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## How does Singapore protect citizens from online falsehood and misinformation?

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# *Protection from Online Falsehoods and Manipulation Act* 防止网络假信息和网络操纵法令

1. The law was passed in 2019 and became known as “POFMA”.
2. At the time, the government was concerned about the spread of fake news on social media, relating to (for example) Brexit in the United Kingdom and the election of President Donald Trump in the United States.
3. POFMA prevents the electronic communication of false or misleading information.
4. Government heard from public and industry leaders before enacting the law.
5. Social media companies such as Facebook objected to the law as it said the law was contrary to free speech. But the government observed that Facebook and other social media sites had unwittingly been used to spread fake news, resulting in social divisions, misunderstanding and conflict.

POFMA acts against anyone who makes a false statement which is likely to:

1. Be prejudicial to Singapore's security;
2. Be prejudicial to public health, public safety, public tranquillity or public finances;
3. Be prejudicial to the friendly relations of Singapore with other countries;
4. Influence the outcome of a presidential election, general election, by-election or referendum;
5. Incite feelings of enmity, hatred or ill-will between different groups of persons;  
or
6. Diminish public confidence in the government.

A Minister may claim that a particular statement is a falsehood.

But it is the court that will make the final decision on whether a statement is false or not.

A Minister may compel a party who communicated a falsehood to put up a notice saying

1. That something which the party had said was false; and/or
2. That there is a correction to the statement.
3. The correction may be placed online; and/or in a Singapore newspaper.

But that party may challenge the Minister in court, on the grounds that the statement is true.

If the statement is true, that party need not comply with the Minister's order.

# *One example of POFMA usage*

On 26 January 2020, a popular website falsely reported that a man died after developing severe pneumonia.

It caused alarmed the public. At that time, people were concerned about the spread of COVID-19.

The next morning, the Health Minister used POFMA to direct the website to publish a notice to correct that false information.

The Ministry of Law said that POFMA was needed during the early days of COVID-19 to tackle such falsehoods.

"Without intervention, these falsehoods could have spread unchecked, caused public panic and reduced public confidence in Singapore's efforts to combat COVID-19. The use of POFMA clarified the facts quickly and required corrections to be placed alongside the posts at their source, for example, on intermediary platforms like Facebook..."

# *Foreign Interference (Countermeasures) Act* 防止外来干预（对应措施）法令

In Singapore, this is known as “FICA”.

FICA provides measures to prevent, detect and disrupt foreign interference in domestic politics conducted through

1. hostile information campaigns (or HICs) and
2. the use of local proxies.

# *What does FICA do?*

The Singapore government has the power to issue directions to various entities such as social media services, relevant electronic services, internet access services, and persons who own or run websites, blogs, or social media pages, to help the authorities investigate and counter hostile communications activity that is of foreign origin.

FICA also includes offences related to clandestine foreign interference by electronic communications activity, which deal with persons covertly and knowingly acting against the public interest on behalf of a foreign principal.

FICA does not apply to Singaporeans expressing their own views and acting on their own accord. Nor does it apply to foreigners reporting or commenting on Singapore politics, in an open, transparent, and attributable way, even if their comments may be critical of Singapore or the government.

# What can the government do?

- (a) Stop Communication (End-User) Direction – requires the communicator to cease communication of specific HIC content to viewers in Singapore.
- (b) Disabling Direction – requires social media or relevant electronic services to stop the communication of specific HIC content in Singapore.
- (c) Must-Carry Direction – requires various parties to carry a mandatory message from the Government in a conspicuous and timely manner to warn Singaporeans about an ongoing HIC.
- (d) Account Restriction Directions – if there is reason to believe that social media or relevant electronic service user accounts are being used or being set up with the intent of being used for Hostile Information Campaigns, the Minister will be able to issue Account Restriction Directions to the provider of these services, to block content in these accounts from being viewed in Singapore.
- (e) If there is failure by communicators or service providers to comply with directions (excluding Technical Assistance Directions), the Minister may order access to the HIC content to be blocked through an Access Blocking Direction.
- (f) An App Removal Direction can also be issued to require an app distribution service to stop apps known to be used by foreign principals to conduct HICs from being downloaded in Singapore. This direction can be given if the app has previously been subject to at least one direction (excluding Technical Assistance or another App Removal Direction).



# *When does FICA come into effect?*

The provisions to counteract foreign interference through Hostile Information Campaigns will take effect from 7 July 2022.

The provisions to counteract foreign interference through local proxies will come into force at a later stage.

There are no reported FICA cases.

# ***Online Safety (Miscellaneous Amendments) Bill*** **通讯网络安全（杂项）法案**

- Law passed unanimously in Parliament on 9 November 2022
- Makes social media platforms liable for not protecting Singaporean users from online harms
- Social media platforms have a legal duty to take down posts advocating suicide, self-harm, child sexual exploitation and terrorism, as well as incitement of racial or religious tensions, or posing a risk to public health
- Failure may result in a fine of up to \$1 million or the social media platform being blocked in Singapore
- Law will take effect in 2023.

# Thank you

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