

Technology, Media & Telecommunications

Online Criminal Harms Bill Introduced to Enable Swifter Action Against Online Criminal Activities

On 8 May 2023, the Online Criminal Harms Bill ("**Bill**") was introduced for First Reading in Parliament. To better protect the Singapore public from various online harms, the Bill seeks to tackle online content which is criminal in nature or used to facilitate or abet crimes. The Bill also introduces levers that enable the authorities to deal more swiftly with online criminal activities and proactively disrupt scams and malicious cyber activities.

Specified Criminal Offences

The Bill, if passed, will enable the Government to take swifter action against criminal activities undertaken online by issuing directions to any online service through which criminal activities could be conducted ("**Government Directions**"). This will be applicable to the criminal offences specified in the First Schedule of the Bill, which includes criminal offences that affect national security, national harmony, and individual safety.

Government Directions may be issued when there is reasonable suspicion that an online activity is being undertaken to commit a crime. Depending on the facts of the case (i.e., the content and recipient), the following Government Directions may be issued:

- (a) **Stop Communication Direction.** Requires the recipient of the Government Direction to stop communicating specified online content to the Singapore public.
- (b) **Disabling Direction.** Requires the online service providers to disable the specified content on their **service** from the view of the Singapore public.
- (c) **Account Restriction Direction.** Requires the online service providers to stop an account on their service from communicating in Singapore and/or interacting with the Singapore public.
- (d) **Access Blocking Direction.** Requires the internet service providers to block access to an online location such as a web domain from the Singapore public.
- (e) **App Removal Direction.** Requires app stores to remove an app from its Singapore storefront to stop further downloads of the app by the Singapore public.

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An illustration of the operation of the Government Directions can be found in [Annex B](#) of the Ministry of Home Affairs ("MHA") press release relating to the Bill.

Scams and Malicious Cyber Activities

To counter the scale and speed achievable by criminal actors operating online, the Bill provides for a proactive approach by:

- (a) **Lowering the threshold for taking action in relation to scams or malicious cyber activities.** The Bill will allow for Government Directions to be issued when it is suspected that any website, online account or online activity may be used for scams or malicious cyber activities. This enables the Government to disrupt scams or malicious cyber activities before members of the Singapore public fall victim to them.
- (b) **Creating a framework to strengthen the partnership between the authorities and online services to counter scams and malicious cyber activities.** Under the framework, the Government may require designated online services to proactively disrupt scams and malicious cyber activities affecting the Singapore public.

Codes of Practice and Directives

The proposed framework will be set out in the form of Codes of Practice, which will be issued by a competent authority responsible for administering the Online Criminal Harms Act 2023 when it comes into effect. The Codes of Practice may require the designated online services to have measures, processes and systems in place that will:

- (a) enable collaboration and partnership with the Government to proactively deal with scams and malicious cyber activities;
- (b) prevent scams and malicious cyber activities on the online services; and
- (c) support the Government's enforcement actions against such crimes.

Where risk of scams or malicious cyber activities persists on the designated online service, the competent authority may issue a directive to the designated online service to implement specific measures to reduce those risks.

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Appeals

A recipient of a Government Direction and originators of the online activity affected by the Government Direction may appeal to a Reviewing Tribunal to vary or cancel the Government Direction. Designated online services can appeal to the MHA against decisions by the competent authority relating to the Codes of Practice and directives.

Click on the following links for more information:

- [Online Criminal Harms Bill 2023](http://www.sso.agc.gov.sg) (available on Singapore Statutes Online at www.sso.agc.gov.sg)
- [MHA Press Release titled "Introduction of the Online Criminal Harms Bill"](http://www.mha.gov.sg) (available on the MHA website at www.mha.gov.sg)

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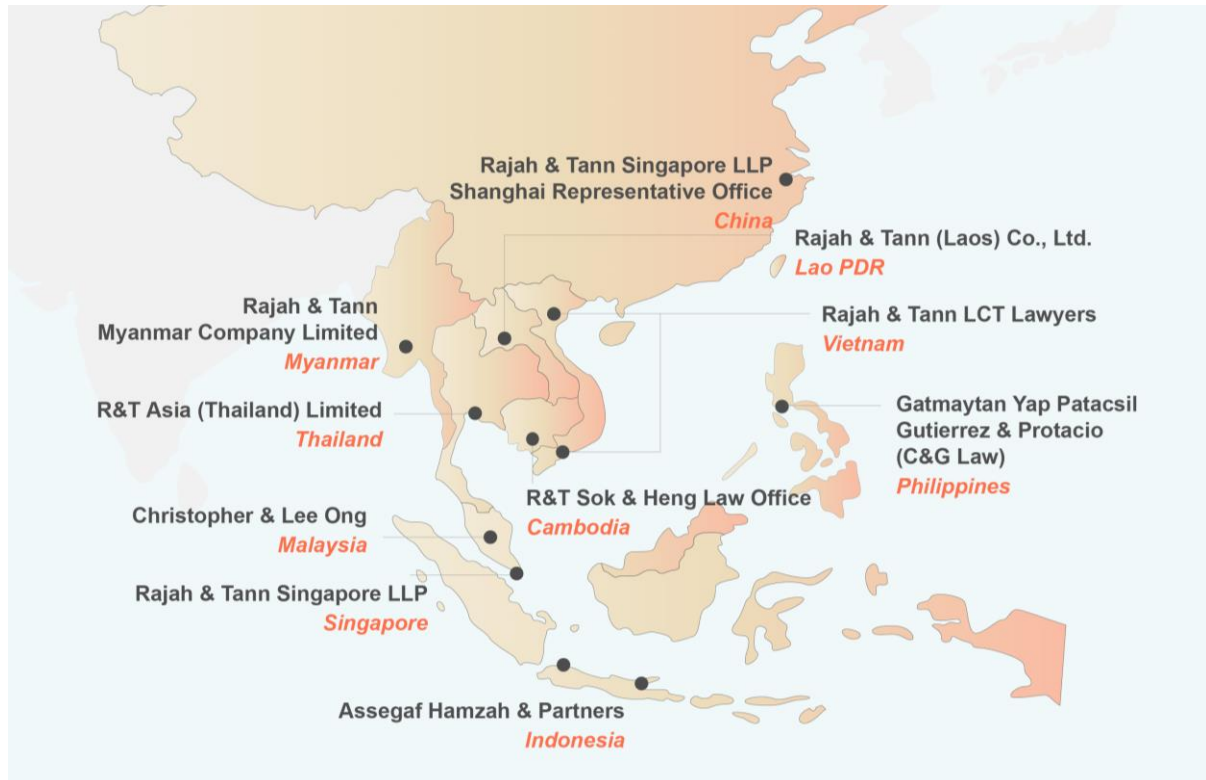
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