

ANNEX 13A: TEMPORARY ENTRY OF BUSINESS PERSONS

SECTION 1: BUSINESS VISITORS

1. Each Party shall grant temporary entry to business visitors without requiring that person to obtain an employment authorisation, provided that the business person otherwise complies with existing immigration measures applicable to temporary entry, on presentation of:

- (a) proof of nationality, permanent residency or citizenship of a Party;
- (b) documentation demonstrating that the business person will be so engaged and describing the purpose of entry; and
- (c) evidence demonstrating that the proposed business activity is international in scope and that the business person is not seeking to enter the local labour market.

2. Each Party shall provide that a business person may satisfy the requirements of paragraph 1(c) by demonstrating that:

- (a) the primary source of remuneration for the proposed business activity is outside the territory of the Party granting temporary entry; and
- (b) the business person's principal place of business and the actual place of accrual of profits, at least predominantly, remain outside such a territory.

3. Neither Party may:

- (a) as a condition for temporary entry under paragraph 1, require prior approval procedures, petitions, labour market testing, or other procedures of similar effect; or
- (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.

SECTION 2: TRADERS AND INVESTORS

1. Each Party shall grant temporary entry and provide confirming documentation to a

business person seeking to:

- (a) carry on substantial trade in goods or services principally between the territory of the Party of which the business person is a national and the territory of the other Party into which entry is sought, or
- (b) establish, develop, administer or provide advice or key technical services to the operation of an investment to which the business person or the business person's enterprise has committed, or is in the process of committing, a substantial amount of capital,

in a capacity that is supervisory or executive, or involves essential skills, provided that the business person otherwise complies with existing immigration measures applicable to temporary entry.

2. Neither Party may:

- (a) as a condition for temporary entry under paragraph 1, require labour market testing, or other procedures of similar effect; or
- (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.

SECTION 3: INTRA-CORPORATE TRANSFEREES

1. Each Party shall grant temporary entry and provide confirming documentation to a business person employed by a service supplier, investor or enterprise of a Party established in the territory of the other Party through a branch, subsidiary or affiliate thereof, in a capacity that is managerial, executive or involves specialised knowledge, as defined in relation to intra-corporate transferees in a Party's Schedule of Specific Commitments to GATS, provided that the business person otherwise complies with existing immigration measures applicable to temporary entry. A Party may require the business person to have been employed by the enterprise for not less than one (1) year immediately preceding the date of the application for admission.

2. Neither Party may:

- (a) as a condition for temporary entry under paragraph 1, require labour market

testing, or other procedures of similar effect; or

- (b) impose or maintain any numerical restriction relating to temporary entry under paragraph 1.

APPENDIX 13A.1 : DURATION OF STAY

For Korea:

1. Business visitors who enter Korea under Section I of Annex 13A will be granted a period of stay of up to ninety (90) days.
2. Entry for investors and traders who enter Korea under Section II of Annex 13A will be granted a period of stay of up to two (2) years. The period of stay may be extended for subsequent periods up to a total of eight (8) years provided the conditions on which they are based remain in effect. Further extensions beyond eight (8) years may be possible.
3. Entry for intra-corporate transferees who enter Korea under Section III of Annex 13A will be granted a period of up to two (2) years. The period of stay may be extended for subsequent periods up to a total of eight (8) years provided the conditions on which it is based remain in effect. Further extensions beyond eight (8) years may be possible.
4. Business persons of Singapore who enter Korea under any of the categories set out in Annex 13A may freely enter and leave Korea without re-entry permission during the permitted period of sojourn on the basis of reciprocity.
5. Business persons of Singapore who intend to stay over ninety (90) days in Korea shall register the aliens at the competent immigration office.

For Singapore:

1. Upon arrival, short-term business visitors will be granted a period of stay of up to ninety (90) days.
2. Entry for traders and investors is for a period of up to two (2) years, and the period may be extended for subsequent periods up to a total of eight (8) years provided the conditions on which they are based remain in effect. Further extensions beyond eight (8) years may be possible.
3. Entry for intra-corporate transferees is for a period of up to two (2) years, and the

period may be extended for subsequent periods up to a total of eight (8) years provided the conditions on which they are based remain in effect. Further extensions beyond eight (8) years may be possible.

4. Business persons of Korea who enter Singapore under any of the categories set out in Annex 13A may freely enter and leave Singapore without re-entry permission during the permitted period of sojourn on the basis of reciprocity.