

MEDIA FACTSHEET

FIRST READING OF ONLINE SAFETY (MISCELLANEOUS AMENDMENTS) BILL

1. The Ministry of Communications and Information (MCI) introduced the Online Safety (Miscellaneous Amendments) Bill (“Bill”) for First Reading in Parliament on 3 October 2022 to propose new measures to tackle harmful content on online services accessible to users in Singapore.

Background and Overview

2. During MCI’s Committee of Supply debate in March 2022, Minister for Communications and Information Josephine Teo announced that the Government will introduce measures to improve online safety for users in Singapore, combat harmful content on online services accessible to users in Singapore, and empower users with information and tools to protect themselves from content which is harmful or detrimental to their wellbeing.

3. Tackling harmful online content is a global issue¹. While some online services have made efforts to address harmful content, the prevalence of harmful online content remains a concern, given the high level of digital penetration and pervasive usage of online services among Singapore users, including children.

4. A survey² in January 2022 by the Sunlight Alliance for Action (“AfA”)³ found that almost half of the respondents had personally encountered harmful online content. Another survey⁴ in June 2022 by MCI found that respondents were most concerned with harms affecting children, with a high majority (97%) who felt that harmful online content can have at least moderate impact on children and youths. Sexual content, cyberbullying and violent content were the top three types of content that respondents felt the young needed to be protected from most.

5. The proposed measures under the Bill are the result of extensive consultations with various stakeholders including parents, youths, community group representatives, academics and the industry, since June 2022. MCI’s public consultation from July to August 2022, in particular, showed that there was consensus that social media services needed to do more to protect young users from harmful online content. A summary of the feedback received, together with MCI’s response, is available on REACH’s website at <https://go.gov.sg/feedbackonlinesafety>.

¹ Countries such as Germany and Australia have enacted new laws that require online services to limit the exposure to harmful content. The United Kingdom and European Union are also working on laws to address this issue.

² Online poll conducted by Sunlight Alliance for Action (AfA) in January 2022 with more than 1,000 Singaporeans on the perceptions, experiences, and the prevalence of online harms in Singapore.

³ The Sunlight AfA to tackle online harms was launched in July 2021 to tackle online harms, especially those targeted at women and girls. The AfA takes a whole-of-nation partnership approach and members of the AfA include individuals across the 3P sectors, coming together with the aim of closing the digital safety gap and creating an inclusive digital space.

⁴ Online poll conducted by MCI in June 2022 with more than 1,000 Singaporeans to understand general perceptions of harmful online content and online safety.

Key Features of the Bill

6. Globally, as well as locally, there is widespread acceptance that online services have a responsibility to keep their users safe from harm. The Bill therefore proposes to introduce a new part to the Broadcasting Act (“BA”) to regulate **Online Communication Services (“OCSs”)**. These are electronic services that allow users to access or communicate content via the Internet or deliver content to end-users. The scope of the Bill is limited to services accessible by Singapore users which may be provided in, from, or outside Singapore.

7. **Social Media Services (“SMSs”)**⁵ is a type of OCS which will be specified in a new Schedule under the BA, and be subject to provisions under the new Part.

A calibrated and tiered regulatory approach

8. There are two key parts to our regulatory approach:

(1) **Requiring OCSs with significant reach or impact to comply with Code(s) of Practice**

- IMDA may designate OCSs with significant reach or impact in Singapore as **Regulated Online Communication Services⁶ (“ROCSs”)**, and require the ROCS providers⁷ to comply with **Code(s) of Practice (“COP(s)”)**. The COP(s) may require ROCS providers to put in place measures on their services to mitigate the risks of danger to Singapore users from exposure to harmful content and provide accountability to their users on such measures.

(2) **Dealing with Egregious Content⁸ on an OCS**

- In the event that specified categories of egregious content can be accessed by Singapore users on an OCS, the Infocomm Media Development Authority (“IMDA”) will be able to issue directions to deal with such content. However, such directions cannot be issued in respect of private communications.

Code(s) of Practice

9. The COP(s) may cover the following:

- (a) **Appropriate systems or processes which ROCS providers will need to establish and apply** to prevent Singapore users (particularly children⁹) from accessing content that presents a material risk of significant harm, as well as mitigate and manage

⁵ Social media service means an electronic service whose sole or primary purpose is to enable online interaction or linking between two or more end-users, and allows end-users to communicate content on the service.

⁶ The factors to be taken into account before an OCS is designated as an ROCS are: (a) the range of all OCSs provided to Singapore end-users; and (b) the extent and nature of the effect that the different types of OCSs have on the people and communities in Singapore.

⁷ ROCS providers refer to those that provide regulated online communication services.

⁸ Extremely harmful content that was earlier intended to be addressed under the proposed Content Code for Social Media Services will now be dealt with under the Bill, given the egregiousness of such content.

⁹ This refers to individuals who are below 18 years of age.

the risks of danger from content on its service to Singapore users. (*Annex provides information on the draft of IMDA's Code of Practice for Online Safety, which aims to provide Singapore users with a safer online experience when using designated SMSs*).

- (b) **Practical guidance on what content** presents a material risk of significant harm to Singapore users.
- (c) **Procedures which ROCS providers** are required to follow to comply with the applicable COP. Such procedures may include: (i) **undergoing audits** to ascertain compliance; (ii) **reporting to IMDA information about the measures** they have implemented to ensure Singapore users can use their service in a safe manner; and/or (iii) **conducting risk assessments** on the systemic risks brought about by the service and taking reasonable and effective measures aimed at mitigating those risks.
- (d) **Requirement for ROCS providers to collaborate or cooperate with conduct of research studies** by experts approved by IMDA. Such research would allow IMDA to understand the nature and level of the systemic risks in the ROCS and the evolution and severity of such risks.

10. ROCS providers must take all reasonably practicable steps to comply with an applicable COP. An ROCS provider which fails to do so may be ordered by IMDA to pay a financial penalty; or be directed to take steps to remedy the failure. Non-compliance with IMDA's direction to remedy the failure is an offence, for which the ROCS provider shall be liable on conviction to a fine.

Egregious Content

11. **Egregious content** includes content advocating suicide or self-harm, physical or sexual violence and terrorism; content depicting child sexual exploitation; content posing public health risk in Singapore; and content likely to cause racial and religious disharmony in Singapore.

12. In the event that such egregious content is accessible by Singapore users on an OCS, the Bill allows IMDA to deal with such content through **three types of directions**.

- (a) A direction can be issued to an OCS provider to **disable access by Singapore users to the content on the service**. This requires the OCS provider to ensure that the specified egregious content (for instance, a particular social media post) cannot be viewed by Singapore users.
- (b) A direction can be issued to an OCS provider to ensure that a **specified account** (for instance, a social media account, group or channel) **which is communicating the specified egregious content, cannot continue to communicate** to Singapore users.
- (c) A direction can be issued to the Internet access service provider to **block access by Singapore users to the non-compliant OCS** if an OCS provider fails to comply with the IMDA's direction(s). This ensures that egregious content on the OCS would not be accessible by Singapore users.

13. Failure to comply with the direction(s)¹⁰ referred to at paragraph 12 could be an offence. This is punishable by a fine on conviction.

Tackling Harmful Online Content Requires a Whole-of-Society Effort

14. In light of the fast-evolving nature of harmful online content, the Bill and the proposed Code of Practice for Online Safety are important steps towards creating a safer online space for Singapore users, particularly children. They will complement ongoing initiatives by the Government, working in partnership with community and industry stakeholders, to equip Singaporeans with the knowledge and skills to keep themselves and their loved ones safe online.

Second Reading of Bill

15. Parliament will debate on the Bill at the Second Reading which is slated for November 2022.

¹⁰ The direction(s) referred to at paragraph 12 are appealable to the Minister for Communications and Information.

IMDA's draft Code of Practice for Online Safety for Designated Social Media Services

1. IMDA is proposing a **draft Code of Practice for Online Safety ("draft Code")**. The objective of the draft Code is to provide Singapore users with a safer online experience when using designated SMSs. Designated SMSs will be expected to meet the following key outcomes:
 - (a) Put in place **system-wide measures** to minimise Singapore users' exposure to harmful content and empower users with tools to manage their own safety. In particular, SMSs must take additional steps to minimise children's exposure to inappropriate content and provide tools that allow children or their parents to manage their safety on these services.
 - (b) Provide an **easy-to-use mechanism for Singapore users to report** harmful content and unwanted interactions.
 - (c) Be **transparent about how well they are protecting Singapore users from harmful content**, by providing information that reflects Singapore users' experience on their services and allows users to make informed decisions about how they use the services.

Obligations under the draft Code

2. The draft Code sets out obligations for designated SMSs under three sections:

Section A - User Safety

- (a) SMSs must minimise users' exposure to harmful content through measures such as having in place a set of community guidelines and standards, and content moderation measures. The categories of harmful content include:
 - i. Sexual content
 - ii. Violent content
 - iii. Suicide and self-harm content
 - iv. Cyberbullying content
 - v. Content endangering public health
 - vi. Content facilitating vice and organised crime
- (b) Users should be empowered to manage their own safety on the services by having access to tools such as those that may hide harmful content or reduce the visibility of their own profile to other users.
- (c) Users should be provided with safety information, including Singapore-based safety resources or support centres if available.
- (d) SMSs must have additional measures to protect children, including minimising children's exposure to inappropriate content and ensuring that their relevant account settings are age-appropriate by default.

Section B - User Reporting and Resolution

- (a) Users must be able to report harmful content or unwanted interactions to the SMSs through an effective, transparent and easy to use mechanism. SMSs are expected to take action on these user reports in a timely manner.

Section C - Accountability

- (a) SMSs must submit annual reports to IMDA that reflect Singapore users' experience on the services, including the steps the SMSs have taken to mitigate Singapore users' exposure to harmful and inappropriate content and actions that SMSs have taken on user reports. The annual reports will be published on IMDA's website.
3. The draft Code may be updated following further industry consultation.