

(5) The Government of Singapore shall endeavour to make available such further land and facilities as may be required by the Government of Australia for the purposes of this Note upon terms to be agreed between them.

(6) The Government of Singapore shall have the right to request the Government of Australia to vacate any land in Schedules I and II to this Annex. No compensation shall be payable in such an event provided, however, that if any of the military facilities listed in Schedule I to this Annex is required to be vacated, the Government of Singapore shall endeavour to make available an alternative site in lieu thereof.

(7) When land in Schedules I and II made available to the Government of Australia for the purposes of this Note is no longer required for such purposes, such land, together with all immovable assets created thereon, shall be surrendered to the Government of Singapore, without any compensation for improvements. The Government of Australia shall not be obliged to leave any land and facilities in Schedules I and II to this Annex in the condition in which they were before occupation or use by the Australian Service authorities.

(8) The Government of Australia shall be at liberty to make hirings of private property for the purposes of this Note.

ANNEX IVSCHEDULE I

LAND REQUIRED FOR MILITARY UNITS MADE AVAILABLE TO THE GOVERNMENT OF AUSTRALIA MORE PARTICULARLY SHOWN IN THE AGREED PLANS NOS. 1 TO 8.

SERIAL NO.	PLAN NO.	DESCRIPTION
		<u>SEMBAWANG</u>
1/1	Plan 1	Headquarters Buildings and Stores Basin
1/2	Plan 2	Terror Barracks
1/3	Plan 2	Suara W/T Station
1/4	Plan 2	Senoko Oil Fuel Depot
1/5	Plan 3	Armament Depot
1/6	Plan 4	Simbang Barracks and Training Area
		<u>NEE SOON</u>
1/7	Plan 5	Nee Soon Barracks
		<u>KRANJI</u>
1/8	Plan 6	Kranji W/T Station
		<u>CHANGI</u>
1/9	Plan 7	Hospital Complex and family clinic at No. 50, Halton Road
		<u>PASIR PANJANG</u>
1/10	Plan 8	Map Store, Dover Road
		<u>SENIOR COMMAND QUARTERS</u>
1/11		(a) <u>SEMBAWANG</u>
	Plan 1	Admiralty House
	Plan 1	118 King's Avenue
	Plan 1	122 King's Avenue
	Plan 1	124 King's Avenue
	Plan 1	128 King's Avenue
		(b) <u>NEE SOON</u>
	Plan 5	Commonwealth House

ANNEX IVSCHEDULE II

MARRIED QUARTER AND OTHER AREAS MADE AVAILABLE TO THE GOVERNMENT OF AUSTRALIA, MORE PARTICULARLY SHOWN IN THE AGREED PLANS NOS. 9 TO 14.

Serial No.	Plan No.	Description	Nos. of Married Quarters (Total Made Available to Australia and New Zealand)
		<u>SELETAR</u>	
2/1	Plan 9	Married Quarter area, including Families' Club, NAAFI premises, cinema, Dental Centre, Family Ward, Church and other facilities.	354
		<u>CHANGI</u>	
2/2	Plan 10	Married Quarter areas, including NAAFI premises, Church and other facilities.	237
2/3	Plan 11	Lloyd Leas Married Quarter Estate.	175
2/4	Plan 12	Wing Loong Married Quarter Estate.	8
2/5	Plan 13	Changi Grammar School.	-
		<u>SELERANG</u>	
2/6	Plan 14	Married Quarter Estate	21
2/7	Plan 14	Primary School	-
2/8	Plan 14	Swimming Pool and NAAFI premises.	-

II

MINISTER OF DEFENCE
SINGAPORE

1st December, 1971

Dear High Commissioner,

I have the honour to refer to your Note of the 1st December, 1971, together with the Annexes attached thereto, setting out the arrangements for the provision of assistance for the training and development of the Singapore Armed Forces, the provision of facilities and rights for the Australian Forces stationed in the Republic and related matters, the text of which reads as follows:

[*See note I*]

2. In reply, I have the honour to inform you that the Government of Singapore accepts the proposals contained in your Note and its Annexes and confirms that your Note and my present reply shall constitute an Agreement between our two Governments in this matter which shall be deemed to have entered into force on 1st November, 1971.

Yours sincerely,

[*Signed*]

GOH KENG SWEE
Minister of Defence
Singapore

His Excellency Mr. N. F. Parkinson
High Commissioner for Australia
Australian High Commission
Republic of Singapore

[*Annexes as under note I*]
