

Clear Channel Singapore

Please find the questions below.

1. Part 2, Clause 10 and 11.

Clause 10: The new BA Class Licence will exclude the following services which are already licensed under other regulatory regimes:

- a. Licensed TV services, including Over-the-top (“OTT”) TV services regulated under the BA; and
- b. Video game demonstrations regulated under the Films (Class Licence for Video Games Distribution) Order 2019 under the Films Act.

Clause 11: For illustration purposes, a non-exhaustive list of activities that are not captured under the new BA Class Licence and will continue to be regulated under the FA is set out below:

- a. Cinema film screening;
- b. Ad-hoc outdoor film screening;
- c. Coffee shops, pubs with TV screens showing programmes from free-to-air or pay TV channels;
- d. Restaurants with TV screens showing content streamed from the Internet;
- e. Retailers playing videos from media storage; and
- f. Video game distributors demonstrating game play pulled from the Internet or media storage.

As there are services and activities such as TV, video games and cinema that are already regulated under other regulatory regimes, are we allowed to use the approved content passed on by these entities to be published on our OOH digital screens?

2. Part 2, Point 19.

Enforcement measures

19. Under Section 12 of the BA, IMDA may impose financial penalties, cancel or suspend the application of the BA Class Licence on a licensee that contravenes any licence condition or provision of the Content Code.

May we seek clarity on how IMDA will assess if the issue should receive a warning versus imposing a penalty, cancellation or suspension of the BA Class License.

3. Annex, Part 1(b)

“health-related goods or services” means –

- i. Any health product within the meaning given by the Health Products Act (Cap. 122D);
- ii. Any service relating to the treatment of any ailment, disease, injury, infirmity or condition affecting the human body, the advertising of which is regulated under the Medicines (Advertisement and Sale) Act (Cap. 177) or any other written law; or
- iii. Any tobacco product within the meaning given by the Tobacco (Control of Advertisements and Sale) Act (Cap. 309).

Are Nutraceutical supplements allowed to be advertised?

4. Annex, Part 2, Clause 2.7 and 2.8

Crime and Social Behaviour

Clause 2.7 Any matter directly or indirectly counselling or urging the doing of any unlawful act of providing instruction on the doing of any unlawful act.

Clause 2.8 Any depiction or description of gambling, smoking, alcohol consumption, psychoactive substance abuse or any unlawful conduct.

Does this exclude government-led or commercial campaigns that promote safety, security, good behavior or well-being e.g. a visual that depicts suspicious or life threatening scenarios for a SGSecure campaign and a campaign to promote non-smoking by a government or commercial Nicorette brand that promotes quitting smoking?

5. Annex, Part 2, Point 2.10
Coarse Language, Horror and Violence
2.10 Any coarse language, any frightening or disturbing sequences, or any depiction or description of acts of torture, cruelty or violence (whether or not sexual) or of abhorrent phenomena, whether natural or pertaining to the supernatural.

Horror and Violence. As the Films Act has guidelines to film distributors on what is allowable for OOH digital display, it is acceptable for us to publish the approved content by film distributors? We do not see a need to seek additional approval which may delay campaign launches should approvals have been sought under the Films Act.

6. Annex, Part 2, Point 2.10 Horror and Violence.

As Horror may be subjective, can media owners seek an appeal?

7. **What is the turnaround time and process of approvals. Booking cycles for digital OOH are as short as 1-day from the time of confirmation to publishing content. How can IMDA ensure the fastest turnaround and provide media owners with a clear process?**

Thank You.