



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

BILLS SUPPLEMENT

Published by Authority

NO. 1]

MONDAY, JANUARY 4

[2021

First published in the *Government Gazette*, Electronic Edition, on 4 January 2021 at 6 pm.

Notification No. B 1 — The Electronic Transactions (Amendment) Bill is published for general information. It was introduced in Parliament on 4 January 2021.

Electronic Transactions (Amendment) Bill

Bill No. 1/2021.

Read the first time on 4 January 2021.

A BILL

i n t i t u l e d

An Act to amend the Electronic Transactions Act (Chapter 88 of the 2011 Revised Edition) and to make consequential and related amendments to the Bills of Lading Act (Chapter 384 of the 1994 Revised Edition) and the Contracts (Rights of Third Parties) Act (Chapter 53B of the 2002 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Electronic Transactions (Amendment) Act 2021 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

5 Amendment of long title

2. The long title to the Electronic Transactions Act (called in this Act the principal Act) is amended by inserting, immediately after the words “23rd November 2005”, the words “, to adopt the UNCITRAL Model Law on Electronic Transferable Records adopted by the
10 United Nations Commission on International Trade Law on 13 July 2017”.

Amendment of section 2

3. Section 2 of the principal Act is amended —

15 (a) by inserting, immediately after the definition of “electronic record” in subsection (1), the following definition:

““electronic transferable record” has the meaning given by section 16A;”;

20 (b) by inserting, immediately after the words “formation of a contract” in subsection (3)(c)(i), the words “, or the creation or use of electronic transferable records;”;

(c) by deleting the words “or an electronic mail address” in subsection (3)(d) and substituting the words “, an electronic mail address or other electronic address, or other elements of an information system”.

25 Amendment of section 3

4. Section 3 of the principal Act is amended —

(a) by deleting the word “and” at the end of paragraph (f); and

30 (b) by deleting the full-stop at the end of paragraph (g) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(h) to adopt the UNCITRAL Model Law on Electronic Transferable Records adopted by the United Nations Commission on International Trade Law on 13 July 2017 in its application to an electronic transferable record, whether the electronic transferable record is issued or used in Singapore or outside Singapore.”. 5

Amendment of section 13

5. Section 13(4) of the principal Act is amended by deleting the words “subsection (3)” and substituting the words “subsections (2) and (3)”. 10

New Part IIA

6. The principal Act is amended by inserting, immediately after section 16, the following Part: 15

“PART IIA

ELECTRONIC TRANSFERABLE RECORDS

Division 1 — General provisions

Interpretation of this Part

16A.—(1) In this Part, unless the context otherwise requires — 20

“bill of exchange” includes a bill of exchange within the meaning of the Bills of Exchange Act, or under any other rule of law, or the law of a country or territory outside Singapore; 25

“bill of lading” includes a bill of lading within the meaning of the Carriage of Goods by Sea Act, the Bills of Lading Act, or under any other rule of law, or the law of a country or territory outside Singapore;

“electronic record” means a record generated, communicated, received or stored by electronic means, including (where appropriate) all information 30