

**ANNEX 11C : SINGAPORE CROSS-BORDER TRADE IN SERVICES AND INVESTMENT
RESERVATIONS FOR EXISTING MEASURES AND LIBERALISATION COMMITMENTS**

HEADNOTE

1. Where appropriate, non-conforming measures are referenced to the Provisional Central Product Classification (“CPC”) as set out in Provisional Central Product Classification (Statistical Papers Series M, No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991) (“the UN CPC code”) and on the basis of the Services Sectoral Classification List, WTO document MTN.GNS/W/120.

2. This Annex sets out, pursuant to Article 10.14 (Non-Conforming Measures) of Chapter 10 (Investment) and Article 11.7 (Non-Conforming Measures) of Chapter 11 (Cross-Border Trade in Services), the reservations taken by a Party with respect to measures that do not conform to some or all of the obligations imposed by:

- (a) Article 10.3 (National Treatment) of Chapter 10 (Investment) or Article 11.3 (National Treatment) of Chapter 11 (Cross-Border Trade in Services);
- (b) Article 10.4 (Most-Favoured-Nation Treatment) of Chapter 10 (Investment) or Article 11.4 (Most-Favoured-Nation Treatment) of Chapter 11 (Cross-Border Trade in Services);
- (c) Article 11.5 (Market Access) of Chapter 11 (Cross-Border Trade in Services);
- (d) Article 11.6 (Local Presence) of Chapter 11 (Cross-Border Trade in Services);
- (e) Article 10.7 (Performance Requirements) of Chapter 10 (Investment); or
- (f) Article 10.13 (Senior Management and Board of Directors) of Chapter 10 (Investment).

3. All measures affecting Article 10.3 (National Treatment), Article 10.4 (Most-Favoured-Nation Treatment), Article 10.7 (Performance Requirements) and Article 10.13 (Senior Management and Board of Directors) of Chapter 10 (Investment), and Article 11.3 (National Treatment), Article 11.4 (Most-Favoured-Nation Treatment), Article 11.5 (Market Access) and Article 11.6 (Local Presence) of Chapter 11 (Cross-Border Trade in Services), shall be stated in the description. In the interpretation of a reservation, all elements of the reservations shall be considered in their totality.

4. The reservations and commitments related to cross-border trade in services shall be read together with the relevant guidelines, stated in GATT documents MTN.GNS/W/164 dated 3 September 1993 and MTN.GNS/W/164 Add.1 dated 30 November 1993.

5. Each entry in a Party's Schedule sets out the following elements:
- (a) **Sector** refers to the sector in which the entry is made;
 - (b) **Industry Classification** refers, where applicable, to the activity covered by the non-conforming measure, according to the CPC codes as used in the UN CPC Code;
 - (c) **Obligations Concerned** specifies the obligation(s) referred to in paragraph 2;
 - (d) **Measures** identify laws, regulations, rules, procedures, requirements, practices or any other form for which the reservation is made. A measure cited in the Measures element:
 - (i) means the measure as amended, continued, or renewed as of the date of entry into force of this Agreement; and
 - (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and
 - (e) **Description**, sets out the non-conforming measure to which the reservation applies.
6. For Peru, where an inconsistency arises in relation to the interpretation of a reservation, the measures element of the reservation shall prevail to the extent of the inconsistency.

1. Sector	All
Industry classification	-
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Market Access (Article 11.5)
Measures	Insurance Act, Cap. 142, MAS Notice 149 Banking Act, Cap. 19, MAS Notice 757 Finance Companies Act, Cap. 108, MAS Notice 816 Monetary Authority of Singapore Act, Cap. 186, MAS Notice 1105 Securities Industry Act, Act 15 of 1986, MAS Notice 1201 Securities and Futures Act 2001, Cap 289 Section 101, SFA 04-N04
Description	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>Financial institutions extending Singapore dollar (S\$) credit facilities exceeding S\$5 million per entity to non-resident financial entities or arranging S\$ equity or bond issues for non-residents, shall ensure that where the S\$ proceeds are to be used outside Singapore, they are swapped or converted into foreign currency upon draw-down or before remittance abroad.</p> <p>Financial institutions shall not extend S\$ credit facilities to non-resident financial entities if there is reason to believe that the S\$ proceeds may be used for S\$ currency speculation.</p> <p>The term “non-resident” is as defined in MAS Notice 757 issued under the Banking Act.</p>

2. Sector	All
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3)
Measures	This is an administrative policy of the Government of Singapore and is inscribed in the Memorandum and Articles of Association of PSA Corporation.
Description	<p><u>Investment</u></p> <p>The aggregate of foreign shareholdings in PSA Corporation and/or its successor body shall be subject to a forty-nine percent (49%) limit.</p> <p>The “aggregate of foreign shareholdings” is defined as the total number of shares owned by:</p> <ul style="list-style-type: none"> (i) any individual who is not a Singapore citizen; (ii) any corporation which is not more than fifty percent (50%) owned by Singapore citizens or by the Singapore Government; and/or (iii) any other enterprise which is not owned or controlled by the Singapore Government.

3. Sector	All
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3; Article 11.3)
Measures	This is an administrative policy of the Government of Singapore and is inscribed in the Memorandum and Articles of Association of the relevant enterprises below.
Description	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>All individual investors, apart from the Singapore Government, shall be subject to the following equity ownership limits in the enterprises, and/or their successor bodies, as listed below:</p> <p>Singapore Technologies Engineering – fifteen percent (15%)</p> <p>PSA Corporation – five percent (5%)</p> <p>Singapore Airlines – five percent (5%)</p> <p>Singapore Power, SP Power Assets, SP Services, Power Gas – ten percent (10%)</p> <p>For the purposes of this reservation, ownership of equity by an investor in these enterprises and/or their successor bodies includes both direct and indirect ownership of equity.</p>

4. Sector	All
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3; Article 11.3)
Measures	Business Registration Act, Cap. 32, 2001 Revised Edition Business Registration Regulations, Regulation 9 Companies Act, Cap. 50, 1994 Revised Edition
Description	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>Only a service supplier who is a Singapore citizen, Singapore permanent resident or Singapore Employment Pass holder shall be allowed to register a business without appointing a local manager.</p> <p>A local manager shall be a Singapore citizen, Singapore permanent resident or Singapore Employment Pass holder.</p> <p>All locally incorporated companies shall comply with the following requirements:</p> <ul style="list-style-type: none"> (i) at least one (1) director of the company shall be resident in Singapore. (ii) all branches of foreign companies registered in Singapore shall have at least two (2) agents resident in Singapore. <p>To be resident in Singapore, a person shall be either a Singapore citizen or Singapore permanent resident or Singapore Employment Pass holder.</p>

5. Sector	All
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3)
Measures	State Lands Act, Cap 314, Sections 3 and 19(1)
Description	<u>Investment</u> Singapore may divest State Land in a manner inconsistent with National Treatment.

6. Sector Business Services
Architectural Services

Architectural services includes selling or supplying for gain or reward any architectural plan, drawing, tracing or the like for use in the construction, enlargement or alteration of any building or part thereof. It includes the certification and inspection of buildings for compliance with fire safety regulations.

Industry Classification

-

Obligations Concerned

National Treatment (Article 10.3, Article 11.3)
Local Presence (Article 11.6)

Measures

Architects Act, Cap.12, 2000 Revised Edition

Description

Cross-Border Trade in Services and Investment

Only persons who are registered with the Board of Architects (BOA) and/or its successor body and resident in Singapore are allowed to provide architectural services.

All corporations and partnerships (including those which are providing architectural services as part of a multi-disciplinary corporation or practice) providing architectural services shall obtain a licence from the BOA. To qualify for the licence, the corporation or partnership shall:

(i) be under the control and management of a director or partner who is a Singapore-registered architect; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to architectural services shall be under the control and management of a director or partner who is a Singapore-registered architect; and

(ii) where limited corporations are concerned, the Chairman and at least two thirds of the directors of a corporation shall be Singapore-registered architects or allied professionals; where unlimited corporations are concerned, the directors or members shall be registered professional engineers or allied professionals; where partnerships are concerned, the beneficial interest in the capital assets and profits of the partnership shall be held by Singapore-registered architects or allied professionals.

Allied professionals are Singapore-registered land surveyors and engineers.

7. Sector	Business Services Financial Auditing services
Industry Classification	CPC 86211 Financial auditing services
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Local Presence (Article 11.6)
Measures	Accountants Act 2004, Cap.2, 2005 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u>

Only service suppliers who are registered with the Accounting and Corporate Regulatory Authority (ACRA) and the Institute of Certified Public Accountants of Singapore (ICPAS) shall be appointed as a company auditor.

In the case of public accounting firm or public accounting corporation, the sole proprietor or one of the partners or directors must be a Singapore registered public accountant and ordinarily resides in Singapore.

8. Sector	Business Services Other Tax-Related Services
Industry Classification	CPC 86309 Other Tax-Related Services
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Local Presence (Article 11.6)
Measures	Administrative
Description	<u>Cross-Border Trade in Services and Investment</u>

Public accountants shall be effectively resident in Singapore or at least one of the partners of the firm shall be effectively resident in Singapore.

Only public accountants registered with the Public Accountants Board (PAB) and/or its successor body shall practise as tax consultants for local tax laws.

9. Sector	Business Services Land Surveying Services
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Local Presence (Article 11.6)
Measures	Land Surveyors Act, Cap. 156, 1992 Revised Edition, Sections 12-23 Land Surveyors Rules, Rules 2-20

Description Cross-Border Trade in Services and Investment

Land surveying refers to the survey of land as set out in the Land Surveyors Act, Cap 156.

All persons seeking to provide land surveying services in Singapore are required to register with the Land Surveyors Board (LSB) and/or its successor body, be physically present in Singapore for the duration of the land surveying project which requires his supervision and/or certification.

All corporations and partnerships (including those which are providing land surveying services as part of a multi-disciplinary corporation or practice) seeking to provide land surveying services shall obtain a licence from the LSB. To qualify for the licence, the corporation or partnership shall:

- (i) be under the control and management of a director or partner who is a Singapore-registered surveyor; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to land surveying services shall be under the control and management of a director or partner who is a Singapore-registered surveyor; and
- (ii) where limited corporations are concerned, a simple majority of its directors shall be Singapore-registered surveyors or allied professionals; where unlimited corporations are concerned, the directors or members shall be registered professional engineers or allied professionals; where partnerships are concerned, only Singapore-registered surveyors and allied professionals shall have a beneficial interest in the capital assets and profits of the partnership.

Allied professionals are Singapore-registered engineers and architects.

10. Sector	Business Services
	Leasing or rental services concerning private cars, goods transport vehicles and other land transport equipment without operator
Industry Classification	CPC 83101, 83102, 83105 Leasing or rental services concerning private cars, goods transport vehicles and other land transport equipment without operator
Obligations Concerned	Market Access (Article 11.5) Local Presence (Article 11.6)
Measures	Road Traffic Act, Cap. 276, 1994 Edition
Description	<u>Cross-Border Trade in Services and Investment</u> The cross-border rental of private cars, goods transport vehicles and other land transport equipment without operator by Singapore residents with the intent to use the vehicles in Singapore is prohibited.

11. Sector Business Services
Patent Agent Services

Industry Classification -

Obligations Concerned National Treatment (Article 10.3, Article 11.3)
Local Presence (Article 11.6)

Measures Patents Act, Cap. 221, 1995 Revised Edition

Description Cross-Border Trade in Services and Investment

Only service suppliers registered with the Intellectual Property Office of Singapore (IPOS) and/or its successor body and resident in Singapore shall be allowed to carry on a business, practice or act as a patent agent in Singapore.

Only service suppliers which have at least one Singapore-registered patent agent resident in Singapore either as a director or partner, shall be allowed to carry on a business, practice or act as a patent agent in Singapore.

12. Sector	Business Services Placement and Supply Services of Personnel
Industry Classification	CPC 87204 Supply services of domestic help personnel
Obligations Concerned	Local Presence (Article 11.6)
Measures	Employment Agencies Act, Cap. 92
Description	<p><u>Cross-Border Trade in Services</u></p> <p>Only service suppliers with local presence shall be allowed to set up employment agencies and place foreign workers in Singapore.</p> <p>These agencies are not the direct employer of foreign workers in Singapore. They serve as intermediaries to help source and supply foreign workers to employers of these workers. Thus, this reservation shall be read with the Annex 11E (Singapore Cross-Border Trade in Services and Investment Reservation for Future Measures) reservation relating to the supply of a service by a natural person.</p>

13. Sector	Business Services Professional Engineering Services
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Local Presence (Article 11.6)
Measures	Professional Engineers Act, Cap. 253, 1992 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u>

Only persons who are registered with or firms which are licensed by the Professional Engineers Board (PEB) are allowed to provide professional engineering services in Singapore in prescribed branches of engineering, namely: civil, electrical and mechanical engineering.

The implementation in Singapore of professional engineering works which require approval by the authorities shall be carried out by a professional engineer physically present in Singapore for the duration when the project is being implemented.

All corporations, and multi-discipline partnerships and limited liability partnerships providing professional engineering services shall obtain a licence from Professional Engineering Board and/or its successor body. To qualify for the licence, the corporation or multi-disciplinary partnership and limited liability partnership shall meet the following requirements:

- (i) the business of the corporation, multi-discipline partnership or limited liability partnership relating to professional engineering services shall be under the control and management of a director or a partner who is a Singapore-registered professional engineer and who has a valid practising certificate and who, in the case of corporations or limited liability partnerships, is authorised under a resolution of the board of directors of the corporation or partners of the limited liability partnership to make all final engineering decisions on behalf of the corporation or limited liability partnership; and
- (ii) where limited or unlimited corporations are concerned, not less than fifty-one percent (51%) of the directors shall be Singapore-registered professional engineers or allied professionals; where multi-disciplinary partnerships are concerned, the beneficial interest in the capital assets and profits of the partnerships shall be held by Singapore-registered professional engineers or allied professionals.

Where limited liability partnerships are concerned, partners shall be Singapore-registered professional engineers or allied professionals, licensed corporations or licensed limited liability partnerships.

Allied professionals are Singapore-registered land surveyors and architects.

14. Sector	Business Services Real Estate Services
Industry Classification	CPC 82202 Non-residential property management services on a fee or contract basis
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Sentosa Development Corporation Act, Cap 291, 1998 Revised Edition 1998
Description	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>Only the Sentosa Development Corporation and/or its successor body shall be allowed to develop and manage the resort island of Sentosa and its waterways and the Southern Islands of Singapore.</p> <p>For the purpose of this reservation, the “Southern Islands of Singapore” are St. John’s Island, Lazarus Island, Kusu Island, Pulau Renggit, Sister’s Island, Pulau Hantu, Pulau Biola, Pulau Jong and Pulau Tekukor</p>

15. Sector	Business Services Technical Testing and Analysis Services
Industry Classification	CPC 86769 Other technical testing and analysis services
Obligations Concerned	Local Presence (Article 11.6)
Measures	Agri-Food and Veterinary Authority Act, Cap. 5, 2001 Revised Edition Animals and Birds Act, Cap. 7, 1985 Revised Edition Control of Plants Act, Cap. 57A, 2000 Revised Edition
Description	<u>Cross-Border Trade in Services</u> Only service suppliers with local presence shall be allowed to provide testing, analytical and certification services on animals, plants, and products derived from animals and plants which are physically present in Singapore, including but not limited to, where such items are intended for import, export and import for the purposes of re-export. For greater certainty, Singapore reserves the right and flexibility to modify and/or increase the items as defined and/or listed in the Animals and Birds Act and the Control of Plants Act.

16. Sector	Business Services Private Investigation Services Unarmed Guard Services
Industry Classification	CPC 87301 Investigation Services CPC 87302 Security Consultation Services CPC 87305 Guard Services (only applies to unarmed security guard services)
Obligations Concerned	Market Access (Article 11.5) Most-Favoured-Nation Treatment (Article 10.4, Article 11.4) Local Presence (Article 11.6) National Treatment (Article 10.3, Article 11.3) Senior Management and Board of Directors (Article 10.13)
Measures	Private Investigation and Security Agencies Act, Cap. 249, Regulation 23
Description	<u>Cross-Border Trade in Services and Investment</u>

Foreigners are permitted to set up legal persons to provide unarmed guards for hire but must register a company with local participation. At least two of the directors must be a Singapore national or Singapore permanent resident.

Foreigners shall not be allowed to work as guards, but can be involved in the administration of the company.

The foreign directors shall produce a certificate of no criminal conviction from their country of origin or a statutory declaration before a local commissioner of oaths.

All services suppliers providing unarmed guard services shall be precluded from escorting cash-in transit operations of S\$250,000 and above.

Private investigators do not have police powers of seizure, search or arrest.

Please also note Singapore's reservation for armed guard services in Annex 11E (Singapore Cross-Border Trade in Services and Investment Reservations for Future Measures).

17. Sector	Education Services Higher Education Services in relation to the training of doctors
Industry Classification	CPC 92390 Other Higher Education Services (Only applies to Higher Education Services in relation to the training of doctors)
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Medical Registration Act, Part V, Specialist Accreditation Board, Sections 2, 3, 34 and 35
Description	<u>Cross-Border Trade in Services and Investment</u> Only local tertiary institutions shall be allowed to operate undergraduate or graduate programmes for the training of doctors. Local tertiary institutions are tertiary institutions which are approved by Parliament to confer degrees in Singapore.

18. Sector	Health and Social Services Contact Lens Practitioners
Industry Classification	-
Obligations Concerned	Local Presence (Article 11.6)
Measures	Contact Lens Practitioners Act, Cap. 53A, 2002 Revised Edition
Description	<u>Cross-Border Trade in Services</u> Only service suppliers who are resident in Singapore shall be allowed to be Contact Lens Practitioners.

19. Sector	Health and Social Services Traditional Chinese Medicine Practitioners
Industry Classification	-
Obligations Concerned	Most-Favoured-Nation Treatment (Article 11.4) Local Presence (Article 11.6)
Measures	Traditional Chinese Medicine Practitioners Registration Act, Cap. 333A, 2001 Revised Edition
Description	<u>Cross-Border Trade in Services</u> Only service suppliers who are registered with the Singapore Traditional Chinese Medicine Practitioners Board and/or its successor body, and resident in Singapore, shall be allowed to supply Traditional Chinese Medicine services.

20. Sector	Health and Social Services Deliveries and related services, nursing services, physiotherapeutic and para-medical services (only for nursing and midwifery services)
Industry Classification	CPC 93191 Deliveries and related services, nursing services, physiotherapeutic and para-medical services (Only applies to nursing and midwifery services)
Obligations Concerned	Local Presence (Article 11.6)
Measures	Nurses and Midwives Act, Cap. 209, 2005 Revised Edition
Description	<u>Cross-Border Trade in Services</u> Only service suppliers who are registered with the Singapore Nursing Board and/or its successor body and resident in Singapore shall be allowed to supply nursing and midwifery services.

21. Sector	Health and Social Services Medical Services
Industry Classification	CPC 9312 Medical Services
Obligations Concerned	Local Presence (Article 11.6)
Measures	Medical Registration Act, Cap. 174, 2004 Revised Edition
Description	<p><u>Cross-Border Trade in Services</u></p> <p>Only service suppliers who are registered with the Singapore Medical Council and/or its successor body, and resident in Singapore shall be allowed to supply medical services.</p> <p>This reservation shall be read in conjunction with the Annex 11E (Singapore Cross-Border Trade in Services and Investment Reservations for Future Measures) reservation on the limit on the number of doctors who can practise in Singapore.</p>

22. Sector	Health and Social Services Pharmacy Services
Industry Classification	-
Obligations Concerned	Local Presence (Article 11.6)
Measures	Pharmacists Registration Act, Cap. 230, 1985 Revised Edition Medicines Act, Cap. 176, 1985 Revised Edition
Description	<p><u>Cross-Border Trade in Services</u></p> <p>Only service suppliers who are registered with the Singapore Pharmacy Board and/or its successor body and resident in Singapore shall be allowed to supply pharmacy services.</p> <p>This reservation shall be read in conjunction with the Annex 11E (Singapore Cross-Border Trade in Services and Investment Reservations for Future Measures) reservation relating to the limit on the number of pharmacists who can practice in Singapore.</p> <p>Only Singapore-registered pharmacists (apart from medical professionals) shall be able to do the following: prepare, dispense, assemble or sell medicinal products as defined under the Medicines Act.</p> <p>For greater certainty, Singapore reserves the right and flexibility to modify and/or increase the list of products as defined and/or listed in the Medicines Act.</p>

23. Sector	Import, Export and Trading Services
Industry Classification	-
Obligations Concerned	Local Presence (Article 11.6)
Measures	Regulation of Imports and Exports Act, Cap. 272A, 1996 Revised Edition Regulation of Imports and Exports Regulation
Description	<u>Cross-Border Trade in Services</u> Only services suppliers with local presence shall be allowed to apply for import/export permits, certificates of origin or other trade documents from the relevant authorities.

24. Sector	Telecommunications Services
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 11.3) Local Presence (Article 11.6)
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A, 2000 Revised Edition Telecommunications Act, Cap. 323, 2000 Revised Edition
Description	<u>Cross-Border Trade in Services</u> A facilities-based operator (FBO) must be a company incorporated under the Singapore Companies Act, Cap. 50, 2006 Revised Edition. A services-based operator (SBO) must be a company incorporated under the Singapore Companies Act, Cap. 50, 2006 Revised Edition.

25. Sector	Telecommunications Services Domain name allocation policies in Internet country code top level domains (ccTLDs) corresponding to Singapore territories (.sg)
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 11.3) Local Presence (Article 11.6)
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A, 2000 Revised Edition Telecommunications Act, Cap. 323, 2000 Revised Edition The Internet Corporation for Assigned Names and Numbers (ICANN), which recognises the ultimate authority of sovereign Governments over ccTLDs corresponding to their territories.
Description	<u>Cross-Border Trade in Services</u> A registrar must be a company incorporated under the Singapore Companies Act, Cap. 50, 2006 Revised Edition.

26. Sector	Power Supply
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 11.3)
Measures	Electricity Act, Cap. 89A, 2002 Revised Edition, Sections 6(1) and 9(1)
Description	<p><u>Cross-Border Trade in Services</u></p> <p>Power producers, whether or not foreign-owned and whether located within or outside Singapore, shall only sell power through the Singapore electricity wholesale market and shall not be allowed to sell directly to consumers.</p> <p>The amount of power supplied cumulatively by power producers located outside of Singapore to Singapore's wholesale power market shall not exceed 600 MW.</p> <p>Singapore reserves the right and flexibility to revise and/or reduce the power supply threshold of 600MW.</p>

27. Sector	Power Supply
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Electricity Act, Cap. 89A, 2002 Revised Edition
Description	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>Only SP Services Ltd and/or its successor body shall be allowed to supply electricity to:</p> <ul style="list-style-type: none"> (i) all household consumers of electricity; (ii) non-household consumers of electricity whose average monthly consumption is below 10,000kWh; and (iii) consumers whose electricity is supplied at single-phase low voltage.

28. Sector Power Transmission and Distribution

Industry Classification -

Obligations Concerned Market Access (Article 11.5)
National Treatment (Article 10.3, Article 11.3)

Measures Electricity Act, Cap. 89A, 2002 Revised Edition

Description Cross-Border Trade in Services and Investment

Only SP PowerAssets Ltd and/or its successor body shall be the transmission licensee as defined in the Electricity Act.

SP PowerAssets Ltd and/or its successor body shall be the sole owner and operator of the electricity transmission and distribution network in Singapore.

29. Sector	Tourism and Travel Related Services Beverage serving services for consumption on the premises Meal serving services in eating facilities run by the government Retail sales of foods
Industry Classification	CPC 643 Beverage serving services for consumption on the premises. CPC 642 Food serving services CPC 6310 Retail sales of food
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Local Presence (Article 11.6)
Measures	Environmental Public Health Act, Cap. 95, 1999 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u> Only a Singapore citizen or permanent resident can apply for a licence to operate in their personal capacity a food establishment in places operated by the government.

30. Sector Trade Services
Distribution and Sale of Hazardous Substances

Industry Classification -

Obligations Concerned Market Access (Article 11.5)
National Treatment (Article 11.3)

Measures Environmental Pollution Control Act, Cap. 94A, 2000 Revised Edition, Section 22

Description Cross-Border Trade in Services

Only service suppliers with local presence shall be allowed to distribute and sell hazardous substances as defined in the Environmental Pollution Control Act.

For greater certainty, Singapore reserves the right and flexibility to modify and/or increase the list of hazardous substances as defined and/or listed in the Environmental Pollution Control Act.

31. Sector	Trade Services Distribution Services Retailing Services Wholesale Trade Services
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Medicines Act, Cap. 176, 1985 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u>

Only service suppliers who appoint a local agent shall be allowed to supply wholesale, retail and distribution services for medical and health-related products and materials as defined under the Medicines Act, intended for purposes such as treating, alleviating, preventing or diagnosing any medical condition, disease or injury, as well as any other such items that may have an impact on the health and well-being of the human body.

Such products and materials include but are not limited to drugs and pharmaceuticals, traditional medicines, health supplements, diagnostic test kits, medical devices, cosmetics, tobacco products, radioactive materials and irradiating apparatuses.

For greater certainty, Singapore reserves the right and flexibility to modify and/or increase the list of medical and health-related products and materials as defined and/or listed in the Medicines Act.

32. Sector	Transport Services Air Transport Services –Ground Handling Services (including but not limited to cargo handling services)
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Civil Aviation Authority of Singapore Act, Cap. 41, 1985 Revised Edition
Description	<u>Cross Border Trade in Services and Investment</u> Only Singapore Airport Terminal Services (SATS), Changi International Airport Services (CIAS) and Swissport Singapore Pte Ltd and/or their respective successor bodies shall be allowed to provide ground handling services, including but not limited to cargo handling services at airports.

33. Sector	Transport Services Air Transport Services - Passengers Transportation by Air Freight Transportation by Air
Industry Classification	CPC 731 Passenger Transportation by Air CPC 732 Freight Transportation by Air
Obligations Concerned	National Treatment (Article 10.3)
Measures	-
Description	<p><u>Investment</u></p> <p>Service suppliers providing air transport services (for both passenger and freight) as a Singapore designated airline shall have to comply with the “effective control” and/or “substantial ownership” requirements of Singapore’s bilateral and multilateral air services agreements.</p> <p>Compliance with the requirements of these agreements may require these service suppliers to comply with conditions on effective control and limits on the foreign ownership as stipulated in Singapore’s bilateral and multilateral air services agreements.</p>

34. Sector	Transport Services Air Transport services
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) Most-Favoured-Nation Treatment (Article 10.4, Article 11.4) Local Presence (Article 11.6) National Treatment (Article 10.3, Article 11.3) Senior Management and Board of Directors (Article 10.13)
Measures	-
Description	<u>Cross-Border Trade in Services and Investment</u> Only the Civil Aviation Authority of Singapore (CAAS) and/or its successor body shall be allowed to provide rescues and firefighting services at all civil and military airports in Singapore.

35. Sector	Transport Services Maritime Transport Services Cargo Handling Services Pilotage Services Supply of Desalinated Water to Ships berthed at Singapore ports or in Singapore territorial waters
Industry Classification	CPC 741 Cargo Handling Services CPC 74520 Pilotage and Berthing Services (only applies to Pilotage Services) CPC 74590 Other Supporting Services for Water Transport
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A, 1997 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u> Only PSA Corporation Ltd and Jurong Port Pte Ltd and/or their respective successor bodies shall be allowed to provide cargo handling services. Only PSA Marine (Pte) Ltd. and/or its successor body shall be allowed to provide pilotage services and supply desalinated water to ships berthed at Singapore ports or in Singapore territorial waters.

36. Sector	Transport Services Maritime Transport Services
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3, Article 11.3) Local Presence (Article 11.6)
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A, 1997 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u> Only local service suppliers shall be allowed to operate and manage cruise and ferry terminals. Local service suppliers are either Singapore citizens or legal persons which are more than fifty percent (50%) owned by Singapore citizens.

37. Sector	Transport Services Maritime Transport Services
Industry Classification	CPC 74590, Other Supporting Services for Water Transport
Obligations Concerned	National Treatment (Article 10.3, Article 11.3)
Measures	Merchant Shipping Act, Cap. 179, 1996 Revised Edition Merchant Shipping (Registration of Ships) (Amendment) Regulations 2004
Description	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>Only a Singapore citizen or permanent resident or Singapore legal person shall be allowed to register a ship under the Singapore flag.</p> <p>To register a ship, other than tugs and barges, in Singapore, the company shall have a minimum paid-up capital of S\$50,000. To register a tug or barge in Singapore, the company and its holding company shall have a paid-up capital pegged to ten percent (10%) of the value of the first tug or barge registered or S\$50,000 whichever is the lesser, subject to a minimum of S\$10,000.</p> <p>All Singapore legal persons seeking to register ships under the Singapore flag shall appoint a ship manager who is resident in Singapore.</p> <p>Vessels or ships owned by Singapore legal persons that are not majority owned by Singapore citizens or Singapore permanent residents shall be of at least 1,600 Gross Tonnage and be self-propelled before they can be registered under the Singapore flag.</p> <p>For the purposes of this reservation, a Singapore legal person is a locally incorporated company.</p>

38. Sector	Transport Services Maritime Transport Services
Industry Classification	-
Obligations Concerned	National Treatment (Article 11.3)
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A, 1997 Revised Edition, Section 40 Maritime and Port Authority of Singapore (Registration and Employment of Seamen) Regulations
Description	<u>Cross-Border Trade in Services</u> Only Singapore citizens and permanent residents can register as Singapore seamen as defined in the Maritime and Port Authority of Singapore Act.

39. Sector	Production, retail, transportation and distribution of manufactured gas and natural gas (piped gas)
Industry Classification	-
Obligations Concerned	Market Access (Article 11.5) National Treatment (Article 10.3, Article 11.3)
Measures	Gas Act, Cap. 116A, 2002 Revised Edition
Description	<u>Cross-Border Trade in Services and Investment</u> Only City Gas Ltd and/or its successor body shall be allowed to produce and retail manufactured gas. Only PowerGas Ltd and/or its successor body shall be allowed to transport and distribute manufactured and natural gas (piped gas). PowerGas Ltd and/or its successor body shall be the sole owner and operator of the gas pipeline in Singapore.

40. Sector	Transport Services Transportation Services Via Pipeline
Industry Classification	Transportation of goods via pipeline of goods such as chemical and petroleum products and petroleum, and other related products
Obligations Concerned	Local Presence (Article 11.6)
Measures	Administrative
Description	<p><u>Cross-Border Trade in Services</u></p> <p>Only service suppliers with local presence shall be allowed to provide transportation services via pipeline of goods such as chemical and petroleum products and petroleum, and other related products.</p> <p>For greater certainty, Singapore reserves the right and flexibility to modify and/or increase the list of the chemical and petroleum products, and other related products that are subject to this reservation.</p>

41. Sector	Manufacturing and Services incidental to Manufacturing
Industry Classification	-
Obligations Concerned	National Treatment (Article 10.3) Most-Favoured-Nation Treatment (Article 10.4) Performance Requirements (Article 10.7)
Measure	Control of Manufacture Act, Cap 57, 2001 Revised Edition
Description	<u>Investment</u>

The manufacture of the following products, in Singapore, may be subject to certain restrictions:

- (a) beer and stout;
- (b) cigars;
- (c) drawn steel products;
- (d) chewing gum, bubble gum, dental chewing gum or any like substance (not being a medicinal product within the meaning of the Medicines Act (Cap. 176) or a substance in respect of which an order under section 54 of that Act has been made);
- (e) cigarettes; and
- (f) matches.

The restrictions are not aimed at, but may result in inconsistencies with Articles on National Treatment, Most-Favoured-Nation Treatment and Performance Requirements

A company intending to manufacture any of the above products in Singapore shall write in to the Registrar of Manufacturers for approval.
