

EMPLOYMENT OF FOREIGN MANPOWER ACT
(CHAPTER 91A, SECTION 4)

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

ARRANGEMENT OF PARAGRAPHS

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[1st February 2008]

Citation

1. This Notification may be cited as the Employment of Foreign Manpower (Work Pass Exemptions — Specified Activities) Notification.

[S 597/2015 wef 19/10/2015]

Exemption for certain activities

2.—(1) Any foreigner who —

- (a) before entering Singapore, is engaged as an employee to perform any of the activities specified in sub-paragraph (3) (called in this paragraph the specified activities) in Singapore for an employer; and
- (b) after arriving in Singapore and before commencing performance of 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 (called in this sub-paragraph the notified duration),

is exempted from the requirement in section 5(2) of the Act of having a work pass to be in the employment of that employer to perform that specified activity for such part of the notified duration that is within the period specified in sub-paragraph (2B).

[S 597/2015 wef 19/10/2015]

(2) The employer of a foreigner referred to in sub-paragraph (1) shall be exempted from the requirement in section 5 of the Act in respect of that foreigner.

[S 359/2010 wef 01/07/2010]

(2A) Any foreigner who —

- (a) before entering Singapore, is engaged as a self-employed foreigner by a person to perform any of the specified activities in Singapore for the purpose of gain; and
- (b) after arriving in Singapore and before commencing performance of 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 (called in this sub-paragraph the notified duration),

is exempted from the requirement in section 10(1) of the Act of having a work pass to be engaged by that person to perform that specified activity for such part of the notified duration that is within the period specified in sub-paragraph (2B).

[S 597/2015 wef 19/10/2015]

(2B) The exemption in sub-paragraph (1) or (2A) applies to a 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 —

- (a) engaged as an employee to perform one or more of the specified activities in Singapore; or
- (b) engaged as a self-employed foreigner to perform one or more of the specified activities in Singapore for the purpose of gain.

[S 597/2015 wef 19/10/2015]

(3) For the purposes of this paragraph, the specified activities are as follows:

- (a) performing as an actor, a singer, a dancer or a musician, or involvement as a key support staff, in an event supported by the Government or any statutory board constituted by or under any written law for a public purpose;
- (b) performing as an actor, a singer, a dancer or a musician, or involvement as a key support staff, in any event which is held at a performance venue to which the public or any class of the public has access whether gratuitously or otherwise (including any theatre or concert hall), but not at any bar, discotheque, lounge, night club, pub, hotel, private club or restaurant;
- (c) journalism activities (including media coverage for events or media tours) supported by the Government or any statutory board constituted by or under any written law for a public purpose;
- (d) activities relating to any sports competition, event or training (including involvement as a sportsman, a coach, an umpire, a referee or a key support staff) supported by the Government or any statutory board constituted by or under any written law for a public purpose, other than being engaged as a sportsman of any sports organisation in Singapore pursuant to a contract of service;
- (e) participating in any exhibition as an exhibitor;
[S 597/2015 wef 19/10/2015]
- (f) activities relating to any location filming or fashion show (including involvement as an actor, a model, a director, a member of the film crew or technical crew, or a photographer);
- (g) activities relating directly to the organisation or conduct of any speaking event that —
 - (i) does not relate, directly or indirectly, to any religious belief or to religion generally;
 - (ii) does not relate, directly or indirectly, to any race or community or to race generally; and

(iii) is not cause-related or directed towards a political end,

including involvement as a speaker, moderator, facilitator or trainer;

[S 597/2015 wef 19/10/2015]

(h) providing expertise relating to —

(i) the commissioning or audit of any new plant or equipment;

(ii) the installation, dismantling, transfer, repair or maintenance of any machine or equipment; or

(iii) the transfer of knowledge on process of new operations in Singapore;

[S 597/2015 wef 19/10/2015]

(i) providing arbitration or mediation services (including involvement as an arbitrator or a mediator) in relation to any case or matter which —

(i) does not relate, directly or indirectly, to any religious belief or to religion generally;

(ii) does not relate, directly or indirectly, to any race or community or to race generally; and

(iii) is not cause-related or directed towards a political end;

[S 359/2010 wef 01/07/2010]

(j) functions specified in section 110A(2) of the Casino Control Act (Cap. 33A) performed by —

(i) a foreigner in the capacity of an international market agent whose principal place of business is situated outside Singapore or whose principal business activity is conducted outside Singapore; or

(ii) a foreigner in the capacity of an international market agent representative whose principal place of business is situated outside Singapore or whose

principal business activity is conducted outside Singapore;

[S 504/2013 wef 07/08/2013]

(k) activities relating directly to the facilitation of a tour by a tour facilitator employed by a person whose principal place of business is situated outside Singapore or whose principal business activity is conducted outside Singapore.

[S 359/2010 wef 01/07/2010]

(4) In sub-paragraph (3) —

“exhibition” does not include a temporary fair, stage show or any other function or activity that requires a permit under section 35 of the Environmental Public Health Act (Cap. 95);

“exhibitor” means a person who is registered with the organiser of an exhibition to —

(a) provide information on, put up a performance of or give a demonstration of anything related to the subject of the exhibition; or

(b) display or sell the goods or services that are the subject of the exhibition,

at the exhibition during the exhibition’s official opening hours;

“international market agent” has the same meaning as in section 2(1) of the Casino Control Act;

“international market agent representative” has the same meaning as in section 2(1) of the Casino Control Act;

“speaking event” means any seminar, conference, workshop, gathering or talk, the main purpose of which is not the sale or promotion of goods or services;

“tour facilitator” means an individual who facilitates a visiting tour group by providing logistical support to the visiting tour group (such as handling airport and hotel arrangements, and

lawful crossings at international borders) in accordance with the tour itinerary of the visiting tour group.

[S 597/2015 wef 19/10/2015]

Exemption for International Judge

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

(a) is appointed under Article 95(4)(c) of the Constitution as an International Judge;

[S 1030/2020 wef 02/01/2021]

(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;

[S 1030/2020 wef 02/01/2021]

(ii) the foreigner's association with the Singapore International Commercial Court; or

(iii) any activity mentioned in sub-paragraph (a) or (b).

[S 631/2017 wef 01/11/2017]

[S 1030/2020 wef 02/01/2021]

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.

[S 631/2017 wef 01/11/2017]

Cessation of exemption

3. The exemption —

(a) conferred on a foreigner under paragraph 2(1) or (2A), 2A(2) or 2B(2)(a) or (3); or

[S 631/2017 wef 01/11/2017]

(b) conferred on the employer of a foreigner under paragraph 2(2) or 2B(2)(b),

[S 631/2017 wef 01/11/2017]

ceases when the pass issued by the Controller of Immigration to the foreigner under the Immigration Act (Cap. 133) expires and is not renewed, or is cancelled.

[S 597/2015 wef 19/10/2015]

Saving

4. Nothing in this Notification shall be construed to limit or in any way affect the operation of any other written law.

[G.N. No. S 46/2008]

LEGISLATIVE HISTORY

EMPLOYMENT OF FOREIGN MANPOWER (WORK PASS EXEMPTIONS — SPECIFIED ACTIVITIES) NOTIFICATION (CHAPTER 91A, N 4)

formerly known as the Employment of Foreign Manpower (Work Pass Exemptions) Notification

This Legislative History is provided for the convenience of users of the Employment of Foreign Manpower (Work Pass Exemptions) Notification. It is not part of this Notification.

1. G. N. No. S 46/2008 — Employment of Foreign Manpower (Work Pass Exemptions) Notification 2008

Date of commencement : 1 February 2008

2. 2009 Revised Edition — Employment of Foreign Manpower (Work Pass Exemptions) Notification

Date of operation : 15 December 2009

3. G. N. No. S 359/2010 — Employment of Foreign Manpower (Work Pass Exemptions) (Amendment) Notification 2010

Date of commencement : 1 July 2010

4. G. N. No. S 504/2013 — Employment of Foreign Manpower (Work Pass Exemptions) (Amendment) Notification 2013

Date of commencement : 7 August 2013

5. G. N. No. S 597/2015 — Employment of Foreign Manpower (Work Pass Exemptions) (Amendment No. 2) Notification 2015

Date of commencement : 19 October 2015

6. G.N. No. S 631/2017 — Employment of Foreign Manpower (Work Pass Exemptions â Specified Activities) (Amendment) Notification 2017

Date of commencement : 1 November 2017

7. G.N. No. S 1030/2020 — Employment of Foreign Manpower (Work Pass Exemptions â Specified Activities) (Amendment) Notification 2020

Date of commencement : 2 January 2021