

APPENDIX 10

AMENDMENTS TO

ANNEX 5 (SCHEDULES OF SPECIFIC COMMITMENTS ON SERVICES)

OF THE AGREEMENT

Section A

Amendment to China's Schedule of Specific Commitments on Services

1. The entry on “a. Legal Services” under “A. Professional Services”, at pages Annex 5A – 3 to Annex 5A – 5 of **Annex 5 (Part A – China’s Schedule of Specific Commitments on Services) to the Agreement, as amended by the 2011 Protocol**, shall be replaced by the following new entry:

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of Natural Persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
1. BUSINESS SERVICES			
A. Professional Services			
a. Legal Services (CPC 861, excluding Chinese law practice)	<p>(1) None</p> <p>(2) None</p> <p>(3) Law firms of Singapore can provide legal services only in the form of representative offices.</p> <p>Representative offices can engage in profit-making activities.</p> <p>Business scope of representative offices of Singapore is only as follows:</p> <p>(a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers.</p>	In accordance with Chinese laws, regulations and rules, Singaporean law firms which have established their representative offices in the China (Shanghai) Pilot Free Trade Zone (“Shanghai FTZ”) are permitted to form a commercial association with Chinese law firms in the Shanghai FTZ. Within validity of this commercial association, the two law firms of each side respectively have independent legal status, name, financial operation,

	<p>work, and on international conventions and practices;</p> <p>(b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work;</p> <p>(c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs;</p> <p>(d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs;</p> <p>(e) to provide information on the impact of the Chinese legal environment.</p> <p>Entrustment allows the Singaporean representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties.</p>		<p>and bear civil liabilities independently. Clients of the commercial association are not limited within the Shanghai FTZ.</p> <p>Singaporean lawyers in this type of commercial association are not permitted to practise Chinese law.</p>
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	<p>The representatives of a Singaporean law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practiced for no less than three years outside of China.</p>		
	<p>(4) Unbound, except as indicated in Horizontal Commitments.</p>	<p>(4) Unbound, except as indicated in Horizontal Commitments.</p>	

2. The section on “3. CONSTRUCTION AND RELATED ENGINEERING SERVICES”, at page Annex 5A – 21 of **Annex 5 (Part A – China’s Schedule of Specific Commitments on Services) to the Agreement, as amended by the 2011 Protocol**, shall be replaced by the following new section:

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of Natural Persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
(CPC 511, 512, 513 ³ , 514, 515, 516, 517, 518 ⁴)	(1) Unbound *	(1) Unbound*	Singaporean construction enterprises established in the China (Shanghai) Pilot Free Trade Zone (“FTZ”), the China-Singapore Suzhou Industrial Park, the Sino-Singapore Tianjin Eco-city, and the China-Singapore (Chongqing) Demonstration Initiative on Strategic Connectivity may undertake joint Chinese-foreign constructed
	(2) None	(2) None	
	(3) Wholly foreign-owned enterprises are permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects: (a) Construction projects wholly financed by foreign investment and/or grants. (b) Construction projects financed by	(3) None	

³ Including dredging services relating to infrastructure construction.

⁴ Coverage of CPC 518 is limited only to the rental and leasing services of construction and/or demolition machines with operator which are owned and used by foreign construction enterprises in their supply of services.

* Unbound for lack of feasibility.

	<p>loans of international financial institutions and awarded through international tendering according to the terms of loans.</p> <p>(c) Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 per cent but technically difficult to be implemented by Chinese construction enterprises alone.</p> <p>(d) Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government.</p>		<p>projects in Shanghai, Suzhou, Tianjin, and Chongqing respectively. Under such circumstances, these Singaporean construction enterprises will be exempted from the foreign investment ratio requirement in the projects.</p>
	<p>(4) Unbound, except as indicated in Horizontal Commitments.</p>	<p>(4) Unbound, except as indicated in Horizontal Commitments.</p>	

3. The entry on “A. Maritime Transport Services” under “11. TRANSPORT SERVICES”, at page Annex 5A – 38 of **Annex 5 (Part A – China’s Schedule of Specific Commitments on Services) to the Agreement, as amended by the 2011 Protocol**, shall be replaced by the following new entry:

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of Natural Persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
11. TRANSPORT SERVICES			
A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None	(1) (a) None (b) None	A. The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal
	(2) None	(2) None	
	(3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: - Singaporean service suppliers are permitted to establish joint venture shipping companies.	(3) (a) None (b) Unbound	

	<p>- Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture.</p> <p>- The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side.</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services: Unbound</p>		<p>5. Port Captain's services</p> <p>6. Navigation aids</p> <p>7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies</p> <p>8. Emergency repair facilities</p> <p>9. Anchorage, berth and berthing services.</p> <p>B.</p>
	<p>(4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments.</p> <p>(b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.</p>	<p>(4) (a) Unbound, except as indicated in Horizontal Commitments</p> <p>(b) Unbound, except as indicated in Horizontal Commitments</p>	<p>1. Qualified maritime service suppliers of Singapore are allowed to establish wholly foreign-owned ship management enterprises in the China (Shanghai) Pilot Free Trade Zone ("Shanghai FTZ"), the China (Guangdong) Pilot Free</p>

			<p>Trade Zone (“Guangdong FTZ”), the China (Fujian) Pilot Free Trade Zone (“Fujian FTZ”), and the China (Tianjin) Pilot Free Trade Zone (“Tianjin FTZ”);</p> <p>2. Qualified maritime service suppliers of Singapore are allowed to establish joint venture shipping companies in Shanghai FTZ, Guangdong FTZ, Fujian FTZ, and Tianjin FTZ, with foreign majority ownership permitted.</p> <p>3. The chairman of board of directors and the general manager of the joint venture international shipping companies established in Shanghai FTZ, Guangdong FTZ, Fujian FTZ, and Tianjin FTZ, may be appointed by the Chinese and</p>
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			<p>Singaporean sides through consultation.</p> <p>4. For the ships owned or bareboat chartered by the joint venture international shipping companies established in Shanghai FTZ, Guangdong FTZ, Fujian FTZ, and Tianjin FTZ, the registration of such ships may be carried out in accordance with the international ship registration system in Shanghai FTZ, Guangdong FTZ, Fujian FTZ, and Tianjin FTZ.</p>
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Section B

Amendment to Singapore's Schedule of Specific Commitments on Services

1. The entry on “B. Courier Services” under “2. COMMUNICATION SERVICES”, at page Annex 5B – 17 of **Annex 5 (Part B – Singapore’s Schedule of Specific Commitments on Services) to the Agreement, as amended by the 2011 Protocol**, shall be replaced by the following new entry:

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of Natural Persons			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR SPECIFIC COMMITMENTS			
2. COMMUNICATION SERVICES			
B. Courier Services			
Courier Services in respect of documents and parcels, excluding letters which weigh 500 grams or less and postcards (For the purposes of this commitment, a “letter” means any communication in written form on any kind of physical medium to be conveyed and delivered (otherwise than electronically) to a particular addressee or address indicated by the sender on the letter itself or on its wrapping, and includes a postal article containing	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound	

such communication, but does not include any book, catalogue, newspaper or periodical.)			
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2. The section on “6. ENVIRONMENTAL SERVICES”, at pages Annex 5B – 25 & Annex 5B – 26 of **Annex 5 (Part B – Singapore’s Schedule of Specific Commitments on Services) to the Agreement, as amended by the 2011 Protocol**, shall be replaced by the following new section:

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of Natural Persons			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
6. ENVIRONMENTAL SERVICES			
B. Refuse Collection Services except Hazardous Waste Management (CPC 9402**)	1) Unbound* 2) None 3) None, except the refuse collector must be incorporated in Singapore. The number of Public Waste Collectors is limited by the number of geographical sectors in Singapore. 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound	
Refuse Disposal Services except Landfill Services and Hazardous Waste Management (CPC 9402**)	1) Unbound* 2) None 3) None, except the company must be incorporated in Singapore 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound	

Hazardous waste management, including collection, disposal, and treatment of hazardous waste (CPC 9402**)	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None, except the company must be incorporated in Singapore 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound 	
C. Sanitation and similar services (CPC 9403)	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound 	
D. Cleaning services of exhaust gases (CPC 9404)	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound 	
Noise abatement services (CPC 9405)	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound 	
Nature and landscape	<ul style="list-style-type: none"> 1) Unbound* 	<ul style="list-style-type: none"> 1) Unbound* 	

protection services (CPC 9406)	<ul style="list-style-type: none"> 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 2) None 3) None 4) Unbound 	
Other Environmental Protection Services not elsewhere classified (CPC 9409)	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound 	

3. The entry on “C. Air Transport Services” under “11. TRANSPORT SERVICES”, at page Annex 5B – 47 of **Annex 5 (Part B – Singapore’s Schedule of Specific Commitments on Services) to the Agreement, as amended by the 2011 Protocol**, shall be replaced by the following new entry:

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of Natural Persons			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
C. Air Transport Services			
Selling and marketing of air transport services	1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Unbound 4) Unbound	
Computer Reservation System (CRS) services	1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Unbound 4) Unbound	