

Chapter : Statutes and statutory instruments with special relevance to advertising and related trading practices

This table should not be taken to be an exhaustive list of legislation and statutory instruments relevant to advertising and related trading practices.

Acts of Parliament can be found on the Singapore Statutes Online website.

The information in this chapter is accurate as of *January 2019* and subject to revision as deemed necessary.

A

Accountants Act, Cap 2 (s66)

- Accountants (Public Accountants) Rules (www.acra.gov.sg)

The body responsible for accountants and rules making, which includes restrictions on advertising

Allied Health Professionals Act, Cap 6B (www.ahpc.gov.sg) (www.healthprofessionals.gov.sg)

Provides for the registration of prescribed allied health professionals for the protection of the health and safety of the public; contains a code on advertising (issued in the Code of Professional Conduct)

Architects Act Cap. 12 (s10)

- The Schedule (Code of Professional Conduct and Ethics) (<http://www.boa.gov.sg/rules.html>)

Sets up body responsible for architects, and contains restrictions on advertising.

B

Banking Act, Cap 19 (s4A, 4B, 5) (www.mas.gov.sg) (www.abs.org.sg)

Restrictions on advertisements for deposit-making and soliciting deposits, advertisement restrictions for credit and charge cards except by licensee, and use of the word bank. Supplemented with the Association of Banks Singapore (ABS), which administers the Code of Consumer Banking Practices and Code of Advertising Practice for Banks.

Betting Act, Cap 21 (s3(e), 6) (www.police.gov.sg)

Prohibits advertisements for common betting-houses

Broadcasting Act, Cap. 28 (s6, 9) (www.imda.gov.sg)

Regulates broadcast programmes, including advertising on radio, television, gaming, print materials, and the internet

Sets Codes of Practice relating to standards of programmes and advertisement broadcast by licensees, and Codes relating to broadcast standards required by licensees:

- Audiotext Code of Practice
- Broadcast Act (Class License) Notification
- Film Act
- Film Classification Guidelines / Guidelines for Publicity Material in Film

- Internet Code of Practice
- Radio Advertising & Sponsorship Code
- Radio Programme Sponsorship Code
- Free-to-air TV Programme Code
- Television Advertising Code
- Television Programme Sponsorship Code
- Guidelines for Promotional and Print Publicity Material for Video Games
- Internet Code of Practice

Building Control Act, Cap 29 (s49)
(www.bca.gov.sg)

- Building Control (Outdoor Advertising) Regulations, for outdoor advertising signs and signboards
- Advertisement Licensing System (ALS) application for outdoor advertising sign and signboard licenses

C

Casino Control Act (2007), Cap 33A
(Part XA, s170A, B, C)
(www.cra.gov.sg)

The Casino Regulatory Authority is the established Authority regulating casinos and gaming in casinos, including regulating and prohibiting advertising of registered casino activities. Advertising regulations on gambling are to be read jointly with the SCAP Guidelines on Gambling.

Charities Act, Cap. 37 (s39)
(www.charities.gov.sg)

Requirements for fund raising appeals or campaigns by fund raisers

Chit Funds Act, Cap 39 (s5)
(www.mas.gov.sg)

Restricts the use of the word "chit" or "chit funds" in advertisements

Co-Operative Societies Act, Cap 62
(www.mccy.gov.sg)

Prohibits advertising of financial services by non-credit societies to members of the public through the mass media

Common Gaming Houses Act, Cap 49
(s4, 5)
(www.spf.gov.sg)

An Act relating to the suppression of common gaming houses, public gaming and public lotteries and promotion of public gaming.

Companies Act, Cap 50 (s401)
(www.acra.gov.sg)

Prohibits false and misleading statements made regarding a corporation's amount of capital in advertisements

Consumer Protection (Fair Trading) (Amendment) Act 2016, (CPFTA), Cap 52A (Second Schedule, Part I, 14)
(www.mti.gov.sg)
(www.case.org.sg)

Making a representation that appears in an objective form such as an editorial, documentary or scientific report when the representation is primarily made to sell goods or services, unless the representation states that it is an advertisement or promotion is specified as an unfair practice.

Consumer Protection (Trade Descriptions and Safety Requirements) Act, Cap 53 (s2, 7, 10, 20)
(www.mti.gov.sg)
(www.case.org.sg)

Prohibits, inter-alia, false trade descriptions in the course of a trade or business to any goods and instructions on

information to be provided on description of advertisements of goods

- **Copyright Act, Cap 63 (s139, s261c)**
(www.ipos.gov.sg)

Governs the protection of copyright in all areas including advertising material in all media

- **Currency Act, Cap 69 (s20)**
(www.mas.gov.sg)

Restrictions on use of photographs, drawing or design of currency notes and coins which are legal tender in advertisements

D

- **Defamation Act, Cap. 75**

Governs the law relating to libel and slander and other malicious falsehoods

- **Dental Registration Act, Cap 76 (s26, s31a)**
(www.sdc.gov.sg)

Sets up body responsible for dental practitioners and contains power for restrictions on advertising by the professional body.

E

- **Electricity Act, Cap. 89A (s82)**
(www.ema.gov.sg)

Covers the licensing of electrical workers and prohibits a person from advertising or to hold himself out as an electrical worker or as a licensed electrical worker unless he holds a valid license.

- **Education Act Cap. 87, (s4A)**

(www.moe.gov.sg)

Restrictions on the use of words academy college, school, university, indicating that the person or institution is providing education, or to make any representation in any notice or advertisement except with the consent of the Director General of Education.

- **Energy Conservation Act Cap. 92C, (s42 (i))**
(www.nea.gov.sg)

Governs the requirements for and proper labelling of fuel economy and vehicular emissions of motor vehicles for trade, business or sale and their advertising.

- **Estate Agents Act (Cap. 95A, s3, s72)**
(www.cea.gov.sg)

Sets the licensing requirements, regulation of estate agents and use of advertisements by estate agents

- **Employment Agencies Act, Cap. 92**
On Employment Agency License Conditions
(www.mom.gov.sg)

Establishes a system of licensing of employment agencies and enables the government to make regulations for proper conduct, including regulations as part of licensing conditions to control service promotions by employment agencies.

F

- **Films Act, Cap. 107, (s22. S31)**
(www.imda.gov.sg)

Guidelines on Promotional materials for films and videos. An Act relating to the

possession, importation, making, distribution and exhibition of films.

Regulates the advertising of films, prohibition of advertising for exhibitions and offences for advertising obscene films.

- **Finance Companies Act, Cap. 108, (s4)**
(www.mas.gov.sg)

Relating to Finance Companies (Advertisements) Regulations

- **Financial Advisers Act, Cap. 110 (s.21, s25)**
(www.mas.gov.sg)

Regulates written communications (including advertisements) of financial advisers and life insurance brokers

G

- **Gas Act, Cap. 116A, (s11b)**
(www.ema.gov.sg)

Prohibits any person from advertising or otherwise to hold himself out or conduct himself as a gas service worker unless he is registered and has a valid practicing certificate

- **Goods and Services Tax Act, Cap 117A**
(www.iras.gov.sg)

Goods and services tax (General) Regulations and penalties. All GST-registered businesses must display prices inclusive of GST on all price displays such as price tags, price lists, advertisements, publicity brochures or on the website and prices that are quoted, written or oral, must also be GST-inclusive. Where both GST-inclusive and GST-exclusive prices are displayed, the GST-inclusive price must be as prominent as the GST-exclusive price. If a GST-registered business intends to give a

discount equal to the GST amount, it is a misleading act if the business advertises there is "no GST" for goods and services.

H

- **Health Products Act 2008, Cap. 122D, Part V, s19, s21**
(www.hpb.gov.sg)

An Act to regulate the manufacture, import supply, presentation as well as the ingredients used in the manufacture of health products. Contains requirements on advertisement of health products as well as penalties and corrective measures for contravention.

- **Housing Developers (Control and Licensing) Act, Cap. 130 (s6, s22)**
(www.ura.gov.sg)

Provides for the control, licensing and advertisements of licensed housing developers.

- **Human Biomedical Research Act 2015, Cap.33**
(www.moh.gov.sg)

An Act to regulate the conduct of human biomedical research (including certain restricted human biomedical research) and tissue banks and tissue banking activities. This will include the prohibition of commercial trading of human tissue, including advertisements related to commercial trading of human tissue.

- Guide to the Prohibition Against Commercial Trading of Human Tissue

- **Human Organ and Transplant Act, Cap. 131A, (s15)**
(www.moh.gov.sg)

Prohibits every form of advertisements relating to the buying or selling in Singapore of any organ or blood or of the right to take any organ or blood from the body of a person.



□ **Income Tax Act, s10 (1a)**

(www.iras.gov.sg)

Outlines the legislation on a tax upon incomes and the regulations on the collection of such. As part of tax filing, new guidelines on all payments and benefits derived from blogging, advertising and any other activity done on social media platforms as a trade or business, that constitute gains or profits from a trade or business, must be declared. Outlines the type of monetary and non-monetary benefits received by social media influencers in cash or in-kind that are taxable.

- [Essential Information for Self-Employed by Profession/Trade](#)

□ **Indecent Advertisements Act, Cap. 135 (s3 (1)(2)(3)(s5), (s7(1))**

Restricts advertisements that treat or offer to treat any person for venereal disease, or offer to prescribe any remedy for venereal disease. Restricts advertisements for nervous debility and any advertisement claiming for any preparation aphrodisiac properties.

□ **Info-communications Media Development Authority of Singapore (IMDA) Act, Cap. 172, (s17)**

(www.imda.gov.sg)

Regulator of the info-communications and media sector in the provision of Mass

Media, Info-comm and Broadcast Services and oversees the:

- Broadcasting Act;
- Electronic Transactions Act;
- Films Act;
- Newspaper and Printing Presses Act;
- Personal Data Protection Act;
- Postal Services Act;
- Public Entertainments Act;
- Telecommunications Act;
- Undesirable Publications Act;
- Spam Control Act.

□ **Innkeepers Act, Cap 139 (s7)**

(www.mas.gov.sg)

Provides innkeeper with the right to sell by public auction any goods of the debtor lodger and notice of advertisement in newspapers of intended sale of such goods

□ **Insurance Act, Cap. 139 (s.6, s25, s35T)**

(www.mas.gov.sg)

Regulates the insurance businesses, including powers to regulate advertising and contains prohibitions on solicitation by insurance business

□ **Internal Security Act, Cap. 143 (s20, s25)**

(www.mha.gov.sg/isd/main.htm)

Prohibits the printing, sale etc. of subversive documents and publications; posting of placards



□ **Land Surveyors Act, Cap. 156 (s10)**

(www.sla.gov.sg)

Sets up the body responsible for land surveyors; and contains power for restrictions on advertising unless one is a registered surveyor

□ **Legal Profession Act, Cap. 161, (s71(1))**

Legal Profession (Publicity) Rules
(www.lawsociety.org.sg)

Publicity rules for all advocates and solicitors in Singapore

□ **Liquor Control (Supply and Consumption) Act 2015 (s7)**

(www.police.gov.sg)

Contains prohibitions relating to the supply of liquor and trading hours, stipulates that unlicensed premises are not allowed to display any sign, writing or mark falsely claiming it is a licensed premise unless authorised.

M

□ **Massage Establishments Act 2017, Cap. 173 (s5, s9)**

(www.police.gov.sg)

Contains prohibitions on advertising of massage services in an establishment for massage by a person, owner or occupier who is unlicensed. The licensing conditions stipulate that no indecent advertisements should be put up by any licensee.

□ **Medical Registration Act, Cap. 174 (s.17, 64, 65)**

(www.moh.gov.sg)

Sets up body responsible for the regulation of registered medical practitioners in Singapore; includes restrictions on advertising by unregistered persons or registered medical practitioners not registered as specialists

Medicines (Advertisement and Sale) Act, Cap. 177 (s.3)

(www.moh.gov.sg)

Prohibitions on certain advertisements relating to medical matters

□ **Medicines Act, Cap. 176 (s49-53)**

(www.hsa.gov.sg)

An Act to regulate the manufacture, import, supply, presentation and advertisement of medicinal products. Prescribes requirements for advertisements relating to medicinal products including the prohibition of false or misleading advertisements and certain medical advertisements.

□ **Miscellaneous Offences (Public Order and Nuisance) Act, Cap. 184 (s11)**

(www.police.gov.sg)

Prohibits the affixing of advertisements, paper or any notices at public and private properties.

□ **Money-Changing and Remittance Businesses Act, Cap. 187 (s5, 6)**

(www.mas.gov.sg)

Prohibits advertisements by unlicensed money changers and remittance businesses.

□ **Moneylenders Act, Cap. 188 (s12, 13)**

(www.ipto.gov.sg)

Governs advertising by moneylenders. Penalises, inter-alia, the harassment of debtors

□ **Multi-level Marketing and Pyramid Selling (Prohibition) Act, Cap. 190 (s5, s4)**

(www.police.gov.sg)

(www.mti.gov.sg)

Prohibits the registration of a company or business that purports to promote pyramid selling schemes or arrangement.

N

- ☐ **National Emblems (Control of Display) Act, Cap. 196**
(www.nhb.gov.sg)

Regulates public displays of the state flag, state crest, National Anthem or flags of other countries that are prohibited by law for commercial use.

- ☐ **National Registration Act, Cap. 201 (s13)**
(www.ica.gov.sg)

Prohibits the reproduction or tampering of a Singapore national identity card.

O

- ☐ **Optometrist and Opticians Act, Cap. 213A**

Prohibits the practice of optometry and opticianry by non-registered persons; regulates publicity and advertising by registered persons.

P

- ☐ **Parliamentary Elections Act, Cap. 218 (s2, 61, 70, 78, 78A-B, 78E, 79)**
(www.elections.gov.sg)

Contains regulations and prohibitions on election advertising and canvassing on Polling Day.

- ☐ **Penal Code, Cap. 224**
(www.police.gov.sg)

Provides for offences relating to advertising of any obscene material and offences relating to forged documents or forged electronic records, currency and bank notes, defamation, religion or race, and disturbing public peace etc.

- ☐ **Personal Data Protection Act, 2012**
(www.pdpc.gov.sg)

Contains regulations and a data protection law on the collection, use and disclosure of the personal data of individuals by organisations.

- ☐ **Pharmacists Registration Act, Cap 230**
(www.spc.gov.sg)
(www.healthprofessionals.gov.sg)

Sets up body that manages the code of ethics for pharmacists, which includes a code on advertising for pharmacists.

- ☐ **Police Force Act, Cap. 235 (s.86)**
(www.police.gov.sg)

Prohibits unauthorised advertising of security services by any person who is not employed by the Auxiliary Police Force.

- ☐ **Presidential Elections Act, Cap. 240A (s.42, 59, 60)**
(www.eld.gov.sg)

Regulations on advertising and prohibitions on advertising in relation to presidential elections on polling day or on the eve of polling day.

- ☐ **Postal Services Act, Cap. 237A (s. 29)**
(www.singpost.com)

Outlines restrictions on items sent by post including lottery ticket or advertisement of prizes relating to public lottery and gambling, and includes prohibitions, such

as on posting or promotion of chewing gum and sale of imitation postage stamps.

- **Private Education Act, Cap. 247A (s.2, s47, s.71)**
(www.cpe.gov.sg)

Provides for the setup of the SkillsFuture Singapore Agency, responsible for the Committee for Private Education that regulates the private education institutes including the use of advertisement and prohibition of any false or misleading advertisements by private education institutes.

- **Private Hospitals and Medical Clinics Act, Cap. 248 (s22)**
(www.moh.gov.sg)

Outlines the guidelines on advertising and publicity for the healthcare services provided by the hospitals, medical clinics, clinical laboratories and healthcare establishments.

- Private Hospitals and Medical Clinics (Advertisement) Regulations 2019

- **Private Investigation and Security Agencies Act, Cap 249 (s5)**
(www.police.gov.sg)

Prohibits advertising by unlicensed private investigators.

- **Private Lotteries Act, Cap. 250 (s9)**
(www.police.gov.sg)

Regulates permit applications and the rules of the promotion and conduct of any private lotteries, including the manner in which names of winners of prizes may be advertised.

- **Professional Engineers Act, Cap.253**

- (s9)
(www.peb.gov.sg)

Set up the body for engineers, and outlines the Code of Professional Conduct and Ethics rules for professional engineers.

- **Public Entertainments Act, Cap. 257**
(www.police.gov.sg)

Provides for the licensing and regulation of public entertainment or arts entertainment by organisers of any public event.

- **Public Utilities Act, Cap. 261 (s40)**
(www.pub.gov.sg)

Prohibits a person from advertising or otherwise hold himself out as a licensed plumber if one is unlicensed.

R

- **Rapid Transit Systems Act. Cap. 263A (s45)**
(www.lta.gov.sg)

Regulates advertising on railway premises.

- **Road Traffic Act, Cap. 276 (s140)**
(www.police.gov.sg)

Provisions to restrict the use of vehicles and animals, of sandwichmen and other persons on roads for purposes of advertisement of a nature or manner that is likely to be a source of danger or to cause obstruction to traffic.

- **Remote Gambling Act 2014 (s.15-18)**
(www.police.gov.sg)

Prohibits the publishing of remote gambling service advertisements in

Singapore, except for authorised exempt operators.

S

- **Sale of Food Act, Cap. 283 (s16A, 17, 40) & Food Regulations, Cap.283 (s.56)(s5, s9)**
(www.ava.gov.sg)
(www.sfa.gov.sg)

Regulates the sale of food, its import and provision of information and advertising relating to the sale of food, including labelling and outlines offences involving false or non-compliant advertising or labeling of any food or food contact article that does not comply with applicable regulations.

The Food Regulations under the Sale of Food Act, outline the standards and general labeling requirements and prohibitions on misleading labeling for the food, whether on packages, containers, or hampers.

- **Sale of Goods Act, Cap. 393 (s13, 14)**

Outlines the law relating to sale of goods, and contracts for sale, including conditions on contracts under the sale of goods by description where it is an implied condition that the goods will correspond with the description and that goods supplied under the contract are of satisfactory quality.

- **Sale of Infant Food Code of Ethics**
(www.hpb.gov.sg)
(<https://www.hpb.gov.sg/healthy-living/food-beverage/sifecs>)

The Sale of Infant Food Ethics Committee Singapore (SIFECs) Code of Ethics, *revised 5th edition (effective Jan 2019)*, outlines best practices for the infant food industry

on the promotion and distribution practices of infant formula milk, in order to protect and promote breastfeeding. The scope of the code was expanded to include all infant formula for infants to **12 months old**, from the current 6 months, with **strict prohibitions on marketing, advertising and promotion** of infant formula products whether in retail, online, broadcast, print or on out-of-home media. Also outlines certain *restrictions* on use of nutrition and health claims and idealized images in marketing promotions.

- **Securities and Futures Act, Cap 289 (s251, 282L, 300, 303, 305, 341)**
(www.mas.gov.sg)

Restrictions on advertisements relating to securities and futures, including prospectuses on offers for units in any collective investment schemes or a business trust.

- Securities and Futures (Licensing and Conduct of Business) Regulations
- Securities and Futures (Offers of Investments) (Business Trusts) (No. 2) Regulations
- Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations
- Securities and Futures (Offers of Investments) (Shares and Debentures) Regulations

- **Singapore Arms and Flag and National Anthem Act, Cap. 296**
(www.mci.gov.sg)
(www.nhb.gov.sg)
(www.nac.gov.sg)

Regulates the use, display and advertising for the Singapore Arms, Flag and performance of the national Anthem. With the 2007 revision, items like decals,

stickers, and posters of the flag may be used freely but with respect. Approval has to be sought from NHB on how any design of the national symbols will be used. For usage of the national songs of Singapore, approval has to be sought from the NAC.

☐ **Singapore Totalisator Board Act, Cap. 305A (s16, 21)**
(www.singtote.gov.sg)

Regulates any advertisement by any totalizator, lottery, betting or gaming activity by any totalizator or agent. Specifies that certain advertisements relating to totalizator agencies are not unlawful.

☐ **Smoking (Prohibition in Certain Places) Act, Cap. 310 (s.5)**
(www.nea.gov.sg)

Prohibitions on smoking in specified places or vehicles. Provides directions for the display of suitable notices in specified places or vehicles and the phrasing or sizing of such.

☐ **Spam Control Act, Cap. 311A (s.3)**
(www.imda.gov.sg)

Outlines regulations on unsolicited commercial electronic messages sent in bulk where the primary purpose is to advertise or promote goods or services.

☐ **Street Works Act, Cap. 320A (s32A, 53)**
(www.lta.gov.sg)

Prohibitions on advertisements on road structures, road related facility or public street and on any articles that obstruct public streets, five-footways or private footways.

- Street Works (Advertisements on Road Structures, Road Related

Facilities and Public Streets) Regulations

T

☐ **Telecommunications Act, Cap.323 (s26)**
(www.imda.gov.sg)

Regulates the provision of telecommunication systems and services, as well as advertising of telecommunication products and services through rules and codes of practice.

- Code of Practice for Provision of Premium Rate Services
- Telecom Competition Code
- Telecommunications (Dealers) Regulations

☐ **Tobacco (Control of Advertisements and Sale) Act, Cap. 309**
(<http://www.hsa.gov.sg>)

An Act that prohibits advertisements relating to any tobacco product, including imitation tobacco products, by ensuring a comprehensive ban on cross-border advertising, promotion and sponsorship of such products on all media originating from Singapore, including the internet. It controls the sale, packaging and trade description of tobacco products. The Act also prohibits the use of imitation tobacco products, as well as the use of tobacco products by young persons.

- Tobacco (Control of Advertisements and Sale) (Labelling) Regulations 2012

☐ **Trade Marks Act, Cap. 332 (s.47)**
(www.ipos.gov.sg)

Governs the law relating to trade marks, allows for the registration of trade marks as a property right, and outlines offences

for counterfeiting or falsely applying a registered trade mark to goods and services if used in any sign, advertisement or commercial document.

- **Traditional Chinese Medicine Practitioners Act, Cap. 333A. (s24)**
(www.moh.gov.sg)

Regulates the practice and code of conduct of Traditional Chinese Medicine Practitioners, and includes prohibition on advertising and practice by unregistered persons in the prescribed practice of TCM.

- **Tripartite Alliance for Fair & Progressive Employment Practices**
(www.tafep.sg)

Promotes the adoption of fair and progressive employment practices among employers, employees and the general public. The Tripartite Guidelines on Fair Employment Practices outline principles for fair and progressive job advertisements

- Tripartite Guidelines on Non-Discriminatory Job Advertisements

- **Travel Agents Act, Cap. 334 (s. 19)**
(www.stb.gov.sg)

Licensing requirements and regulations for travel agents including mandatory requirements on provision of licensee details and prohibitions on publishing any false, misleading or inaccurate advertisements, contained in the Travel Agents Act and Travel Agents Regulations.

U

- **Undesirable Publications Act, Cap 338**
(www.imda.gov.sg)

Prohibits the import, distribution or reproduction of undesirable or objectionable publications.

V

- **Vandalism Act, Cap. 341 (s.21)**
(www.police.og.sg)

Provides for exemplary punishment for acts of vandalism which includes writing, drawing, painting, display or affixing of any poster, placard or advertisements or other document on public or private property.

W

- **Weights and Measures Act, Cap. 349 (s.16, 18)**
(<https://spring.enterprisesg.gov.sg>)

Lays out requirements for weights and measures on labels and packs and gives power to make specific regulations.