

**SINGAPORE-AUSTRALIA (Services)  
Summary Fact Sheet**

**Table 1: Background Information**

Parties	Singapore, Australia	
Type of Agreement	Economic Integration Agreement	
Date of signature	17 February 2003	
Date of entry into force	28 July 2003	
Review envisaged	Article 17.3 provides for Ministers of the Parties in charge of trade negotiations to meet within a year of the date of entry into force of the Agreement and then biennially or otherwise as appropriate to review it.	
Website or contact addresses	The Government of Australia: <a href="http://www.dfat.gov.au/trade/negotiations/australia_singapore_agreement.html">http://www.dfat.gov.au/trade/negotiations/australia_singapore_agreement.html</a> The Republic of Singapore: <a href="http://www.fta.gov.sg">http://www.fta.gov.sg</a>	
List of related WTO documents	S/C/N/233 WT/REG158/1 S/C/M/69 WT/REG158/4 WT/REG158/5-6 WT/REG158/M/1-2	Notification Agreement Terms of reference Standard format Questions and Replies Minutes

**Table 2: Scope and general aspects**

Scope	Sectors	All services sectors
	Modes of supply	The Agreement covers all four modes of supply (Art. 7.1(s)).
	Definitions	A "natural person of the other Party" means a natural person who resides in the territory of the other Party or elsewhere and who is a national or permanent resident in one of the Parties. A "legal person" is any legal entity duly constituted or otherwise organised under applicable law, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association.
	Positive/negative list	Negative list approach
	Sector-specific rules	Financial Services (Chapter 9), Telecommunications services (Chapter 10), E-Commerce (Chapter 14); Education Cooperation (Chapter 15).
	Sectoral exclusions	Chapter 7 on Trade in Services does not apply to Air Transport Services (Art. 7.22), except aircraft repair and maintenance services and computer reservation system services.

**Table 3: Provisions of the Agreement**

Provision	Article	Additional information
MFN/National treatment	Arts. 7.4 and 8.3	The Parties accord national treatment to services and service suppliers, investors and investments of investors, of the other Party. There is no provision for MFN treatment.
Market Access	Art. 7.3;	Neither party may maintain restrictions in trade in services similar to those contained in Article XVI of GATS.
Movement of Natural Persons	Chapter 11	Chapter 11 provides for the Parties to grant short and long term temporary entry to business visitors and intra-corporate transferees of the other Party subject to the conditions contained within. The Chapter covers the natural persons specified in Art. 11.2 (including permanent residents: Art 11.14), subject to the reservations in Annexes 4-I and 4-II of the Agreement (Art. 11.16).
Elimination of discriminatory measures	Art. 7.20	Under Art. 7.20 the Parties are to consult on the incorporation in the Agreement of any future unilateral liberalisation, or any more favourable treatment given by either Party to a non-party. Any such incorporation should maintain the overall balance of benefits under the Agreement. Provisions on national treatment and market access do not apply to existing non-conforming measures maintained by a

		Party at the central, regional or local level of government, and to their continuation, or prompt renewal, as set out by that Party in its Schedule to Annex 4-I. Annex 4-II specifies sectors, sub-sectors or activities for which that Party may maintain existing or adopt new measures that do not conform with such obligations.
Treatment of third party suppliers	Arts. 7.1 and 7.17	The Agreement extends benefits to a natural or legal person of a Party, and not to third party suppliers.
Denial of benefits	Arts. 7.17 and 8.18	Subject to prior notification and consultation, a Party may deny the benefits of the Agreement to a service supplier or investor of the other Party where it establishes that the service supplier or enterprise is owned or controlled by persons of a non-Party and that it has no substantive business operations in the territory of the other Party.
Investment	Chapter 8	Chapter 8 applies to investments made, in the process of being made, or sought to be made, by an investor of a Party in the territory of the other Party (Art. 8.2). Reservations to national treatment (Art. 8.5) are granted for measures and sectors in Annexes 4-I (existing measures) and 4-II (future measures). Disputes between a Party and an investor from the other Party can be brought under Art. 8.14.
Standards/mutual recognition	Art. 7.23	Under Art. 7.23 to fulfill its standards or criteria for the authorization, licensing or certification of services suppliers, a Party may recognize education or experience obtained, requirements met, or licenses or certificates granted in the other Party. The Parties shall encourage their relevant competent bodies to enter into negotiations on recognition of professional qualifications and/or registration procedures with a view to achieving early outcomes.
Safeguard mechanisms (intra-trade)	Arts. 7.13, 7.15 and 8.12	Neither Party may take safeguard action against services and service suppliers of the other Party (Art. 7.13), except in the event of serious balance of payments and external financial difficulties or threat thereof, where a Party may adopt or maintain restrictions on trade in services (Art. 7.15), and on payments or transfers related to investments (Art. 8.12).
Domestic regulation	Art. 7.11	Each Party shall ensure that all measures of general application affecting trade in services are administered in a reasonable, objective and impartial manner. In addition, the Parties shall jointly review the development of disciplines pursuant to GATS Article VI.4, with a view to incorporating them into the Agreement. Pending the development of these disciplines, GATS interim disciplines apply.
Subsidies and state aid	Arts. 7.2.2 and 7.21	Chapter 7 on Services does not apply to subsidies or grants provided by a Party. However, under Art. 7.21 the Parties shall review the treatment of subsidies in the context of developments in international fora of which both Parties are Members. They shall also consult on appropriate steps on subsidies related to trade in services where any subsidies issues arise under the Chapter.
IPR	Chapter 13	Each Party reaffirms its commitment to the provisions of the WTO TRIPS Agreement (Art. 13.2), agrees to cooperate in education and the exchange of information on protection, management and exploitation of intellectual property rights (Art. 13.6).
Government Procurement	Chapter 6	The Chapter provides for government procurement obligations in goods and services for various government entities listed in Annex 3A (Australia) and 3B (Singapore) and their successors, but excluding those subsequently commercialized or privatized. Articles 7.3 (Market Access) and 7.4 (National Treatment) in the Chapter on services do not apply to government procurement.
Competition	Chapter 12	Art. 12.2 affirms that each Party shall promote competition by addressing anti-competitive practices in its territory, adopting and enforcing such means or measures as it deems appropriate and effective to counter such practices. Specific measures or sectors may be exempted from this Chapter, provided that the exemptions

		are transparent and are taken on the grounds of public policy or interest (Art. 12.5).
General Exceptions	Arts. 7.18 and 7.19	General and security exceptions may be taken for trade in services, investment, financial services, telecommunications services, and electronic commerce.
Level of Government	Arts. 7.1(h) and 8.1 (e)	"Measures by Parties" means those taken by central, regional or local governments and authorities and non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities.
Accessions	Art. 17.4	The Agreement is open to accession by third parties.
Dispute resolution	Chapter 16	The provisions of this Chapter may be invoked in respect of measures taken by regional or local governments or authorities within the territory of a Party.
Relations with other trade agreements	Art. 17.5	In the event of any inconsistency between the Agreement and any other agreement to which both Parties are party, the Parties shall consult with each other with a view to finding a mutually satisfactory solution in accordance with customary public international law.
Institutional provisions	Art 17.2	The Parties must establish contact points to facilitate communications on any matter covered by the Agreement.
Other		The Parties agree to cooperate on education (Chapter 15).

**Table 4a Australia's services exports to Singapore, 2000-2003**  
(A\$ million)

	2000	2001	2002	2003
<b>Total</b>	<b>1,897</b>	<b>2,215</b>	<b>2,327</b>	<b>2,088</b>
Transportation	737	899	863	710
Travel	766	852	844	805
Insurance	37	32	32	32
Government	5	11	14	17
Construction	..	..	..	..
Financial	55	58	60	61
Computer and information	11	16	8	6
Royalties	..	..	5	..
Social	38	48	64	52
Other Business Services	196	248	345	395

.. not available

Source: Australian Bureau of Statistics

**Table 4b Singapore's services exports to Australia, 2000-2002**  
(S\$ million)

	2000	2001	2002
<b>Total</b>	<b>1,528.1</b>	<b>1,612.5</b>	<b>1,878.7</b>
Transportation	955.8	998.4	1,078.8
Financial	37.1	35.9	46.1
Insurance	59.1	81.3	89.2
Construction	0.0	17.8	15.8
Computer and information	25.8	18.2	16.9
Royalties	10.0	14.4	12.5
Social	0.0	0.0	0.0
Other Business Services	434.5	443.4	616.8

a Preliminary figures

Source: Singapore Department of Statistics