



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 34]

FRIDAY, NOVEMBER 26

[2021

First published in the *Government Gazette*, Electronic Edition, on 25 November 2021 at 5 pm.

The following Act was passed by Parliament on 4 October 2021 and assented to by the President on 29 October 2021:—

**FOREIGN INTERFERENCE
(COUNTERMEASURES) ACT 2021**

(No. 28 of 2021)

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title and commencement
2. Purposes of Act
3. General interpretation
4. Meaning of “foreign principal” and associated terms
5. Engaging in conduct, etc., on behalf of foreign principal
6. Meaning of “foreign interference”

Section

7. Meaning of “in the public interest”
8. Meaning of “directed towards a political end in Singapore”
9. Meaning of “influencing Singapore governmental decisions”, etc.
10. Undertaking “electronic communications activity” or “online communications activity”
11. When is information provided, posted or removed from social media service, etc.
12. Meaning of “publish in Singapore” and associated terms
13. Supplementary interpretive provisions for communications activity
14. Meaning of “politically significant person”
15. Meaning of “value” in relation to donations and benefits
16. Determining purpose of an activity

PART 2

FOREIGN INTERFERENCE BY ELECTRONIC
COMMUNICATIONS ACTIVITY

17. Clandestine foreign interference by electronic communications activity
18. Clandestine foreign interference of target using electronic communications activity
19. Preparing for or planning an offence under section 17 or 18

PART 3

DIRECTIONS AGAINST HARMFUL FOREIGN ONLINE
COMMUNICATIONS ACTIVITY*Division 1 — Ministerial powers*

20. Authorisation by Minister for direction to be given
21. Authorisation by Minister for anticipatory direction
22. Self-initiated cancellation or variation of authorisation
23. Reconsideration by Minister of authorisation
24. Proscribed online location — declaration
25. Self-initiated revocation or variation of declaration
26. Reconsideration by Minister of declaration of proscribed online location
27. Public notice of revocation of declaration
28. Authorisation regardless of offence

Division 2 — Part 3 directions

Section

29. Types of Part 3 directions
30. Stop communication (end-user) direction — content
31. Disabling direction — content
32. Must-carry directions — content
33. Access blocking direction — content and preconditions
34. Account restriction direction — content
35. Service restriction direction — content
36. Technical assistance direction — content
37. App removal direction — content and preconditions
38. Disgorgement direction — content

*Division 3 — Special provisions for
proscribed online location*

39. Operating proscribed online location
40. Providing support to proscribed online location
41. Advertising dealings concerning proscribed online location

*Division 4 — Supplementary provisions
on Part 3 directions*

42. Content and effect of directions — general
43. Service of Part 3 directions
44. Publicity regarding non-compliance with directions
45. Offence of non-compliance with directions
46. Non-disclosure of technical assistance directions

PART 4

DESIGNATING POLITICALLY SIGNIFICANT PERSONS

47. Designating non-individual
48. Designating individual as politically significant person
49. Opportunity to be heard before designation, etc.

PART 5

COUNTERMEASURES FOR DONOR ACTIVITIES

Division 1 — General

50. Application according to capacity
51. Meaning of “political donation”
52. What is not a political donation

Section

- 53. Meaning of “reportable political donation”
- 54. When is political donation accepted
- 55. Other definitions for Part 5

Division 2 — Restrictions on accepting political donations

- 56. Political donations from impermissible donors, etc.
- 57. Anonymous donations
- 58. Applicable cap on anonymous political donations
- 59. Return of anonymous political donations
- 60. Return of political donations
- 61. Forfeiture of prohibited political donations, etc.

Division 3 — Reporting and accounting of political donations

- 62. Disclosing reportable political donations
- 63. When disclosure of reportable political donations to be made
- 64. Who is responsible for disclosing reportable political donations
- 65. Accompanying declaration to donation report
- 66. Separate accounts for political donations (political donations fund)

Division 4 — Stepped up countermeasures for Part 4 politically significant persons

- 67. Prohibited donor directive
- 68. Anonymous donations directive
- 69. Political donations fund directive

Division 5 — Donor obligations

- 70. Major political donor reporting
- 71. Directive affecting major donors
- 72. Duty when donating on behalf of others

Division 6 — Offences

- 73. Late donation reports, etc.
- 74. False or misleading donation reports and declarations
- 75. Evasion and intentional acceptance of impermissible donations, etc.

PART 6

COUNTERMEASURES FOR OTHER ACTIVITIES

Division 1 — Foreign affiliations

Section

- 76. Disclosure of foreign affiliation
- 77. When to make foreign affiliations report
- 78. What is reportable arrangement
- 79. Reporting involvement in foreign political organisation, etc.

*Division 2 — Published-by requirement for
foreign-linked political matters*

- 80. Application and interpretation
- 81. Transparency directive for publishing political matters with foreign link
- 82. What is political matter with foreign link

Division 3 — Stepped up countermeasures

- 83. Directive prohibiting foreign membership, responsible officer, etc.
- 84. Directive to end affiliation, etc., with foreign principal
- 85. Directive prohibiting, etc., foreign volunteers

Division 4 — Offences

- 86. Late Part 6 reports, etc.
- 87. False or misleading Part 6 reports and declarations

PART 7

CONDITIONS FOR STEPPED UP
COUNTERMEASURES

- 88. Circumstances where Part 5 or 6 directive may be given
- 89. Content and effect of directives: general
- 90. Process of giving directives: general
- 91. Offences involving directives to politically significant persons

PART 8

OVERSIGHT ARRANGEMENTS

Division 1 — Rights of appeal

- 92. Right of appeal against authorisation for Part 3 directions, etc.
- 93. Right of appeal against competent authority's decisions