



# **THE STATUTES OF THE REPUBLIC OF SINGAPORE**

## **ELECTRONIC TRANSACTIONS ACT**

### **(CHAPTER 88)**

**(Original Enactment: Act 16 of 2010)**

**REVISED EDITION 2011**

**(31st December 2011)**

*Prepared and Published by*

THE LAW REVISION COMMISSION  
UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

2011



# Electronic Transactions Act

## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

##### Section

1. Short title
2. Interpretation
3. Purposes and construction
4. Excluded matters
5. Party autonomy

### PART II

#### ELECTRONIC RECORDS, SIGNATURES AND CONTRACTS

6. Legal recognition of electronic records
7. Requirement for writing
8. Requirement for signature
9. Retention of electronic records
10. Provision of originals
11. Formation and validity of contracts
12. Effectiveness between parties
13. Time and place of despatch and receipt
14. Invitation to make offer
15. Use of automated message systems for contract formation
16. Error in electronic communications

### PART III

#### SECURE ELECTRONIC RECORDS AND SIGNATURES

17. Secure electronic record
18. Secure electronic signature
19. Presumptions relating to secure electronic records and signatures

**PART IV****REGULATION OF SPECIFIED SECURITY PROCEDURES AND SPECIFIED  
SECURITY PROCEDURE PROVIDERS****Section**

- 20. Interpretation of this Part
- 21. Specified security procedures
- 22. Regulation of specified security procedures and specified security procedure providers
- 23. Controller may give directions for compliance
- 24. Power to investigate

**PART V****USE OF ELECTRONIC RECORDS  
AND SIGNATURES BY PUBLIC AGENCIES**

- 25. Acceptance of electronic filing and issue of documents

**PART VI****LIABILITY OF NETWORK SERVICE PROVIDERS**

- 26. Liability of network service providers

**PART VII****GENERAL**

- 27. Appointment of Controller and other officers
  - 28. Obligation of confidentiality
  - 29. Access to computers and data
  - 30. Production of documents, etc.
  - 31. Obstruction of Controller or authorised officer
  - 32. Offences by bodies corporate, etc.
  - 33. General penalties
  - 34. Consent of Public Prosecutor
  - 35. Jurisdiction of court
  - 36. Composition of offences
  - 37. Power to exempt
  - 38. Regulations
  - 39. Transitional provisions
- First Schedule    — Matters excluded by section 4
- Second Schedule — Specified security procedures
- Third Schedule   — Digital signatures

## Section

Fourth Schedule — Designated persons

---

An Act to provide for the security and use of electronic transactions, to implement the United Nations Convention on the Use of Electronic Communications in International Contracts adopted by the General Assembly of the United Nations on 23rd November 2005 and to provide for matters connected therewith.

[1st July 2010]

## PART I

## PRELIMINARY

**Short title**

1. This Act may be cited as the Electronic Transactions Act.

**Interpretation**

- 2.—(1) In this Act, unless the context otherwise requires —

“addressee”, in relation to an electronic communication, means a party who is intended by the originator to receive the electronic communication, but does not include a party acting as an intermediary with respect to that electronic communication;

“authorised officer”, in relation to the exercise of any power or performance of any duty under this Act, means a person to whom the exercise of that power or performance of that duty has been delegated under section 27;

“automated message system” means a computer program or an electronic or other automated means used to initiate an action or respond to data messages or performances in whole or in part, without review or intervention by a natural person each time an action is initiated or a response is generated by the program or electronic or other means;

“communication” includes any statement, declaration, demand, notice, request, offer or the acceptance of an offer, that the