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ANNEX I

**SINGAPORE'S RESERVATIONS TO
CHAPTER 9 (INVESTMENT)
& CHAPTER 10 (CROSS-BORDER TRADE IN SERVICES)**

Introductory Note to the Schedule of Singapore

1. Description sets out the non-conforming aspects of the measure to which the entry applies.
2. In accordance with Articles 9.11.1 (Investment – Non-conforming Measures) and 10.7.1 (Cross Border Trade in Services- Non-Conforming Measures), the articles of this Agreement specified in the Obligations Concerned element of an entry do not apply to the non-conforming measures identified in the **Description** element of that entry.
3. In the interpretation of a reservation, all elements of the reservation shall be considered.
4. For greater certainty, the fact that Singapore has described a measure in the Description element of an entry does not necessarily mean that, in the absence of such an entry, the measure would be inconsistent with Singapore's obligation under Chapter 9 (Investment), Chapter 10 (Cross Border Trade in Services) and Chapter 11 (Financial Services).

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1.

Sector	All
Sub-Sector	-
Industry classification	-
Obligations concerned	National Treatment (Article 9.4)
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 is subject to a 49% limit.</p> <p>The “aggregate of foreign shareholdings” is defined as the total number of shares owned by:</p> <p>(a) any individual who is not a Singapore citizen;</p> <p>(b) any corporation which is not more than 50% owned by Singapore citizens or by the Singapore Government; and/or</p> <p>(c) any other enterprise which is not owned or controlled by the Singapore Government.</p>

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2.

Sector	All
Sub-Sector	-
Industry classification	-
Obligations concerned	National Treatment (Article 9.4)
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>Investment:</u></p> <p>All individual investors, apart from the Singapore government, will be subject to the following equity ownership limits in the enterprises, and/or its successor bodies, as listed below:</p> <p>(a) Singapore Technologies Engineering – 15%;</p> <p>(b) PSA Corporation – 5%;</p> <p>(c) Singapore Airlines – 5%</p> <p>For the purposes of this reservation, ownership of equity by an investor in these enterprises and/or its successor bodies includes both direct and indirect ownership of equity.</p>

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3.

Sector	All
Sub-Sector	-
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Business Registration Act, Cap. 32 Business Registration Regulations
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>Where a person required to be registered under the Business Registration Act (Cap. 32, 2001 Revised Edition) is, or, in the case of any corporation, the directors are, or the secretary of the corporation is, not ordinarily resident in Singapore, a local manager* must be appointed.</p> <p>* Persons who qualify to be appointed in such a capacity are primarily Singapore citizens, Singapore permanent residents and EntrePass holders (all with local address).</p>

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4.

Sector	Business Services
Sub-Sector	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	National Treatment (Article 10.3) Market Access (Article 10.5)
Measures	Road Traffic Act, Cap. 276, 2004 Revised Edition
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>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.</p>

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5.

Sector	Business Services
Sub-Sector	Patent Agent Services
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Patents Act, Cap. 221, 1995 Revised Edition
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>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, practise or act as a patent agent in Singapore.</p> <p>Only service suppliers which have at least 1 Singapore-registered patent agent resident in Singapore either as a director or partner, shall be allowed to carry on a business, practise or act as a patent agent in Singapore.</p>

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6.

Sector	Business Services
Sub-Sector	Placement and supply services of personnel
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Employment Agencies Act, Cap. 92
Description	<u>Cross-Border Trade in Services:</u> Only service suppliers with local presence shall be allowed to set up employment agencies and place foreign workers in Singapore.

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7.

Sector	Business Services
Sub-Sector	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	National Treatment (Articles 9.4 and 10.3) Most-Favoured-Nation Treatment (Articles 9.5 and 10.4) Market Access (Article 10.5) Local Presence (Article 10.6)
Measures	Private Security Industry Act, Cap. 250 A, 2008 Rev Ed
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Foreigners are permitted to set up security agencies to provide unarmed guards for hire but must register a company with local participation. At least 2 of the directors must be a Singapore citizen or Singapore permanent resident.</p> <p>Foreigners, except Malaysians, shall not be allowed to work as guards, but can be involved in the administration of the company.</p> <p>The foreign directors shall produce a certificate of no criminal conviction from their country of origin or a statutory declaration before a Singapore commissioner of oaths, to the effect that they have never been convicted in any court of law for any criminal offence.</p>

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8.

Sector	Community, Personal and Social Services
Sub-Sector	Services furnished by co-operative societies
Industry classification	CPC 959 Services furnished by membership organizations n.e.c (only applies to co-operative society services)
Obligations Concerned	National Treatment (Articles 9.4 and 10.3) Local Presence (Article 10.6) Senior Management and Board of Directors (Article 9.10)
Existing Measures	Co-operative Societies Act, Cap. 62, 2009 Revised Edition Co-operative Societies Rules 2009
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Only service suppliers with local presence can be registered under the Co-operative Societies Act. Registration allows a co-operative society to be exempt from taxation measures applicable to other enterprises. Instead, co-operative societies are required to make a two-tier contribution of their surplus to the Central Co-operative Fund “CCF” and CCF/ Singapore Labour Foundation respectively as the society may opt.</p> <p>As a general rule, only Singapore citizens are allowed to hold office or be a member of the management committee of a co-operative society. Foreigners may be allowed to hold office or be a member of the management committee of a co-operative society, with the approval of the Registrar of Co-operative Societies.</p> <p>A person who is not a Singapore citizen can form and join a co-operative society if he or she is resident in Singapore.</p>

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9.

Sector	Education Services
Sub-Sector	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	National Treatment (Articles 9.4 and 10.3) Market Access (Article 10.5)
Measures	Medical Registration Act, Part V, Specialist Accreditation Board, Sections 2, 3, 34 and 35 Private Education Act 2009
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Only local tertiary institutions which are established pursuant to an Act of Parliament, or as designated by the Ministry of Education shall be allowed to operate undergraduate or graduate programmes for the training of doctors in Singapore.</p> <p>Currently, only the National University of Singapore and the Nanyang Technological University are allowed to operate undergraduate or graduate programmes for the training of doctors in Singapore.</p>

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10.

Sector	Health and Social Services
Sub-Sector	Medical Services Pharmacy Services Deliveries and related services, nursing services, physiotherapeutic and para-medical services and allied health services Optometrists and Opticians
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Medical Registration Act, Cap. 174 Pharmacists Registration Act, Cap. 230 Medicines Act, Cap. 176, Medicines (Registration of Pharmacies) Regulations, Cap. 176, Regulation 4 Nurses and Midwives Act, Cap. 209 Allied Health Professions Act, Act 1 of 2011 Optometrists and Opticians Act, Cap. 213A
Description	<u>Cross-Border Trade in Services:</u> Only persons who are resident in Singapore are allowed to provide the following services: medical services pharmacy services, deliveries and related services, nursing services, physiotherapeutic and para-medical services and allied health services and optometry and opticianry services.

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11.

Sector	Import, export and trading services
Sub-Sector	-
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Regulation of Imports and Exports Act, Cap. 272A Regulation of Imports and Exports Regulations
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.

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12.

Sector	Postal Services
Sub-Sector	-
Industry classification	-
Obligations concerned	Market Access (Article 10.5) Local Presence (Article 10.6)
Measures	Postal Services Act, Cap. 237A
Description	<u>Cross-Border Trade in Services:</u> For the provision of basic letter services, all service suppliers must be incorporated as companies under the Companies Act, Cap. 50, 2006 Rev Ed.

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13.

Sector	Telecommunications Services
Sub-Sector	Telecommunications Services
Industry classification	-
Obligations concerned	Market Access (Article 10.5) Local Presence (Article 10.6)
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act, Cap. 323
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>1. Facilities-based operators and service-based operators must be locally incorporated under the Companies Act, Cap. 50, 2006 Rev Ed.</p> <p>“Facilities-based operators” are operators who deploy any form of telecommunication networks, systems and facilities, outside of their own property boundaries, to offer telecommunication services to third parties, which may include other licensed telecommunication operators, business customers, or the general public.</p> <p>“Services-based operators” are operators who lease telecommunication network elements (such as transmission capacity and switching services) from any Facilities-Based Operator (FBO) licensed by the IDA so as to provide their own telecommunication services, or to resell the telecommunication services of FBOs to third parties.</p> <p>2. The number of licences granted will be limited only by resource constraints, such as the availability of radio frequency spectrum. In view of spectrum constraints, parties interested in deploying networks based on wireless technology may be licenced to use radio frequency spectrum via a tender or auction process.</p>

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14.

Sector	Telecommunications Services
Sub-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 10.5) Local Presence (Article 10.6)
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act, Cap. 323 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 or a foreign company registered under the Companies Act, Cap. 50, 2006 Rev Ed.

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15.

Sector	Power Supply
Sub-Sector	-
Industry classification	-
Obligations concerned	Market Access (Article 10.5)
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 shall not be allowed to sell power directly to consumers and shall only sell power through the Singapore electricity wholesale market operator(s) licensed by the Energy Market Authority.</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>

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16.

Sector	Power Supply
Sub-Sector	-
Industry classification	-
Obligations concerned	National Treatment (Articles 9.4 and 10.3) Market Access (Article 10.5)
Measures	Electricity Act, Cap. 89A, 2002 Revised Edition, Sections 6(1) and 9(1)
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Only the Market Support Service Licensee(s) shall be allowed to supply electricity to:</p> <p>(a) all household consumers of electricity; and</p> <p>(b) non-household consumers of electricity whose Average monthly consumption is below 4,000 kWh.</p>

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17.

Sector	Power Transmission and Distribution
Sub-Sector	-
Industry classification	-
Obligations concerned	National Treatment (Articles 9.4 and 10.3) Market Access (Article 10.5)
Measures	Electricity Act, Cap. 89A, 2002 Revised Edition, Sections 6(1) and 9(1)
Description	<u>Cross-Border Trade in Services and Investment:</u> Only the Transmission Licensee(s) shall be the owner and operator of the electricity transmission and distribution network in Singapore.

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18.

Sector	Tourism and Travel Related Services
Sub-Sector	Food and/or Beverage serving services in eating facilities run by the government Food and/or Beverage Catering Services
Industry classification	-
Obligations concerned	National Treatment (Articles 9.4 and 10.3) Market Access (Article 10.5)
Measures	Environmental Public Health Act, Cap. 95, 2002 Revised Edition
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Only a Singapore citizen or permanent resident can apply for a licence to operate a stall in government-run markets or hawker centres, in their personal capacity.</p> <p>To provide food and/or beverage catering services in Singapore, a foreign service supplier must incorporate as a limited company in Singapore, and apply for the food establishment license in the name of the limited company.</p>

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19.

Sector	Sewage and Refuse Disposal, Sanitation and other Environmental Protection Services
Sub-Sector	Waste Management, including collection, disposal, and treatment of hazardous waste
Industry classification	-
Obligations Concerned	Market Access (Article 10.5) Local Presence (Article 10.6)
Measures	Environmental Public Health Act (Chapter 95 Section 110)
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>Foreign service suppliers must be locally incorporated in Singapore.</p> <p>The public waste collectors (PWCs) rendering services to domestic and trade premises are appointed by public competitive tender. The number of PWCs is limited by the number of geographical sectors in Singapore. For industrial and commercial waste, the market is opened to any licensed general waste collectors (GWCs).</p>

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20.

Sector	Trade Services
Sub-Sector	Distribution and Sale of Hazardous Substances
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Environmental Protection and Management Act, Cap. 94A, 2002 Revised Edition, Section 22
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>Only service suppliers with local presence shall be allowed to distribute and sell hazardous substances as defined in the Environmental Protection and Management Act.</p> <p>Singapore reserves the right and flexibility to modify and/or increase the list of hazardous substances as defined and/or listed in the Environmental Protection and Management Act.</p>

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21.

Sector	Trade Services
Sub-Sector	Distribution Services Retailing Services Wholesale Trade Services
Industry classification	-
Obligations concerned	Local Presence (Article 10.6)
Measures	Medicines Act, Cap. 176, 1985 Revised Edition Health Products Act 2007
Description	<p><u>Cross-Border Trade in Services:</u></p> <p>Only service suppliers with local presence shall be allowed to supply wholesale, retail and distribution services for medical and health-related products and materials as defined under the Medicines Act and Health Products 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.</p> <p>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.</p> <p>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 and Health Products Act.</p>

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22.

Sector	Transport Services
Sub-Sector	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 9.4) Most-Favoured-Nation Treatment (Article 9.5) Senior Management and Board of Directors (Article 9.10)
Measures	Air Navigation (Licensing of Air Services) Regulations, Cap. 6, Regulation 2
Description	<u>Investment:</u> Service suppliers providing air transport services (for both passenger and freight) as a Singapore designated airline may have to be “effectively controlled” and/ or “substantially owned” by the Government or citizens of Singapore or both.

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23.

Sector	Transport Services
Sub-Sector	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	National Treatment (Articles 9.4 and 10.3) Market Access (Articles 10.5)
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A, 1997 Revised Edition, Section 81
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.

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24.

Sector	Transport Services
Sub-Sector	Maritime Transport Services
Industry classification	-
Obligations concerned	National Treatment (Articles 9.4 and 10.3) Market Access (Article 10.5)
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A, 1997 Revised Edition, Section 81
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Only local service suppliers shall be allowed to operate and manage cruise and ferry terminals.</p> <p>Local service suppliers are either Singapore citizens or legal persons which are more than 50% owned by Singapore citizens.</p>

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25.

Sector	Transportation and Distribution of Manufactured Gas and Natural Gas
Sub-Sector	-
Industry classification	-
Obligations concerned	National Treatment (Articles 9.4 and 10.3) Market Access (Article 10.5)
Measures	Gas Act, Cap. 116A, 2002 Revised Edition
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>Only the holder of a gas transporter licence shall be allowed to transport and distribute manufactured and natural gas.</p> <p>Only one gas transport licence has been issued given the size of the Singapore market.</p>

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26.

Sector	Manufacturing and Services Incidental to Manufacturing
Sub-Sector	-
Industry classification	-
Obligations Concerned	National Treatment (Articles 9.4 and 10.3) Most-Favoured-Nation Treatment (Articles 9.5 and 10.4) Performance Requirements (Article 9.9)
Measures	Control of Manufacture Act, Cap. 57, 2004 Revised Edition
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>The manufacture of the following products, and services incidental to the manufacture of these products, in Singapore, may be subject to certain restrictions:</p> <ul style="list-style-type: none"> (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 the Act has been made); (e) cigarettes; and (f) matches.

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27.

Sector	All
Sub-Sector	-
Industry classification	-
Obligations Concerned	National Treatment (Articles 9.4 and 10.3)
Measures	Banking Act, Cap. 19, MAS Notice 757 Monetary Authority of Singapore Act, Cap. 186, MAS Notice 1105 Finance Companies Act, Cap. 108, MAS Notice 816 Insurance Act, Cap. 142, MAS Notice 109 Securities and Futures Act, Cap. 289, MAS Notice SFA 04-N04
Description	<p><u>Cross-Border Trade in Services and Investment:</u></p> <p>A non-resident financial institution may in certain circumstances be unable to borrow in Singapore dollars more than S\$5 million from a resident financial institution owing to the following restrictions placed on financial institutions' lending of the Singapore dollar to non-resident financial institutions.</p> <p>A financial institution shall not extend to any non-resident financial institution Singapore dollar (S\$) credit facilities exceeding S\$5 million per non-resident financial institution:</p> <p>(a) where the S\$ proceeds are to be used outside of Singapore, unless:</p> <ol style="list-style-type: none"> i. such proceeds are swapped or converted into foreign currency upon draw-down or before remittance abroad; or ii. such proceeds are for the purpose of preventing settlement failures where the financial institution extends a temporary S\$ overdraft to any vostro account of any non-resident financial institution, and the financial institution takes reasonable efforts to ensure that the overdraft is covered within two business days; and <p>(b) where there is reason to believe that the S\$ proceeds may be used for S\$ currency speculation, regardless of whether the S\$ proceeds are to be used in Singapore or outside of Singapore.</p> <p>A financial institution shall not arrange S\$ equity or bond issues for any non-resident financial institution where the S\$ proceeds are</p>

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	<p>to be used outside Singapore, unless the proceeds are swapped or converted into foreign currency upon draw-down or before remittance abroad.</p> <p>"Non-residents financial institution" means any financial institution which is not a resident as defined in the relevant notice.</p>
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28.

Sector	Business Services
Sub-Sector	Credit Bureau Services
Industry classification	-
Obligations concerned	Market Access (Article 10.5) Local Presence (Article 10.6)
Measures	Administrative measure pursuant to the Monetary Authority of Singapore Act, Cap. 186
Description	<u>Cross-Border Trade in Services:</u> Singapore reserves the right to limit the number of suppliers of credit bureau services where information provided by the supplier of credit bureau services is obtained from financial institutions in Singapore. The supplier must be established in Singapore.