



**CLOSING NOTE TO INDUSTRY CONSULTATION ON
NEW BROADCASTING CLASS LICENCE FOR
OPERATORS OF DISTRIBUTION NETWORK DIGITAL DISPLAY PANELS**

17 JANUARY 2020

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PART 1: INTRODUCTION

1. Given the prevalence of Digital Display Panels (“**DDPs**”) in public spaces, and the similarity of DDPs operating on a distribution network (“**Distribution Network DDPs**”) to broadcasting services, IMDA proposed a new Class Licence under the Broadcasting Act (“**BA**”) to regulate such DDPs in public places.
2. Under the new BA Class Licence, the Distribution Network DDPs will be subject to a content code (“**Content Code**”). The Content Code will apply similar standards as existing regulation to ensure that the public, including young children are not shown inappropriate content when they come across such DDPs. In addition, Distribution Network DDPs installed in the lifts and/or at lift lobbies of HDB residential blocks will be required to broadcast public service messages to improve the communication of important public messages to residents and to maintain the residential nature of HDB estates.
3. The industry consultation on the proposed new BA Class Licence was held from 8 Nov 2019 to 22 Nov 2019. IMDA conducted two briefing sessions on 8 Nov 2019 and one session on 14 Nov 2019. The sessions were attended by a total of 31 organisations and Town Councils. The consultation covered the following areas:
 - a) Scope of the new BA Class Licence;
 - b) Key conditions of the new BA Class Licence; and
 - c) Key obligations of the Content Code.
4. At the close of the industry consultation, IMDA received a total of five submissions. They include feedback from four organisations, namely Clear Channel Singapore Pte Ltd, SMRT Experience Pte Ltd, Target Media Culcreative Pte Ltd and PGK Media Group Pte Ltd and one submission from an individual (collectively referred to as “**Respondents**”). The full text of these submissions can be found in **Annex**. The comments received are grouped into four broad categories:
 - a) Scope of licence;
 - b) PSB requirements and operational issues;
 - c) Content-related issues; and
 - d) Other issues.
5. IMDA would like to thank all Respondents for their feedback and comments. Part II of this closing note gives an overview of the comments received, and IMDA’s responses to the comments. Part III concludes with IMDA’s next steps.

PART II: OVERVIEW OF COMMENTS RECEIVED AND IMDA'S RESPONSES

(A) Scope of the Licence

6. IMDA has proposed a new BA Class Licence to regulate operators of Distribution Network DDPs, where the DDPs¹ are installed in public places. Distribution Network DDPs are similar to broadcasting, where content (both static images and videos) is distributed efficiently to multiple DDPs in different locations.
7. One Respondent asked that the new BA Class Licence cover other media assets operating within the public domain, e.g., bus interchanges, public walkways, food courts, as many of these areas receive higher footfall than HDB blocks. The Respondent also questioned why the new BA Class Licence would not cover screens where content would be uploaded manually.

IMDA's Response

8. To clarify, the scope of the proposed BA Class Licence covers all Distribution Network DDPs that are "pushed" to viewers in public spaces², and is not confined to those in HDB blocks. This will include bus interchanges, public walkways, food courts etc. Such DDPs are brought under the BA as their distribution networks are similar to broadcasting and have wide reach. DDPs where content is uploaded manually via physical storage devices are not considered broadcasting services, and will continue to be regulated under the Films Act.

(B) PSB Requirements

9. To improve the communication of public messages to HDB residents and in view of the residential nature of HDB estates, IMDA has proposed to impose Public Service Broadcast ("**PSB**") requirements on operators with Distribution Network DDPs installed in the lifts and/or at lift lobbies of HDB residential flats. These operators would be required to broadcast PSB programmes, which would comprise 50% of the duration of each loop of content displayed on each DDP.
10. Some Respondents suggested applying PSB requirements to DDPs located within other public residential locations, i.e., beyond lifts and lift lobbies.

¹ Screens with minimum dimension of 17.78 centimetres (7 inches) at its widest. Mobile phones and wearable devices are excluded.

² The new BA Class Licence will cover every person who provides, in the course of business, any licensable broadcasting service for reception by and display on —

- (a) 2 or more digital display panels each situated in a public place in Singapore; or
- (b) 2 or more digital display panels each installed within a public passenger transport vehicle.

11. One Respondent further suggested lowering the 50% PSB requirement as it might adversely impact on the business viability of advertisers, with a pre-emptive curbing on revenue potential through the reduction in commercial spots. Another Respondent queried if the 50% PSB requirement superceded that imposed by the HDB and Town Councils.

Operationalisation of PSB Requirements

12. Some Respondents also sought clarification on the operationalisation of the PSB requirements, including:
 - a) Details on PSB content management workflow and coordination process;
 - b) The providers of PSB content, and the prioritisation and selection criteria; and/ or
 - c) Parameters for PSB content.
13. There were further queries on whether operators could provide PSB content if they fulfil the parameters and meet public communications objectives.

IMDA's Response

14. PSB requirements will be imposed on DDPs installed in HDB lifts and lift lobbies, given their close proximity to residents, and to maintain the residential nature of estates. IMDA will monitor developments and may consider imposing PSB requirements on DDPs in other locations in future. IMDA will inform the industry in advance and take in views from the industry before it does so.
15. On the 50% PSB requirement, IMDA understands that the DDP operators providing services within HDB estates are already providing a fixed proportion of airtime to Town Councils and/or HDB, without charge. The 50% requirement will be a subset of this fixed proportion, i.e., the overall allocation of airtime without charge remains unchanged for these operators.

Operationalisation of PSB Requirements

16. PSB content will be provided by the Government. Examples include messages that are of national concern such as jobs and economy, healthcare, national security; messages that address public concerns of longer term impact like water, housing, public health; messages that are Whole-of-Government in nature, such as Merdeka Generation, National Day Rally, Budget. Operators need not provide PSB content on their own.

17. For the operational arrangements, the Government will separately engage the operators of DDPs located in HDB lifts and/or lift lobbies to understand their operating processes and constraints, and to work out the operational details.

(C) Content-related Issues

18. A few of the Respondents have content-related queries and suggestions, which are broadly categorised into the following:
- a) Parity with content guidelines on other media platforms;
 - b) Compliance of content provided by Government;
 - c) Content with horror and violence;
 - d) Advertisements for health-related goods and services;
 - e) Other content concerns; and
 - f) Content approval process for content broadcast on DDPs.

Parity with content guidelines on other media platforms

19. Some Respondents raised queries and provided suggestions on the content or content-related guidelines on other media platforms, vis-à-vis the Content Code. They include:
- a) Whether already classified content from different media or film distributors would be allowed on DDPs;
 - b) Why local TV programmes (regulated under separate licence) would be allowed on DDPs;
 - c) Why Chinese dialects would not be allowed on DDPs but allowed on free-to-air TV;
 - d) Why health-related advertisements would not be allowed on DDPs but allowed on other media platforms; and
 - e) Suggestion for Content Code to take reference from Singapore Code of Advertising Practice (“**SCAP**”) for advertisements on DDPs.

Compliance of PSB content

20. One Respondent sought clarification on whether clauses 2.7³ and 2.8⁴ of the Content Code exclude Government-led or commercial campaigns that would promote “safety, security, or good behaviour”. They also suggested to remove operators’ accountability for PSB content with regard to compliance to the Content Code, as operators might not be in the position to decline.

³ Any matter directly or indirectly counselling or urging the doing of any unlawful act of providing instruction on the doing of any unlawful act.

⁴ Any depiction or description of gambling, smoking, alcohol consumption, psychoactive substance abuse or any unlawful conduct.

Content with horror and violence

21. One Respondent suggested to go with the equivalent of PG in film classification guidelines for content with horror and violence for clarity, as such content would be subjective. Another Respondent suggested having movie trailers “selectively listed” as impermissible content because of violence in the content, notwithstanding classification.

Advertisements for health-related goods and services

22. Some Respondents raised queries on the types of products and services allowed or disallowed under the advertisements of health-related goods and services. They commented that the restriction might inadvertently impact approved, legitimate and useful health products, services and events. One Respondent, on the other hand, suggested to ban advertisements that would work against Government efforts to promote a healthy lifestyle (e.g. fast food, sugary drinks), or if allowed, to bear cautionary messages within the advertisements.

Other content concerns

23. One Respondent commented that the current clauses on race and religion were too restrictive and suggested referencing to SCAP, and another suggested restrictions on lingerie advertisements and advertisements from tuition centre operators, and to ensure advertisements would not be discriminatory in nature (especially with respect to gender and age).

Content Approval Process

24. One Respondent asked whether approval from IMDA would be required for broadcasting classified content by film distributors, and if so, the turnaround time required by IMDA, the process for approval and the appeal avenue.

IMDA's Response

25. Content standards vary across platforms, depending on the reach and impact on viewers. IMDA considers factors such as the place of broadcast, the accessibility by members of public (in particular young children), the impact of the content, e.g., audiovisual content and content with a hybrid of visuals and text generally have higher impact than text, and whether content is “pushed” to viewers or “pulled” by viewers.
26. In the case of DDPs in public places that “push” audiovisual content to viewers, the content standards are calibrated to ensure that the content is suitable for general audience, including young children. This is especially so for DDPs in

lifts and lift lobbies where they are in direct and close proximity to young children on a daily basis. In addition, content standards also aim to preserve the social fabric and protect the sensitivities of multi-racial and multi-religious Singapore. Operators should exercise discretion to ensure that the content (including advertisements) are not displayed in a manner or place likely to cause offence to any section of the public. Given these considerations, IMDA has aligned the Content Code for DDPs more closely with that of the existing content code for Free-to-air TV services.

27. IMDA reviews the content standards across the different content codes and guidelines from time to time to ensure relevance. We note the feedback on the Content Code vis-à-vis other content guidelines on other platforms, and will consider them in our subsequent reviews.
28. IMDA would clarify that the Content Code applies to all content broadcast on Distribution Network DDPs in public areas. This includes local TV programmes, classified films, PSB content and advertisements. For film distributors with materials intended for both cinematic screening and display on DDPs (including violence and horror), there is no change to the current process, i.e., film distributors to submit the materials to IMDA for classification, and copies classified G or PG (without consumer advisory conditions) may then be used for display at DDPs.
29. Currently, for advertisements and trailers that are screened on free-to-air TV or meant for public exhibition, there are only limited allowances for dialect, e.g., dialect terms may be used where the Mandarin equivalents may not be easily understood or commonly used. Advertisements and trailers containing other dialect terms are not allowed unless approved by IMDA. These restrictions are in line with the need to uphold national language policies such as the Speak Mandarin Campaign.
30. On the restrictions pertaining to advertisements of health-related goods or services, this is consistent with IMDA's regulation of advertisements on free-to-air TV and radio. DDP operators may seek advice from the Ministry of Health or the Health Promotion Board on the types of products or services allowed/disallowed.
31. IMDA would further clarify that under the new BA Class Licence, there is no need for licensees to seek prior approval from IMDA for the content as long as the content broadcast on DDPs are in compliance with the Content Code. When in doubt, licensees may surface the content to IMDA for advice. For content impermissible under the Content Code, prior approval from IMDA would be required before it can be broadcast on Distribution Network DDPs in public areas.

(D) Other Issues

32. One Respondent asked about the other clauses under the BA that would directly be applicable to DDP operators, aside from the new BA Class Licence and the Content Code.
33. Another Respondent suggested requiring companies to have a substantial Singaporean shareholding ownership and directorship quota to guard against foreign interference in domestic politics.
34. Some asked for clarity on how IMDA would assess if the issue should receive a warning, rather than imposing a financial penalty, cancellation or suspension of the licence.

IMDA's Response

35. The provisions in the BA would generally apply to all DDP operators covered under the new BA Class Licence. Sections which are clearly not applicable include Parts V, VI, VII and Part X⁵. At present, there is no imposition of ownership controls on DDP operators.
36. In terms of enforcement, IMDA will typically act based on public feedback, and will take into consideration the facts of each case, before deciding on the appropriate enforcement action to take (where required).

PART III: CONCLUSION

37. Having given due consideration to the feedback received during the industry consultation, IMDA will proceed to implement the new BA Class Licence for DDP operators, and the corresponding Content Code with no substantive changes. Specifically:
 - a) The new BA Class Licence will cover all operators of Distribution Network DDPs, where the DDPs are installed in public places and which broadcast content is being “pushed” to viewers;
 - b) All Class Licensees will be subject to the Content Code, which will be reviewed from time to time to ensure relevance; and
 - c) A subset of Distribution Network DDPs, i.e., those operating at HDB lifts and/or lift lobbies will be subject to PSB requirements, which shall comprise

⁵Refers to sections on “Broadcasting Apparatus” (part V); “Frequency Planning (part VI), “Broadcasting Conditions” (part VII) and “Ownership and Control of Broadcasting Companies” (part X).

50% of the duration of each loop of content displayed on each Distribution Network DDP, and there will be no subsidy or payment required of the Government.

38. The new BA Class Licence for DDPs is targeted to come into effect in the first quarter of 2020.