
First published in the *Government Gazette*, Electronic Edition, on 31 October 2017 at 5 pm.

No. S 631

EMPLOYMENT OF FOREIGN MANPOWER ACT
(CHAPTER 91A)

EMPLOYMENT OF FOREIGN MANPOWER
(WORK PASS EXEMPTIONS — SPECIFIED ACTIVITIES)
(AMENDMENT) NOTIFICATION 2017

In exercise of the powers conferred by section 4 of the Employment of Foreign Manpower Act, the Minister for Manpower makes the following Notification:

Citation and commencement

1. This Notification is the Employment of Foreign Manpower (Work Pass Exemptions — Specified Activities) (Amendment) Notification 2017 and comes into operation on 1 November 2017.

New paragraphs 2A and 2B

2. The Employment of Foreign Manpower (Work Pass Exemptions — Specified Activities) Notification (N 4) is amended by inserting, immediately after paragraph 2, the following paragraphs:

“Exemption for International Judge of Supreme Court

2A.—(1) This paragraph applies to any foreigner who —

- (a) is appointed under Article 95(4)(c) of the Constitution as an International Judge of the Supreme Court;
- (b) before entering Singapore, is engaged as a self-employed foreigner by the Government to perform any specified activity in Singapore for the purpose of gain; and
- (c) after arriving in Singapore, but before starting to perform the specified activity, notifies the Controller, in such form and manner as the Controller may

require, of the nature and duration of the specified activity.

(2) The foreigner is exempted from the requirement in section 10(1) of the Act to have a valid work pass to be engaged in accordance with sub-paragraph (1)(b).

(3) The exemption in sub-paragraph (2) applies to the foreigner only for the first 90 days in a year, or such longer period as the Controller may allow in a particular case, that the foreigner is engaged in accordance with sub-paragraph (1)(b).

(4) In this paragraph, “specified activity” means any of the following activities:

- (a) sitting in the Singapore International Commercial Court to hear and determine a specific case, or such classes of cases as the Chief Justice may specify;
- (b) sitting in the Court of Appeal in an appeal from any judgment or order of the Singapore International Commercial Court;
- (c) any other work or activity (including, but not limited to, any consultancy, advisory or promotional work or activity) arising from, relating to or connected with —
 - (i) the foreigner’s appointment as an International Judge of the Supreme Court;
 - (ii) the foreigner’s association with the Singapore International Commercial Court; or
 - (iii) any activity mentioned in sub-paragraph (a) or (b).

Exemption for foreign representation in Singapore International Commercial Court

2B.—(1) This paragraph applies to any foreigner who —

- (a) is a foreign lawyer who is registered under section 36P of the Legal Profession Act (Cap. 161);

(b) before entering Singapore —

(i) is engaged as an employee to perform any specified activity in Singapore for an employer; or

(ii) is engaged as a self-employed foreigner by a person to perform any specified activity in Singapore for the purpose of gain; and

(c) after arriving in Singapore, but before starting to perform the specified activity, notifies the Controller, in such form and manner as the Controller may require, of the nature and duration of the specified activity.

(2) If the foreigner satisfies the requirements in sub-paragraph (1)(a), (b)(i) and (c) —

(a) the foreigner is exempted from the requirement in section 5(2) of the Act to have a valid work pass to be in the employment of the employer mentioned in sub-paragraph (1)(b)(i); and

(b) that employer is exempted from the requirements in section 5(1) and (3) of the Act in respect of the foreigner.

(3) If the foreigner satisfies the requirements in sub-paragraph (1)(a), (b)(ii) and (c), the foreigner is exempted from the requirement in section 10(1) of the Act to have a valid work pass to be engaged in accordance with sub-paragraph (1)(b)(ii).

(4) The exemption in sub-paragraph (2)(a) or (3) applies to the foreigner only for the first 90 days in a year, or such longer period as the Controller may allow in a particular case, that the foreigner —

(a) is engaged as an employee to perform any specified activity in Singapore; or

(b) is engaged as a self-employed foreigner to perform any specified activity in Singapore for the purpose of gain.

(5) In this paragraph —

“foreign lawyer” has the same meaning as in section 2(1) of the Legal Profession Act;

“specified activity” means —

(a) at any time when the foreigner is granted full registration under section 36P of the Legal Profession Act, the doing of any of the things mentioned in section 36P(1)(a) to (d) of that Act; and

(b) at any time when the foreigner is granted restricted registration under section 36P of the Legal Profession Act, the doing of any of the things mentioned in section 36P(2)(a), (b) and (c) of that Act.”.

Amendment of paragraph 3

3. Paragraph 3 of the Employment of Foreign Manpower (Work Pass Exemptions — Specified Activities) Notification is amended —

(a) by inserting, immediately after the words “paragraph 2(1) or (2A)” in sub-paragraph (a), the words “, 2A(2) or 2B(2)(a) or (3)”; and

(b) by inserting, immediately after the words “paragraph 2(2)” in sub-paragraph (b), the words “or 2B(2)(b)”.

[G.N. Nos. S 359/2010; S 504/2013; S 597/2015]

Made on 19 October 2017.

AUBECK KAM
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

[HQ/Legislation/Employment of Foreign Manpower Act (EFMA)/
2017 EFMR Amendments; AG/LEGIS/SL/91A/2015/1 Vol. 1]