

Singapore's New Online Safety Commission and the Online Safety (Relief and Accountability) Act 2025

Introduction

The Online Safety (Relief and Accountability) Act 2025 ("**OSRAA**"), which purpose is to protect individuals from online harms, partially commenced on 29 June 2026¹. Victims of online harm are now able to seek relief from the newly established Online Safety Commission ("**OSC**") and hold those responsible for online harms accountable by seeking remedies from the Singapore courts².

This update provides an overview of the OSRAA, the composition and powers of the OSC, and the key considerations for businesses operating within Singapore's digital ecosystem.

The Online Safety Commission

The OSRAA establishes the OSC and the office of the Commissioner of Online Safety ("**Commissioner**"). The Commissioner, who is supported by the OSC, is responsible for providing those affected by online harmful activity with timely redress, promoting online safety, and collaborating with the Infocomm Media Development Authority ("**IMDA**") and other agencies to achieve such purpose. In addition, the OSC is vested with a public education mandate, encompassing efforts to enhance public awareness of online harm and to provide guidance on the avenues for relief³.

Scope of Online Harms

The OSRAA targets 13 categories of online harmful activities:

- Online harassment
- Doxxing
- Non-consensual disclosure of private information
- Online stalking
- Intimate image abuse
- Image-based child abuse
- Online impersonation
- Inauthentic material abuse
- Publication of false material
- Publication of a statement harmful to reputation

¹ Ministry of Law, 'Online Safety Commission and Online Safety (Relief and Accountability) Act 2025 to Start on 29 June 2026'.

² Online Safety (Relief and Accountability) Act 2025.

³ Online Safety Commission And Online Safety (Relief And Accountability) Act 2025 to start on 29 June 2026 | Ministry of Digital Development and Information.

- Online instigation of disproportionate harm
- Incitement of enmity
- Incitement of violence

Implementation of the 13 categories is phased, beginning with the implementation of the five categories of online harm identified as most prevalent and severe (intimate image abuse, image-based child abuse, doxxing, online harassment (including online sexual harassment), and online stalking) on 29 June 2026. The remaining eight categories are to be progressively brought into force. Stakeholders should monitor this phased implementation to know when duties under the OSRAA will take effect in relation to the wider spectrum of online content.

Key Features of the OSRAA

1. Administrative Relief Through the Commissioner

When a victim makes a report to the OSC, the OSC will assess the report and if there is reason to suspect that the online harm has occurred, the Commissioner may issue directions to stop or limit the harm, including requiring that harmful content be taken down, or that a perpetrator's account be restricted. The OSRAA does not provide guidance on what would constitute a "reason to suspect". However, the Singapore courts have previously held that a "suspicion" should be clear, grounded and targeted on specific facts⁴, and has a lower threshold than a "reason to believe" which requires a "chain of probable reasoning" that leads to the conclusion⁵. The courts' interpretations in these cases are in the context of different legislation and it remains to be seen whether the Singapore courts will apply a similar interpretation when interpreting the OSRAA. If so, it means that directions may be issued even on the basis of preliminary indicators of harmful activity.

These directions can be issued to three categories of online actors: communicators⁶, administrators⁷, and online service providers⁸. Importantly, this pathway does not require the commencement of court

⁴ *Gobi a/l A v PP* [2020] SGCA 102.

⁵ *Koh Hak Boon v PP* [1993] SGHC 198

⁶ Under the OSRAA, "*communicator*" is defined to mean:

- (a) in relation to relevant material, a person who communicates the relevant material; or
- (b) in relation to a relevant class of material, a person who communicates any online material in the relevant class of material.

⁷ Under the OSRAA, "*administrator*" is defined to mean, in relation to an online location, a person who:

- (a) develops and maintains the online location;
- (b) organises, manages or supervises the use of the online location;
- (c) manages or regulates membership of, or access to, the online location; or
- (d) has the authority to decide whether any material may be included on or excluded from the online location or where to place the material on the online location, or otherwise exercises editorial control over the online location.

⁸ Under the OSRAA, "*online service provider*" is defined to mean the provider (other than a public agency) of an online service, where the online service provided is neither an internet access service nor an app distribution service.

proceedings, and is intended to provide a swifter and more accessible means of recourse than formal litigation.

2. Statutory Torts and Civil Remedies

The OSRAA also introduces statutory torts such that there are now clear legal duties owed to victims by communicators, administrators and online service providers. Where these duties are breached, victims may bring a civil claim against such communicators, administrators and online service providers and seek court remedies, including compensatory damages and injunctions to stop the harmful activity.

Online Actor	Statutory Duty
Communicators	Must not communicate, publish, or engage in any conduct relating to a specified online harm in Singapore.
Administrators	Must not create, set up, or administer an online location in a manner that facilitates or permits online harm, where the requisite intention or knowledge is present. Must also take reasonable measures to address specified online harms upon receiving notice.
Online Service Providers	Must take reasonable measures to address specified online harms upon receiving notice. Online Service Providers with greater reach may be subject to additional requirements, including response-time obligations.

Section 102 of the OSRAA further addresses attempts to contractually exclude or limit this liability. It provides that the OSRAA has effect despite any contractual provision to the contrary (i.e. exclusion clause), which will be void if and to the extent that (i) it is inconsistent with Part 11 (Administrators – Duties and Torts) or 12 (Online Service Providers – Duties and Torts) of the OSRAA; (ii) it purports to exclude or limit the jurisdiction of the Singapore courts for a claim made under Part 11 or 12; or (iii) it purports to prevent a person from making a claim under Part 11 or 12. Notwithstanding, Section 102 of the OSRAA does not apply to a contractual provision that is fair and reasonable.

In determining whether a contractual provision is fair and reasonable, the Singapore courts will consider the strength of the relative bargaining positions of the parties relative to each other⁹ and whether the clause serves to make dispute resolution genuinely more convenient or cost-effective (as compared to where the contractual provision is absent)¹⁰.

⁹ The Second Schedule of the Unfair Contract Terms Act 1977 (“UCTA”) provides that as part of determining the strength of the bargaining positions of the parties relative to each other, one of the factors to consider is whether there are alternative means by which the customer’s requirements could have been met. While it remains to be seen whether the Singapore courts will apply a similar interpretation to the OSRAA, if so, then an exclusion clause may not be considered to be fair and reasonable (and hence void) if the user does not have any alternatives other than the service provided by relevant party.

¹⁰ Online Safety (Relief and Accountability) (Exclusion of Liability) Regulations 2026.

3. Identification of Anonymous Perpetrators

Critically, the OSRAA also addresses one of the most significant practical barriers victims face in pursuing court action which is the identification of an anonymous perpetrator. In practice, perpetrators may not always be readily identifiable, may be located outside the jurisdiction, or may have concealed their identities through Virtual Private Networks (VPNs) or other means. To overcome this, where the Commissioner reasonably suspects¹¹ that an end-user has engaged in online harmful activity by means of an online service provided by a prescribed online service provider, the Commissioner is empowered to require online service providers to disclose the identity information of end-users who have committed online harms, such as their name or contact details. A victim may apply to the Commissioner for disclosure of this information, but only for specified purposes such as bringing a claim in court against the communicator who posted the harmful content. Conditions will be imposed to ensure that the victim does not misuse any identity information disclosed to them. This disclosure mechanism crucially bridges the gap between the victim's knowledge and their ability to enforce the statutory causes of action – ensuring that the right to sue under the OSRAA is not rendered hollow by a wrongdoer's anonymity¹².

4. Online Harm Notices

Under the OSRAA, victims (or, for minors or persons lacking capacity, their parents, guardians or authorised representatives as the case may be) may send an Online Harm Notice to an administrator of an online location¹³ or online service provider. The administrator of an online location or online service provider is thereafter required to comply with specific statutory response windows (i.e. six hours in the case of intimate image abuse or image-based child abuse involving explicit imagery, 24 hours for other intimate image or child abuse content, and 48 hours in all remaining cases¹⁴).

5. Prescribed Online Service Providers

Subsidiary legislation designates specific platforms as prescribed online service providers subject to these response-time obligations¹⁵. As at the date of this update, the list comprises:

- Google LLC (YouTube, Google Maps Reviews)
- Meta Platforms, Inc. (Facebook, Instagram, Threads)
- WhatsApp LLC (WhatsApp)
- X Corp. (X)
- SPH Media Limited (HardwareZone Forums)
- TikTok Pte. Ltd.
- Reddit, Inc.

¹¹ Please refer to section 1 of this article above on how the Singapore courts have previously interpreted "suspicion", which will similarly likely be relevant here.

¹² Ministry of Law, 'Online Safety Commission and Online Safety (Relief and Accountability) Act 2025 to Start on 29 June 2026'.

¹³ Under the OSRAA, "*online location*" is defined to mean any internet domain, website, webpage, chatroom, chat group, channel, group, forum, social media account page or any other location, that can be accessed by means of the Internet.

¹⁴ Online Safety (Relief and Accountability) (Online Harm Notice) Regulations 2026.

¹⁵ Online Safety (Relief and Accountability) (Prescribed Online Service Providers) (Parts 10 to 14) Regulations 2026.

- Telegram Messenger Inc.
- WeChat International Pte. Ltd. (WeChat)

A separate, shorter list of six platforms (Facebook, Instagram, YouTube, X, TikTok, and HardwareZone Forums) is prescribed for the purposes of the Commissioner's administrative powers under Part 5 (Powers to Give Directions and Orders) of the OSRAA which comes with a different set of additional obligations, including expanded takedown and account-restriction directions.

Reconsideration and Appeals

The OSRAA provides a two-stage framework for challenging the Commissioner's decisions, the detailed procedure of which is set out in the Online Safety (Relief and Accountability) (Reconsideration and Appeal) Regulations 2026. A person affected by a decision, direction or order made under Part 5 (Powers to Give Directions and Orders) may apply for reconsideration within 14 days of the original decision; the Commissioner may then affirm, revoke, vary or substitute that decision. A party still dissatisfied after reconsideration may appeal to an Online Safety Appeal Panel within 14 days of the reconsidered decision, on payment of a S\$200 fee¹⁶.

Practical Implications

Businesses and individuals operating in Singapore's digital ecosystem should consider the following:

- Administrators of online locations, and online service providers should review their content moderation and takedown policies to ensure compliance with the OSRAA's notice-and-response framework and timelines, establish clear escalation pathways to appropriate management levels to ensure timely compliance with prescribed response times (where applicable), and conduct regular training and simulation drills (with appropriate after-action reviews).
- Standard terms and conditions of online service providers should be reviewed in light of the OSRAA's provisions on the enforceability of exclusion clauses. Where there is a significant disparity in bargaining power between the online service provider and the end-user (such as where there is no alternative available to the end-user), consideration should be had as to whether the relevant clause would provide a convenient or cost-effective resolution to a dispute between the parties, or whether any amendments are to be implemented to the relevant clause, to increase the likelihood of the Singapore courts finding the same to be fair and reasonable.
- Telcos already subject to IMDA regulation under Part 10A of the Broadcasting Act 1994 should note that the OSRAA introduces a parallel and distinct compliance framework. Operational teams will need to ensure that internal processes address both sets of obligations without treating them as interchangeable.

Future phases will expand coverage to additional categories of online harms and may bring further regulatory requirements, so ongoing monitoring of developments is advisable.

This Client Update was authored by Partner Ted Teo and Associate Chen Jun Wei.

¹⁶ Online Safety (Relief and Accountability) (Reconsideration and Appeal) Regulations 2026.

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