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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 7 May 2019 and assented to by the President on 3 June 2019:—

REPUBLIC OF SINGAPORE

No. 17 of 2019.

I assent.

HALIMAH YACOB,

President.

3 June 2019.



An Act to amend the Protection from Harassment Act (Chapter 256A of the 2015 Revised Edition) and to make related 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 Protection from Harassment (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of long title

2. The long title to the Protection from Harassment Act (called in this Act the principal Act) is amended by deleting the words “to create offences, and provide civil remedies related thereto or in relation to false statements of fact” and substituting the words “false statements of fact, and to provide for the establishment of the Protection from Harassment Court”.

Amendment of section 2

3.—(1) Section 2 of the principal Act is amended —

(a) by deleting the definition of “communication” and substituting the following definitions:

““author”, in relation to a statement of fact, means the originator of the statement;

“communication” means any words, image (moving or otherwise), message, expression, symbol or other representation that can be seen, heard or otherwise perceived by any person, or any combination of these;

“computing resource service” means a service that provides processing capability or storage capacity through the use of any computer hardware or software;

“correction order” means an order made under section 15B;

“court”, for the purposes of sections 12 and 13, means a District Court;

“electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities;

“entity” means any company or association or body of persons (whether corporate or unincorporate), but excludes any public agency;

“identity information” means any information that, whether on its own or with other information, identifies or purports to identify an individual, including (but not limited to) any of the following:

(a) the individual’s name, residential address, email address, telephone number, date of birth, national registration identity card number, passport number, signature (whether handwritten or electronic) or password;

(b) any photograph or video recording of the individual;

(c) any information about the individual’s family, employment or education;

“interim notification order” means an order made under section 16B;

“interim stop publication order” means an order made under section 16A;

“internet intermediary” means a person who provides any internet intermediary service;

“internet intermediary service” means —

(a) a service that allows end-users to access materials originating from third parties, using the internet;

(b) a service of transmitting materials to end-users on or through the internet; or

(c) a service of displaying, to an end-user who uses the service to make an online search, an index of search results, each of which links that end-user to content hosted or stored at a location which is separate from the location of the index of search results,

but excludes any act done for the purpose of or that is incidental to the provision of —

(d) a service of giving the public access to the internet; or

(e) a computing resource service;

Examples

Examples of internet intermediary services are —

(a) social networking services;

(b) search engine services;

(c) content aggregation services;

(d) internet-based messaging services; and

(e) video-sharing services.”;

(b) by inserting, immediately after the definition of “offending communication”, the following definitions:

““online location” means any internet website, webpage, chatroom or forum, or any other thing that is hosted on a computer (within the meaning of the Computer Misuse Act (Cap. 50A)) and can be seen, heard or otherwise perceived by means of the internet;

“Part 3 proceedings” means civil proceedings for claims and orders under Part 3;

“public agency” has the meaning given by section 128A(6) of the Evidence Act (Cap. 97);”;

- (c) by deleting the words “any section” in the definition of “publish” and substituting the words “a member”;
- (d) by deleting the definition of “respondent” and substituting the following definitions:

““related person”, in relation to a person, means another person about whose safety or well-being the firstmentioned person would reasonably be expected to be seriously concerned;

“relevant party”, in relation to an order, means an individual or entity against which the order is made;

“shared residence”, in relation to the victim and the respondent who are the subjects of a protection order, means the premises at which the victim and the respondent are, or have been, living together as members of the same household;

“statement” means any words (including abbreviations and initials), numbers, image (moving or otherwise), sounds, symbols or other representation, or a combination of any of these;

“stop publication order” means an order made under section 15A;

“stop publishing”, in relation to a communication, means taking the reasonable steps to ensure that the communication is not made available in any form such that the communication is or can be seen, heard or otherwise perceived by the public in