PART B – SINGAPORE'S SCHEDULE OF RESERVATIONS AND NON-CONFORMING MEASURES FOR SERVICES AND INVESTMENT

LIST I

EXPLANATORY NOTES

1. List I of the Schedule of Singapore in this Annex sets out, pursuant to Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services) and Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment), the reservations taken by Singapore with respect to measures that do not conform with obligations imposed by:

- (a) Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services);
- (b) Article 4 (National Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 3 (National Treatment) of Chapter 10 (Investment);
- Article 5 (Most-Favoured-Nation Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 4 (Most-Favoured-Nation Treatment) of Chapter 10 (Investment);
- (d) Article 6 (Local Presence) of Chapter 8 (Cross-Border Trade in Services);
- (e) Article 6 (Prohibition of Performance Requirements) of Chapter 10 (Investment); or
- (f) Article 6*bis* (Senior Management and Board of Directors) of Chapter 10 (Investment).

2. In the interpretation of a reservation, all elements of the reservation shall be considered in their totality.

3. With respect to the cross-border trade in services, Local Presence and National Treatment are separate disciplines and a measure that is only inconsistent with Local Presence need not be reserved against National Treatment.

4. The reservations and commitments relating to the cross-border trade in services shall be read together with the relevant guidelines stated in *Scheduling of Initial Commitments in Trade in Services: Explanatory Note* dated 3 September 1993 (MTN.GNS/W/164) and *Scheduling of Initial Commitments in Trade in Services: Explanatory Note: Addendum* dated 30 November 1993 (MTN.GNS/W/164/Add.1).

- 5. Each entry in List I sets out the following elements:
 - (a) **Sector** refers to the general sector for which the entry is made;
 - (b) **Subsector**, where referenced, refers to the specific subsector for which the entry is made;
 - (c) Industry Classification, where referenced, refers to the activity covered by the non-conforming measure, according to the provisional CPC codes as used in the 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);
 - (d) **Obligations Concerned** specifies the obligations (Market Access, National Treatment, Most-Favoured-Nation Treatment, Local Presence, Prohibition of Performance Requirements, and Senior Management and Board of Directors) against which a reservation is taken;
 - (e) **Description** sets out the non-conforming measures to which the reservation applies; and
 - (f) **Source of Measure** identifies, for transparency purposes, the laws, regulations, or other measures to which the entry applies. The measures stipulated therein are not exhaustive.

6. Whenever, in this List I, the supply of services is conditioned upon obtaining licensing or authorisation from relevant regulatory authorities, it shall be understood that the licensing or authorisation process is non-automatic, requiring a case-by-case evaluation, and the regulatory authorities may exercise discretion over their decisions.

7. The Schedule of China shall not be used to interpret Singapore's commitments or obligations under Chapter 8 (Cross-Border Trade in Services) or Chapter 10 (Investment).

8. For greater certainty, the fact that a Party 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 that Party's obligation under Chapter 8 (Cross-Border Trade in Services) or Chapter 10 (Investment).

1.	Sector	:	All
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
	Description	:	Cross-Border Trade in Services and Investment:
			A non-resident financial institution may in certain circumstances be unable to borrow in Singapore dollars (S\$) 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.
			A financial institution shall not extend to any non- resident financial institution S\$ credit facilities exceeding S\$5 million per non-resident financial institution:
			 (a) where the S\$ proceeds are to be used outside of Singapore, unless:
			 such proceeds are swapped or converted into foreign currency upon draw-down or before remittance abroad; or
			 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
			(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. A financial institution shall not arrange S\$ equity or bond issues for any non-resident financial institution where the S\$ proceeds are to be used outside Singapore, unless the proceeds are swapped or converted into foreign currency upon draw-down or before remittance abroad. "Non-residents financial institution" means any financial institution which is not a resident as defined in the relevant notice.
Source of Measure	•	Insurance Act 1966, MAS Notice 109 Banking Act 1970, MAS Notice 757 Finance Companies Act 1967, MAS Notice 816 Monetary Authority of Singapore Act 1970, MAS Notice 1105 Securities and Futures Act 2001, MAS Notice SFA 04-N04

2.	Sector	:	All
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Investment)
	Description	:	Investment:
			The aggregate of foreign shareholdings in PSA Corporation or its successor body is subject to a 49 per cent limit.
			The "aggregate of foreign shareholdings" is defined as the total number of shares owned by:
			(a) any individual who is not a Singapore citizen;
			(b) any corporation which is not more than 50 per cent owned by Singapore citizens or by the Singapore Government; or
			(c) any other enterprise which is not owned or controlled by the Singapore Government.
	Source of Measure	•	This is an administrative policy of the Singapore Government and is inscribed in the Memorandum and Articles of Association of PSA Corporation.

3.	Sector	:	All
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	•	National Treatment (Investment)
	Description	:	Investment:
			All individual investors, apart from the Singapore Government, will be subject to the following equity ownership limits in the enterprises, or its successor bodies, as listed below:
			(a) Singapore Technologies Engineering – 15 per cent;
			(b) PSA Corporation – 5 per cent;
			(c) Singapore Airlines – 5 per cent; and
			(d) PowerGas, SP PowerGrid, SP PowerAssets, Singapore LNG Corporation – 12 per cent.
			For the purposes of this reservation, ownership of equity by an investor in these enterprises or its successor bodies includes both direct and indirect ownership of equity.
	Source of Measure	:	This is an administrative policy of the Singapore Government and is inscribed in the Memorandum and Articles of Association of the relevant enterprises.
			Gas Act 2001, 2020 Revised Edition, Section 63B
			<i>Electricity Act 2001</i> , 2020 Revised Edition, Section 30B

4.	Sector	:	All
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Local Presence
	Description	•	<u>Cross-Border Trade in Services and Investment:</u> Where a person required to be registered under the <i>Business Names Registration Act 2014</i> , or, in the case of any corporation, the directors, or secretaries of the corporation, do not reside in Singapore, an authorised representative who must be ordinarily resident [*] in Singapore must be appointed. *Persons who qualify to be appointed in such a capacity are primarily Singapore citizens, Singapore permanent residents and EntrePass holders (all with local address).
	Source of Measure	:	Business Names Registration Act 2014, 2020 Revised Edition Business Names Registration Regulations 2015

5.	Sector	:	Business Services
	Subsector	:	Patent Agent Services
	Industry Classification	•	-
	Obligations Concerned	•	National Treatment (Cross-Border Trade in Services and Investment) Market Access Local Presence
	Description	:	Cross-Border Trade in Services and Investment: Only service suppliers registered with the Intellectual Property Office of Singapore (IPOS) 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. 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, practise or act as a patent agent in Singapore.
	Source of Measure	:	Patents Act 1994, 2020 Revised Edition

6.	Sector	:	Business Services
	Subsector	:	Placement and supply services of personnel
	Industry Classification	•	-
	Obligations Concerned	:	Local Presence
	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.
	Source of Measure	:	<i>Employment Agencies Act 1958</i> , 2020 Revised Edition

7.	Sector	:	Business Services
	Subsector	-	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 (Cross-Border Trade in Services and Investment) Market Access Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Local Presence Senior Management and Board of Directors
	Description	•	Cross-Border Trade in Services and Investment: Singapore reserves the right to adopt or maintain any measure affecting the supply of Unarmed Guard Services, Private Investigation Services, and Security Services, which are regulated under the <i>Private Security Industry Act 2007</i> for the protection of vital security interests. This reservation does not apply to obligations under Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services) or Article 4 (National Treatment) of Chapter 8 (Cross-Border Trade in Services) and Article 3 (National Treatment) of Chapter 10 (Investment) in respect of the supply of a service by (1) or (2), or investors of the other Party or covered investments in the following sectors: (a) security consultation services (CPC 87302); and

	(b)	unarmed guard services (CPC 87305),
	except	that:
	(i)	foreigners are permitted to set up agencies to provide unarmed guards for hire but must register a company with local participation. At least one of the directors must be a Singapore citizen or Singapore permanent resident;
	(ii)	the foreign directors of the companies must produce a certificate of no criminal conviction from their country of origin;
	(iii)	foreigners, except Malaysians, are not allowed to work as security officers, but can be involved in the administration of the company.
	For the p	ourposes of this reservation:
	terri	refers to the supply of a service from the tory of a Party into the territory of the other y; and
		refers to the supply of a service in the tory of a Party by a person of that Party to a rice consumer of the other Party.
Source of Measure	: <i>Private</i> Edition	Security Industry Act 2007, 2020 Revised

8.	Sector	:	Education Services
	Subsector	:	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 (Cross-Border Trade in Services and Investment) Market Access
	Description	:	<u>Cross-Border Trade in Services and Investment</u> : 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 recognised undergraduate or graduate programmes for the training of doctors in Singapore.
			Currently, only the National University of Singapore and the Nanyang Technological University are allowed to operate recognised undergraduate or graduate programmes for the training of doctors in Singapore.
	Source of Measure	•	<i>Medical Registration Act 1997,</i> 2020 Revised Edition, Sections 2, 3, 34 and 35
			Private Education Act 2009, 2020 Revised Edition

9.	Sector	:	Health and Social Services
	Subsector	:	Medical Services Pharmacy Services Deliveries and related services, nursing services, para-medical services and allied health services Optometrists and Opticians
	Industry Classification	:	-
	Obligations Concerned	:	Local Presence
	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, para-medical services and allied health services and optometry and opticianry services.
	Source of Measure	•	 Medical Registration Act 1997, 2020 Revised Edition Pharmacists Registration Act 2007, 2020 Revised Edition Medicines Act 1975, 2020 Revised Edition Health Products (Licensing of Retail Pharmacies) Regulations 2016 Nurses and Midwives Act 1999, 2020 Revised Edition Allied Health Professions Act 2011, 2020 Revised Edition Optometrists and Opticians Act 2007, 2020 Revised Edition

10.	Sector	:	Import, export and trading services
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	Local Presence
	Description	-	<u>Cross-Border Trade in Services</u> : Only services suppliers with local presence shall be allowed to apply for import or export permits, certificates of origin or other trade documents from the relevant authorities.
	Source of Measure	:	Regulation of Imports and Exports Act 1995, 2020 Revised Edition Regulation of Imports and Exports Regulations

11.	Sector	:	Telecommunication Services
	Subsector	:	Telecommunication Services
	Industry Classification	:	-
	Obligations Concerned	•	National Treatment (Cross-Border Trade in Services and Investment) Market Access Local Presence
	Description		 <u>Cross-Border Trade in Services and Investment</u>: Facilities-based operators and service-based operators must be locally incorporated under the <i>Companies Act 1967</i>, 2020 Revised Edition. "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. "Service-based operators" are operators who lease telecommunication network elements (such as transmission capacity and switching services) from any Facilities-Based Operator (FBO) licensed by Infocomm Media Development Authority of Singapore (IMDA) so as to provide their own telecommunication services of FBOs to third parties. 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 licensed to use radio frequency spectrum via a tender or auction process.

Source of Measure	:	Info-communications Media Development Authority Act 2016, 2020 Revised Edition
		<i>Telecommunications Act 1999</i> , 2020 Revised Edition

12.	Sector	:	Power Supply
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
	Description	:	<u>Cross-Border Trade in Services and Investment</u> : Power producers shall not be allowed to sell power directly to consumers and shall only sell power through the Singapore electricity wholesale market operators licensed by the Energy Market Authority.
	Source of Measure	:	<i>Electricity Act 2001</i> , 2020 Revised Edition, Sections 6(1) and 9(1)

13.	Sector	:	Power Supply
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Market Access Local Presence
	Description	•	 <u>Cross-Border Trade in Services and Investment</u>: Only retail electricity licensees with local presence may supply electricity in Singapore.* * With the full liberalisation of Singapore's retail electricity market (i.e. Open Electricity Market Initiative), the retailing of electricity to all consumers shall be subject to competition as consumers could buy electricity from retail electricity licensees as well.
	Source of Measure	:	<i>Electricity Act 2001</i> , 2020 Revised Edition, Sections 6(1) and 9(1)

14.	Sector	:	Power Transmission and Distribution
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
	Description	:	<u>Cross-Border Trade in Services and Investment</u> : Only a Transmission Licensee shall be the owner and operator of the electricity transmission and distribution network in Singapore.
	Source of Measure	:	<i>Electricity Act 2001</i> , 2020 Revised Edition, Sections 6(1) and 9(1)

15.	Sector	:	Tourism and Travel Related Services
	Subsector	•	Beverage serving services for consumption on the premises Meal serving services in eating facilities run by the Singapore Government Retail sales of food
	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 (Cross-Border Trade in Services and Investment) Market Access
	Description	:	<u>Cross-Border Trade in Services and Investment</u> : 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.
	Source of Measure	:	<i>Environmental Public Health Act 1987</i> , 2020 Revised Edition

16.	Sector	•	Refuse Disposal, Sanitation and other Environmental Protection Services
	Subsector	:	Waste Management, including collection, disposal, and treatment of hazardous waste
	Industry Classification	:	-
	Obligations Concerned	•	Market Access Local Presence
	Description	:	Cross-Border Trade in Services: Foreign service suppliers must be locally incorporated in Singapore. 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).
	Source of Measure	:	<i>Environmental Public Health Act 1987</i> , 2020 Revised Edition

17.	Sector	:	Trade Services
	Subsector	:	Distribution and Sale of Hazardous Substances
	Industry Classification	:	-
	Obligations Concerned		Market Access Local Presence
	Description	•	<u>Cross-Border Trade in Services</u> : Only service suppliers with a local presence shall be allowed to distribute and sell hazardous substances as defined in the <i>Environmental</i> <i>Protection and Management Act 1999</i> . Singapore reserves the right and flexibility to modify or increase the list of hazardous substances as defined or listed in the <i>Environmental Protection</i> <i>and Management Act 1999</i> .
	Source of Measure	:	<i>Environmental Protection and Management Act</i> 1999, 2020 Revised Edition, Section 22

18.	Sector	:	Manufacturing and Services Incidental to Manufacturing
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements
	Description	-	 <u>Cross-Border Trade in Services and Investment</u>: The manufacture of the following products, and services incidental to the manufacture of these 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 health product categorized as an oral dental gum or a therapeutic product in the First Schedule to the <i>Health Products Act 2007</i>; (e) cigarettes; and (f) matches.
	Source of Measure	:	Control of Manufacture Act 1959, 2020 Revised Edition Health Products Act 2007, 2020 Revised Edition

19.	Sector	:	Trade Services
	Subsector	:	Distribution Services Retailing Services Wholesale Trade Services
	Industry Classification	:	-
	Obligations Concerned	•	National Treatment (Cross-Border Trade in Services) Market Access Local Presence
	Description	•	Cross-Border Trade in Services: 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 <i>Medicines Act</i> <i>1975</i> and <i>Health Products Act 2007,</i> 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 and cosmetics products. Singapore reserves the right and flexibility to modify or increase the list of medical and health-related products and materials as defined or listed in the <i>Medicines Act 1975</i> and <i>Health Products Act 2007</i> .
	Source of Measure	:	<i>Medicines Act 1</i> 975, 2020 Revised Edition <i>Health Products Act 2007</i> , 2020 Revised Edition

20.	Sector	:	Transportation and Distribution of Manufactured Gas and Natural Gas
	Subsector	:	-
	Industry Classification	:	-
	Obligations Concerned	:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
	Description	-	Cross-Border Trade in Services and Investment: Only the holder of a gas transporter licence shall be allowed to transport and distribute manufactured and natural gas. Only one gas transporter licence has been issued given the size of the Singapore market.
	Source of Measure	:	Gas Act 2001, 2020 Revised Edition

21.	Sector	:	Business Services
	Subsector	:	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 (Cross-Border Trade in Services) Market Access
	Description	:	<u>Cross-Border Trade in Services</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.
	Source of Measure	:	Road Traffic Act 1961, 2020 Revised Edition

22.	Sector	:	Transport Services
	Subsector	•	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 (Cross-Border Trade in Services and Investment) Market Access Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment)
	Description	:	Cross-Border Trade in Services and Investment: Only PSA Corporation Ltd and Jurong Port Pte Ltd or their respective successor bodies are allowed to provide cargo handling services. Only PSA Marine (Pte) Ltd or its successor bodies are allowed to provide pilotage services and supply desalinated water to ships berthed at Singapore ports or in Singapore territorial waters.
	Source of Measure	:	<i>Maritime and Port Authority of Singapore Act 1996</i> , 2020 Revised Edition, Section 81

23.	Sector	:	Transport Services
	Subsector	:	Maritime Transport Services
	Industry Classification	:	-
	Obligations Concerned	•	National Treatment (Cross-Border Trade in Services and Investment) Market Access
	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 juridical persons which are more than 50 per cent owned by Singapore citizens.
	Source of Measure	:	<i>Maritime and Port Authority of Singapore Act</i> 1996, 2020 Revised Edition, Section 81

24.	Sector	:	Telecommunications Services
	Subsector	:	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 Local Presence
	Description	•	<u>Cross-Border Trade in Services:</u> A registrar must be a company incorporated or a foreign company registered under the <i>Companies</i> <i>Act 1967</i> , 2020 Revised Edition.
	Source of Measure	:	 Info-communications Media Development Authority Act 2016, 2020 Revised Edition Telecommunications Act 1999, 2020 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.

25.	Sector	:	Community, Personal and Social Services
	Subsector	:	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 (Cross-Border Trade in Services and Investment) Senior Management and Board of Directors Local Presence
	Description	•	 <u>Cross-Border Trade in Services and Investment:</u> Only service suppliers with a local presence can be registered under the <i>Co-operative Societies Act</i> 1979. 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. 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. 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. A person who is not a Singapore citizen can form and join a co-operative society if he or she is resident in Singapore.
	Source of Measure	:	<i>Co-operative Societies Act 1979</i> , 2020 Revised Edition <i>Co-operative Societies Rules 2009</i>