

Media Laws & Regulations In Singapore

By

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MEDIA LAWS & REGULATIONS IN SINGAPORE

Introduction:

Singapore is a young nation, 620.2 square kilometers in area, had a population of 2.5 million in June 1984, with 76.5% of Chinese, 14.8% of Malays, 6.4% of Indians and 2.3% of others (Europeans, Eurasians, Japanese and Arabs).

People below 21 years of age formed 36.7% of the population, while those above 55 years comprised 11%. The general literacy rate was 85.6% and the sex ratio 1,039 males per thousand females.

The people of Singapore enjoy a high degree of access to newspapers, news magazines and radio and television programmes not only locally but also from all parts of the world. This is due to the advantages it has offered: globally, it is part of the international network of satellite and cable communications; regionally, it is centrally located with excellent air links to the whole of east and Southeast Asia; Nationally, its postal and telecommunication systems are efficient and reliable and provide a wide and up-to-date range of services.

The Mass Media Industry in Singapore:

Newspaper

At the start of 1984, there were 11 daily newspapers in Singapore. During the year, Min Pao Daily, a Chinese evening daily, ceased publication. The final list of newspapers at the end of 1984 was: three in English; three in Chinese; one in Malay; one in Tamil; one in Malayalam. A Punjabi Weekly, Navjiwan, serves the Sikh community.

The total daily newspaper circulation (not including Sunday papers) increased from 587,600 in 1979 to 630,638 copies in 1984, giving a circulation rate of 249 papers per 1,000 people. The English newspapers enjoy the largest daily circulation followed by the Chinese and Malay newspapers. About 60% of newspaper readers are under 30 years of age. There has been a significant rise in the literacy rate over the past decades due to the vast improvements in educational opportunities and this has led to a dominance of younger readers. The growing readership of English newspapers is because more and more parents are choosing to send their children to schools with English as the primary language of instruction.

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Radio & Television

The Singapore Broadcasting Corporation (SBC) was established on 1 February 1980. It took over the function of the Department of Broadcasting and the Radio and Television Licensing Section of the Inland Revenue Department.

SBC Radio broadcasts in 5 channels - one for each official language and the fifth, a bilingual service in English/Mandarin on FM stereo. Of the other four services, the English and Chinese services on the FM band have been fully put on stereo with effect from 1 January 1982. The number of hours devoted to stereo programmes on the FM band of the Malay and Tamil services are being increased in phases. In all, 92.5 hours of programmes are transmitted daily, i.e. of a total of 646 hours weekly compared with 504 hours in 1979. They are aimed at meeting the needs and interests of listeners of different age groups. Improvement in recent years have been increased listenership which averaged 861,500 adults (15 years and above) per day in 1984.

TV programmes are transmitted on the three channels. Channel 5 & 8 carry programmes in the four official languages. Their average weekly transmission is 115.4 hours. Approximately 40% of total output on the 2 channels is produced locally. A third TV channel, Channel 12, was introduced on 31/1/1984, two to two and a half hours of cultural, international and educational programmes are televised daily from 8 pm. SBC Text, introduced in August 1983, provides viewers with the teletext information service air daily from 6.00 am to 11.00 pm on Channel 5 and from 6.00 am to midnight on Channel 8.

In Singapore, a licence is required to operate radio sets at any premises, or in a vehicle. At the end of 1984, a total of 111,009 radio licences and 474,877 radio and television licences were issued where as in 1979, the number of TV and radio licences issued was 58,912 and 371,692 respectively. The combined figure of 585,886 suggests a ratio of 231 licences per 1,000 population, an impressive increase from the figure of 430,604 (182 licences per 1,000) in 1979.

Rediffusion (Singapore) Pte Ltd has been operating a commercial audio cable broadcasting system throughout Singapore under government franchise since 1949. The Gold Network broadcasts 18 hours of Mandarin programmes and the Silver Network 24 hours of English Programmes daily to some 82,000 subscribers, a decline compared with 100,487 in 1979.

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Film and Cinema

In 1984, There were 51 cinemas in Singapore where there were 74 in 1979. The total seating capacity was estimated to be 57,000, or about 21 per 1,000 people compared with 69,000 seats with 29 per 1,000 people in 1979. Cinema operators have continued to face stiff competition from both the TV and video, the patronage of cinemas has declined from 46,054,000 in 1979 to 27,388,000 in 1984.

Video cassette recorder ownership has increased tremendously in recent years, as more people use the video cassette as a source of entertainment and recreation. It is estimated that there are more than 150,000 owners of video recorders in Singapore. Relative to its small population, Singapore is one of the biggest buyers of video recorders in the world. With the increase in popularity of the video, video tape dealers mushroomed to cash in on the booming business.

Board of Film Censors

The Board of Film Censors is responsible for vetting and clearing films, both celluloid and cartridge, video tapes and video discs for exhibition. It is responsible for the licensing of video tape dealers. In 1984, the Board cleared 158,219 entertainment tapes (originals and duplicates), 23,230 industrial, training and promotional tapes, 3,100 cinematic films, 537 industrial, training and promotional films and 1,462 video discs (originals and duplicates).

Communication Laws and Regulations:

From the above, it is clear that mass media industry is expanding and that exposure to mass media has become an increasingly important part of life among Singaporeans. This trend can be attributed to Singapore's growing economy and per capita income, as well as its rising education and literacy level. Therefore, media communication activities should on the one hand be carefully controlled or supervised so that they do not go against the national interest and on the other hand be properly utilized to play an active role in nation-building and social development.

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These guiding policy principles have been translated into acts, statutes and regulations in Singapore. Some of these laws designed specifically to regulate the operation of certain types of communication media, while others are general for all types of communication and information activities.

Several communication media are according to existing laws directly under government control either as part of the government bureaucratic structure or under statutory boards. Thus, the Post Office Act (1947) puts the operation of postal services under the jurisdiction of the Postal Services Department, under the Ministry of Communication.

Similarly, the Telecommunication Authority of Singapore (Telecom) was created under the Telecommunication Authority of Singapore Act (1974) 'for the exclusive exercise, performance, administration and regulation of functions relating to the provision of overseas and domestic telecommunication services'. Under the Act, therefore, the government has complete jurisdiction and control of matters relating to telephone, telex, telegraph, and satellite communications.

With regard to radio and television, the Singapore Broadcasting Corporation Act (1980) gives the SBC the functions:

1. To provide television and sound broadcasting services for disseminating information, education and entertainment;
2. To exercise licensing and regulatory functions in respect of the sale and use of television receivers and broadcasting receiving apparatus; and
3. To act internationally as the national authority or representative of Singapore in respect of matters relating to broadcasting.

Legal constraints on the operation of newspapers and other printed media are more indirect. Under the Newspaper and Printing Presses Act (1974), which stirred up some heated discussion and criticism in 1974, the government has the right to grant and withdraw licences for the operation of printing presses in Singapore. (This is thus a constraint against all publications, rather than newspapers only). According to the Act, all newspapers in Singapore have to be published by newspaper companies in which,

1. A permit is granted, which is to be reviewed annually;
2. All the directors are Singapore citizens;
3. There are two types of shares: ordinary and management shares; and

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4. No management shares may be issued or transferred except to Singapore citizens and corporations which have been granted specific approval by the government. Every management share carries two hundred votes in any resolution relating to the appointment or dismissal of any director or member of the staff of the newspaper company.

Reflecting the concern over the possibility of foreign control, the law also stipulates that a newspaper or a journalist is prohibited from receiving foreign funds without the approval of the government.

Film censorship, according to the Cinematograph Film Act (1954), is the responsibility of the Board of Film Censors, which is under the jurisdiction of the Ministry of Culture. There is no system of film classification in existence in Singapore, although the issue has been brought up for discussion frequently. The Board of Film Censors is responsible for the censorship of films of all lengths and types and film accessories which include posters, handbills, pressbooks, newspapers, film advertisements, catch-lines, colour transparencies, still photographs, videotapes and cassette films. Films may be approved in total or with alternations or excisions. Those who disagree with the decision can bring the matter to the Appeals Committee for a second and final opinion.

According to the Ministry of Culture, films may be banned for various reasons, such as 'the glorification of gangsterism, violence, crime, hippism, free love, promiscuity, homosexuality, lesbianism, incest, permissiveness, religious prejudice and racism'. Films are also banned for 'political reasons'.

Several legal acts are applied to communication activities in general and are therefore more profound in their constraining power. These include the Undesirable Publication Act (1967), which prohibits the importation, sale or circulation of publications published or printed outside or within Singapore that are considered 'contrary to the public interest'. The Ministry of Culture is authorized to be responsible for the administration of the Act. Other than the vague definition of undesirable publications being those judged to be 'contrary to the public interest', there has been no public revelation of the criteria applied by the Ministry in the implementation of the Act. Four broad categories can however be identified: (1) politically offensive, (2) morally offensive, (3) religiously offensive, and (4) ethnically offensive.

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The Sedition Act (1964) prohibits behaviour including speeches, publications, and distribution or circulation of such publications with 'seditious tendency'. In this case, a 'seditious tendency' is legally defined as a tendency:

1. To bring into hatred or contempt or to excite disaffection against the Government;
2. To excite the citizens of Singapore or the residents in Singapore to attempt to procure in Singapore, the alternation otherwise than by lawful means, of any matter as by law established;
3. To bring in hatred or contempt or to excite disaffection against the administration of justice in Singapore;
4. To raise discontent or disaffection amongst the citizens of Singapore or the residents in Singapore;
5. To promote feelings of ill-will and hostility between different races or classes of the population of Singapore.

Another basic and probably the most controversial legislation which affects the mass media in Singapore is the Internal Security Act (1963) which confers wide-ranging powers onto the Executive to fight subversion and to repel security threats. The Ministry for Home Affairs is authorized to prohibit the printing, publication, sale, issue, circulation or possession of a document or publication deemed prejudicial to the national interest, public order or society of Singapore.

The Public Entertainments Act (1959) requires that public entertainment can only be provided in an approved place, and in accordance with a licence issued by the Licensing Officer. In this Act, public entertainment is defined to include, amongst others, performing arts, exhibitions, sporting contests and trade fairs.

The Emergency (Essential Powers) Act (1964) prohibits all members of the Singapore armed forces from communicating with newspapers. Any matter which discredits the Singapore military, or constitutes a grievance against his position as a member is also prohibited from being discussed. The law specifies that if a member of the Singapore armed forces does communicate with any editor, proprietor, manager, printer or employee of a newspaper management is required to divulge the identity of the complaining member of the armed forces if the Ministry of National Defence so requests.

The Singapore Code of Advertising Practice is a fundamental part of the system of control by which local advertising regulates its activities. It is based on the International Code of Advertising Practice. The main

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purpose of the Code is twofold. For those in advertising it lays down criteria for professional conduct. And for the public it gives a clear indication of the self-imposed limitations accepted by those using or working in advertising. Its rules form the basis for arbitration where there is a conflict of interest within the business, or between advertisers and the general public.

The Code has been approved by organisations representing advertisers, advertising agencies and media. It is administered by the Advertising Standards Authority of Singapore Advisory Council to CASE (the Consumers Association of Singapore), referred to as ASAS. ASAS comprises members drawn from the organisations, government departments and other bodies. Responsibility for observing the Code rests primarily with the advertiser. But it also applies to any advertising agency or medium involved in publication of the advertiser's message to the public. The interpretation of the Code is vested in ASAS to ensure that this system of self-regulation works in the public interest. ASAS will be bound by all existing legislation.

ASAS is empowered to ask an advertiser or an advertising agency to amend or withdraw any advertisement which in the opinion of ASAS is contrary to the Code. It may also ask an advertiser or an advertising agency to withhold such advertisements until such time as they have been modified. ASAS is empowered to ask Media Owners to support the decisions of ASAS. ASAS is also empowered to rule on any disputes relating to breaches of the Code arising between members of the Singapore Advertisers Association, The Association of Accredited Advertising Agents and Advertising Media Owners' Association of Singapore and such rulings shall be binding on members of the Association.

Under the Prohibition on Advertisements Relating to Smoking Act (1970), no advertising activities relating to the use of cigarettes, cigars or tobacco are permitted. Another legal regulation (1977) requires that a permit from the Ministry of Health must be obtained to advertise medicinal products, apparatus or any device. In addition, other legal acts relevant to the operation and functioning of media communication include Indecent Advertisement Act (1941), Defamation Act (1965) and Copyright (Gramophone Records and Government Broadcasting) Act (1969).

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