

-DRAFT-

BROADCASTING ACT 1994

CODE OF PRACTICE FOR ONLINE SAFETY – APP DISTRIBUTION SERVICES [YEAR]

1. In exercise of the powers conferred by section 45L of the Broadcasting Act 1994, the Info-communications Media Development Authority (“IMDA”) hereby issues the following online Code of Practice (“Code”).

Title and Commencement

2. This Code is called the Code of Practice for Online Safety – App Distribution Services and shall come into effect on [X].

Purpose of this Code

3. This Code specifies outcomes that App Distribution Services (“Service”) which are designated/will be designated under section 45K(1) of the Broadcasting Act 1994 have to meet to enhance online user safety, particularly for children, and curb the spread of harmful content on their service, including the distribution of, or online storage of harmful content on apps made available on their service.
4. The categories of harmful content include:
 - a. Sexual content
 - b. Violent content
 - c. Suicide and self-harm content
 - d. Cyberbullying content
 - e. Content endangering public health
 - f. Content facilitating vice and organised crime

Application

5. This Code applies to App Distribution Services which are designated/will be designated under section 45K(1) of the Broadcasting Act 1994.

Definitions

6. For the purpose of this Code, the following definitions shall apply:
 - a. “activity on the Service” includes (i) activity on the Service, and (ii) activity on apps, where the apps are distributed or available for download on the Service.
 - b. “ADS user” means a person who accesses the Service, including a person who downloads app(s) and app update(s) from the Service, and is not an app provider.

-DRAFT-

-DRAFT-

- c. "app" means an application software package that includes content accessible by ADS users, or allows ADS users to access content on the Internet through the installed application software.
- d. "app provider" means a person that caused the app to be distributed or available for download by means of the Service.
- e. "child" means an individual who is below 18 years of age.
- f. "content guidelines and standards" means guidelines and policies issued by the provider of the Service on impermissible content and activity on the Service.
- g. "content on the Service" includes (i) content which is distributed or stored online on the Service, and (ii) content which is distributed or stored online on the apps, where the apps are distributed or available for download on the Service.
- h. "content moderation" means processes developed and activities taken by the provider of the Service to (i) detect, whether through the Service's systems or in response to user reporting; (ii) assess; and (iii) address harmful content for ADS users or content inappropriate for children on the Service, in accordance with its content guidelines and standards with the aim of minimising access or exposure to, distribution of, or online storage of such content on the Service.

Obligations

7. The obligations are categorised into three sections:

Section A - User Safety;
Section B - User Reporting and Resolution; and
Section C - Accountability.

8. The measures to meet the obligations should be proportionate to the capacity and experience of ADS users to deal with the content on the Service. While adults may exercise control over the apps they install, children will need more protection to ensure a safer online space for them.

Section A – User Safety

9. ADS users must be able to use the Service in a safe manner. In this regard, the provider of the Service must put in place reasonable and proactive measures to (i) minimise ADS users' access or exposure to harmful content on the Service; (ii) empower ADS users to manage their safety on the Service; and (iii) mitigate the impact on ADS users that may arise from the propagation of harmful content on the Service.
10. Children in particular may lack the capacity or experience to deal with the information and content available online and will need more protection to ensure a

-DRAFT-

-DRAFT-

safer online space for them. In this regard, the provider of the Service must also have specific measures in place to protect children from harmful content and inappropriate content on the Service.

11. Measures to comply with the obligations in paragraphs 9 and 10 must include those found in (Ai), (Aii), and (Aiii) below.

(Ai.) Measures for all ADS users

Content guidelines and standards and content moderation

12. ADS users' access or exposure to harmful content on the Service must be minimised via reasonable and proportionate measures. These measures include, but are not limited to, a set of content guidelines and standards for app providers, and content moderation measures that are put in place and effected by the provider of the Service:

- a. The Service's content guidelines and standards must address the categories of harmful content set out at paragraph 4 of this Code.
- b. The Service's content moderation measures must include systems and processes for the following:
 - i. Review of apps and app updates before they are released on the Service, and other reviews of apps available on the Service to ensure compliance with the Service's content guidelines and standards; and
 - ii. Appropriate action(s) to be taken when there is a breach of the Service's content guidelines and standards, which may include warning, suspending, or banning the app provider(s) from the Service.

Empower ADS users and improve safety

13. ADS users must be able to easily access information on the Service regarding online safety. Such information must be easy to understand and must include without being limited to the following:

- a. The Service's content guidelines and standards;
- b. The content moderation measures put in place by the provider of the Service and, in particular, the actions that may be taken by the provider of the Service to address a breach of its content guidelines and standards; and
- c. Information on ADS users' ability to report content on the Service to the provider of the Service in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code, and information on how to make such a report.

-DRAFT-

Proactive detection and removal

14. ADS users' exposure to child sexual exploitation and abuse material and terrorism content on the Service must be minimised through the use of technologies and processes. These technologies and processes must proactively detect and swiftly remove child sexual exploitation and abuse material and terrorism content as technically feasible, such that the extent and length of time to which such content on the Service is minimised.
15. ADS users must be protected from preparatory child sexual exploitation and abuse activity and preparatory terrorism activity on the Service through reasonable and proportionate steps taken by the provider of the Service to proactively detect and swiftly remove preparatory child sexual exploitation and abuse activity (such as online grooming for child sexual abuse) and preparatory terrorism activity (such as glorifying or endorsing terrorist activities and recruitment) on the Service.
16. The measures in paragraphs 14 and 15 of the Code would entail the provider of the Service taking proactive steps by primarily engaging app providers through the Service's content guidelines and standards and related processes to reduce ADS users' exposure to child sexual exploitation and abuse material and terrorism content, as well as preparatory activities related to such content. These may include requiring app providers to take steps to prevent such material or activity from being created, shared, hosted, or facilitated on their apps, conducting reviews of apps and app updates before such apps or app updates are released on the Service, and suspending or removing apps containing or facilitating such content or activity from the Service.

(Aii.) Measures for children

Content guidelines and standards and content moderation

17. Besides harmful content, children's access or exposure to inappropriate content on the Service must also be minimised through reasonable and proportionate measures. These measures include, but are not limited to, a set of content guidelines and standards for app providers and content moderation measures put in place and effected by the provider of the Service that are appropriate for children. Stricter standards must, at least, apply to the following categories of harmful content, and must be published such that they are easily accessible by ADS users:
 - a. Sexual content
 - b. Violent content
 - c. Suicide and self-harm content
 - d. Cyberbullying content
18. Children must not be targeted to receive content on the Service that the provider of the Service is reasonably aware to be detrimental to their physical or mental well-being. Such content includes but is not limited to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code. In this regard, content targeting refers but is not limited to advertisements (including in-app advertisements), promoted apps and app recommendations.

Protection for children

19. Unless the Service restricts access by children, children must be provided differentiated accounts whereby the settings for the tools to minimise access or exposure to and mitigate impact of harmful content and inappropriate content on the Service are robust and set to more restrictive levels that are age appropriate by default.
20. In this regard, the provider of the Service must have in place systems and processes, including age verification, or other means of age assurance, such that the age or age range of an ADS user of an account on the Service can be established with reasonable accuracy. Age assurance must be implemented in accordance with the data protection provisions under the Personal Data Protection Act 2012 and any relevant guidelines issued by the Personal Data Protection Commission. These include the Advisory Guidelines on The PDPA for Children's Personal Data In The Digital Environment which stipulate, among other requirements, that organisations should practice data minimisation for age assurance purposes.
21. If the provider of the Service has yet to implement age assurance systems and processes, it must set out an implementation plan with relevant details that IMDA may require pertaining to how it intends to comply with the requirements in paragraph 20 read with paragraph 19, including a reasonable timeline for implementation to IMDA. The implementation plan and timeline, including any subsequent variation, is subject to agreement by IMDA.
22. Children and their parents or guardians must be provided clear warnings of the implications if they opt out of the default settings of the children accounts. Children and their parents or guardians must have access to information and tools that enable them to (i) manage children's safety; and (ii) effectively minimise children's access or exposure to, and mitigate the impact of, harmful content and inappropriate content on the Service. These must include without being limited to:
 - a. Information about the apps made available on the Service that parents or guardians may use to assess the appropriateness of the apps for children. These may include description of the features and functionalities of the app, description of the type of content on the app, and consumer advice regarding such content.
 - b. Tools that parents or guardians may use to supervise and manage children's access to and use of apps. These may include user or parental controls, and search restrictions.
23. Children and their parents or guardians must be able to easily access information on the Service regarding online safety. Such information must be easily understood by children. The information must minimally include the tools available and the steps that parents or guardians may take to supervise and manage children's use of apps.

(Aiii.) Measures applicable to providers of apps with user generated content (“UGC”) functionality

24. Unless the Service explicitly disallows the distribution or storage of apps with a UGC functionality, the provider of the said Service must ensure that the providers of such apps have:
- a. Content moderation measures to detect, assess, and remove harmful content in relation to the categories set out at paragraph 4 of this Code; and
 - b. An in-app channel for ADS users to report directly to the relevant app provider(s) any content on such apps in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code.
25. The provider of the Service must take appropriate action(s) against app providers that fail to resolve ADS user reports in accordance with the Service’s policies.

Section B – User Reporting and Resolution

26. Any individual must be able to report content on the Service in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code. In this regard, the reporting and resolution mechanism provided to ADS users must be effective, transparent, easy to access, and easy to use.
- a. ADS users’ reports must be assessed, and appropriate action(s) must be taken by the provider of the Service in a timely and diligent manner that is proportionate to the severity or imminence of the potential harm. In particular, timelines must be expedited for content and activity related to child sexual exploitation and abuse material and terrorism. Appropriate action(s) may include:
 - i. Swiftly removing the reported content or the app(s) containing such content from the Service, or restricting access to the reported content or app(s) on the Service; and
 - ii. Warning, suspending, or banning the app provider(s) of the reported app(s).
 - b. Where the Service receives a report that is not frivolous or vexatious, the ADS user who submitted the report must be informed of the decision and the action taken by the provider of the Service with respect to that report without undue delay, unless the ADS user had expressly opted not to be informed.
 - c. Where the Service decides to remove or disable the reported app(s) from the app store, or suspend or terminate the account of the app provider(s) of the reported app(s), any ADS user who has downloaded the reported app(s) within the last six months must be informed as soon as reasonably practical, taking into account the egregiousness or severity of the nature of the violation.

- d. The ADS users referred to in sub-paragraph (b) must be allowed to submit requests to the provider of the Service for a review of the decision and the action taken.

Section C – Accountability

27. ADS users must have access to clear and easily comprehensible information that enable them to assess the level of safety and related safety measures afforded by the provider of the Service and make informed choices.
28. In this regard, the provider of the Service must submit to IMDA annual online safety reports to be published on IMDA's website. The provider of the Service must provide suitable information and metrics to be included in its annual online safety reports. The metrics are subject to agreement by IMDA. The annual online safety reports must reflect Singapore ADS users' experience on the Service, including:
 - a. What steps the provider of the Service has taken and the effectiveness of these steps to mitigate Singapore ADS users' exposure to harmful content and inappropriate content on the Service, including descriptions of specific measures that the provider of the Service has in place to enhance online safety for ADS users in Singapore in relation to obligations in Sections A and B; and
 - b. What action(s) the provider of the Service has taken in response to reports made by ADS users in Singapore.
29. The metrics in paragraph 28 may include, but are not limited to:
 - a. The volume, breakdown by content category and outcomes of ADS user reports on the Service in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code;
 - b. The prevalence and breakdown by content category of (i) violating or non-compliant apps on the Service that are accessible by ADS users in Singapore; and (ii) app providers providing such apps, in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code;
 - c. The timeliness of the Service's systems and processes at reviewing and addressing ADS user reports, in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code; and
 - d. The effectiveness of the Service's proactive actions in detecting and addressing (including removing) violating or non-compliant apps that are accessible by ADS users in Singapore, in relation to the categories of harmful content and inappropriate content set out at paragraphs 4 and 17 of this Code.