

PRESS RELEASE

**UPCOMING LEGISLATIVE PROVISIONS FOR USAGE OF DATA FROM DIGITAL
CONTACT TRACING SOLUTIONS**

Singapore, 8 January 2021

We acknowledge our error in not stating that data from TraceTogether is not exempt from the Criminal Procedure Code.

2 In Parliament on 5 January, Minister-in-Charge of the Smart Nation Initiative, Dr Vivian Balakrishnan and Minister for Home Affairs and for Law, Mr K Shanmugam, assured the House and the public that the use of TraceTogether data in criminal investigations would be restricted to serious offences.

3 The Government will pass legislation to formalise these assurances. The legislation will specify that personal data collected through digital contact tracing solutions, which comprise the TraceTogether Programme and the SafeEntry Programme, can only be used for the specific purpose of contact tracing, except where there is a clear and pressing need to use that data for criminal investigation of serious offences. It is not in the public interest to completely deny the Police access to such data, when the safety of the public or the proper conduct of justice is at stake. If a serious criminal offence has been committed, the Police must be able to use this data to bring the perpetrators to justice, seek redress for the victims, and protect society at large.

4 The legislation will set out a full list of seven categories of serious offences for which the personal data collected for COVID-19 contact tracing can be used for Police investigations, inquiries, or court proceedings (please refer to Annex for the categories of offences). The data cannot be used in the investigations, inquiries or court proceedings of any other offence besides these seven categories. The legislation will be introduced in the next Parliament sitting in February on a Certificate of Urgency.

5 We value the trust that the public has placed in the TraceTogether programme, and feedback from members of the public. Dr Vivian and Mr Shanmugam held a public consultation today with members of the press, the legal fraternity, technology experts, and academia, to

hear their views on the matter. The views gathered will inform the debate on the upcoming legislation.

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Categories of Serious Offences to be Covered

No	Category of Serious Offences
1	Offences involving the use or possession of corrosive substances, offensive/dangerous weapons, e.g. possession of firearms, armed robbery with the use of firearms.
2	Terrorism-related offences under the Terrorism (Suppression of Bombings) Act, Terrorism (Suppression of Financing) Act, and Terrorism (Suppression of Misuse of Radioactive Material).
3	Crimes against persons where the victim is seriously hurt or killed, e.g. murder, culpable homicide not amounting to murder, voluntarily causing grievous hurt (where the victim's injury is of a life-threatening nature).
4	Drug trafficking offences that attract the death penalty.
5	Escape from legal custody where there is reasonable belief that the subject will cause imminent harm to others.
6	Kidnapping.
7	Serious sexual offences, e.g. rape, sexual assault by penetration.