

GATS 2000

REQUEST FROM THE EC AND ITS MEMBER STATES (HEREINAFTER THE EC)

TO

SINGAPORE

GENERAL REMARKS

At the WTO Ministerial Conference in Doha in November 2001, Ministers agreed that initial requests for specific commitments should be submitted by 30 June 2002.

In line with this decision, and committed to the objectives and principles stated in Article IV and XIX GATS, as well as the negotiating guidelines agreed by the Council for Trade in Services on 29 March 2001, the EC encourages Singapore to participate actively in the negotiations.

The EC considers that the progressive liberalisation of services is of benefit for all members, including developing and least developed countries. In this context, the EC recognises the importance of liberalisation being underpinned by domestic regulatory frameworks designed to ensure the achievement of public policy objectives.

This request covers horizontal commitments, MFN exemptions and the following service sectors:

- Professional services
- Business services (other than professional services)
- Postal and courier services
- Telecommunications services
- Construction and related engineering services
- Distribution services
- Environmental services
- Financial services
- Tourism and travel related services
- News agency services
- Transport services
- Energy services

The EC proposes that Singapore's current GATS commitments are revised in accordance with this request. The EC is both seeking improved commitments

and clarification of existing commitments as set out in this Request. The EC is furthermore looking for a reduction in scheduled limitations whether these are horizontal or sector specific in nature. In so doing, the EC is not seeking the dismantling of public services nor the privatisation of state owned companies.

In conformity with the objectives set out in the EC's overall approach to services negotiations (document S/CSS/W /15), the EC reiterates its commitment to promote regulatory disciplines in accordance with Article VI:4 of the GATS. The EC, however, reserves its right to address at any time to Singapore specific requests concerning regulatory issues.

The EC further requests that commitments are entered in accordance with the scheduling guidelines adopted by the Council of Trade in Services on 23 March 2001 (S/L/92). In particular, for each commitment or limitation entered the EC requests:

- that the sector and sub-sector are clearly identified in accordance with the classification list in Document MTN.GNS/W/120 or other internationally recognised classification (e.g. Financial Services Annex) and corresponding CPC number. If this is not possible, the schedule should contain a sufficiently detailed definition to avoid any ambiguity as to the scope of the commitment. In that respect the EC would like to recall the classification proposed in its negotiating proposal with regard to postal and courier, environmental and energy services. While discussions on classification in this sector are still ongoing, the EC would like to invite Singapore to present its offer in accordance with this approach.
- that any remaining limitation on market access (hereafter "MA") or on national treatment (hereafter "NT") are clearly described and only be inscribed in the market access or national treatment columns if the measure is of a nature foreseen by Articles XVI-XVII GATS.

The EC remains available to provide any clarification and answer any question on this request. Questions can be addressed to the European Commission via the EC GATS contact point (mailbox address: TRADE-GATS-CONTACT-POINTS@cec.eu.int), via the Delegation of the European Commission in Geneva, or directly to the European Commission (Directorate-General Trade Unit D2 (Trade in services, including e-commerce), Brussels, B-1049, Belgium, fax 32-3-299 24 35).

Note : The EC reserves the right to revise and/or supplement this request. For each service sector, W120 classification has been followed unless expressly indicated and CPCs refer to the Provisional CPC classification. The precise scope for each sector is without prejudice to the EC's final positions on classification issues and to the EC's classification of their existing commitments.

HORIZONTAL COMMITMENTS

EC REQUEST TO SINGAPORE

MODE 3

- Either citizenship, residence or employment pass requirement (NT) with regard to managers/directors of foreign firms and with regard to representatives of foreign branches. A foreigner who is a Singapore Permanent Resident or a Singapore Employment Pass holder can register a business without appointing a local manager). **EC Request:** Remove general restrictions on citizenship, residence, and employment pass.

MODE 4

Intra-corporate transferees

- Difficulties are experienced in transferring specialists with less than four years graduate level work experience. **EC request:** Clarify how classification of “specialist” is determined.
- The EC requests that a commitment be made to allow as intra-corporate transferees « persons with a university degree or equivalent technical qualification who are transferring for career development purposes or to obtain training in business techniques or methods ». The maximum prior employment requirement should be one year.

Business Visitors

- No specific commitment has been made. EC request : Make a commitment relating to Business Visitors who are not entering to themselves supply a service, but rather to either (a) establish a commercial presence or (b) negotiate and/or conclude sales contracts. The maximum length of stay should be at least 90 days in any 12 month period.

Contractual Service Suppliers

- A contractual service supplier is a juridical person with no commercial presence in Singapore, who has obtained a service contract in Singapore which requires the presence of its employees in Singapore in order to fulfil that contract. **EC request :** Take commitments for natural persons employed in the service sectors listed below and seeking temporary entry as contractual service suppliers. Such natural persons can be required to have a university degree or equivalent technical qualification – plus the appropriate professional qualifications where this is required by domestic law. The length of stay may be limited in time.

List of sectors :

1. Business Services

Legal Services
Accounting and bookkeeping services
Taxation services
Architectural services
Engineering Services
Integrated engineering services
Urban planning and landscape architectural services
Computer and Related Services
Research and Development Services
Advertising
Management consulting services
Services related to management consulting
Technical testing and analysis services
Related scientific and technical consulting services
Maintenance and repair of equipment
Interpreters

3. Construction and related engineering services

Site investigation work (CPC 5111)

4. Distribution Services

Wholesale trade services (CPC 622)

6. Environmental Services

All sub-sectors

7. Financial Services

Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services

Advisory and other auxiliary financial services on all the activities listed in the subparagraphs (v) to (xv) of the classification of the Annex on Financial Services, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy

Other

- MA - “Specific commitments in market access in any sector or sub-sector, through any mode of delivery, shall not be construed to override the limitations established in the financial services sector”. EC request: Clarify purpose and effect of this entry.

Additional commitments

- Difficulties are experienced as a result of the length of time taken to process employment passes. The EC wishes to discuss the possibility of taking additional commitments to address this issue.

Note : Mode 4 is covered horizontally in this part for all service sectors. The sectoral requests in the following pages only refer to mode 4 when specifically related to one particular service sector.

PROFESSIONAL SERVICES

EC REQUEST TO SINGAPORE

Singapore has committed this sector only partially. The EC requests that this sector is committed as follows:

A. LEGAL SERVICES (CPC 861)

This sub-sector is not committed and is subject to a MFN exemption. **EC Request:**

- Commit covering at least consultancy on public international law and on law of jurisdiction where the service supplier or its personnel are qualified lawyers
- Modes 1, 2, 3: Take full commitments, i.e. schedule “none” under MA and NT
- Mode 4: Commit as referred to in the section “Horizontal commitments”
- Remove the MFN exemption.

B. ACCOUNTING, AUDITING AND BOOKKEEPING SERVICES (CPC 862)

- This sub-sector is not committed for bookkeeping services (CPC 8622). **EC Request:** Extend sectoral coverage of commitments to this CPC
- Mode 4: NT – This mode remains unbound. **EC Request:** Commit as referred to in the section “Horizontal commitments”

In addition, restrictions on advertising have been reported. The EC wishes to discuss the scope of this regulatory trade barrier and the solution to be given to this issue.

C. TAXATION SERVICES (CPC 863)

- Mode 4: NT – This mode remains unbound. **EC Request:** Commit as referred to in the section “Horizontal commitments”

D. ARCHITECTURAL SERVICES (CPC 8671)

- Mode 3: MA – Requirement of registered architect participation in partnerships or as directors or shareowners of corporations. **EC Request:** Remove
- Mode 3: MA – Residency requirement for registered architects in charge of controlling architectural work. **EC Request:** Remove
- Mode 4: NT – This mode remains unbound. **EC Request:** Commit as referred to in the section “Horizontal commitments”

ENGINEERING SERVICES (CPC 8672)

- This sub-sector is not committed for the entire CPC 8672. **EC Request:** Extend sectoral coverage of commitments to the entire CPC
- Mode 1: NT – Residency requirement. **EC Request:** Remove
- Mode 3: MA – Requirement of registered engineer participation in partnerships or as directors or shareowners of corporations. **EC Request:** Remove
- Mode 3: MA – Residency requirement for registered engineers in charge of controlling professional engineering work. **EC Request:** Remove
- Mode 4: NT – This mode remains unbound. **EC Request:** Commit as referred to in the section “Horizontal commitments”

F. INTEGRATED ENGINEERING SERVICES (CPC 8673)

G. URBAN PLANNING AND LANDSCAPE ARCHITECTURAL SERVICES (CPC 8674)

These sub-sectors are not committed. **EC Request** for each of these two sub-sectors:

- Modes 1, 2, 3: Take full commitments, i.e. schedule “none” under MA and NT
- Mode 4: Commit as referred to in the section “Horizontal commitments”

BUSINESS SERVICES (OTHER THAN PROFESSIONAL SERVICES)

EC REQUEST TO SINGAPORE

GENERAL COMMENT

Singapore has used neither W120 nor CPC in their schedule, making comparison of commitments difficult.

The EC suggests to Singapore to make reference to Business services as classified in W/120 and refer to the relevant CPC codes.

Mode 4: NT – For those sub-sectors where commitments have been made, this mode remains unbound. **EC request:** Commit as referred to in the “Horizontal Commitments”.

B. COMPUTER AND RELATED SERVICES

General

This sub-sector has only been partially committed. **EC request:** Extend coverage to include all of CPC 84 and schedule commitments at the two-digit level – i.e. CPC 84:

Mode 4: NT – This mode remains unbound. **EC request:** Commit as referred to in the horizontal section.

C. RESEARCH AND DEVELOPMENT SERVICES

Singapore does not appear to have committed this Sector. The EC requests that it be committed as follows for privately financed Research and Development :

a) R&D Services on natural sciences (CPC 851)

b) R&D Services on social sciences and humanities (CPC 852)

c) Interdisciplinary R&D services. (CPC 853)

For each of the above sub-Sectors :

- Modes 1, 2 and 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

NB: Singapore has made commitments on “Industrial Research”, “Commercial Market Research” and “Economic and Behavioural Research”, but it is not clear whether these would fall under “Research and Development Services” in W/120, or under “Other Business Services” as part of “b. Market Research and Public Opinion Polling.” This request assumes the latter.

D. REAL ESTATE SERVICES

Singapore has not committed this Sector. The EC requests that it be committed as follows :

a) Involving own or leased property (CPC 821)

b) On a fee or contract basis (CPC 822)

For each of the above sub-Sectors :

- Modes 1, 2, 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

E. RENTAL AND LEASING SERVICES WITHOUT OPERATORS

Singapore has not committed this Sector. The EC requests that it be committed as follows :

a) Relating to ships (CPC 83103)

- Modes 1, 2, 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

c) Relating to other transport equipment (CPC 83101 + 83102 + 83105) and

d) Relating to other machinery (CPC 83106 – 83109)

For each of the above two sub-sectors :

- Mode 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

F. OTHER BUSINESS SERVICES :

NB: Requests (if any) on (h) - services incidental to mining, and (j) - services incidental to energy distribution, are covered in those sections of the request dealing with Energy Services and Construction Services.

Singapore has not committed the following sub-Sectors. The EC requests that they be committed as follows :

a) Advertising (CPC 871)

d) Services related to management consulting (CPC 866)

e) Technical testing and analysis services (CPC 8676)

k) Placement and supply services of personnel (CPC 872)

m) Related scientific and technical consulting services (CPC 8675)

n) Maintenance and Repair of Equipment (not including transport equipment) (CPC 633 + 8861-8866)

p) Photographic Services (CPC 875)

q) Packaging Services (CPC 876)

r) Printing and Publishing Services (CPC 88442)

For each of the above sub-Sectors :

- Modes 1, 2, 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

l) Security Services (CPC 87302 – 87309)

- Mode 3 : MA - Commit with no form of establishment or equity limitation. Full NT commitment i.e. schedule "none".
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

b) Market research and Public Opinion Polling (CPC 864)

Singapore appears to have partially committed this sub-sector under its commitments on “Industrial Research”, “Commercial Market Research” and “Economic and Behavioural Research”. **EC request:** Please confirm our understanding. Please extend sectoral coverage to all of CPC 864.

c) Management consulting services (CPC 865)

Singapore appears to have committed this sub-sector under its commitment on “Management consultancy services”. **EC request:** Please confirm our understanding. The EC reserves the right to make a request in this sub-sector in the light of Singapore’s response.

s) Convention Services (part of CPC 87909)

Singapore appears to have committed this sub-sector under its commitment on “Exhibition Management services”. **EC request:** Please confirm our understanding. The EC reserves the right to make a request in this sub-sector in the light of Singapore’s response.

Grounds maintenance (part of CPC 88110)

Singapore has not committed this sub-sector. **EC Request:**

- Mode 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

Washing and Cleaning Services (CPC 97011-97014)

Singapore has not committed this sub-sector. **EC request:**

- Mode 3 : Take full commitments, i.e. schedule "none" under MA and NT.
- Mode 4 : Commit as referred to in the section "Horizontal commitments".

POSTAL AND COURIER SERVICES

EC REQUEST TO SINGAPORE

Singapore has only partially committed this sector (commitments in courier services). This request is based on the EC proposal for the classification of postal and courier services. While discussions on classification in this sector are still ongoing, the EC would like to invite Singapore to present its offer in accordance with this proposal, without prejudice to the outcome on the classification of postal and courier services:

SERVICES RELATING TO THE HANDLING¹ OF POSTAL ITEMS², WHETHER FOR DOMESTIC OR FOREIGN DESTINATIONS:

A. Handling of addressed written communications on any kind of physical medium³, including:

- Hybrid mail services

- Direct mail

B. Handling of addressed parcels and packages⁴

C. Handling of addressed press products⁵

D. Handling of items referred to in A. to C. above as registered or insured mail.

E. Express delivery services⁶ for items referred to in A. to C. above.

F. Handling of non-addressed items.

G. Document exchange.

H. Other services not elsewhere specified.

For sub-sectors B., C., E., F. and G. :

¹ The term "handling" should be taken to include clearance, sorting, transport and delivery.

² "Postal item" refers to items handled by any type of commercial operator, whether public or private.

³ E.g. letter, postcards

⁴ Books, catalogues are included hereunder.

⁵ Journals, newspapers, periodicals.

⁶ Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and addressee in transit, confirmation of receipt.

- Modes 1, 2 and 3 : Undertake full commitments for market access and national treatment.
- Mode 4 : Commit as referred to in the section « Horizontal commitments ».

For sub-sectors A. and D.

- Modes 1, 2 and 3: Undertake commitments for market access and national treatment.
- Mode 4 : Commit as referred to in the section « Horizontal commitments ».

Singapore's current commitments :

- Market access :
- Modes 1 and 3 : « Unbound». EC request : Schedule « None ».

TELECOMMUNICATION SERVICES

EC REQUEST TO SINGAPORE

Singapore has only partially committed this Sector. The EC requests that this Sector is committed as follows:

ALL MODES

There are no commitments in telex and telegraph services, Enhanced/Value-Added Facsimile services and Code and Protocol Conversion. **EC request:** Make full commitments for all these sub-sectors, i.e. schedule “None”.

For facilities-based local and international Public Switched services⁷ and local and international Leased Circuit Services, as well as mobile services, each service must be licensed through a public tender process. **EC request:** Remove this restriction on the number of operators.

For the same services, the schedule states that “the number of licences may be limited due to scarce resources, such as rights of way”. **EC request:** Remove this provision which should not affect market access or national treatment.

MODE 1 – CROSS-BORDER SUPPLY

There is a requirement that “VAN does not carry traffic which resembles any of the basic telecommunication services” for value added services. **EC request:** Remove this requirement.

For Value-added Network (VAN) services (which cover electronic-mail, voice-mail, on-line information and data-base retrieval, electronic data interchange, on-line information and/or data processing), there is a provision requiring that cross-border supply be subject to commercial arrangements with licensed operator(s). **EC request:** Remove this provision.

For VAN, Foreign companies are required to either set up a local branch of their company duly registered with the Registry of Companies and Businesses in Singapore, or grant a power of attorney to a local agent for the provision of their VAN services in Singapore. **EC request:** suppress this provision in the schedule.

MODE 3 – COMMERCIAL PRESENCE

⁷This includes voice, data and facsimile services.

For facilities-based local and international Public Switched services⁸ and local and international Leased Circuit Services, as well as mobile services, Foreign ownership restrictions is limited to a cumulative total of 73.99% foreign shareholding, based on 49% direct investment and 24.99% indirect investment in these operators. **EC request:** Remove these restrictions on foreign ownership.

For all (whether facilities-based or resale-based) local and international Public Switched services⁹ and local and international Leased Circuit Services, as well as mobile services, there is a provision as regards National Treatment that states: “None, except as indicated in horizontal commitments”. **EC Request:** remove this reference to horizontal commitments.

For Value-added Network (VAN) services, there is a provision requiring that cross-border supply be subject to commercial arrangements with licensed operator(s). **EC request:** Remove this provision.

For VAN, Foreign companies are required to either set up a local branch of their company duly registered with the Registry of Companies and Businesses in Singapore, or grant a power of attorney to a local agent for the provision of their VAN services in Singapore. **EC request:** suppress this provision in the schedule.

⁸Telecommunication services and facsimile services. 2
⁹This includes voice, data and facsimile services.

CONSTRUCTION AND RELATED ENGINEERING SERVICES

EC REQUEST TO SINGAPORE

GENERAL

Singapore has taken commitments in this Sector in Modes 1, 2 and 3.

Singapore has committed this Sector only partially in Mode 4. The EC requests that this Sector is committed as follows :

All sub-sectors (CPC 511 to CPC 518)

- This Sector is defined as “construction services”. **EC Request:** Refer explicitly to “CPC 51 (511 to 518)”
- Mode 4: NT – This Mode remains unbound. **EC Request:** Commit as referred in the section “Horizontal commitments”.

DISTRIBUTION SERVICES

EC REQUEST TO SINGAPORE

Singapore has not committed this Sector. The EC requests that this Sector is committed as follows :

A. COMMISSION AGENTS' SERVICES (CPC 621, 6111+6113+6121)

B. WHOLESALE TRADE SERVICES (CPC 622, 6111+6113+6121)

C. RETAILING SERVICES (CPC 631+632, 6111+6113+6121+613)

D. FRANCHISING (CPC 8929)

For each of the above sub-sectors :

- Modes 1, 2, 3 : Take full commitments, i.e. schedule "none".
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Note : The EC is prepared to discuss exceptions for a very limited number of extremely sensitive goods, such as arms, ammunitions and explosives.

Note : In accordance with the W120 classification, the EC Request on "Repair services of personal and household goods" (CPC 633) is included under "1. Business services / F. Other business / n. Maintenance and repair".

ENVIRONMENTAL SERVICES

EC REQUEST TO SINGAPORE

Singapore has not undertaken commitments in environmental services. This request is based on the EC proposal for the classification of environmental services. While discussions on classification in this sector are still ongoing, the EC would like to invite Singapore to present its offer in accordance with this proposal, without prejudice to the outcome on the classification of environmental services:

A. WATER FOR HUMAN USE & WASTEWATER MANAGEMENT

Water collection, purification and distribution services through mains, except steam and hot water.

This sub-sector only concerns the distribution of water ‘through mains’ (i.e. urban sewage systems). This excludes any cross-border transportation either by pipeline or by any other means of transport, nor does it imply access to water resources.

- Mode 3: Take commitments under MA and NT.
- Mode 4: Commit as referred to in the section ‘Horizontal commitments’.

Waste water services (CPC 9401)

- Mode 3: Take full commitments, i.e. schedule ‘none’ under MA and NT.
- Mode 4: Commit as referred to in the section ‘Horizontal commitments’.

B. SOLID/HAZARDOUS WASTE MANAGEMENT

Refuse disposal services (CPC 94020)

Sanitation and similar services (CPC 94030)

C. PROTECTION OF AMBIENT AIR AND CLIMATE

Services to reduce exhaust gases and other emissions and improve air quality (CPC 94040)

D. REMEDIATION AND CLEANUP OF SOIL & WATER

Treatment, remediation of contaminated/polluted soil and water (part of CPC 94060)

E. NOISE & VIBRATION ABATEMENT

Noise abatement services (CPC 94050)

F. PROTECTION OF BIODIVERSITY AND LANDSCAPE

Nature and landscape protection services (part of CPC 94060)

G. OTHER ENVIRONMENTAL & ANCILLARY SERVICES

Other environmental protection services not classified elsewhere (CPC 94090)

For each of the above sub-sectors (B – G) :

- Modes 1 (where technically feasible), 2 and 3 : Undertake full commitments for market access and national treatment.
- Mode 4 : Refer to horizontal commitments.

FINANCIAL SERVICES

EC REQUEST TO SINGAPORE

Singapore has committed this sector only partially. The EC requests that it be committed as follows:

GENERAL

- **EC Request:** Undertake commitments in accordance with the Understanding on Commitments in Financial Services.

INSURANCE

- Mode 3: MA – IN life and non-life insurance, limits on foreign shareholding. **EC Request:** Eliminate these limits.
- Mode 3: MA – In life and non-life insurance, unbound for issuance of new insurance licenses and establishment of new representative offices. **EC request:** Remove this limitation.
- Modes 1 and 2: MA and NT – Unbound in non-life insurance. **EC Request:** Commit MAT insurance in accordance with the Understanding.
- Mode 1: MA and NT – Unbound in insurance intermediation. **EC Request:** Commit intermediation of reinsurance and of MAT insurance in accordance with the Understanding.
- Mode 3: MA and NT – In Insurance intermediation, unbound except for admission of reinsurance brokers as locally incorporated subsidiaries in the market access column. **EC Request:** Take full commitments, i.e. schedule “none”.
- Mode 3: MA and NT - Restrictions on distribution of life dividends to shareholders (maximum 10% of surplus). **EC Request:** Remove those restrictions.
- Mode 3: MA and NT - Limitations on foreign currency and overseas holdings of admitted life assets. **EC Request:** Remove those limitations.

BANKING AND OTHER FINANCIAL SERVICES

- Mode 3: MA - No new full and restricted commercial banks, and no new finance companies. **EC Request:** Eliminate those limitations.
- Mode 3 MA – Limits on foreign shareholding of domestic commercial banks. **EC Request:** Remove these caps.
- Mode 3: NT - Foreign commercial and merchant banks can operate from only one office. **EC Request:** Eliminate this restriction.
- Mode 3: MA and NT - Foreign commercial banks and finance companies cannot establish ATM networking and new sub-branches. **EC Request:** Remove these limitations.
- Mode 3: NT – Unbound for provision of all electronic banking services. **EC Request:** Remove this limitation.

- Mode 3: NT – Location and relocation of commercial banks, merchant banks and finance companies require prior approval. **EC Request:** Clarify why this limitation has been scheduled.
- Mode 3: NT – Restricted and offshore banks can only accept deposits of S\$250,000 or more per deposit. **EC Request:** Reduce this threshold.
- Mode 3: MA and NT - Prohibition applied to offshore banks from certain core banking activities in Singapore dollars. **EC Request:** Eliminate this prohibition.
- Mode 3: MA – Unbound for foreign acquisition of share in finance companies. **EC request:** Eliminate this restriction.
- Mode 3: MA – Prior approval is needed for finance companies to be eligible to deal in foreign currencies, gold and other business. **EC Request:** clarify why this limitation has been scheduled.
- Mode 3: NT – Unbound for establishment of off-premise cash dispensing machines for credit and charge cards. **EC Request:** Remove this limitation
- Mode 3: MA - Remittance shops and money changers have to be majority owned by Singapore citizens. **EC Request:** Remove this condition.
- Mode 3: MA - Foreign stock broking companies can establish only as non-members of the Stock Exchange of Singapore (SES); unbound for new membership of SES, acquisition of SES member companies and new international memberships. **EC Request:** Remove these limitations
- Mode 3: MA – unbound for new primary and registered dealers of Singapore Government Securities. **EC Request:** Remove this limitation.
- Mode 3: MA – Unbound for new money brokers. **EC Request:** remove this limitation.
- Mode 3: MA and NT - Limitation of provision of clearance and settlement services to designated suppliers and unbound in the national treatment column. **EC Request:** Take full commitments, i.e. schedule “none”.
- Mode 1: MA – Commercial presence is required for provision of investment and portfolio research and advice to the public. **EC Request:** Take full commitments.
- Mode 3: NT - Foreign banks’ branches are not allowed to use parent’s capital to meet prudential requirements, even if their home country’s regulation and supervision has implemented Basle or equivalent standards. **EC Request:** Allow branches to use parent’s capital to meet prudential requirements.
- Mode 3: Regulation on branch capital: the guarantee granted by the branch’s head office or by another foreign bank for additional lending volume is not taken into account. **EC request:** Take into account the guarantee extended by the branch’s head office or by another foreign bank for additional lending volume.
- Mode 3: separate licenses to conduct stock-broking, futures and fund management activities result in high costs. **EC Request:** Develop a single licence.

MFN EXEMPTION

- Reinsurance - Exemption granted to ASEAN Reinsurance Corporation to be established with a paid up capital of S\$6 million instead of S\$10 million. **EC Request:** Remove this preferential treatment.

TOURISM AND TRAVEL RELATED SERVICES

EC REQUEST TO SINGAPORE

Singapore has committed this sector only partially. The EC requests that it be committed as follows.

The EC also suggests to Singapore to make reference to tourism and travel related services as classified in W/120 and refer to the relevant CPC codes.

B. TRAVEL AGENCIES AND TOUR OPERATORS SERVICES (CPC 7471)

Mode 3: Market access: Remove limitation on form of establishment (private limited company only)

National treatment: Bind this mode, and take full commitments.

Mode 4: Commit as referred to in the section 'Horizontal commitments'.

NEWS AGENCY SERVICES

EC REQUEST TO SINGAPORE

Singapore has not committed this sector (CPC 962). The EC requests that this Sector be committed as follows:

EC Request (CPC 962):

- Modes 1-3: Take full commitments, i.e. schedule “none” under MA and NT.
- Mode 4: Commit as referred to in the section “Horizontal commitments”.

TRANSPORT SERVICES

EC REQUEST TO SINGAPORE

A. MARITIME TRANSPORT

Singapore has specific commitments with certain restrictions for maritime transport. Restrictions relate in particular to: passengers, and for auxiliary services such as cargo-handling, customs clearance, container stations which are not committed.

EC request: Take commitments in accordance with the attached model schedule (Annex 1). In particular for the following areas:

- 1) **International transport (freight and passengers) CPC 7211 and 7212**
- 2) **Additional commitments for access to and use of ports facilities**
- 3) **Maritime auxiliary services (maritime cargo handling, storage and warehouse services, customs clearance services, container station and depot services, maritime agency services)**
- 4) **Multimodal activities: for inland forwarding of cargoes - commit the ability to rent or lease - or to have access to and use of multimodal facilities (as specified in the note to the schedule).**
- 5) **Definitions – commit definitions as specified in the model schedule.**

For information purposes and acknowledging that Singapore has for geographical reasons concentrated maritime activities in one commercial port under the same authority, the EC would also ask Singapore to consider whether any of the following additional maritime commitments could be of relevance for Singapore:

- 6) **Equipment.** To facilitate planning of their businesses operators should be allowed to reposition their own equipment, such as empty containers, between ports [areas] in Singapore, when it is not carried against payment. This is requested to be committed in a new footnote.
- 7) **International cargo.** With the development of containerisation and high frequency networking services and with the ever-larger vessels having to limit direct port calls for physical or economic reasons, the feeding of cargoes between main ports and way ports is becoming more important as an integral part of efficient international maritime transport. An international maritime transport supplier should be allowed to operate feeder services for its own international cargo

between ports [areas] in Singapore. This is requested to be committed in a new footnote.

A final request related to maritime transport is:

8) Rental and leasing of vessels with crew (CPC 7213, 7223).

EC request:

- Modes 1, 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as in horizontal commitments.

Singapore has currently restricted this activity to international transport.

C. AIR TRANSPORT

Singapore has no commitments for air transport

1) Maintenance and repair of aircraft and parts thereof.

EC request:

- Modes 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

2) Selling and marketing.

EC request:

- Modes 1, 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

3) Computer Reservation Systems.

EC request:

- Modes 1, 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

4) Groundhandling services, as specified in the attached definitions (Annex 2).

EC request:

- Modes 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

5) Airport management services, as specified in the attached definitions (Annex 2)

EC request:

- Mode 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

E. RAIL TRANSPORT

Singapore has no commitments for this activity.

d) Maintenance and Repair of Rail Transport Equipment (CPC 8868).

EC request:

- Modes 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

F. ROAD TRANSPORT

Singapore has no commitments for these subgroups.

b) Freight Transportation (CPC 7123).

EC request:

- Mode 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

d) Maintenance and Repair of Road Transport Equipment (CPC 6112)

EC request:

- Modes 1, 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

H. SERVICES AUXILIARY TO ALL MODES OF TRANSPORT

b) Storage and Warehouse Services (CPC 742)

EC request:

- Modes 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

c) Freight Transport Agency/Freight Forwarding Services (CPC 748) and Pre-Shipment Inspection (part of CPC 749)

New Zealand has commitments which are restricted to the context of maritime transport.

EC request:

- Modes 1, 2 and 3: Take full commitments, i.e. schedule “none”, under MA and NT
- Mode 4: Commit as referred in the section “Horizontal commitments”

MFN EXEMPTIONS

Maritime Transport Services

Singapore has an MFN exemptions that allows for measures concerning maritime related storage and warehousing, freight forwarding, inland trucking and container station and depot services. The undertaking of the commitments to bind the current level of market access and treatment to services and services supplier, in the subsectors will be through the conclusion of bilateral shipping agreements.

EC request: Remove exemption (see EC requests for maritime transport based on the model schedule, which would include these activities).

Air transport - Computer reservation systems

Singapore has a MFN exemptions where market access and national treatment are based on reciprocity in mutual concessions, but not necessarily in the same areas, as established under bilateral Air Services Agreements.

EC request: Remove or specific limitations to issues directly relating to CRS-systems (see EC request under air transport).

ANNEX 1: SCHEDULE ON MARITIME TRANSPORT SERVICES

A. SECTOR OR SUB-SECTOR	B. LIMITATIONS ON MARKET ACCESS	Limitations on National Treatment	C. ADDITIONAL COMMITMENTS
<p>TRANSPORT SERVICES MARITIME TRANSPORT SERVICES International Transport (freight and passenger) CPC 7211 and 7212 less cabotage transport (as defined below – 1)</p>	<p>1) (a) <u>Liner Shipping</u>: none (b) <u>Bulk, tramp, and other international shipping, including passenger transportation</u>; none</p> <p>2) None</p> <p>3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of the State of establishment: unbound (b) Other forms of commercial presence for the supply of international maritime transport services (as defined below – 2): none</p> <p>4) (a) Ships crews: unbound (b) Key personnel employed in relation to a commercial presence as defined under mode 3b) above: Unbound except as in horizontal section</p>	<p>1) (a) None (b) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p>(b) None</p> <p>4) (a) Unbound (b) Unbound except as in horizontal section</p>	<p>The following services at the port are made available to international maritime transport suppliers on reasonable and no discriminatory terms and conditions</p> <ol style="list-style-type: none"> 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain’s services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	1. Additional Commitments
MARITIME AUXILIARY SERVICES Maritime Cargo Handling Services (as defined below – 4)	1) Unbound* except for – no limitation on transshipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* except for no limitation on transshipment (board to board or via the quay) and/or on the use of on-board cargo handling equipment 2) None 3) None 4) Unbound except as in the horizontal section	
Storage and warehousing Services CPC 742	1) Unbound* 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as in the horizontal section	
Customs Clearance Services (as defined below – 5)	1) Unbound* 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as in the horizontal section	
Container Station and Depot Services (as defined below – 6)	1) Unbound* 2) None 3) None** 4) Unbound except as in horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as in the horizontal section	
Maritime Agency Services (as defined below – 7)	1) None 2) None 3) None 4) Unbound except as in horizontal section	1) None 2) None 3) None 4) Unbound except as in the horizontal section	
(Maritime) Freight Forwarding Services (as defined below – 8)	1) None 2) None 3) None 4) Unbound except as in horizontal section	1) None 2) None 3) None 4) Unbound except as in the horizontal section	

* A commitment on this mode of delivery is not feasible.

** Public utility concession or licensing procedures may apply in case of occupation of the public domain.

NOTE TO THE SCHEDULE

Where road, rail, inland waterways (and) (related) (auxiliary) services are not otherwise fully covered in (this) (a Member's) schedule, a multimodal transport operator (as defined below - 3) shall have the ability to rent or lease trucks, railway carriages or barges and related equipment, for the purpose of inland forwarding of cargoes, or have access to, and use of, these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations. (« Reasonable and non-discriminatory terms and conditions» means, for the purpose of (multimodal transport operations), (this additional commitment), the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date).

DEFINITIONS

1. Without prejudice to the scope of activities which may be considered as «cabotage» under the relevant national legislation, this schedule does not include «maritime cabotage services », which are assumed to cover transportation of passengers or goods between a port located in ... [name of country] ... and another port located in ... [name of the country], traffic originating and terminating in the same port located in [name of country] provided that this traffic remains within ... [name of country]'s territorial waters and transportation of passengers and goods between a port located in ... [name of the country] ... and installations or structures situated on the continental shelf of [name of the country].

2. « Other forms of commercial presence for the supply of international maritime transport services » means the ability for international maritime transport service suppliers of other Members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be constituted as limiting in any manner the commitments undertaken under the cross-border mode of delivery).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated services;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the annex on telecommunications);
- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

3. « Multimodal transport operators » means the person on whose behalf the bill of lading /multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.
4. « Maritime cargo handling services » means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operation companies. The activities covered include the organisation and supervision of:
- the loading/ discharging of cargo to/from a ship;
 - the lashing/unlashing of cargo;
 - the reception/ delivery and safekeeping of cargoes before shipment or after discharge
5. « Customs clearance services » (alternatively « customs house brokers' services ») means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.
6. « Container station and depot services » means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/ stripping, repairing and making them available for shipments.
7. « Maritime agency services » means activities consisting in representing within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:
- marketing and sales of maritime transport and related services from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
 - acting on behalf of the companies organising the call of the ship or taking over cargoes when required.
8. « Freight forwarding services » means (the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information)..

ANNEX 2 FACILITATING AIR TRANSPORT SERVICES

Ground-handling Services

Efficient ground-handling is essential to the proper functioning of air transport and competition between operators in this area ensures that proper use is made of air transport infrastructure. It helps reduce the operating costs of airlines and improves the quality of service for airport users.

For specialised groundhandling suppliers the following activities are requested:

Ground Administration – supervision and administration at the airport (CPC 7461);

Passenger Handling – assisting arriving, departing and transfer passengers (CPC 7461);

Baggage Handling – handling baggage in the sorting area (CPC 7461);

Freight and Mail Handling – physical handling of freight and mail, dealing with security and customs procedures (CPC 74110 (container handling services) and 74190 (other cargo handling services);

Ramp Handling – marshalling and moving the aircraft, loading and unloading of aircraft, transport of passengers, freight, supplies (CPC 7469).

Aircraft Services – cleaning the aircraft, heating and cooling, removal of snow and ice (CPC 7469);

Fuel and Oil Handling – organisation and provision of fuel and oil;

Aircraft Maintenance – covered specifically by the Annex as above;

Flight Operations and Crew Administration – preparation of the flight, inflight and post-flight assistance, crew administration;

Surface Transport – organisation and execution of transport within airport – except to and from aircraft;

Catering Services – administration, storage, preparation and delivery of bar and food supplies (CPC 6423).

Airport management services

Airport management services constitute the core activities of airport services providers and cover: Airport operation services (excl. cargo handling), including passenger air terminal services and ground services on air fields, including runway operating services, on a fee or contract CPC 74610. Activities are also related to “other management consulting services” (CPC 86509) and activities separately specified under “other management services not elsewhere classified”(CPC 86609). A commitment will allow services suppliers to take an equity stake in - and engage in the overall operation and management of - airports when these are open for investments from private operators. Thereby it will bind existing common practices in the sector.

ENERGY SERVICES

EC REQUEST TO SINGAPORE

This request includes services that are listed under the negotiating proposal of the EU (S/CSS/W/60). The work on the classification of these services is still underway. For this reason, some activities therefore lacks reference to CPC.

The EC wishes to underline the significant contribution of an appropriate use of energy for the promotion of sustainable development.

The EC requests that this area is committed as follows :

A. SERVICES RELATED TO EXPLORATION AND PRODUCTION

CPC 883: Services incidental to mining

EC Request:

- Mode 3 And 4: Eliminate the limitation to advisory and consulting services.

CPC 8675: Related scientific and technical consulting services

This sub-sector is not committed. **EC Request:**

- Mode 3 : Take full commitments, i.e. schedule "none".
- Mode 4 : Commit as referred in the section "Horizontal commitments".

CPC 511 and CPC 513: Construction and related engineering services

- Mode 4: NT – This Mode remains unbound. **EC Request:** Commit as referred in the section “Horizontal commitments”.

B. SERVICES RELATED TO THE CONSTRUCTION OF ENERGY FACILITIES

B.1 Construction of energy facilities

CPC 513: Construction work for civil engineering

CPC 51340: For long distance pipelines, communication and power lines (cables)

CPC 51350: For local pipelines and cables; ancillary works

CPC 51360: For constructions for mining and manufacturing

- Mode 4: NT – This Mode remains unbound. **EC Request:** Commit as referred in the section “Horizontal commitments”.

B.2 Installation and assembly work

CPC 516: Installation and assembly work

- Mode 4: NT – This Mode remains unbound. **EC Request:** Commit as referred in the section “Horizontal commitments”.

C. SERVICES RELATED TO NETWORKS

C.1 Operation of transportation/transmission and distribution facilities

Services incidental to energy distribution (including operation of transmission/distribution of electricity)

This sub-sector is not committed. **EC Request:**

- Modes 3 : Take commitments.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

CPC 71310: Transportation of petroleum and natural gas

This sub-sector is not committed. **EC Request:**

- Modes 3 : Take commitments.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

D. STORAGE SERVICES

CPC 74220: Bulk storage services of liquids or gases

This sub-sector is not committed. **EC Request:**

- Mode 3 : Take full commitments, i.e. schedule "none".
- Mode 4 : Commit as referred in the section "Horizontal commitments".

E. SERVICES FOR THE SUPPLY OF ENERGY

E.1 Wholesale of energy products

CPC 62271: Wholesale trade services of solid, liquid and gaseous fuels and related products

This sub-sector is not committed. **EC Request:**

- Mode 3 : Take full commitments for solid and liquid fuels and related products.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Wholesale trade services of electricity

EC Request:

- Modes 3 : Take commitments.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

E.2 Retail sale of energy products

CPC 63297: Retail sale of fuel oil, bottled gas, coal and wood

This sub-sector is not committed. **EC Request:**

- Mode 3 : Take full commitments, i.e. None.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

Retail sale trade services of electricity

EC Request:

- Modes 3 : Take commitments for the supply to industrial customers.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

E.3 Trading of energy products

EC Request:

- Modes 1, 2, 3 : Take full commitments for non-network energy products and commitments for network-energy products.
- Mode 4 : Commit as referred in the section "Horizontal commitments".

E.4 Brokering of energy products

EC Request:

- Modes 1, 2, 3 : Take full commitments for non-network energy products and commitments for network-energy products
- Mode 4 : Commit as referred in the section "Horizontal commitments".

G. SERVICES RELATING TO DECOMMISSIONING

EC Request:

- Modes 3 : Take full commitments, i.e. schedule "none".
- Mode 4 : Commit as referred in the section "Horizontal commitments".