

Public Sector (Governance) (Amendment) Bill

Bill No. 22/2025.

Read the first time on 5 November 2025.

A BILL

i n t i t u l e d

An Act to amend the Public Sector (Governance) Act 2018 to provide for directions on the sharing and use of information under the control of Singapore public sector agencies, to make related amendments to the Personal Data Protection Act 2012, and to make consequential amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Public Sector (Governance) (Amendment) Act 2025 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

5 Amendment of section 2

2. In the Public Sector (Governance) Act 2018 (called in this Act the principal Act), in section 2(1) —

(a) before the definition of “chairperson”, insert —

10 ““anonymised information” means any information which is in anonymised or de-identified form;”;

(b) replace the definition of “data sharing direction” with —

““data sharing and use direction” has the meaning given by section 4(5);”;

(c) after the definition of “function”, insert —

15 ““further authorisation” has the meaning given by section 4(5)(b);”;

(d) after the definition of “member”, insert —

““non-public sector person” has the meaning given by section 4(5)(b);”;

20 (e) in the definition of “share”, delete “(or be provided with)”.

Amendment of section 4

3. In the principal Act, in section 4 —

(a) in subsection (3)(e), replace “and sharing of information” with “, and sharing and use of information”;

25 (b) in subsection (3)(e), after “another Singapore public sector agency”, insert “or a non-public sector person”; and

(c) after subsection (4), insert —

“(5) A direction under subsection (1) relating to the sharing and use of information under the control of a Singapore public sector agency (called in this Act a data sharing and use direction) may authorise the Singapore public sector agency to whom the direction is given (*A*) to do all or any of the following: 5

- (a) share information under the control of *A* with any other Singapore public sector agency;
- (b) share information under the control of *A* with any person that is not a Singapore public sector agency (called in this Act a non-public sector person), but only with the further authorisation of any Minister to do so (called in this Act a further authorisation); 10 15
- (c) use information under the control of *A*;
- (d) re-identify anonymised information under the control of *A*.

(6) A data sharing and use direction given to a Singapore public sector agency (*A*) must specify — 20

- (a) the purposes for which *A* may share or use information, or re-identify anonymised information, under the direction;
- (b) in the case of a direction authorising the acts mentioned in subsection (5)(a), (b) or (c) — the information under the control of *A* that *A* may share or use under the direction; 25
- (c) in the case of a direction authorising the acts mentioned in subsection (5)(a) or (b) — the other Singapore public sector agencies, or non-public sector persons, with whom *A* may share information under the direction; and 30 35

(*d*) in the case of a direction authorising the act mentioned in subsection (5)(*d*) — the anonymised information under the control of *A* that *A* may re-identify under the direction.

(7) A data sharing and use direction authorising the act mentioned in subsection (5)(*b*) may (but need not) —

(*a*) specify the Minister or Ministers who may give a further authorisation pursuant to the direction; or

(*b*) provide that any Minister may delegate, under section 36(2) or (3) of the Interpretation Act 1965, the function of giving a further authorisation pursuant to the direction.

(8) A further authorisation pursuant to a data sharing and use direction given to a Singapore public sector agency (*A*) authorising the act mentioned in subsection (5)(*b*) must specify —

(*a*) the specific purpose or purposes (among the purposes specified under subsection (6)(*a*) in the direction) for which *A* may share information with a non-public sector person;

(*b*) the specific information (of the information specified under subsection (6)(*b*) in the direction) that *A* may share with a non-public sector person; and

(*c*) the specific non-public sector person or persons (among the non-public sector persons specified under subsection (6)(*c*) in the direction) with whom *A* may share information.”.

Amendment of Division 2 heading of Part 2

4. In the principal Act, in Part 2, in Division 2, in the Division heading, after “*data sharing*”, insert “*and use*”.

Replacement of section 6

5. In the principal Act, replace section 6 with —

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“Authority to share, use and re-identify

6.—(1) If a data sharing and use direction is given to a Singapore public sector agency (*A*) —

- (a) the persons mentioned in subsection (2) are authorised to share information under the control of *A* with another Singapore public sector agency, to the extent permitted by the direction; 10
- (b) if a further authorisation pursuant to that direction is given to *A* — the persons mentioned in subsection (2) are authorised to share information under the control of *A* with any non-public sector person, to the extent permitted by the direction and the further authorisation; 15
- (c) the persons mentioned in subsection (2) are authorised to use information under the control of *A*, to the extent permitted by the direction; 20
- (d) the persons mentioned in subsection (2) are authorised to re-identify anonymised information under the control of *A*, to the extent permitted by the direction; and 25
- (e) any Singapore public sector agency (other than *A*) may be provided with information under the control of *A*, to the extent permitted by the direction.

(2) For the purposes of subsection (1)(a), (b), (c) and (d), the persons mentioned are — 30

- (a) *A* and every officer of *A*; and
- (b) if *A* is a public body — the members of *A*.

(3) Subsection (1) overrides any obligation as to confidentiality under the common law.

(4) However, subsection (1) does not override —

(a) any obligation as to confidentiality because of legal professional privilege; or

(b) any obligation as to confidentiality because of contract.

(5) To avoid doubt, this Act is not intended to prevent or discourage the sharing or use of information by Singapore public sector agencies as permitted or required by or under any Act or other law (apart from this Act).”.

Amendment of section 7

6. In the principal Act, in section 7 —

(a) in subsections (1)(b) and (3)(b) and (d)(i) and (ii), replace “data sharing direction” with “data sharing and use direction or further authorisation”;

(b) in subsection (1)(d)(i) and (ii), after “direction”, insert “or further authorisation”;

(c) after subsection (1), insert —

“(1A) If —

(a) information (other than personal data) has been shared by a Singapore public sector agency with a non-public sector person in accordance with a data sharing and use direction;

(b) an individual discloses, or the individual’s conduct causes disclosure of, the information to another person (whether or not a Singapore public sector agency);

- (c) the disclosure is not authorised by the data sharing and use direction or by any further authorisation given pursuant to that direction;
- (d) the individual is an employee or officer of the non-public sector person at the time of the disclosure; and 5
- (e) the individual does so —
 - (i) knowing that the disclosure is not authorised by that data sharing and use direction or further authorisation; 10
or
 - (ii) reckless as to whether the disclosure is authorised by that data sharing and use direction or further authorisation, 15

the individual shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both.”;
- (d) in subsection (2), replace “subsection (1)” with “subsection (1) or (1A)”;
- (e) in subsection (2)(a), delete “under the control of the Singapore public sector agency”;
- (f) in subsections (2)(b) and (6), delete “under the control of a Singapore public sector agency”;
- (g) after subsection (4), insert — 25
 - “(4A) If —
 - (a) information (other than personal data) has been shared by a Singapore public sector agency with a non-public sector person in accordance with a data sharing and use direction; 30
 - (b) an individual makes use of the information;

(c) the use is not authorised by the data sharing and use direction or by any further authorisation given pursuant to that direction;

(d) the individual is an employee or officer of the non-public sector person at the time of the use;

(e) the individual does so —

(i) knowing that the use is not authorised by that data sharing and use direction or further authorisation; or

(ii) reckless as to whether the use is authorised by that data sharing and use direction or further authorisation; and

(f) the individual as a result of that use —

(i) obtains a gain for the individual or another person;

(ii) causes harm to another individual; or

(iii) causes a loss to another person,

the individual shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both.”;

(h) in subsection (5), replace “subsection (3) or (4)” with “subsection (3), (4) or (4A)”;

(i) in subsection (5)(a) and (b), delete “under the control of A”; and

(j) in subsection (7), after the definition of “loss”, insert —

““officer” —

- (a) in relation to a non-public sector person that is a corporation or partnership, means any director, partner, chief executive, manager, secretary or other similar officer of the corporation, and includes —
 - (i) any person purporting to act in any such capacity; and
 - (ii) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation; and
- (b) in relation to a non-public sector person that is an unincorporated association (other than a partnership), means the president, the secretary or any member of the committee of the unincorporated association, and includes —
 - (i) any person holding a position analogous to that of president, secretary or member of the committee of the unincorporated association; and
 - (ii) any person purporting to act in any such capacity;”.

Amendment of section 8

7. In the principal Act, in section 8 — 30

- (a) in subsection (1)(b) and (d)(i) and (ii), replace “data sharing direction” with “data sharing and use direction or further authorisation”; and

- (b) in subsection (4), delete the definition of “anonymised information”.

Related amendments to Personal Data Protection Act 2012

8. In the Personal Data Protection Act 2012, in section 48C —

- (a) in subsection (1), before the definition of “disclose”, insert —

““data sharing and use direction” and “further authorisation” have the meanings given by section 2(1) of the Public Sector (Governance) Act 2018;” and

- (b) after subsection (2), insert —

“(3) For the purposes of this Part, where a public agency (*A*) that is also a Singapore public sector agency shares personal data in its possession or control in accordance with a data sharing and use direction with an organisation or another public agency (*B*) —

(a) *A* does not cease to have possession or control of the personal data merely by reason that *A* shared the personal data with *B*;

(b) any disclosure of the personal data by an individual that is not authorised by the data sharing and use direction or by any further authorisation pursuant to that direction is, for the purposes of section 48D(1)(b) and (c), not authorised by *A* or by *B*;

(c) any use of the personal data by an individual that is not authorised by the data sharing and use direction or by any further authorisation pursuant to that direction is, for the purposes of section 48E(1)(b) and (c), not authorised by *A* or by *B*; and

- (d) if the personal data is or consists of anonymised information — any re-identification of the person to whom the anonymised information relates that is not authorised by the data sharing and use direction or by any further authorisation pursuant to that direction is, for the purposes of section 48F(1)(b) and (c), not authorised by *A* or by *B*.”. 5

Consequential amendment to Copyright Act 2021 10

9. In the Copyright Act 2021, in section 283(2)(b) and (4), replace “data sharing direction” with “data sharing and use direction”.

Consequential amendment to Food Safety and Security Act 2025

10. In the Food Safety and Security Act 2025, in section 35(6), replace “data sharing direction” with “data sharing and use direction”. 15

Consequential amendments to Moneylenders Act 2008

11. In the Moneylenders Act 2008, in section 81A —

- (a) in the section heading, replace “**data sharing direction**” with “**data sharing and use direction**”; 20
- (b) in subsections (1) and (2), replace “data sharing direction” with “data sharing and use direction”; and
- (c) in subsection (3), replace the definitions of “control” and “Singapore public sector agency” and “data sharing direction” with — 25

““control”, “data sharing and use direction” and “Singapore public sector agency” have the meanings given by section 2(1) of the Public Sector (Governance) Act 2018;”. 30

Consequential amendments to Online Safety (Relief and Accountability) Act 2025

12. In the Online Safety (Relief and Accountability) Act 2025, in section 55 —

(a) in subsection (1)(b), replace “data sharing direction” with “data sharing and use direction”; and

(b) replace subsection (4) with —

“(4) In this section, “data sharing and use direction” has the meaning given by section 2(1) of the Public Sector (Governance) Act 2018.”.

Saving and transitional provision

13. For a period of 2 years after the date of commencement of any provision of this Act, the Minister charged with the responsibility for public sector data governance may, by regulations, prescribe any provision of a saving or transitional nature consequent on the enactment of that provision that the Minister may consider necessary or expedient.

EXPLANATORY STATEMENT

This Bill seeks to amend the Public Sector (Governance) Act 2018 (the Act) to provide for directions on the sharing and use of information under the control of Singapore public sector agencies, to make related amendments to the Personal Data Protection Act 2012 (the PDPA), and to make consequential amendments to certain other Acts.

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2(1) of the Act to introduce new definitions and amend certain definitions.

A definition of “anonymised information” is inserted in section 2(1) of the Act. The definition is the same as the existing definition currently situated in section 8(4) of the Act. The definition is used in the new sections 4(5)(d) and (6)(a) and (d) (inserted by clause 3) and 6(1)(d) of the Act (inserted by clause 5). The existing definition of “anonymised information” in section 8(4) of the Act is deleted by clause 7(b).

The definition of “data sharing direction” is replaced with a definition of “data sharing and use direction”. The term has the meaning given by new section 4(5) of the Act (inserted by clause 3), that is, it refers to a direction under section 4(1) of the Act relating to the sharing and use of information under the control of a Singapore public sector agency.

New definitions of “further authorisation” and “non-public sector person” are inserted. These definitions refer to the meanings given by new section 4(5)(b) of the Act (inserted by clause 3). A “non-public sector person” is any person that is not a Singapore public sector agency. The term “further authorisation” is further explained in the explanation relating to clause 3.

The definition of “share”, in relation to information, is amended to exclude the act of being provided with information.

Clause 3 amends section 4 of the Act.

Clause 3(a) and (b) amends the pertinent subject matter mentioned in section 4(3)(e) of the Act to include the use of information under the control of a Singapore public sector agency, and to refer to the sharing of such information generally (instead of sharing with another Singapore public sector agency).

Clause 3(c) inserts new subsections (5) to (8) in section 4 of the Act. New subsection (5) provides that a data sharing and use direction may authorise a Singapore public sector agency to share information under its control with another Singapore public sector agency or with any non-public sector person, to use information under its control, or to re-identify anonymised information under its control.

In particular, under new subsection (5)(b), a data sharing and use direction may authorise a Singapore public sector agency to share information under its control with a non-public sector person with the further authorisation of a Minister.

New subsection (6) provides that a data sharing and use direction must specify —

- (a) the purposes for which the Singapore public sector agency may share or use information, or re-identify anonymised information (as the case may be);
- (b) the information that the Singapore public sector agency may share or use (if applicable);
- (c) the other Singapore public sector agencies or non-public sector persons with whom the Singapore public sector agency may share information (if applicable); and
- (d) the anonymised information that the Singapore public sector agency may re-identify (if applicable).

These matters may be described generally (for example, by describing classes of information or non-public sector persons) or specifically (for example, by naming a particular non-public sector person).

Under new subsection (7), a data sharing and use direction may (but need not) specify the specific Minister or Ministers who may give a further authorisation pursuant to that direction. If it does not so specify, any Minister may give a further authorisation pursuant to that direction.

With a further authorisation, the Singapore public sector agency (to whom the data sharing and use direction and further authorisation are given) is authorised to share information with a non-public sector person to the extent permitted by the direction and further authorisation (under new section 6(1)(b) of the Act inserted by clause 5).

Under new subsection (8), a further authorisation must specify certain matters. These are —

- (a) the specific purposes for which the Singapore public sector agency may share information with a non-public sector person;
- (b) the specific information that the Singapore public sector agency may share with a non-public sector person; and
- (c) the specific non-public sector persons with whom the Singapore public sector agency may share information.

The scope of the specific purposes, information and non-public sector persons must be within the scope of the corresponding purposes, information and non-public sector persons specified in the data sharing and use direction to which the further authorisation relates (as specified in accordance with new subsection (6)).

Clause 4 makes a consequential amendment to the Division heading to Division 2 of Part 2 of the Act.

Clause 5 replaces section 6 of the Act.

New section 6 of the Act relates to the authority conferred by data sharing and use directions to share, use and re-identify information, and is adapted from existing section 6 of the Act. The changes from existing section 6 of the Act are —

- (a) to authorise Singapore public sector agencies and their officers and members to share information with non-public sector persons, to the extent permitted by data sharing and use directions and their related further authorisations;
- (b) to authorise Singapore public sector agencies and their officers and members to use information, to the extent permitted by data sharing and use directions;

- (c) to authorise Singapore public sector agencies and their officers and members to re-identify anonymised information, to the extent permitted by data sharing and use directions;
- (d) to provide that Singapore public sector agencies (other than the agency to which the data sharing and use direction is given) may be provided with information under the control of the agency to which the data sharing and use direction is given; and
- (e) to use the term “legal professional privilege” instead of “legal privilege”, with no intended change in meaning.

Under new section 6(1)(b) of the Act, if a data sharing and use direction authorises a Singapore public sector agency to share information with a non-public sector person, the Singapore public sector agency may only share information with a non-public sector person if it has received the further authorisation of a Minister to do so, and only to the extent permitted by the data sharing and use direction and the further authorisation.

Clause 6 amends section 7 of the Act. Clause 6(c) and (g) inserts new subsections (1A) and (4A), respectively, which provide for offences by employees or officers of non-public sector persons with whom information (other than personal data) has been shared in accordance with a data sharing and use direction.

Under new subsection (1A), it is an offence for such an individual to disclose the information, if the disclosure is not authorised by the data sharing and use direction or a further authorisation given pursuant to the direction, and the individual knows that the disclosure is not authorised or is reckless as to whether the disclosure is authorised.

Under new subsection (4A), it is an offence for such an individual to use the information and, as a result, obtain a gain for himself or herself or for another person, cause harm to another individual, or cause a loss to another person, if the use is not authorised by the data sharing and use direction or a further authorisation given pursuant to the direction, and the individual knows that the use is not authorised or is reckless as to whether the use is authorised.

Clause 6(a) and (b) amends section 7 of the Act to include references to further authorisations. Clause 6(d), (e), (f), (h) and (i) makes other consequential amendments. Clause 6(j) inserts definitions related to new subsections (1A) and (4A).

Clause 7(a) amends section 8(1) of the Act to include references to further authorisations.

Clause 8 makes related amendments to the PDPA. Clause 8(b) inserts a new subsection (3) in section 48C of the PDPA to provide for the treatment of certain factual scenarios where a public agency (as referred to in Part 9B of the PDPA) that is also a Singapore public sector agency (as defined in the Act) shares

personal data (as defined in the PDPA) in its possession or control in accordance with a data sharing and use direction under the Act.

Such a public agency does not cease to have possession or control of the personal data (for the purposes of Part 9B of the PDPA) merely by reason that it shared the personal data. For the purposes of the offences under sections 48D(1), 48E(1) and 48F(1) of the PDPA, the acts of disclosure, use or re-identification in those offences are treated as not authorised by both the public agency and the receiving entity, if they are not authorised by the data sharing and use direction or any further authorisation in respect of that direction.

By way of illustration, consider a public agency (*A*) (as defined in the PDPA) that is also a Singapore public sector agency under the Act. A data sharing and use direction is given to *A* under the Act, authorising *A* to share personal data under its control with non-public sector persons generally. A further authorisation pursuant to the data sharing and use direction is given to *A*, authorising *A* to share personal data under its control with company *B*, a non-public sector person, but only on the condition that *B* and *B*'s employees do not disclose the personal data to any other person. *A* shares personal data under its control with *B*. By the application of new section 48C(3)(a) of the PDPA, *A* does not, by doing so, cease to have control over the personal data.

B's chief executive officer (*C*) then discloses the personal data to *B*'s holding company. The disclosure is not authorised by the further authorisation. By the application of new section 48C(3)(b) of the PDPA, the disclosure is, for the purposes of section 48D(1)(b) and (c) of the PDPA, not authorised by *A* or by *B*.

In this illustration, if *C* knows that the disclosure is not so authorised, *C* is guilty of an offence under section 48D(1) of the PDPA, because *C* disclosed personal data under the control of *A* and *B* to another person, the disclosure was not authorised by *A* or by *B*, and *C* disclosed the personal data knowing that the disclosure was not authorised by *A* or by *B*.

Clauses 9 to 12 make consequential amendments to the Copyright Act 2021, the Food Safety and Security Act 2025, the Moneylenders Act 2008 and the Online Safety (Relief and Accountability) Act 2025 arising from the change of the term “data sharing direction” to “data sharing and use direction”.

Clause 13 empowers the Minister charged with the responsibility for public sector data governance to make regulations to prescribe any provision of a saving or transitional nature consequent on the enactment of any provision of the Bill for a period of 2 years after the date of commencement of the provision.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
