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**BROADCASTING ACT
(CHAPTER 28)**

**BROADCASTING
(CLASS LICENCE — BROADCASTING TO
DIGITAL DISPLAY PANELS) NOTIFICATION 2020**

ARRANGEMENT OF PARAGRAPHS

Paragraph

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In exercise of the powers conferred by section 9 of the Broadcasting Act, the Info-communications Media Development Authority makes the following Notification:

Citation and commencement

1. This Notification is the Broadcasting (Class Licence — Broadcasting to Digital Display Panels) Notification 2020 and comes into operation on 22 June 2020.

Definitions

2. In this Notification, unless the context otherwise requires —

“class licensee” means a person to whom a class licence by virtue of this Notification applies but excludes a person for the time the application of that class licence is suspended or disappplied under the Act;

“digital display panel” means a screen, panel, computer monitor or similar appliance —

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- (a) with minimum dimensions (excluding cables and connectors) of 17.78 centimetres when measured diagonally or at its widest; and
 - (b) designed to be used primarily for the reception and display of any programme capable of being received, or received and displayed, as visual images (whether moving or still) with or without sound, from a licensable broadcasting service,

and includes a screen, panel or similar appliance that has additional functions that are not required for its basic operation as described in paragraph (b) (such as interactive features) but excludes a mobile phone and a wearable device (like a smart watch);

“HDB” means the Housing and Development Board established under the Housing and Development Act (Cap. 129);

“programme” includes any matter (whether or not advertising, sponsorship or otherwise), regardless that the matter may be exempt from classification under the Films Act (Cap. 107), but excludes the following matter:

- (a) matter that is broadcast on a free-to-air broadcasting service provided by a person holding a broadcasting licence granted under section 8 of the Act, but not a recording of the matter from that broadcast;
- (b) matter that is broadcast on a subscription nationwide television service (whether using cable or an Internet protocol) with scheduled programming, provided by a person holding a broadcasting licence granted under section 8 of the Act, but not a recording of the matter from that broadcast;

“public entertainment” has the meaning given by the Public Entertainments Act (Cap. 257);

“public passenger transport vehicle” means —

- (a) a train used by a person to operate a rapid transit system as defined by the Rapid Transit Systems Act (Cap. 263A); or
- (b) a motor vehicle that is authorised for use as a public service vehicle by a licence issued under Part V of the Road Traffic Act (Cap. 276);

“public place” means —

- (a) any place (open to the air or otherwise) to which members of the public have access as of right or by virtue of express or implied permission, without payment of a fee;

Illustrations

Airport passenger terminal to which the public has access.

Bus terminal, bus stop or bus interchange.

Taxi stand.

Lobby of office building or hotel to which the public has access.

Ticket office or waiting area outside a cinema hall or movie theatre.

Market or hawker centre.

Open space in shopping mall or shopping complex.

Tunnel, underpass, bridge, walkway or passage over which the public has a right of way.

Void deck or other common property in an HDB estate.

- (b) any place (open to the air or otherwise) to which members of the public have access on payment of a fee —
 - (i) mainly for a purpose that is other than viewing a display or an exhibition of a film or programme for entertainment or in the course of education; and

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- (ii) where viewing a display or an exhibition of a film or programme on a digital display panel is wholly incidental to the main purpose of entering the place; or

Illustrations

Public swimming pool or sports complex.

Railway commuter facility within an MRT station.

- (c) a public passenger transport vehicle on a journey within Singapore but not if the journey is between a place in Singapore and a place outside Singapore,

Illustrations

Excursion bus, school bus, tourist bus or omnibus.

MRT train.

Taxi or chauffeured private hire car.

regardless that access to the place or vehicle may be restricted at particular times, but excludes a cinema hall, movie theatre, mosque, temple, church or other place for public worship or for the conduct (temporary or otherwise) of religious ceremonies, rites, services or celebrations.

Class licence

3.—(1) Unless exempt by or under section 60 of the Act or excluded by sub-paragraph (2), every person who provides, in the course of business, any licensable broadcasting service in or from Singapore comprising transmission by signs or signals of any programme (with or without sound) for reception by and for display on —

- (a) 2 or more digital display panels each situated in a public place in Singapore; or

- (b) 2 or more digital display panels each installed within a public passenger transport vehicle,

is subject to a class licence in connection with that broadcasting service.

(2) Sub-paragraph (1) does not apply to a person who provides, in the course of business, any licensable broadcasting service in or from Singapore any programme (with or without sound) solely for reception by and for display on a digital display panel (even if in a public place or public passenger transport vehicle) that is under the control (temporary or otherwise) or management of a person who —

- (a) is granted a licence under section 6 of the Films Act (Cap. 107) authorising the person to publicly exhibit any film in the course of business involving that digital display panel;
- (b) is subject to a class licence under the Films (Class Licence for Video Games Distribution) Order 2019 (G.N. No. S 342/2019) authorising the person to distribute and publicly exhibit any video game in the course of business involving that digital display panel;
- (c) is exempt from section 21(1) of the Films Act in respect of the public exhibition using that digital display panel of any exempt video game by reason of the Films (Classification — Exempt Video Games) Notification 2019 (G.N. No. S 339/2019); or
- (d) is the holder of a public entertainment licence granted under the Public Entertainments Act, or is exempt from that Act, in respect of the provision of public entertainment involving that digital display panel.

Conditions of class licence

4. A class licensee who provides a licensable broadcasting service described in paragraph 3(1) must not broadcast, or must discontinue the broadcast of, the whole or any part of a programme included in its service if the Authority informs the licensee that the whole or that part of the programme —

- (a) is contrary to a Code of Practice applicable to the licensee;
- (b) is against the public interest, public order or national harmony; or
- (c) offends against good taste or decency.

Public service message condition

5.—(1) For the purpose of section 17 of the Act, a class licensee who provides a licensable broadcasting service described in paragraph 3(1) by transmitting, by signs or signals, any programme (with or without sound) for reception by and for display on any digital display panel situated on the wall of any lift landing, or in any lift, which is common property that —

- (a) is vested in or belonging to the HDB; and
- (b) relates to any building or premises used pursuant to the Planning Act (Cap. 232) wholly for the purpose of human habitation,

must include in its licensable broadcasting service, on terms mentioned in sub-paragraph (2), programmes provided by the Government through the Authority to the class licensee.

(2) The terms for the purposes of sub-paragraph (1) are as follows:

- (a) no subsidy or compensation is payable to the class licensee for any programme provided to the class licensee by the Government through the Authority;
- (b) the display of programmes mentioned in sub-paragraph (a) must make up 50% of the length of each content loop.

(3) In determining whether sub-paragraph (1) applies to a class licensee, the number of networks used by the class licensee is immaterial.

(4) To avoid doubt, this paragraph applies in addition to paragraph 4 insofar as that paragraph concerns a class licensee described in sub-paragraph (1).

Made on 17 June 2020.

CHAN YENG KIT
Chairman,
Info-communications Media
Development Authority,
Singapore.

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