

INTERNET CODE OF PRACTICE

1. It is hereby notified for general information that, in exercise of the powers conferred by section 6 of the Broadcasting Act (Cap. 28), the Info-communications Media Development Authority has issued, with effect from 1st November 1997, the Internet Code of Practice as set out in the Schedule.

2. Notification no. 2400/96 of 15th July 1996 is cancelled.

THE SCHEDULE

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Foreword

1.- (1) The Broadcasting Act (Cap. 28) makes it the duty of Info-communications Media Development Authority to ensure that nothing is included in any broadcasting service which is against public interest or order, national harmony or which offends against good taste or decency. This Code of Practice has been produced by the Info-communications Media Development Authority for this purpose.

(2) All Internet Service Providers and Internet Content Providers licensed under the Broadcasting (Class Licence) Notification (N1) are required to comply with this Code of Practice. Under the Broadcasting Act, the Info-communications Media Development Authority has the power to impose sanctions, including fines, on licensees who contravene this Code of Practice.

Internet Code of Practice

2. A licensee shall use his best efforts to ensure that prohibited material is not broadcast via the Internet to users in Singapore.

Obligations under this Code

3.- (1) An Internet Access Service Provider or Reseller discharges his obligations under this Code, in relation to programmes on the World Wide Web, when he denies access to sites notified to him by the Authority as containing prohibited material, under clause 4 below.

- (2) An Internet Access Service Provider or Reseller discharges his obligations under this Code, in relation to Internet Newsgroups, when it:-
 - (a) refrains from subscribing to any newsgroup if, in his opinion, it is likely to contain prohibited material; and
 - (b) unsubscribes from any newsgroups that the Authority may direct.
- (3) An Internet Content Provider discharges his obligation under this Code:-
 - (a) in relation to private discussion fora hosted on his service (e.g. chat groups), when the licensee chooses discussion themes which are not prohibited under the guidelines in clause 4 below;
 - (b) in relation to programmes on his service contributed by other persons who are invited to do so on the licensee's service for public display (eg. bulletin boards), when the licensee denies access to any contributions that contain prohibited material that he discovers in the normal course of exercising his editorial duties, or is informed about; and
 - (c) in relation to all other programmes on his service, if the licensee ensures that such programmes do not include material that would be considered to be prohibited under the guidelines in clause 4 below*.
- (4) An Internet Content Provider shall deny access to material considered by the Authority to be prohibited material if directed to do so by the Authority.
- (5) Paragraph (3) does not apply to any web publisher or web server administrator in respect of programmes on his service for which he has no editorial control.

Prohibited Material

- 4.- (1) Prohibited material is material that is objectionable on the grounds of public interest, public morality, public order, public security, national harmony, or is otherwise prohibited by applicable Singapore laws.
- (2) In considering what is prohibited material, the following factors should be taken into account:-
 - (a) whether the material depicts nudity or genitalia in a manner calculated to titillate;

- (b) whether the material promotes sexual violence or sexual activity involving coercion or non-consent of any kind;
- (c) whether the material depicts a person or persons clearly engaged in explicit sexual activity;
- (d) whether the material depicts a person who is, or appears to be, under 16 years of age in sexual activity, in a sexually provocative manner or in any other offensive manner;
- (e) whether the material advocates homosexuality or lesbianism, or depicts or promotes incest, paedophilia, bestiality and necrophilia;
- (f) whether the material depicts detailed or relished acts of extreme violence or cruelty;
- (g) whether the material glorifies, incites or endorses ethnic, racial or religious hatred, strife or intolerance.

(3) A further consideration is whether the material has intrinsic medical, scientific, artistic or educational value.

(4) A licensee who is in doubt as to whether any content would be considered prohibited may refer such content to the Authority for its decision.