

## ANNEX 6-B

### SINGAPORE'S SCHEDULE OF RESERVATIONS

#### Notes

**This Annex sets out the reservations taken by Singapore for sectors, sub-sectors or activities for which it may maintain existing or adopt new measures that do not conform with obligations imposed by Article 6.3, Article 6.19 and Article 6.23.**

**The sectors, sub-sectors or activities to which a reservation applies shall be stated in the Description of Reservation element. In the interpretation of a reservation, all elements of the reservation shall be considered in their totality.**

Each reservation sets out the following elements:

- (a) *Sector refers to the general sector in which the reservation is taken;*
- (b) *Sub-Sector refers to the specific sector in which the reservation is taken;*
- (c) *Industrial Classification refers, where applicable, to the activity covered by the reservation according to the UN CPC code or domestic industry classification codes;*
- (d) *Type of Reservation specifies the obligation (National Treatment, Market Access) for which a reservation is taken;*
- (e) *Description of Reservation sets out the scope of the sector, sub-sector or activities to which the reservation applies; and identifies, for transparency purposes only, existing laws, regulations, rules, procedures, decisions, administrative actions or any other forms in relation to the non-conforming measures that apply to the sector, sub-sector or activities covered by the reservation. The measures stipulated therein are not exhaustive*

#### Commitments

All manufacturing sectors are included in these Commitments except the following sectors:-

- Beer and stout
- Cigars
- Drawn steel products
- Chewing gum, bubble gum, dental chewing gum or any like substance
- Cigarettes; and
- Matches

The reservations listed hereunder shall apply to the above Commitment.

## RESERVATIONS BY SINGAPORE

Sector	All
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Source of Measure	Business Registration Act, Cap. 32 Companies Act, Cap. 50
Description of Reservation	<p>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.</p> <p>A local manager must be a Singapore citizen, Singapore permanent resident or Singapore Employment Pass holder.</p> <p>All locally incorporated companies must comply with the following requirements:</p> <ul style="list-style-type: none"><li>(a) at least 1 director of the company must be resident in Singapore</li><li>(b) all branches of foreign companies registered in Singapore must have at least 2 agents resident in Singapore.</li></ul> <p>To be resident in Singapore, a person should be either a Singapore citizen or Singapore permanent resident or Singapore Employment Pass holder.</p>

Sector	All
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Source of Measure	Residential Property Act, Cap. 274 (1985) Housing & Development Act, Cap. 129 (1997) Executive Condominium Housing Scheme Act, Cap. 99A (1997) Banking Act, Cap. 19 Finance Companies Act, Cap. 108 MAS Act, Cap. 186
Description of Reservation	<p>1. Only Singapore citizens and Singapore enterprises are allowed to own restricted residential properties in Singapore.</p> <p>“Restricted residential properties” is defined under the Residential Property Act as all properties except the following:</p> <p>(a) land zoned/approved for industrial/commercial use;</p> <p>(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</p> <p>(c) any unit which is comprised in a condominium development as approved by the competent authority.</p> <p>Note: For (b) and (c) only Singapore citizens and Singapore enterprises can purchase/acquire the whole development.</p> <p>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.</p> <p>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.</p> <p>Only Singapore citizens are allowed to own housing accommodation sold under the executive condominium scheme under the Executive</p>

	<p>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.</p> <p>HDB flats owned wholly by Singapore Permanent Residents may be vested in the Official Assignee on bankruptcy of the owners.</p> <p><b>3            <u>Housing loans:</u></b></p> <p>Measures may be imposed to restrict financial institutions from extending S\$ loans to non-Singapore citizens and non-Singapore companies for the purchase of residential property in Singapore.</p>
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Sector	All
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment
Source of Measure	State Lands Act, Cap. 314
Description of Reservation	Singapore may divest State Land in a manner inconsistent with Articles on National Treatment, and Most-Favoured Nation Treatment .

Sector:	All
Sub-sector	-
Industry Classification	-
Type of Reservation:	National Treatment
Source of Measure:	Insurance Act, Cap. 142, MAS Notice 109 Banking Act, Cap.19, MAS Notice 757, Finance Companies Act, Cap. 108, MAS Notice 816, Monetary Authority of Singapore Act, Cap. 186, MAS Notice 1105 Securities Industry Act, Cap. 15 of 1986, MAS Notice 1201 Securities and Futures Act, Cap. 289, MAS Notice 1201
Description of Reservation:	<p>1. Financial institutions extending Singapore dollar (S\$) credit facilities exceeding S\$5 million per entity to</p> <p>(a) non-resident financial entities or</p> <p>(b) 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.</p> <p>2. 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.</p> <p>3. The term “non-resident” is as defined in MAS Notice 757 issued under the Banking Act.</p>

Sector	<p>Printing, publishing and distribution of newspapers</p> <p>Newspapers means any physical 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.</p>
Sub-Sector	-
Industry Classification	-
Type of Reservation	<p>National Treatment</p> <p>Senior Management and Board of Directors</p>
Source of Measure	Newspaper and Printing Presses Act, Cap. 206
Description of Reservation	<p>Singapore reserves the right to maintain or adopt any measure affecting the publishing or printing of newspapers, including but not limited to, shareholding limits and management control.</p> <p>The distribution of any newspaper, whether published outside of Singapore or in Singapore, shall be subject to the laws of Singapore.</p>

Sector	Arms and Explosives
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Senior Management and Board of Directors
Source of Measure	Arms and Explosives Act, Cap. 13.
Description of Reservation	The above reservations apply to the arms and explosives sector. The manufacture, use, sale, storage, transport, importation, exportation and possession of arms and explosives are regulated for protection of vital security interests.



Sector	Privatisation
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Senior Management and Board of Directors
Source of Measure	Government Policy
Description of Reservation	The above reservations apply to the privatisation or divestment of corporate entities or assets currently in government ownership, including the imposition of any terms and conditions in any such privatisation or divestment on security or public interest grounds as a Party imposing such terms and conditions thinks fit.

Sector	Manufacturing and Services incidental to Manufacturing
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment
Source of Measure	Control of Manufacture Act, Cap. 57
Description of Reservation	<p>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 Market Access, National Treatment obligations:</p> <ul style="list-style-type: none"> <li>(a) beer and stout;</li> <li>(b) cigars;</li> <li>(c) drawn steel products;</li> <li>(d) chewing gum, bubble gum, dental chewing gum or any like substance (not being a medicinal product within the meaning of the Medicines Act (Cap. 176) or a substance in respect of which an order under section 54 of that Act has been made);</li> <li>(e) cigarettes; and</li> <li>(f) matches.</li> </ul>

Sector	-
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Source of measure	This is an administrative policy of the Government of Singapore and is inscribed in the Memorandum and Articles of Association of PSA Corporation.
Description of Reservation	<p>The aggregate of foreign shareholdings in PSA Corporation is subject to a 49% limit</p> <p>The “aggregate of foreign shareholdings” is defined as the total number of shares owned by:</p> <ul style="list-style-type: none"> <li>(a) Any individual who is not a Singapore citizen; and</li> <li>(b) Any corporation which is not more than 50% owned by Singapore citizens or by the Singapore Government; and</li> <li>(c) Any other enterprise which is not owned or controlled by the Singapore Government</li> </ul>

Sector	-
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Source of measure	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 of Reservation	<p>All investors, apart from the Singapore government, will be subject to the following equity ownership limits in the enterprises listed below:</p> <p>(a) Singapore Technologies Engineering - 15%</p> <p>(b) PSA Corporation – 5%,</p> <p>(c) Singapore Airlines – 5%</p> <p>(d) Singapore Power, Power Grid, Power Supply, Power Gas – 10%</p> <p>For the purposes of this reservation, ownership of equity by an investor in these enterprises includes both direct and indirect ownership of equity.</p>

Sector	Defence
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Senior Management and Board of Directors
Source of Measure	Government Policy
Description of Reservation	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) and/or its successor body, including but not limited to 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 Singapore.

