ANNEX 8A
SCHEDULE OF SINGAPORE

Headnotes:

1. 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.

2. References to CPC codes refer 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) and are meant to define the scope of the reservation unless otherwise stated.

3. The carve-out for subsidies in the Chapter on Cross-Border Trade in Services includes subsidies or grants provided by a Party to service consumers.

4. The carve-outs for financial services, subsidies, and government procurement in the Chapter on Cross-Border Trade in Services apply equally to the Investment Chapter.

5. Where an inconsistency arises in relation to the interpretation of a reservation, the Description column or portion of the reservation shall prevail to the extent of the inconsistency.

6. For greater certainty, the fact that Singapore has described a measure in the Description element of a Schedule entry does not necessarily mean that, in the absence of such a Schedule entry, the measure would be inconsistent with Singapore's obligations under Chapter 8 (Cross-Border Trade in Services), Chapter 10 (Financial Services), or Chapter 15 (Investment).

SINGAPORE'S SCHEDULE TO ANNEX 8A

Sector	All
Sub-sector	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Insurance Act, Cap. 142, MAS Notice 109 Banking Act, Cap.19, MAS Notice 757 Finance Companies Act, Cap. 108, MAS Notice 816 Financial Advisers Act, Cap. 110, MAS Notice 1201 Monetary Authority of Singapore Act, Cap. 186, MAS Notice 1105 Securities Industry Act, Act 15 of 1986, MAS Notice 1201 Securities and Futures Act, Cap. 289, MAS Notice 1201
Description	Investment 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, must 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. Financial institutions should 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. The term "non-resident" is as defined in MAS Notice 757, issued under the Banking Act.
Phase Out	-

Sector	Business Services
Sub-sector	Credit Bureau Services
Industry Classification	-
Obligations concerned	Market Access Local Presence
Level of Government	Central
Measures	Administrative measure pursuant to the Monetary Authority of Singapore Act, Cap. 186
Description	Cross-Border services and Investment: 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 and be subjected to requirements that include share ownership and other rights of the Association of Banks in Singapore.
Phase-out	-

Sector	All
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Administrative
Description	<u>Investment:</u> As part of the Asset Enhancement Scheme, the Government of Singapore may limit to Singapore citizens sales of tranches of shares in enterprises that it owns. However, these shares will be freely transferable thereafter.
Phase-out	-

Sector	-
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
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	Investment: The aggregate of foreign shareholdings in PSA Corporation is subject to a 49% 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; and (b) Any corporation which is not more than 50% owned by Singapore citizens or by the Singapore Government; and (c) Any other enterprise which is not owned or controlled by the Singapore Government *The definition of “aggregate of foreign shareholdings” as used in describing this non-conforming measure, is based on the definition of the term as used in the Articles and Memorandum of Association of PSA Corporation and is only applicable for the purposes of this Schedule entry.
Phase-out	-

Sector	-
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
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	<u>Investment:</u> Individual investors, apart from the Singapore government, will be subject to the following equity ownership limits in the enterprises listed below: (a) Singapore Technologies Engineering: 15%; (b) PSA Corporation: 5%; (c) Singapore Airlines: 5%; and (d) Singapore Power, Power Grid, Power Supply, Power Gas: 10%. For the purposes of this reservation, ownership of equity by an investor in these enterprises includes both direct and indirect ownership of equity.
Phase-out	-

Sector	All
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Business Registration Act, Cap. 32 Companies Act, Cap. 50
Description	<u>Cross-Border Services and Investment:</u> Only a person who is a Singapore citizen, Singapore permanent resident, or Singapore Employment Pass holder will be allowed to register a business without appointing a local manager. A local manager must be a Singapore citizen, Singapore permanent resident, or Singapore Employment Pass holder. All locally incorporated companies must comply with the following requirements: (a) at least 1 director of the company must be resident in Singapore; and (b) all branches of foreign companies registered in Singapore must have at least 2 agents resident in Singapore. To be resident in Singapore, a person should be either a Singapore citizen, a Singapore permanent resident, or a Singapore Employment Pass holder.
Phase-out	-

Sector	All
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment
Level of Government	Central
Measures	State Lands Act, Cap. 314
Description	Investment: Singapore may divest State Land in a manner inconsistent with the National and Most-Favored Nation Treatment obligations of Article 15.4.
Phase-out	-

Sector	Business Services
Sub-sector	Auditing services
Industry Classification	-
Obligations concerned	National Treatment Local Presence
Level of Government	Central
Measures	Accountants Act, Cap. 2A
Description	Cross-Border Services and Investment: Only persons who are registered with the Institute of Certified Public Accountants of Singapore (ICPAS) and the Public Accountants Board (PAB) and resident in Singapore can be appointed as approved company auditors. Corporations providing auditing services shall have to comply with the following requirements: (a) not less than two-thirds of the board of directors (including the Chairman) shall be Singapore registered public accountants; (b) the business of the corporation shall be under the control of the directors who are Singapore registered public accountants; and (c) not less than two-thirds of the voting shares of the corporation shall be owned by Singapore registered public accountants. All the partners in partnerships providing auditing services shall be Singapore registered public accountants.
Phase-out	-

Sector	Business Services

Sub-sector	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 Local Presence
Level of Government	Central
Measures	Architects Act, Cap.12
Description	Cross-Border Services and Investment: Only persons who are registered with the Board of Architects (BOA) and resident in Singapore are allowed to provide architectural services. All corporations and partnerships providing architectural services (including those that are providing architectural services as part of a multi-disciplinary corporation or practice) must obtain a license from the BOA. To qualify for the license, the corporation or partnership must: (a) be under the control and management of a director or partner who is a Singapore registered architect resident in Singapore; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to architectural services must be under the control and management of a director or partner who is a Singapore registered architect resident in Singapore; and (b) where corporations are concerned, at least 51% of the directors of the corporation must be Singapore registered architects or allied professionals; where partnerships are concerned, the beneficial interest in the capital assets and profits of the partnership must be held by Singapore registered architects or allied professionals. Allied professionals are Singapore registered land surveyors and engineers.
Phase-out	-

Sector	Business Services
Sub-sector	Land Surveying Services
Industry Classification	-
Obligations concerned	National Treatment Local Presence
Level of Government	Central
Measures	Land Surveyors Act, Cap. 156
Description	<u>Cross-Border Services and Investment:</u> Only persons who are registered with the Land Surveyors Board (LSB), are resident in Singapore, and have had practical experience in surveying in Singapore are allowed to provide land surveying services. All corporations and partnerships providing land surveying services (including those that are providing land surveying services as part of a multi-disciplinary corporation or practice) must obtain a license from the LSB. To qualify for the license, the corporation or partnership must: (a) be under the control and management of a director or partner who is a Singapore registered surveyor resident in Singapore; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to land surveying services must be under the control and management of a director or partner who is a Singapore registered surveyor resident in Singapore; and (b) where a corporation is concerned, all its directors must be Singapore registered surveyors or allied professionals and not less than two-thirds of each class of shares shall be beneficially owned by and registered in the names of Singapore registered surveyors and/or allied professionals; where partnerships are concerned, only Singapore registered surveyors and allied professionals can have a beneficial interest in the capital assets and profits of the partnership. Allied professionals are Singapore registered engineers and architects.
Phase-out	The requirement that not less than two-thirds of each class of shares of a corporation providing land surveying services be beneficially owned by and registered in the names of Singapore registered surveyors and/or allied professionals shall be phased out by January 2004.

Sector	Business Services
Sub-sector	Legal Services
Industry Classification	CPC 861, Legal Services
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Measures	Legal Profession Act, Cap. 161 Legal Profession (International Services) Rules, Cap. 161, Rule 20
Description	Cross-Border services and Investment:

Only persons who are admitted to the Singapore Bar, registered as members with the Law Society of Singapore, and holding a valid Practising Certificate are allowed to provide legal services in relation to Singapore law.

US law enterprises may only provide legal services in relation to Singapore law through a Joint Law Venture or Formal Law Alliance with a Singapore law enterprise, and only to the extent allowed by the laws, rules, and regulations concerning Joint Law Ventures and Formal Law Alliances, and subject to the conditions and requirements relating to Joint Law Ventures and Formal Law Alliances. However, Singapore will modify these conditions and restrictions in favor of U.S. law enterprises as follows:

(i) the minimum number of U.S. lawyers resident in Singapore which the U.S. law enterprise is required to maintain in a Joint Law Venture or a Formal Law Alliance shall be reduced from 5 to 3, at least 2 of whom shall be equity partners or a member of the board of directors of the U.S. law enterprise;

(ii) the minimum relevant experience required of the 3 U.S. lawyers referred to in paragraph (i) shall be considered on an aggregate basis of 15 years, rather than on the basis of an individual experience of 5 years for each U.S. lawyer;

(iii) the minimum required relevant experience for U.S. lawyers working in a Joint Law Venture who wishes to apply to practise Singapore law under Section 130C of the Legal Profession Act shall be reduced from 5 years to 3 years;

Description (continued)	(iv) relevant experience for the purposes of paragraphs (ii) and (iii), in the case of Joint Law Ventures, shall be expanded from banking and finance work to include any of the related areas identified as "Tier 1" and "Tier 2" legal software in the 1999 Report of the Legal Services Review Committee*; and (v) a Joint Law Venture involving a U.S. law enterprise shall be allowed to practice corporate law in addition to banking and finance law. U.S. lawyers may prepare and participate in international commercial arbitration in Singapore provided that, where the law applicable to the dispute to which the arbitration relates is the law of Singapore, the U.S. lawyer shall appear jointly with a Singapore lawyer who possesses a valid Practising Certificate. * In the 1999 Report of the Legal Services Review Committee, "Tier 1" legal software was described as the legal software required for 'cutting edge' financial products and other strategic financial products as follows: products developed in connection with (i) project finance of infrastructure such as power, roads, water and telecommunications; (ii) international capital markets; (iii) asset securitisation; and (iv) structured finance including leasing and acquisitions (collectively referred to as "tier 1 financial products") and "Tier 2" legal software was described as the legal software required for the conventional financial services in (i) the issue and trading of capital market instruments including equities, bonds, warrants, medium term note programmes, fund management products, currency and interest rate swaps, futures and derivatives; (ii) onshore and offshore financing, such as syndicated and multi-currency loans; (iii) mergers and acquisitions, takeovers and buy-outs; (iv) related regulatory services; and (v) Singapore law opinions relating to tier 1 financial products.
Phase Out	-

Sector	Business Services
Sub-sector	Patent Agent Services
Industry Classification	-
Obligations concerned	National Treatment Local Presence
Level of Government	Central
Measures	Patents Act, Cap. 221
Description	<u>Cross-Border Services and Investment:</u> Only persons registered with the Intellectual Property Office of Singapore (IPOS) and resident in Singapore are allowed to carry on a business, practice, or act as a patent agent in Singapore. Only enterprises which have at least one Singapore registered patent agent as a director or partner, as the case may be, are allowed to carry on a business, practice or act as a patent agent in Singapore.
Phase-out	-

Sector	Business Services
Sub-sector	Professional Engineering services
Industry Classification	-
Obligations concerned	National Treatment Local Presence
Level of Government	Central
Measures	Professional Engineers Act, Cap. 253
Description	<u>Cross-Border Services and Investment:</u> Only persons who are registered with the Professional Engineers Board (PEB) and resident in Singapore are allowed to provide professional engineering services. All corporations and partnerships providing professional engineering services (including those which are providing professional engineering services as part of a multi-disciplinary corporation or practice) must obtain a license from PEB. To qualify for the license, the corporation or partnership must: (a) be under the control and management of a director or partner who is a Singapore registered professional engineer resident in Singapore; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to professional engineering services must be under the control and management of a director or partner who is a Singapore registered professional engineer resident in Singapore; and (b) where corporations are concerned, at least 51% of the directors of the corporation must be Singapore registered professional engineers or allied professionals; where partnerships are concerned, the beneficial interest in the capital assets and profits of the partnerships must be held by Singapore registered professional engineers or allied professionals. Allied professionals are Singapore registered land surveyors and architects.
Phase-out	-

Sector	Business Services
Sub-sector	Real Estate Services (as qualified in the Descriptions column)
Industry Classification	CPC 82202, Non-residential property management services on a fee or contract basis (as qualified in the Descriptions column)
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Sentosa Development Corporation Act, Cap. 291
Description	<u>Cross-Border Services and Investment:</u> Only the Sentosa Development Corporation is allowed to develop and manage the resort island of Sentosa and its waterways and the Southern Islands of Singapore. However, private developers are allowed to develop specific plots of land on Sentosa and the Southern Islands for commercial, residential, and recreational purposes. For the purposes 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 and Pulau Jong.
Phase-out	-

Sector	Development and ownership of residential property
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Residential Property Act, Cap. 274 Housing and Development Act, Cap. 129 Executive Condominium Housing Scheme Act, Cap. 99A
Description	<u>Investment</u> 1. Only Singapore citizens and Singapore enterprises are allowed to own restricted residential properties in Singapore. "Restricted residential properties" is defined under the Residential Property Act as all properties except the following: (a) land zoned/approved for industrial/commercial use; (b) any flat which is comprised in a building of 6 levels or more (including the ground level and any level below the ground level); and (c) any unit which is comprised in a condominium development as approved by the competent authority. Note: For (b) and (c) only Singapore citizens and Singapore enterprises can purchase/acquire the whole development. All service suppliers, with the exception of Singapore citizens or Singapore enterprises, that develop privately owned residential land will be given 24-36 months for obtaining the Temporary Occupation Permit (TOP) for the development. They are required to sell all the flats or dwelling houses in the development, or the entire development where the development comprises one or more buildings not subdivided into units for sale, within two years from the issue of the TOP.

Description (continued)	All service suppliers, with the exception of Singapore citizens or Singapore enterprises, that develop state land parcels sold by the Government will be given up to 2 years after the issue of the TOP to sell all the flats or dwelling houses that are classified as restricted residential properties in the development, or the entire development where the development comprises one or more buildings not subdivided into units for sale. For the purposes of paragraph 1, "Singapore enterprises" are enterprises which are locally incorporated or organised and whose members and directors are composed solely of Singapore citizens. 2. Only Singapore citizens are allowed to own an apartment developed or owned by the Housing and Development Board (HDB). Singapore permanent residents who form part of a family nucleus and bodies corporate approved under the Housing and Development Act may own HDB apartments purchased in the secondary market. Only Singapore citizens are allowed to own housing accommodation sold under the executive condominium scheme under the Executive Condominium Housing Scheme Act. Singapore permanent residents will be allowed to own Executive Condominiums after the expiry of a minimum occupation period as specified under the Executive Condominium Housing Scheme Act. Restrictions on foreign ownership of Executive Condominiums will be lifted 5 years after the expiry of the minimum occupation period. HDB flats owned wholly by Singapore Permanent Residents may be vested in the Official Assignee on bankruptcy of the owners.
Phase-out	-

Sector	Ownership of residential and industrial property
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	State Lands Act, Cap. 314 Housing and Development Act, Cap. 129 Jurong Town Corporation Act, Cap. 150
Description	Investment: Only the purchase of apartments developed by Housing and Development Board (HDB), including Executive Condominiums, may be subsidised. Singapore citizens or permanent residents who are affected by relocation or development measures will be given subsidies only for the purchase of apartments and industrial estates developed by HDB.
Phase-out	-

Sector	Development of residential, commercial and industrial properties
Sub-sector	-
Industry Classification	-
Obligations concerned	Local Presence Market Access
Level of Government	Central
Measures	This is an administrative measure and is inscribed in the conditions of tender for the sale of State Land.
Description	Cross-Border Services: With the exception of residential properties with 4 units or less and projects given conservation status, all developers of all residential, commercial, and industrial properties on State Land sites sold by the Government are required to incorporate a new company in Singapore solely to undertake the project of developing the site. For transparency purposes, all such developers must hold a controlling equity interest in the company until a Temporary Occupation Permit (TOP) is issued by the Commissioner of Building Control for the whole project.
Phase-out	-

Sector	Business Services
Sub-sector	Testing, analytical, and certification services on animals, plants, and products derived from animals and plants
Industry Classification	-
Obligations concerned	Local Presence
Level of Government	Central
Measures	Agri-Food and Veterinary Authority Act, Act 16 of 2000
Description	<u>Cross-Border 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, that are physically present in Singapore, including where such items are intended for import, export, and import for the purposes of re-export.
Phase-out	-

Sector	Business services n.e.c. – Investigation and security 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 Most-Favored-Nation Treatment Market Access Senior Management and Board of Directors
Level of Government	Central
Measures	Private Investigation and Security Agencies Act, Cap. 249
Description	<u>Cross-Border Services and Investment:</u> Only Singapore citizens or permanent residents and Malaysian citizens can be employed as security guards or as private investigators in enterprises providing private investigation or security guard services. Foreigners can be involved in the administration of the enterprise. All enterprises providing unarmed guard services are precluded from escorting cash-in transit operations of S$250,000 and above. Please also note Singapore's reservation for armed guard services in Annex II.
Phase-out	-

Sector	Community, Personal, and Social Services
Sub-sector	Services of co-operative societies
Industry Classification	CPC 959, Services furnished by membership organisations n.e.c. (only applies to co-operative society services)
Obligations concerned	National Treatment Senior Management and Board of Directors Local Presence
Level of Government	Central
Measures	Co-operative Societies Act, Cap. 62
Description	<u>Cross-Border Services and Investment:</u> 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. 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, on a case-by-case basis. A person who is not a Singapore citizen can form and join a co-operative society if he or she is resident in Singapore. A foreign co-operative society may be allowed to acquire the shares of a Singapore co-operative society, on a case by case basis.
Phase-out	-

Sector	Community, Social, and Personal Services
Sub-sector	Services furnished by trade unions
Industry Classification	CPC 952, Services furnished by trade unions
Obligations concerned	Local Presence Senior Management and Board of Directors
Level of Government	Central
Measures	Trade Unions Act, Cap. 333
Description	<u>Cross-Border Services and Investment:</u> Only service suppliers with local presence can register as a trade union and provide trade union services within Singapore. Office-bearers of a trade union must be Singapore citizens.
Phase-out	-

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
Level of Government	Central
Measures	Administrative
Description	Investment: Only local universities are allowed to operate undergraduate or graduate programmes for the training of doctors. Local universities are universities which are established pursuant to an Act of Parliament.
Phase-out	-

Sector	Health and Social Services

Sub-sector	Contact Lens Practitioners Deliveries and related services, nursing services, physiotherapeutic and para-medical services (only for nursing and midwife services)
Industry Classification	- CPC 93191, Deliveries and related services, nursing services, physiotherapeutic and para-medical services (Only applies to nursing and midwife services)
Obligations concerned	Local Presence
Level of Government	Central
Measures	Nurses and Midwives Act, Cap. 209 Contact Lens Practitioner Act, Cap. 53A
Description	<u>Cross-Border Services:</u> <u>Contact Lens Practitioners</u> Only persons who are resident in Singapore are allowed to be contact lens practitioners. <u>Nurses and Midwives</u> Only persons who are registered with the Singapore Nursing Board and resident in Singapore are allowed to provide nursing or midwife services.
Phase-out	-

Sector	Health and Social Services
Sub-sector	Medical Services
Industry Classification	CPC 9312, Medical Services
Obligations concerned	National Treatment Local Presence
Level of Government	Central
Measures	Medical Registration Act, Cap. 174
Description	<u>Cross-Border Services:</u> Only persons who are registered with the Singapore Medical Council and resident in Singapore can provide medical services. A person seeking to be registered with the Singapore Medical Council who is not a Singapore citizen will have to complete 6 years of conditional registration before he or she is eligible for full registration.
Phase-out	-

Sector	Health and Social Services
Sub-sector	Pharmacy Services
Industry Classification	-
Obligations concerned	Local Presence
Level of Government	Central
Measures	Pharmacists Registration Act, Cap. 230 Medicines Act, Cap. 176
Description	<u>Cross-Border Services:</u> Only persons who are registered with the Singapore Pharmacy Board and resident in Singapore are allowed to provide pharmacy services. Only Singapore registered pharmacists (apart from medical professionals) can prepare, dispense, assemble or sell medicinal products as defined under the Medicines Act, Cap. 176.
Phase-out	-

Sector	Import, export, and trading services
Sub-sector	-
Industry Classification	-
Obligations concerned	Local Presence
Level of Government	Central
Measures	Regulation of Imports and Exports Act, Cap. 272 A Regulation of Imports and Exports Regulation, Cap. 272A, Regulations 1
Description	<u>Cross-Border Services</u>: Only enterprises with local presence are allowed to apply for import/export permits, certificates of origin, or other trade documents from the relevant authorities.
Phase-out	-

Sector	Manufacturing and services incidental to manufacturing
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Performance Requirements Most-Favored-Nation Treatment
Level of Government	Central
Measures	Control of Manufacture Act, Cap. 57
Description	<u>Cross-Border 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 which are inconsistent with the National and Most-Favored-Nation Treatment obligations of article 15.4 and the Performance Requirements obligation of article 15.8: (a) Beer and stout; (b) Cigars; (c) Drawn steel products; (d) Chewing gum, bubble gum, dental chewing gum, or any like substance; (e) Cigarettes; and (f) Matches.
Phase out	-

Sector	Post and Telecommunications Services
Sub-sector	Postal Services (see Description)
Industry Classification	-
Obligations concerned	National Treatment Market Access Local Presence Performance Requirements
Level of Government	Central
Measures	Postal Services Act, Cap. 237A

Description

Cross-Border Services and Investment:

(a) Only Singapore Post Pte. Ltd. is allowed to convey letters and postcards and perform all incidental services of receiving, collecting, sending, dispatching, and delivering of letters and postcards.

A letter is defined as any written or printed communication in the nature of current and personal correspondence. Current correspondence refers to daily correspondence between individuals and organisations, while personal correspondence refers to any correspondence that is addressed to any person, company, or organisation by name or designation. A postcard means a card recognised as a postcard in accordance with the terms of the Convention regulating the affairs of the Universal Postal Union.

(b) Paragraph (a) of this reservation does not apply to express letter services, which is defined as a local or an international express letter service or both. This service is administered under the Telecommunications (Class License for Postal Services) Regulations 1997.

Local express letters must be delivered and received in the same working day, and charges must be more than S$1 per item or 3 times Singapore Post's postage for a 20 gram non-express letter, whichever is higher.

An outgoing international express letter must be delivered faster than Singapore Post's published delivery standards for outgoing (non-express) airmail letters and must have a price which is at least 3 times higher than Singapore Post's non-express rate for a 20 gram airmail letter to the same country of destination.

Incoming international express letters must be delivered by the same working day.

For the purposes of this reservation, a working day is defined as: 1) Mondays to Fridays, 8am to 5pm; or (2) Saturday 8am to 1pm. Sundays and public holidays are not working days.

Description (continued)	(c) Service suppliers providing express letter services must have a local presence in Singapore. (d) For the purposes of clarity, express delivery services are not covered by paragraph (a) of this reservation. Express delivery services means – (i) the expedited collection, transport and delivery of documents, printed matter, parcels and/or other goods, while tracking the location of, and maintaining control over, such items throughout the supply of the services. Express delivery services involving letters must meet the standards of express letter services stated in paragraph (b) and (c); and (ii) services provided in connection therewith, including, but not limited to, customs-related services and logistics services for the purposes of providing express delivery services. Express delivery services may also include collection from an address designated by the sender; release upon signature; guarantee of delivery within a specified time; use of electronic and/or other advanced technologies; and ability of the sender to confirm delivery. Express delivery services does not include (1) air transport services (2) services supplied in the exercise of government authority; and (3) maritime transport services. (e) Singapore Post Pte Ltd is prohibited from using revenues from the provision of services described in paragraph (a) to cross-subsidise in an anti-competitive manner the price of services described in paragraph (b).
Phase-out	-

Sector	Post and Telecommunications Services
Sub-sector	Telecommunications Services
Industry Classification	-
Obligations concerned	Local Presence Market Access
Level of Government	Central
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act, Cap. 323
Description	<u>Cross-Border Services:</u> All Services-based operators and Facilities-based operators must be incorporated as companies under the Companies Act, Chapter 50 (1994). 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. 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.
Phase-out	-

Sector	Post and 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 Local Presence
Level of Government	Central
Measures	Companies Act, Cap. 50 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 Services:</u> Only registrars that are registered under the Companies Act (Cap. 50) are allowed to provide registration services for the .sg domain name.
Phase-out	-

Sector	Power supply
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority of Singapore, Act 9 of 2001
Description	<u>Cross-Border services:</u> Power producers located outside Singapore are only allowed to supply power to Singapore's wholesale power market. The total amount of power supplied to Singapore's wholesale power market by power producers located outside Singapore cannot exceed 600 MW.
Phase-out	-

Sector	Power supply (only applies to the supply of electricity)
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority of Singapore, Act 9 of 2001
Description	<u>Cross-Border Services and Investment:</u> Only Power Supply can supply electricity to (i) any household consumers of electricity; and (ii) non-household consumers of electricity with maximum demand below 2 MW.
Phase-out	Retail competition will be extended to all extra high tension (EHT) and high tension (HT) consumers, and low tension (LT) non-household consumers with an annual consumption exceeding 240,000 kWh, two months after the new wholesale electricity market opens in the second half of 2002. This is Phase I. Subsequently, under Phase II, competition will be introduced to additional LT non-household consumers with an annual consumption exceeding 120,000 kWh, six months after Phase I. In the final phase, now scheduled for implementation by 2003, retail sale to the remaining consumers (mainly household consumers) will be fully opened.

Sector	Power transmission and distribution
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority Act, Act 9 of 2001
Description	<u>Cross-Border Services and Investment:</u> Only Power Grid is allowed to provide an open access power transmission and distribution network.
Phase-out	-

Sector	Transportation and distribution of manufactured gas and natural gas (piped gas)
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority of Singapore, Act 9 of 2001
Description	<u>Cross-Border Services and Investment:</u> Only Power Gas is allowed to transport and distribute manufactured and natural gas (piped gas).
Phase-out	-

Sector	Distribution and Sale Services
Sub-sector	Distribution and Sale of Hazardous Substances
Industry Classification	-
Obligations concerned	Local Presence
Level of Government	Central
Measures	Environmental Pollution Control Act, Cap. 94A
Description	<u>Cross-Border Services:</u> Only service suppliers with local presence are allowed to distribute and sell hazardous substances (as defined in the Environmental Pollution Control Act).
Phase-out	-

Sector	Trade services
Sub-sector	Retailing Services Wholesale Trade Services
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Medicines Act, Cap. 176
Description	<u>Cross-Border Services and Investment:</u> Only service suppliers who appoint a local agent are allowed to provide wholesale, retail, and distribution services for medical and health-related products and materials, intended for the purpose of 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 apparatus.
Phase-out	-

Sector	Air Transport Services
Sub-sector	Ground Handling Services (including Cargo Handling Services)
Industry Classification	-
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Civil Aviation Authority of Singapore Act, Cap. 41
Description	<u>Cross-Border Services and Investment:</u> Only SATS (Singapore Airport Terminal Services) and CIAS (Changi International Airport Services) are allowed to provide ground handling services, including cargo handling services, at airports. This reservation does not apply to ground handling services that designated airlines of the United States can provide in Singapore within the terms of the Multilateral Agreement on the Liberalisation of International Air Transportation (MALIAT) or within the terms of the Air Transport Agreement (ATA) between the Government of the United States of America and the Government of the Republic of Singapore, signed at Singapore on 8 April, 1997, should the MALIAT be terminated between Singapore and the United States and the ATA no longer be suspended.
Phase-out	-

Sector	Air Transport Services
Sub-sector	Passenger 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 Market Access
Level of Government	Not applicable
Measures	Not applicable
Description	<u>Cross-Border Services and Investment:</u> The Singapore Government does not impose foreign ownership limits on Singapore designated airlines. However, enterprises 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. Compliance with the requirements of these agreements may require such enterprises to impose a 49% limit on the foreign ownership of their shares.
Phase-out	-

Sector	Water Transport Services
Sub-sector	Cargo Handling Services Pilotage Services
Industry Classification	CPC 741, Cargo Handling Services CPC 74520, Pilotage and Berthing Services (only applies to Pilotage Services)
Obligations concerned	National Treatment Market Access
Level of Government	Central
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A
Description	<u>Cross-Border Services and Investment:</u> Only PSA Corporation and Jurong Port are allowed to provide cargo handling services. Only PSA Marine is allowed to provide pilotage services.
Phase-out	-

Sector	Water Transport Services
Sub-sector	Registration of ships under Singapore flag
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Merchant Shipping Act, Cap. 179
Description	<u>Cross-Border services and Investment:</u> Only a Singapore citizen or permanent resident or Singapore enterprise may register a ship under the Singapore flag. All enterprises seeking to register ships under the Singapore flag must appoint a ship manager who is resident in Singapore. 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. For the purposes of this reservation, a Singapore legal person is a locally incorporated company.
Phase-out	-

Sector	Water Transport Services
Sub-sector	Seaman Services
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A Maritime and Port Authority of Singapore (Registration and Employment of Seamen) Regulations
Description	<u>Cross-Border Services:</u> Only Singapore citizens and permanent residents can register as Singapore seamen.
Phase-out	-

ANNEX 8A
SCHEDULE OF THE UNITED STATES

Sector: Atomic Energy

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)

Level of Government: Central

Measures: *Atomic Energy Act of 1954*, 42 U.S.C. §§ 2011 et seq.

Description: Investment

A license issued by the United States Nuclear Regulatory Commission is required for any person in the United States to transfer or receive in interstate commerce, manufacture, produce, transfer, use, import or export any nuclear "utilization or production facilities" for commercial or industrial purposes. Such a license may not be issued to any entity known or believed to be owned, controlled or dominated by an alien, a foreign corporation or a foreign government (42 U.S.C. §§ 2133(d)). A license issued by the United States Nuclear Regulatory Commission is also required for nuclear "utilization and production facilities" for use in medical therapy or for research and development activities. The issuance of such a license to any entity known or believed to be owned, controlled or dominated by an alien, a foreign corporation or a foreign government is also prohibited (42 U.S.C. § 2134(d)).

Sector:	Business Services
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Local Presence (Article 8.6)
Level of Government:	Central
Measures:	*Export Trading Company Act of 1982,* 15 U.S.C. §§ 4011-4021 15 C.F.R. Part 325
Description:	<u>Cross-Border Services</u>

Title III of the *Export Trading Company Act of 1982* authorizes the Secretary of Commerce to issue "certificates of review" with respect to export conduct. The Act provides for the issuance of a certificate of review where the Secretary determines, and the Attorney General concurs, that the export conduct specified in an application will not have the anticompetitive effects proscribed by the Act. A certificate of review limits the liability under federal and state antitrust laws in engaging in the export conduct certified.

Only a "person" as defined by the Act can apply for a certificate of review. "Person" means "an individual who is a resident of the United States; a partnership that is created under and exists pursuant to the laws of any State or of the United States; a State or local government entity; a corporation, whether organized as a profit or nonprofit corporation, that is created under and exists pursuant to the laws of any State or of the United States; or any association or combination, by contract or other arrangement, between such persons."

A foreign national or enterprise may receive the protection provided by a certificate of review by becoming a "member" of a qualified applicant. The regulations define "member" to mean "an entity (U.S. or foreign) that is seeking protection under the certificate with the applicant. A member may be a partner in a partnership or a joint venture; a shareholder of a corporation; or a participant in an association, cooperative, or other form of profit or nonprofit organization or relationship, by contract or other arrangement."

Sector: Business Services

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)
Local Presence (Article 8.6)

Level of Government: Central

Measures: *Export Administration Act of 1979, as amended*, 50 U.S.C. app. 2401-2420.

International Emergency Economic Powers Act, 50 U.S.C. 1701-1706.

Export Administration Regulations, 15 C.F.R. Parts 730 through 774.

Description: Cross-Border Services

With some limited exceptions, exports and reexports of commodities, software and technology subject to the Export Administration Regulations require a license from the Bureau of Industry and Security, U.S. Department of Commerce (BIS). Certain activities of U.S. persons, wherever located, also require a license from BIS. An application for a license must be made by a person in the United States.

In addition, release of controlled technology to a foreign national in the United States is deemed to be an export to the home country of the foreign national and requires the same written authorization from BIS as an export from the territory of the United States.

Sector:	Mining
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Level of Government:	Central
Measures:	*Mineral Lands Leasing Act of 1920,* 30 U.S.C. Chapter 3A 10 U.S.C. § 7435
Description:	<u>Investment</u> Under the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands or acquire leases or interests in certain minerals on on-shore federal lands, such as coal or oil. Non-U.S. citizens may own a 100 percent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, or that acquires a lease to develop mineral resources on on-shore federal lands, unless the foreign investor's home country denies similar or like privileges for the mineral or access in question to U.S. citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries (30 U.S.C. §§ 181, 185(a)). Nationalization is not considered to be denial of similar or like privileges. Foreign citizens, or corporations controlled by them, are restricted from obtaining access to federal leases on Naval Petroleum Reserves if the laws, customs or regulations of their country deny the privilege of leasing public lands to citizens or corporations of the United States (10 U.S.C. § 7435).

Sector:	All Sectors
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Level of Government:	Central
Measures:	22 U.S.C. §§ 2194 and 2198(c)
Description:	Investment The Overseas Private Investment Corporation insurance and loan guarantees are not available to certain aliens, foreign enterprises or foreign-controlled domestic enterprises.

Sector: Air Transportation

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)
Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Senior Management and Boards of Directors (Article 15.9)

Level of Government: Central

Measures: 49 U.S.C. Subtitle VII, *Aviation Programs*
14 C.F. R. Part 297 (foreign air freight forwarders); 14 C.F.R. Part 380, Subpart E (registration of foreign (passenger) charter operators

Description: Investment

Only air carriers that are "citizens of the United States" may operate aircraft in domestic air service (cabotage) and may provide international scheduled and non-scheduled air service as U.S. air carriers.

U.S. citizens also have blanket authority to engage in indirect air transportation activities (air freight forwarding and passenger charter activities other than as actual operators of the aircraft). In order to conduct such activities, non-U.S. citizens must obtain authority from the Department of Transportation. Applications for such authority may be rejected for reasons relating to the failure of effective reciprocity, or if the Department of Transportation finds that it is in the public interest to do so.

Under 49 U.S.C. § 40102(15), a "citizen of the United States" means:

(a) an individual who is a U.S. citizen;

(b) a partnership in which each member is a U.S. citizen; or

(c) a U.S. corporation of which the president and at least two-thirds of the board of directors and other managing officers are U.S. citizens, and at least 75 percent of the voting interest in the corporation is owned or controlled by U.S. citizens.

In addition, this statutory requirement has historically been interpreted by the Department of Transportation (and the Civil

Aeronautics Board before it) to require that an air carrier in fact be under the actual control of U.S. citizens. The Department of Transportation makes this determination on a case-by-case basis, and has provided guidance as to certain lines of demarcation. For example, total foreign equity investment of up to 49 percent (with a maximum of 25 percent being voting stock), by itself, is not construed as indicative of foreign control. See Department of Transportation Order 91-1-41, January 23, 1991.

Sector: Air Transportation

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)
Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Local Presence (Article 8.6)
Senior Management and Boards of Directors (Article 5.9)

Level of Government: Central

Measures: 49 U.S.C., Subtitle VII, Aviation Programs
49 U.S.C. § 41703

14 C.F.R. Part 375

As qualified by paragraph 2 of the **Description** element

Description: <u>Cross-Border Services</u>

1. Authorization from the Department of Transportation is required for the provision of specialty air services in the territory of the United States.*

<u>Investment</u>

2. "Foreign civil aircraft" require authority from the Department of Transportation to conduct specialty air services in the territory of the United States. "Foreign civil aircraft" are aircraft of foreign registry or aircraft of U.S. registry that are owned, controlled or operated by persons who are not citizens or permanent residents of the United States (14 C.F.R. § 375.1). Under 49 U.S.C. § 40102(15), a "citizen of the United States" means:

(a) an individual who is a U.S. citizen;

(b) a partnership in which each member is a U.S. citizen; or

(c) a U.S. corporation of which the president and at least two-thirds of the board of directors and other managing officers are U.S. citizens, and at least seventy-five percent of the voting interest in the corporation is owned or controlled by U.S. citizens.

In addition, this statutory requirement has historically been interpreted by the Department of Transportation (and the Civil Aeronautics Board before it) to require that an air carrier in fact be under the actual control of U.S. citizens. The Department of Transportation makes this determination on a case-by-case basis, and has provided guidance as to certain lines of demarcation. For example, total foreign equity investment of up to 49 percent (with a maximum of 25 percent being voting stock), by itself, is not construed as indicative of foreign control. See Department of Transportation Order 91-1-41, January 23, 1991.

* A person of Singapore will be able to to obtain such an authorization given Singapore’s acceptance of the definition of specialty air in the Cross-Border Services Chapter.

Sector: Transportation Services - Customs Brokers

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)
Local Presence (Article 8.6)

Level of Government: Central

Measures: 19 U.S.C. § 1641(b)

Description: Cross-Border Services and Investment

A customs broker's license is required to conduct customs business on behalf of another person. Only U.S. citizens may obtain such a license. A corporation, association or partnership established under the law of any state may receive a customs broker's license if at least one officer of the corporation or association, or one member of the partnership, holds a valid customs broker's license.

Sector:	All Sectors
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Level of Government:	Central
Measures:	*Securities Act of 1933*, 15 U.S.C. §§ 77C(b), 77f, 77g, 77h, 77j and 77s(a) 17 C.F.R. §§ 230.251 and 230.405 *Securities Exchange Act of 1934*, 15 U.S.C. §§ 78*l*, 78m, 78o(d) and 78w(a) 17 C.F.R. § 240.12b-2
Description:	<u>Investment</u> Foreign firms, except for certain Canadian issuers, may not use the small business registration forms under the Securities Act of 1933 to register public offerings of securities or the small business registration forms under the Securities Exchange Act of 1934 to register a class of securities or file annual reports.

Sector: Communications - Radiocommunications

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)

Level of Government: Central

Measures: 47 U.S.C. § 310
Foreign Participation Order 12 FCC Red 23841 (1997)

Description: Investment

The United States reserves the right to restrict ownership of radio licenses in accordance with the above statutory and regulatory provisions. Radiocommunications consists of all communications by radio, including broadcasting.

Sector:	Professional Services - Patent Attorneys, Patent Agents, and Other Practice before the Patent and Trademark Office
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Most-Favored-Nation Treatment (Articles 8.4 and 15.4) Local Presence (Article 8.6)
Level of Government:	Central
Measures:	35 U.S.C. Chapter 3 (practice before the U.S. Patent and Trademark Office) 37 C.F.R. Part 10 (representation of others before the U.S. Patent and Trademark Office)
Description:	<u>Cross-Border Services</u>

As a condition to be registered to practice for others before the U.S. Patent and Trademark Office (USPTO):

(a) a patent attorney must be a U.S. citizen or an alien lawfully residing in the United States (37 C.F.R. § 10.6(a));

(b) a patent agent must be a U.S. citizen, an alien lawfully residing in the United States or a non-resident who is registered to practice in a country that permits patent agents registered to practice before the USPTO to practice in that country ; the latter is permitted to practice for the limited purpose of presenting and prosecuting patent applications of applicants located in the country in which he or she resides (37 C.F.R. § 10.6(c)); and

(c) a practitioner in trademark and non-patent cases must be an attorney licensed in the United States, a "grandfathered" agent, an attorney licensed to practice in a country that accords equivalent treatment to attorneys licensed in the United States, or an agent registered to practice in such a country; the latter two are permitted to practice for the limited purpose of representing parties located in the country in which he or she resides (37 C.F.R. § 10.14(a)-(c)).

Sector:	All Sectors
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Most-Favored-Nation Treatment (Articles 8.4 and 15.4) Local Presence (Article 8.6) Performance Requirements (Article 15.8) Senior Management and Boards of Directors (Article 15.9)
Level of Government:	Regional
Measures:	All existing non-conforming measures of all states of the United States, the District of Columbia, and Puerto Rico
Description:	<u>Investment and Cross-Border Services</u>

Sector: All

Obligations Concerned: Market Access (Article 8.5)

Description: Investment and Cross-Border Services

The United States reserves the right to adopt or maintain any measure that is not inconsistent with the United States' obligations under Article XVI of the General Agreement on Trade in Services.

Sector: All

Obligations Concerned: Most-Favored-Nation Treatment (Articles 8.4 and 15.4)

Description: Investment and Cross-Border Services

The United States reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement.

The United States reserves the right to adopt or maintain any measure that accords differential treatment to countries under any international agreement in force or signed after the date of entry into force of this Agreement involving:

(a) aviation;

(b) fisheries; or

(c) maritime matters, including salvage.

ANNEX 8B
SCHEDULE OF SINGAPORE

Headnotes:

1. 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.

2. References to CPC codes refer 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) and are meant to define the scope of the reservation unless otherwise stated.

3. The carve-out for subsidies in the Chapter on Cross-Border Trade in Services includes subsidies or grants provided by a Party to service consumers.

4. The carve-outs for financial services, subsidies, and government procurement in the Chapter on Cross-Border Trade in Services apply equally to the Investment Chapter.

5. Where an inconsistency arises in relation to the interpretation of a reservation, the Description column or portion of the reservation shall prevail to the extent of the inconsistency.

6. For greater certainty, the fact that Singapore has described a measure in the Description element of a Schedule entry does not necessarily mean that, in the absence of such a Schedule entry, the measure would be inconsistent with Singapore's obligations under Chapter 8 (Cross-Border Trade in Services), Chapter 10 (Financial Services), or Chapter 15 (Investment).

SINGAPORE’S SCHEDULE TO ANNEX 8B

Sector	-
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Market Access Local Presence Senior Management and Boards of Directors
Level of Government	Central

Description

Cross-Border Services and Investment:

I. Devolution of Services Provided in the Exercise of Governmental Authority

1. Singapore reserves the right to adopt and maintain the following measures solely as part of the act of devolving a service, that it is providing in the exercise of governmental authority* at the time the Agreement enters into force:

(a) restricting the number of service suppliers;

(b) allowing an enterprise, wholly or majority owned by the Government of Singapore, to be the sole service supplier or one amongst a limited number of service suppliers;

(c) imposing restrictions on the composition of Senior Management and Board of Directors;

(d) requiring local presence; and

(e) specifying the juridical form of the service supplier(s).

2. To the extent possible, Singapore shall inform the United States of a service that it is providing in the exercise of governmental authority that it intends to devolve. Singapore shall maintain information demonstrating that any service that it devolves was being provided in the exercise of governmental authority as of the date this Agreement enters into force, and upon request, provide this information to the United States prior to devolving any such service.

3. Where devolution is accompanied by a sale of shares or assets to any person, such sale shall be conducted in a manner that does not deny U.S. investors national treatment. For clarity, a sale of shares or assets does not occur when the Government of Singapore wholly owns the shares and assets of an enterprise and then transfers, for a consideration, these shares and assets to a government holding company that it wholly owns.

4. Once any competition is allowed in a devolved service, it shall be permitted on a non-discriminatory basis and no preferential treatment shall be provided to the newly corporatized enterprise except as provided in paragraph 1.

Devolving a service means allowing an enterprise, wholly or majority-owned by the Government of Singapore and organized under the laws of Singapore, to take over and supply on a commercial basis, services that were provided in the exercise of governmental authority as of the date this Agreement enters into force.

If pursuant to Section I. of this reservation, Singapore has devolved a service to an enterprise that it wholly-owns and was organized under the laws of Singapore, and where justified by public health, welfare, safety concerns, or to safeguard the viability of critical economic infrastructure, Singapore reserves the right to adopt and maintain the following measures regarding the sale of any shares in that enterprise or any assets of that enterprise to any person:

<u>II. Divestment of Government Ownership Interests After Devolution</u>

(a) foreign ownership limitation: limit foreign ownership to no greater than 49 % of the shares of the enterprise

(b) single share ownership limitation: impose non-discriminatory single-share ownership limits on private investors of 5 % or more of the share of the enterprise.

(c) preferential shareholder rights: reserve preferential shareholder rights for itself.

(d) senior management and board of directors restrictions: impose restrictions on the composition of senior management and board of directors, provided that foreign investors are allowed to have representation on the board of directors that recognizes their ownership levels relative to other shareholders.

*A service supplied in the exercise of governmental authority means any service which is supplied neither on a commercial basis, nor in competition with one or more service suppliers.

Existing Measures

Sector	-
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Boards of Directors
Level of Government	Central
Description	Cross-Border Services and Investment: Singapore reserves the right to adopt and maintain any measure in relation to the divestment of the administrator and operator of airports.
Existing Measures	

Sector	All
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	Cross-Border Services and Investment: Singapore reserves the right to adopt or to maintain any measure in relation to the provision of health services by government owned or controlled healthcare institutions (including investments in those institutions), social security, and public training.
Existing Measures	-

Sector	All
Sub-sector	-
Industry Classification	-
Obligations concerned	Market access
Level of Government	Central
Description	Cross-Border Services: Singapore reserves the right to adopt or maintain any measure in relation to the types of activities that may be conducted on land or the usage of land in accordance with its land zoning and land use policies. These measures are not aimed at, but may result in, market access limitations.
Existing Measures	-

Sector	Broadcasting Services Broadcasting services refers to the scheduling of a series of literary and artistic works by a content provider for aural and/or visual reception, and for which the content consumer has no choice over the scheduling of the series.
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to broadcasting services receivable by Singapore's domestic audience and to the allocation of spectrum in relation to broadcasting services. This reservation does not apply to the sole activity of transmitting licensed broadcasting services to a final consumer.
Existing Measures	-

Sector	Business Services
Sub-sector	Legal Services
Industry Classification	CPC 861, Legal Services
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence
Level of Government	Central
Description	<u>Cross-Border Services:</u> Singapore reserves the right to adopt or maintain any measure in relation to the certification, registration, and admission of persons who are seeking to supply or are supplying legal services in relation to Singapore law, including the recognition of educational and professional qualifications for the purposes of such certification, registration, and admission, subject to the specific commitments undertaken by Singapore in subparagraphs (i) through (v) of paragraph 2 of Singapore's entry for legal services in Singapore's Schedule to Annex 8A and the side-letter on the recognition of the degree of Doctor of Jurisprudence (J.D.) or equivalent degree for purposes of admission to the Singapore Bar.* * This paragraph shall not affect Singapore's rights under paragraph 3 of the side letter.
Existing Measures	Legal Profession Act, Cap. 161

Sector	Business services n.e.c.
Sub-sector	Armed Escort Services Armed Guard Services
Industry Classification	- CPC 87305, Guard Services (only applies to armed security guard services)
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the provision of armed escort and armed guard services. For transparency purposes, only the Commercial and Industrial Security Corporation (CISCO), established under the Commercial and Industrial Security Corporation Act, is currently allowed to provide such services in Singapore.
Existing Measures	-

Sector	Business services n.e.c.
Sub-sector	Betting and Gambling Services
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the provision of betting and gambling services.
Existing Measures	Betting Act, Cap. 21 Common Gaming Houses Act, Cap. 49

Sector	Collection and administration of proprietary government information
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Boards of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure relating to the collection and administration of proprietary government information gathered by entities such as CrimsonLogic. This reservation does not apply to the development of software and systems used in the collection and administration of such information and does not preclude the management and maintenance of such software and systems by U.S. service suppliers.
Existing Measures	-

Sector	Defence
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment
Level of Government	Central
Description	Investment: Singapore reserves the right to adopt or maintain any measure in relation to the retention of a controlling interest by the Singapore Government in Singapore Technologies Engineering (the Company), including controls over the appointment and termination of members of the Board of Directors, divestment of equity, and dissolution of the Company for the purpose of safeguarding the security interest of the Republic of Singapore.
Existing Measures	-

Sector	Educational Services
Sub-sector	Preschool Education Services Other Primary Education Services Secondary Education Services Higher Secondary Education Services (only applies to Junior Colleges and Pre-University Centres under the Singapore educational system)
Industry Classification	CPC 92110, Preschool Education Services CPC 92190, Other Primary Education Services CPC 92210, Secondary Education Services CPC 92220, Higher Secondary Education Services (only applies to Junior Colleges and Pre-University Centres under the Singapore educational system)
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross–Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the provision of preschool, primary, secondary, and higher secondary (Junior Colleges and Pre-University Centres under the Singapore educational system) education services for Singapore citizens.
Existing Measures	Education Act, Cap. 87

Sector	Health and Social Services
Sub-sector	Medical Services Pharmacy Services
Industry Classification	CPC 9312, Medical Services -
Obligations concerned	Market Access
Level of Government	Central
Description	<u>Cross–Border Services:</u> Singapore reserves the right to adopt or maintain any limits on the number of doctors and pharmacists who can practice in Singapore.
Existing Measures	-

Sector	Health and Social Services
Sub-sector	Services provided by health-related professionals
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment
Level of Government	Central
Description	Cross-Border Services and Investment: Singapore reserves the right to adopt or to maintain any measure in relation to the recognition of educational and professional qualifications for the purposes of admission, registration, and qualification of health-related professionals such as contact lens practitioners, dentists, doctors, nurses, midwives, and traditional Chinese medicine practitioners.
Existing Measures	Contact Lens Practitioner Act, Cap. 53A Dentists Act, Cap. 76 Medical Registration Act, Cap. 174 Nurses and Midwives Act, Cap 209 Pharmacists Registration Act, Cap. 230 Traditional Chinese Medicine Practitioners Act, Act 34 of 2000

Sector	Distribution and publication of printed media Printed media refers to any publication containing news, intelligence, reports of occurrences, or any remarks, observations, or comments relating thereto, or to any matter of public interest, printed in any language and published for sale or free distribution at intervals not exceeding one week.
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the distribution and publication of printed media.
Existing Measures	-

Sector	Post and Telecommunications Services
Sub-sector	Telecommunications Services
Industry Classification	-
Obligations concerned	Market Access Most-Favored-Nation Treatment National Treatment
Level of Government	Central
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act, Cap. 323
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure that accords treatment to persons of the other Party equivalent to any measure adopted or maintained by the other Party limiting ownership by persons of Singapore of enterprises engaged in the provision of public mobile and wireless communications in the territory of the other Party, including: (a) Public Radiocommunication Services; (Public Radiocommunication Services refer to Maritime and Aeronautical radiocommunication services) (b) Public Cellular Mobile Telephone Service (PCMTS); (c) Public Radio Paging Services (PRPS); (d) Public Trunked Radio Services (PTRS); (e) Public Mobile Data Services (PMDS); (f) Public Mobile Broadband Multimedia Services; and (g) Public Fixed-Wireless Broadband Multimedia Services.
Existing Measures	-

Sector	Sewage and refuse disposal, sanitation, and other environmental protection services
Sub-sector	Hazardous Waste Management, including collection, disposal, and treatment of hazardous waste
Industry Classification	CPC 9402, Refuse disposal services (only applies to hazardous waste management, including collection, disposal and treatment of hazardous waste)
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to hazardous waste management, including the collection, treatment, and disposal of hazardous waste. Hazardous waste includes bio-medical waste.
Existing Measures	

Sector	Sewage and refuse disposal, sanitation, and other environmental Protection services
Sub-sector	Waste water management, including collection, disposal and treatment of waste water.
Industry Classification	CPC 9401, Sewerage services (only applies to wastewater management, including the collection, disposal and treatment of waste water)
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to wastewater management, including the collection, treatment, and disposal of waste water.
Existing Measures	Code of Practice on Sewerage and Sanitary Works Sewerage and Drainage Act, Cap. 293A

Sector	Social Services
Sub-sector	-
Industry Classification	CPC 933, Social Services
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or to maintain any measure in relation to the provision of social services, but shall not adopt or maintain any such measure in derogation of obligations or commitments undertaken in the Financial Services Chapter.
Existing Measures	-

Sector	Supply Of Potable Water
Sub-sector	-
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the supply of potable water.
Existing Measures	Public Utilities Act, Cap. 261 Public Utilities Act 2001, Act 8 of 2001

Sector	Transport Services
Sub-sector	Public Transport Services Public Transport Services are services that are used by and accessible to members of the public for the purposes of transporting themselves within Singapore.
Industry Classification	-
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the provision of public transport services.
Existing Measures	Rapid Transit Systems Act, Cap. 263A Land Transport Authority of Singapore Act, Cap. 158A Public Transport Council Act, Cap. 259B

Sector	Transport services
Sub-sector	Land Transport Services Services Auxiliary to All Modes of Transport
Industry Classification	CPC 742, Storage and warehousing services CPC 748, Freight transport agency services (does not apply to freight forwarding by air) CPC 749, Other supporting and auxiliary transport services
Obligations concerned	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Boards of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment</u> Singapore reserves the right to adopt or maintain any measure that accords treatment to persons of the other Party equivalent to any measure adopted or maintained by the other Party in relation to the provision of storage and warehousing, freight forwarding (excluding freight forwarding by air), inland trucking, container station, and depot services by persons of Singapore. For the purposes of clarity, this reservation does not extend to express delivery services as defined in the reservation for postal services, which is reproduced as follows for ease of reference - "Express delivery services means – (i) the expedited collection, transport and delivery of documents, printed matter, parcels and/or other goods, while tracking the location of, and maintaining control over, such items throughout the supply of the services. Express delivery services involving letters must meet the standards of express letter services stated in paragraph (b) and (c) of the reservation for postal services; and (ii) services provided in connection therewith, including, but not limited to, customs-related services and logistics services for the purposes of providing express delivery services. Express delivery services may also include collection from an address designated by the sender; release upon signature; guarantee of delivery within a specified time; use of electronic and/or other advanced technologies; and ability of the sender to confirm delivery. Express delivery services does not include (1) air transport services (2) services supplied in the exercise of government authority; and (3) maritime transport services."
Existing Measures	-

Sector	All
Sub-sector	-
Industry Classification	-
Obligations concerned	Most-Favored-Nation Treatment
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement. Singapore reserves the right to adopt or maintain any measure that accords differential treatment to countries under any international agreement in force or signed after the date of entry into force of this Agreement involving: (a) Air Services; (b) Maritime and Port matters; and (c) Land Transport matters.
Existing Measures	-

ANNEX 8B
SCHEDULE OF UNITED STATES

Sector:	Communications
Obligations Concerned:	Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Description:	<u>Cross-Border Services and Investment</u>
	The United States reserves the right to adopt or maintain any measure that accords differential treatment to persons of other countries due to application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access or national treatment with respect to the one-way satellite transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services.

Sector: Communications - Cable Television

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)
Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Local Presence (Article 8.6)
Senior Management and Boards of Directors (Article 15.9)

Description: Investment and Cross-Border Services

The United States reserves the right to adopt or maintain any measure that accords equivalent treatment to persons of any country that limits ownership by persons of the United States in an enterprise engaged in the operation of a cable television system in that country.

Sector:	Social Services
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Most-Favored-Nation Treatment (Articles 8.4 and 15.4) Local Presence (Article 8.6) Performance Requirements (Article 15.8) Senior Management and Boards of Directors (Article 15.9)
Description:	<u>Cross-Border Services and Investment</u> The United States reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.

Sector:	Minority Affairs
Obligations Concerned:	National Treatment (Articles 8.3 and 15.4) Local Presence (Article 8.6) Performance Requirements (Article 15.8) Senior Management and Boards of Directors (Article 15.9)
Description:	<u>Cross-Border Services and Investment</u> The United States reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities, including corporations organized under the laws of the State of Alaska in accordance with the *Alaska Native Claims Settlement Act*.
Existing Measures:	*Alaska Native Claims Settlement Act*, 43 U.S.C. §§ 1601 <u>et</u> <u>seq</u>.

Sector: Transportation

Obligations Concerned: National Treatment (Articles 8.3 and 15.4)
Most-Favored-Nation Treatment (Articles 8.4 and 15.4)
Local Presence (Article 8.6)
Performance Requirements (Article 15.8)
Senior Management and Boards of Directors (Article 15.9)

Description: Cross-Border Services and Investment

The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following:

(a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the coastwise trades, U.S. territorial waters, waters above the continental shelf and in the inland waterways;

(b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades;

(c) requirements for investment in, ownership ar control of, and operation of vessels engaged in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone;

(d) requirements related to documenting a vessel under the U.S. flag;

(e) promotional programs, including tax benefits, available for shipowners, operators and vessels meeting certain requirements;

(f) certification, licensing and citizenship requirements for crew members on U.S.-flagged vessels;

(g) manning requirements for U.S.-flagged vessels;

(h) all matters under the jurisdiction of the Federal Maritime Commission;

(i) negotiation and implementation of bilateral and other international maritime agreements and understandings;

(j) limitations on longshore work performed by crew members;

(k) tonnage duties and light money assessments for entering U.S. waters; and

(l) certification, licensing and citizenship requirements for pilots performing pilotage services in U.S. territorial waters.

The following activities are not included in this entry:

(a) boat cleaning, canal operation, dismantling of vessels, operation of marine railways for drydocking, marine surveyors, except cargo, marine wrecking of vessels for scrap and ship classification societies.

Existing Measures:

Merchant Marine Act of 1920, §§ 19 and 27, 46 App. U.S.C. §876 and § 883 et seq .

Jones Act Waiver Statute, 64 Stat 1120, 46 U.S.C. App., note preceding Section 1

Shipping Act of 1916, 46 U.S.C. App. §§ 802 and 808

Merchant Marine Act of 1936,46 U.S.C. App. §§ 1151 et seq., 1160-61, 1171 et seq., 1241(b), 1241-1, 1244, and 1271 et seq.

Merchant Ship Sales Act of 1946, 50 U.S.C. App. § 1738
46 App. U.S.C. §§ 121, 292 and 316
46 U.S.C. §§ 12101 et seq. And 31301 et seq.
46 U.S.C. §§ 8904 and 31328(2)

Passenger Vessel Act, 46 App. U.S.C. § 289
42 U.S.C. § 9601 et seq.; 33 U.S.C. § 2701 et seq.; 33 U.S.C. § 1251 et seq.
46 U.S.C. §§ 3301 et seq., 3 701 et seq., 8103 and 12107(b)

Shipping Act of 1984, 46 App. U.S.C. §§ 1708 and 1712

The *Foreign Shipping Practices Act of 1988* (46 App. U.S.C. 1710a), the *Merchant Marine Act, 1920* (46 App. U.S.C. "861 et seq.), and the *Shipping Act of 1984* (46 App. U.S.C. "1701 et seq.).

Alaska North Slope - 104 Pub. L. 58; 109 Stat. 557;
Longshore restrictions and reciprocity - 8 U.S.C. '1101 et seq.; and
Vessel escort provisions - Section 1119 of Pub. L. 106-554, as amended.

Nicholson Act, 46 App. U.S.C. § 251
Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987, 46 U.S.C. § 2101 and 46 U.S.C. § 12108
43 U.S.C. § 1841
22 U.S.C. § 1980

Intercoastal Shipping Act, 46 U.S.C. App. § 843
46 U.S.C. § 9302, 46 U.S.C. § 8502; *Agreement Governing the Operation of Pilotage on the Great Lakes*, Exchange of Notes at Ottawa, August 23, 1978, and March 29, 1979, TIAS 9445

Magnuson Fishery Conservation and Management Act, 16 U.S.C. §§ 1801 et seq.
19 U.S.C.§ 1466

North Pacific Anadramous Stocks Convention Act of 1972, P.L. 102-587; *Oceans Act of 1992*, Title VII

Tuna Convention Act, 16 U.S.C. §§ 951 et seq .

South Pacific Tuna Act *of 1988*, 16 U.S.C. §§ 973 et seq.

Northern Pacific Halibut Act of 1982, 16 U.S.C. §§ 773 et seq.

Atlantic Tunas Convention Act, 16 U.S.C. §§ 971 et seq.

Antarctic Marine Living Resources Convention Act of 1984, 16 U.S.C. §§ 2431 et seq.

Pacific Salmon Treaty Act of 1985, 16 U.S.C. §§ 3631 et seq.

*American Fisheries Act of 1998, P.L.*105-277, Division C, Title II, Subtitle I.