

Broadcasting (Class Licence) Notification

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BROADCASTING ACT (CHAPTER 28, SECTION 9)

BROADCASTING (CLASS LICENCE) NOTIFICATION

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G.N. No. S 306/1996

REVISED EDITION 2004

(29th February 2004)

[15th July 1996]

Citation

1. This Notification may be cited as the Broadcasting (Class Licence) Notification.

Definitions

2. For the purposes of this Notification —

“Internet Content Provider” means —

- (a) any individual in Singapore who provides any programme, for business, political or religious purposes, on the World Wide Web through the Internet; or
- (b) any corporation or group of individuals (including any association, business, club, company, society, organisation or partnership, whether registrable or incorporated under the laws of Singapore or not) who provides any programme on the World Wide Web through the Internet,

and includes any web publisher and any web server administrator;

“Internet Service Provider” means any of the following persons:

- (a) an Internet Access Service Provider licensed under section 5 of the Telecommunications Act (Cap. 323);
- (b) a Localised Internet Service Reseller; or
- (c) a Non-localised Internet Service Reseller;

“Localised Internet Service Reseller” means a person —

- (a) who obtains Internet access from an Internet Access Service Provider or from a Non-localised Internet Service Reseller;
- (b) who provides Internet services obtained from the Internet Access Service Provider, or the Non-localised Internet Service Reseller, to all or part of the public; and
- (c) whose Internet services are available for reception only within a single building, dwelling-house, hospital, educational institution, residential, commercial or industrial complex, or any other single temporary or permanent structure,

but does not include a person who provides Internet services to that person’s own employees for use solely within that person’s firm or corporation;

“Non-localised Internet Service Reseller” means a person who —

- (a) obtains Internet access from an Internet Access Service Provider; and
- (b) provides Internet services obtained from the Internet Access Service Provider to all or part of the public by leased telecommunication lines, integrated services digital networks, modems or by any other wired or wireless means,

but does not include a person who provides Internet services to that person's own employees for use solely within that person's firm or corporation;

“VAN computer on-line service” means a computer on-line service that is licensed as a Value Added Network service under section 5 of the Telecommunications Act.

Licensable broadcasting services subject to class licence

3. The provision of the following licensable broadcasting services are subject to a class licence, except a computer on-line service provided on or after such date as the Authority specifies in a notice given to the provider of the service under paragraph 3A:

- (a) audiotext services;
- (b) videotext services;
- (c) teletext services;
- (d) broadcast data services;
- (e) VAN computer on-line services; and
- (f) computer on-line services that are provided by Internet Content Providers and Internet Service Providers.

[S 330/2013 wef 01/06/2013]

Exclusion from class licence

3A.—(1) A notice may be given by the Authority to any person who provides a computer on-line service in or from Singapore, whether for payment or free, and whether at regular intervals or otherwise —

- (a) that is accessed from at least 50,000 different Internet protocol addresses in Singapore per month on average, over any period of 2 consecutive months; and
- (b) that contains at least one Singapore news programme per week on average, over the same period of 2 consecutive months referred to in subparagraph (a),

and that notice shall not cease to have effect by reason only that the computer on-line service concerned ceases subsequently to satisfy sub-paragraph (a) or (b) during the validity of any broadcasting licence under section 8 of the Act relating to that service.

(2) For the purposes of reckoning access and content under sub-paragraph (1)(a) and (b) —

- (a) where a computer on-line service is provided by a web site with a domain and one or more sub-domains, all sub-domains shall be regarded as part of the domain of the web site; and
- (b) where a computer on-line service is provided by a web site in or from Singapore (referred to in this sub-paragraph as the original web site) which is duplicated on or transferred to one or more other web sites in or from Singapore (referred to in this sub-paragraph as the mirrored web site), all mirrored web sites shall be regarded as part of the original web site.

(3) In this paragraph, “Singapore news programme” means any programme (whether or not the programme is presenter-based and whether or not the programme is provided by a third party) containing any news, intelligence, report of occurrence, or any matter of public interest, about any social, economic, political, cultural, artistic, sporting, scientific or any other aspect of Singapore in any language (whether paid or free and whether at regular intervals or otherwise) but does not include any programme produced by or on behalf of the Government.

(4) This Notification also does not apply to or in relation to a person who is a class licensee by virtue of the Broadcasting (Class Licence — Broadcasting to Digital Display Panels) Notification 2020 (G.N. No. S 477/2020).

*[S 478/2020 wef 22/06/2020]
[S 330/2013 wef 01/06/2013]*

Conditions of class licence

4. The conditions of the class licence referred to in paragraph 3 are set out in the Schedule.

Application of conditions

5. The conditions of the class licence set out in the Schedule apply to the provision of any licensable broadcasting service that is subject to a class licence where the service is available or continues to be provided after 15th July 1996 notwithstanding that the service was available or first provided before 15th July 1996.

THE SCHEDULE

CONDITIONS OF CLASS LICENCE

1. In this Schedule —

“licensee” means a person who provides a licensable broadcasting service that is subject to a class licence under section 9 of the Act;

“newspaper” means any publication containing

- (a) news;
- (b) intelligence;
- (c) reports of occurrences;
- (d) remarks;
- (e) observations; or
- (f) comments,

and published in any form, for sale or free distribution, at regular intervals or otherwise, but does not include any publication published by or for the Government.

“service” means a licensable broadcasting service that is subject to a class licence under section 9 of the Act.

2.—(1) An Internet Service Provider shall —

- (a) register with the Authority within 14 days of providing the service;
- (b) faithfully and truthfully furnish such information and such undertakings, as the Authority may require in connection with the provision of the Internet Service Provider’s service; and
- (c) pay the following licence fees:
 - (i) for the provision of a computer on-line service by an Internet Access Service Provider, \$1,000 per annum;
 - (ii) for the provision of a computer on-line service by a Non-localised Internet Service Reseller —
 - (A) where the service is provided to 500 user-accounts or more, \$1,000 per annum; and
 - (B) where the service is provided to less than 500 user- accounts, \$100 per annum; and
 - (iii) for the provision of a computer on-line service by a Localised Internet Service Reseller, \$100 per annum for each premise at which the computer on-line services are provided.

(2) Sub-paragraph (1) does not apply to a Localised Internet Service Reseller who, in the opinion of the Authority, provides Internet services —