

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

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| 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:

II. Divestment of Government Ownership Interests After Devolution

- (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

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| 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 | <u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt and maintain any measure in relation to the divestment of the administrator and operator of airports. |
| Existing Measures | |

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| 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 | <u>Cross-Border Services and Investment:</u> 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 | - |

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| Sector | All |
| Sub-sector | - |
| Industry Classification | - |
| Obligations concerned | Market access |
| Level of Government | Central |
| Description | <p><u>Cross-Border Services:</u></p> <p>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.</p> |
| Existing Measures | - |

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| 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 | - |

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| 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 | <p><u>Cross-Border Services:</u></p> <p>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.*</p> <p>* This paragraph shall not affect Singapore's rights under paragraph 3 of the side letter.</p> |
| Existing Measures | Legal Profession Act, Cap. 161 |

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| 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 | - |

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| 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 |

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| 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 | <p><u>Cross-Border Services and Investment:</u></p> <p>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.</p> <p>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.</p> |
| Existing Measures | - |

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| Sector | Defence |
| Sub-sector | - |
| Industry Classification | - |
| Obligations concerned | National Treatment |
| Level of Government | Central |
| Description | <p><u>Investment:</u></p> <p>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.</p> |
| Existing Measures | - |

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| 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 |

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| 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 | - |

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| 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 | <p><u>Cross-Border Services and Investment:</u></p> <p>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.</p> |
| Existing Measures | <p>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</p> |

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| 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 | - |

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| 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 | <p><u>Cross-Border Services and Investment:</u></p> <p>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:</p> <ul style="list-style-type: none"> (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 | - |

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| 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 | |

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| 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 |

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| 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 | - |

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| 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 |

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| 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 |

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| 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 | <p><u>Cross-Border Services and Investment</u></p> <p>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.</p> <p>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 -</p> <p>“Express delivery services means –</p> <ul style="list-style-type: none"> (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. <p>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.”</p> |
| Existing Measures | - |

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| Sector | All |
| Sub-sector | - |
| Industry Classification | - |
| Obligations concerned | Most-Favored-Nation Treatment |
| Level of Government | Central |
| Description | <p><u>Cross-Border Services and Investment:</u></p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> (a) Air Services; (b) Maritime and Port matters; and (c) Land Transport matters. |
| Existing Measures | - |