

**Written Representation 121**

Name: Singtel

Received: 6 Mar 2018



**SINGAPORE TELECOMMUNICATIONS LIMITED**

**SUBMISSION TO SELECT COMMITTEE ON DELIBERATE ONLINE FALSEHOODS –  
CAUSES, CONSEQUENCES AND COUNTERMEASURES**

**DATE OF SUBMISSION: 6 MARCH 2018**



## SINGAPORE TELECOMMUNICATIONS LIMITED

### SUBMISSION TO SELECT COMMITTEE ON DELIBERATE ONLINE FALSEHOODS – CAUSES, CONSEQUENCES AND COUNTERMEASURES

#### 1. BACKGROUND AND INTRODUCTION

- 1.1. We welcome the opportunity to provide written representations on the Terms of Reference of the Select Committee on Deliberate Online Falsehoods – Causes, Consequences and Countermeasures
- 1.2. Singapore Telecommunications Limited and its related companies (“**Singtel**”) are licensed to provide info-communications services in Singapore. Singtel is committed to the provision of state-of-the-art info-communications technologies and services in Singapore and the responsible use of digital technology.
- 1.3. Singtel’s views are as follows:
  - (a) as one of Singapore’s leading digital technology companies, we share the Government’s concern over the spread of deliberate falsehoods online;
  - (b) we agree that further discussion is required on the scope and definition of Deliberate Online Falsehood.
- 1.4. We make our comments in our various capacities below:
  - (a) as a “Victim” of Deliberate Online Falsehoods;
  - (b) as an Internet Service Provider (**ISP**) and telecommunication provider (**telco**) who provides the underlying carriage or access services;
  - (c) as a Digital Platform Service Provider of news and advertisements etc; and
  - (d) as a Provider on other platforms.

## **2. NEED TO SCOPE THE TYPES OF ONLINE FALSEHOODS AND SUBSEQUENT ABUSES**

- 2.1 The Green Paper describes Deliberate Online Falsehoods as information that “undermines confidence in public institutions, causes public health scares, provokes violence, destabilises countries, creates discord and division and is used as tools for foreign interference”. These appear to describe serious abuses at a national security level.
- 2.2 Singtel in its capacity as a potential “victim” of Deliberate Online Falsehood submits that it has in the past been the subject of commercial scams where rogue organisations promote “get rich quick” online communications using the Singtel name and brand, or post misleading information relating to a Singtel service, enticing users to provide personal information or deposit cash or access to cash. Significant reputational damage may be suffered as a result of the viral effect of such falsehoods. Singtel therefore submits that the Select Committee consider extending the scope and definition of Deliberate Online Falsehoods so that it enables commercial enterprises like Singtel to utilise it as quicker means to address such abuse.

## **3. NETWORK SERVICE PROVIDERS AND TELCOS**

- 3.1. Network Service Providers (**NSPs**) like ISPs and telcos are not responsible for third party material that is disseminated through their network under S26 of the Electronic Transactions Act. Such Safe Harbour protections are necessary for the proper and efficient functioning of an ISP given that we essentially transport internet traffic in a non-discriminatory manner.
- 3.2. Current legislation further embodies this underlying “dumb pipe” role of an NSP. For example, (i) the Telecommunications Act prohibits a public telecommunication licensee from familiarising itself with the content of a message, (ii) a mobile telecommunication provider is expected to deliver the data transfer or an email or SMS efficiently and at the required standards put in place by the IMDA. Our role is not to play “judge and jury” or to familiarise ourselves with the content being sent, especially in light of the heightened privacy and security laws and the push to encrypt content.
- 3.3. NSPs are however still required to comply with written laws or court orders to remove, block or deny access to certain material under S26(2) of the Electronics Transaction Act. For example, under S6 & 9 of the Broadcast Act and the Broadcast (Class Licence) and the Internet Code of Practice, IMDA may order take downs or demand assistance in investigations regarding certain prohibited material, i.e. material that is objectionable on grounds of public interest, morality, security, national harmony or other Singapore laws. In addition, the Remote Gambling Act also requires NSPs to block certain online gambling sites as provided by the Government.



3.4. Singtel submits that the Government already has wide powers against licensees like Singtel to order take downs and block access to Deliberate Online Falsehoods. Similar powers may not exist against unlicensed and foreign platform owners such as Facebook, Google and Twitter. Therefore, totally new laws may not be necessary against existing licensed NSPs. However, an extension of such similar Governmental and/or court powers may be necessary against unlicensed or foreign digital platform owners such as Facebook, Twitter and Google.

#### **4. DIGITAL PLATFORMS AKIN TO FACEBOOK AND TWITTER**

4.1. Singtel also operates certain digital platforms such as NewsLoop where we aggregate and distribute third party content to subscribers.

4.2. As a digital platform, Singtel already follows strict guidelines when we onboard any new local content provider and has developed a manual content management system to preview all national news articles for accuracy before approving them for publication on the mobile application. These internal processes, in addition to compliance with the general laws, by and large safeguards our platform against the scourge of fake news.

4.3. Singtel's digital platforms are generally much smaller in subscriber size compared to platforms such as Facebook and Twitter.

4.4. Singtel submits that as a responsible digital platform player it already has internal processes to protect against the abuses of Deliberate Online Falsehoods. In addition, we submit that if any new laws similar to the German Network Enforcement Act is to be implemented in Singapore, that it should apply to all digital platform owners.

#### **5. OTHER CONTENT PLATFORMS**

5.1. Singtel's other platforms include our television broadcast services. The prevailing regulatory guidelines for news, content on our broadcast services are largely those put in place by the Information Communications Development Authority of Singapore ("IMDA") in the form of the Subscription Television Programme Code and the Niche Programme Code, the Television Advertising Code and the Sponsorship Code.

- 5.2. We also vet all purchases of advertising inventory on our platforms to ensure that the content does not appear misleading and complies with the TV Advertisement and Sponsorship Codes set by the IMDA as well as the Singapore Code of Advertising Practice set by the Advertising Standards Authority of Singapore (“ASAS”). Where there are areas of doubt, the advertiser is required to make changes and /or to enquire with the regulatory agencies to ensure that their advertisements do not breach local laws and regulations. Our platforms also allow us to block advertisements and /or remove advertisements should we find areas of concern.
- 5.3. However, the key consideration in these guidelines is to prevent the broadcast of content that could be harmful to national interests and /or breach social or cultural norms.
- 5.4. For such parties to respond effectively, clear guidelines, including definitions need to be drawn up and there should also correspondingly be some form of safe harbour or immunity granted to these providers. Where they are required to put in place blocks, remove content or to deny services, these parties should be ready to execute as long as the requests are made in a legal manner. Further discussion is then needed as to which agency should issue the orders or requests.

## **6. COSTS**

- 5.1 Singtel submits that any costs to address the abuses of Deliberate Online Falsehoods are to be borne by the enforcer of such rights. For example if public authorities or commercial enterprises require Singtel to block or investigate certain online falsehoods, then such authorities or commercial enterprises should reasonably bear Singtel’s costs involved in effecting such orders.

## **7. CONSOLIDATION OF REQUIREMENTS**

- 7.1. It may be useful for the Select Committee to review the need for various sets of guidelines or legislation in place and consolidate these. We note that, for example, the television programming guidelines deny the broadcasters the ability to carry political advertising whilst the Political Donations Act places restrictions or prohibitions on political associations and candidates from accepting donations except from permissible donors. The Guidelines for Interactive Marketing Communication & Social Media by the ASAS requires clear identification of sponsors of online advertisements etc.
- 7.2. Organisations may risk overlooking guidelines simply because the requirements are spread out across various agencies. Concentrating them in one agency and in one overarching set of guidelines will help to mitigate this risk.



## **8. PUBLIC EDUCATION**

- 8.1. In addition to the above, there is also a need for the Government to engage in public education on the harms of falsehoods and more importantly, how to evaluate news and content sensibly in order to assess whether a piece of content or news is accurate, balanced or whether it's disingenuous in nature. Given the vast amounts of information generated online and the reliance on digital technology and the internet, relying on intermediaries like platform providers, ISPs to act as vanguards would not be completely effective.