

PROTOCOL TO AMEND THE FREE TRADE AGREEMENT BETWEEN THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA AND THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE

The Government of the People’s Republic of China and the Government of the Republic of Singapore (“the Parties”),

RECALLING the *Free Trade Agreement between the Government of the People’s Republic of China and the Government of the Republic of Singapore* (hereinafter referred to as the “China-Singapore FTA”, or the “Agreement”) done at Beijing on 23 October 2008;

RECALLING that Article 111 of the Agreement provides for the FTA Joint Committee established by the Parties to, *inter alia*, review and supervise the implementation of the Agreement;

NOTING that Article 114 of the Agreement provides that it may be amended by agreement in writing by the Parties, and further that Article 113 of the Agreement provides that Annexes to the Agreement shall form an integral part of the Agreement,

RECOGNISING the progress made between the Parties during the two China-Singapore FTA review meetings which took place in Singapore from 14-15 April 2010 and in Beijing from 31 May -1 June 2011;

SEEKING to incorporate into the China-Singapore FTA various agreements reached between the Parties relating to the expansion or amendment of the Agreement;

HAVE AGREED AS FOLLOWS:

ARTICLE 1 Amendment to Article 21 of the China-Singapore FTA

Article 21 of the China-Singapore FTA shall be replaced as follows:

“ARTICLE 21 Fungible Products and Materials

In determining whether a good is an originating good, any interchangeable goods or materials shall be distinguished by:

- (a) physical separation of the goods or materials; or
- (b) an inventory management method recognised in the generally accepted accounting principles of the exporting Party.”

ARTICLE 2
Amendment to Article 27, paragraph 5, of the China-Singapore FTA

Article 27(5) of the China-Singapore FTA shall be replaced as follows:

“5. In cases where a Certificate of Origin has not been issued before or at the time of exportation due to involuntary errors or omissions or other valid causes, or no later than three (3) days after the date of shipment, the Certificate of Origin may be issued retrospectively but not later than one (1) year from the date of shipment, bearing the words "ISSUED RETROSPECTIVELY".”

ARTICLE 3
Amendment to Annex 5 of the China-Singapore FTA

The China-Singapore FTA shall be amended by replacing the existing Annex 5, Part A and Part B of the Agreement, with a new **Annex 5, Part A – China’s Schedule of Specific Commitments on Services, and Part B – Singapore’s Schedule of Specific Commitments on Services**, as attached to this Protocol.

ARTICLE 4
General Provisions

1. This Protocol and the Annexes attached hereto shall enter into force 90 days from the date of signing of this Protocol.
2. This Protocol and the Annexes shall form an integral part of the China-Singapore FTA.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Protocol.

Done at Singapore, this 27th day of July 2011, in duplicate in both the Chinese and English languages, all texts being equally authentic.

FOR THE GOVERNMENT OF THE
PEOPLE’S REPUBLIC OF CHINA

FOR THE GOVERNMENT OF THE
REPUBLIC OF SINGAPORE

Chen Deming
Minister of Commerce

Lim Hng Kiang
Minister for Trade and Industry