

Response of SINGAPORE

to questions concerning its current policy, position and practice on air carrier ownership and control

(Date of response: 21/12/04)

No.	Question	Yes	No	Case by Case	Note/Comment
1	When designating your airline to operate the agreed services under an air services agreement, do you require it to be substantially (or majority) owned and effectively controlled by nationals of your country?	X			Please see Note (1)
2	In dealing with the designation of foreign airlines, which of the following criteria do you accept:				
	a) substantially (or majority) owned and effectively controlled by the designating party or its nationals (the traditional approach)	X			Please see Note (1)
	b) substantially (or majority) owned and effectively controlled by one or more States that are parties to an agreement or within a predefined regional grouping (e.g. a “community of interest” carrier)			X	Please see Note (1)
	c) incorporated and having its principal place of business or permanent residence in the territory of the designating party			X	Please see Note (1)
	d) having its principal place of business in the territory of and effective control by the designating party (without the ownership requirement)	X			Please see Note (1)

	e) having its principal place of business in the territory of and effective regulatory control by the designating party			X	Please see Note (1) As highlighted in Singapore's paper (ATConf/5-WP/39), we are amenable to such criteria, provided the problem of third party free riding is prevented.
	f) any other criteria (please describe)		X		
No.	Question	Yes	No	Case by Case	Note/Comment
3	In dealing with airline designations in the future, are you willing to accept criteria other than the traditional national ownership and control:				
	a) for both yourself and the foreign partner?	X			Please see Note (1)
	b) for the foreign partner but maintain traditional criteria for yourself?			X	Please see Note (1)
	c) What economic regulatory conditions will you impose for such acceptance? (please describe)		X		
4	Are you willing to consider the following positive action in facilitating liberalization of air carrier ownership and control:				
	a) issuing an individual statement of policy for accepting designations of foreign air carriers?			X	Please see Note (2)

	b) developing a common policy with partner States? (please indicate, if possible, with which partner(s))			X	Please see Note (2)
	c) any other action? (please describe)		X		Please see Note (2)

Any other comments on your answers:

Note:

- (1) Generally, Singapore has been liberalizing the airline designation provisions under our bilateral ASAs to the Principal Place of Business (PPOB) and Effective Control (EC) criteria in place of the traditional Substantial Ownership (SO) and EC as far as possible. However, depending on the unique circumstances of each case, we are flexible in adopting other appropriate criteria. Where Singapore carriers are concerned, we currently require SO and EC as the bulk of our ASAs still adopt these criteria.
- (2) It is not Singapore's practice to issue individual statement of policy and developing a common policy with partner states. However, the above could be considered if it is deemed necessary and appropriate, in accordance to the merits of the individual cases.