

Internet Industry Guidelines

Introduction

1. The Media Development Authority (MDA) aims to make Singapore a global media city by creating a vibrant environment for the industry to flourish and the public to enjoy.
2. This document explains the main features of MDA's Internet regulatory policies and seeks to provide further clarification on issues of relevance to the industry.

Key Principles

3. These are the key principles underlying MDA's Internet policy:
 - a. MDA fully supports the development of the Internet. The Internet is an important communication medium as well as a rich source of information, education and entertainment.
 - b. Our framework for the Internet emphasizes public education, industry self-regulation, and minimum regulation through a transparent licensing framework which reflects our community values.
 - c. MDA's purview only covers the provision of material to the public. It does not cover what individuals receive, whether in the privacy of their own homes or at their workplace. Corporate Internet access for business use is also outside the scope of our regulations, as is private communication e.g. electronic mail and Internet Relay Chat (IRC).
 - d. MDA's emphasis is on issues of concern to Singapore. For example, in the case of racial and religious material, our purview covers only materials which may incite racial or religious hatred among the races in Singapore.
 - e. One of MDA's main concerns is the ease of access to pornography on the Internet, especially by children and minors. Our regulatory focus is on mass impact websites that distribute pornography.
 - f. MDA takes a light-touch approach in regulating services on the Internet. For example, licensees found to be in breach of regulations

will be given a chance to rectify the breach before the Authority takes action.

- g. We believe in open channels of communication with the public and the industry. The Internet framework was developed in consultation with the industry. In view of the rapidly evolving nature of the Internet, we urge the industry and the public to continue to provide feedback so that our framework can be fine-tuned to reflect both technological advances and society's concerns.

The Class Licence Framework

4. MDA's regulatory framework for the Internet is embodied in the Broadcasting (Class Licence) Notification 1996.
5. The Class Licence contains the regulatory requirements for both Internet Service Providers and Internet Content Providers. It is an automatic licensing framework and there is no need to obtain prior approval from MDA.

Class Licensees & Registration

6. Internet Service Providers and Internet Content Providers are licenced under the Class Licence.
7. Internet Service Providers ("ISPs") include Internet Access Service Providers (IASPs) who function as main "gateways" to the Internet, and Internet Service Resellers who obtain Internet access from the IASPs and resell such access to the public. At present, the main local IASPs are SingNet, Pacific Internet and Starhub Internet. Internet Service Resellers include schools, public libraries, cybercafes and service providers such as the Singapore Network Services Pte Ltd and National Computer Services Pte Ltd. ISPs need to register with MDA, except for Internet Service Resellers providing Internet access to the public on a temporary basis or for purposes of demonstration.
8. Internet Content Providers ("ICPs") are information providers on the World Wide Web. They include web authors and editors, web publishers and web server administrators.

9. Content Providers do not need to register with MDA, unless their web pages are primarily set up to promote political or religious causes. Registration entails giving particulars about the website. Registration does not mean the promotion of political or religious causes is not allowed. It merely serves to emphasize the need for the content providers to be responsible in what they say. This is important, given the multi-racial, multi-religious nature of our society.
10. Individuals who put up personal web pages are exempted from the Class Licence, unless they are putting these web pages for business, or to promote political or religious causes.
11. Providers of raw financial information and news wire services are also exempted. More information on exempted services can be found here.
12. Software developers do not come under the Class Licence as they are not Internet Content Providers.
13. Web pages operated by companies are covered under the Class Licence and need to comply with the Internet Code of Practice. However, companies providing Internet access for their employees' use are not subject to the Class Licence. It is for these companies to decide the acceptable level of Internet usage by their employees. Internet content sent in to Singapore solely for processing and development is also excluded from the Class Licence.

The Internet Code Of Practice

14. The Internet Code of Practice seeks to identify what our community regards as offensive, namely, pornography, as well as violence and materials which may undermine Singapore's racial and religious harmony. It also spells out the obligations of ISPs and Content Providers.
15. The Code gives broad markers because it is impossible to define every instance of offensive material. The context in which any allegedly offensive material is found will be taken into consideration. Factors such as whether the offensive material is incidental or presented in good faith, or used for educational, artistic, scientific or medical purposes, will be

taken into consideration.

Obligations of Internet Service Providers [CIs 3(1) and 3(2) of Code]

16. ISPs are required to limit access to some high-impact websites, as identified by MDA. ISPs are encouraged to take their own initiative against offensive content through their own Acceptable Use Policies. They are not required to monitor the Internet or their users' Internet activities.

Newsgroups

17. ISPs are free to decide which newsgroups to subscribe to based on their business policy and the Code. We do not require ISPs to monitor or remove postings, nor does MDA monitor postings in newsgroups.
18. In exercising judgement over which newsgroups to subscribe to, we require ISPs to make an initial assessment as to the likelihood of a newsgroup being a conduit for prohibited material. If any subscribed newsgroups is subsequently found to contain a significant amount of prohibited material, we encourage ISPs to exercise judgement on whether to unsubscribe to the newsgroup. MDA may also direct ISPs to unsubscribe to particular newsgroups which contain prohibited material.

Obligations of Internet Content Providers [CIs 3(3) - 3(5) of Code]

19. Internet Content Providers (ICP), particularly web authors, should observe the Internet Code of Practice. There is no need to seek MDA's prior approval for content posted on the Net. ICPs should exercise judgement according to the definitions of what constitute prohibited material. Licensees who are not sure if specific content would be considered prohibited may check with MDA.
20. Web publishers and server administrators are not required to monitor the Internet or pre-censor content. They are only required to deny access to prohibited materials when directed by MDA. The primary responsibility for the content remains with the author and not the publisher or server administrator.
21. Internet Content Providers who are not targeting Singapore as their

principal market will not be subject to Singapore's standards unless they are primarily in the business of distributing pornography. For example, movie sites which are hosted in Singapore can promote and carry movie clips, even those which do not meet Singapore's standards.

Discussions on Websites

22. For discussions where postings are available on websites for the public to access, eg bulletin board discussions, the website owner should exercise editorial judgment and be mindful of the Code when determining what postings to display. MDA's focus is on discussions targeted at the general public. Business or professional closed user-groups which conduct professional discussions on websites will not be regulated.
23. For chat groups on websites, Internet Content Providers should choose discussion themes according to the Code when hosting such facilities. They are not required to monitor or censor discussions held. However in the spirit of self-regulation, they are encouraged to take discretionary action against the abusers of these chat channels.

Mirror Sites and Hyperlinks

24. MDA strongly encourages the mirroring of foreign sites in Singapore to enhance access speeds for users in Singapore and in the region. Internet Content Providers should make an initial assessment of whether a site contains prohibited material, in determining which sites or hyperlink to. We will not hold Content Providers responsible for mirror sites or hyperlinks which are subsequently found to contain prohibited material, but we encourage them to remove such links after their attention is drawn to them.

Search Engines

25. Broad-based search services, such as Yahoo! and Alta Vista, which base or mirror their sites in Singapore do not need to pre-censor their sites. Users will have full access to these sites.

Push Services

26. We strongly support and encourage the development of services using

push technologies in Singapore. Legitimate businesses have no cause for concern. The regulations serve to safeguard against those whose primary intention is to distribute pornography.