



Australia-Singapore Digital Economy Agreement – Summary of key outcomes

The Australia-Singapore Digital Economy Agreement (DEA) upgrades the Singapore-Australia Free Trade Agreement (SAFTA) through a new Digital Economy chapter, providing modernised trade rules that assist businesses and consumers to engage with and benefit from digital trade and the digital economy.

Key outcomes from the DEA include:

- **Cross-border data flows and location of computing facilities**
 - Allows for the transfer of data between Australia and Singapore for business purposes, including in the financial sector.
 - Businesses will not be forced to build data storage centres, or use local computing centres, as a condition of conducting business.
 - Access to data assists businesses to stay competitive by gaining access to useful market intelligence, identifying growth opportunities, designing innovative goods and services, improving pricing, and operating more efficiently.
 - Importantly, the Privacy Act 1988 protects personal information collected for inclusion in a record or publication, and continues to apply when personal information of Australians is transferred to another country.
- **Improved protections for source code**
 - Access to or disclosure of software source code will not be required to be transferred to Singapore as a condition for the import, distribution, sale or use of software – this rule covers both mass-market software and bespoke/custom software.
 - Improves business certainty through the recognition and protection of intellectual property where the integrity and ownership of source code is crucial to a business's competitiveness in local and global markets.
 - Extends protection to SMEs which are significant suppliers of bespoke/custom software.
- **Digital trade facilitation**
 - New commitments on e-invoicing and e-payment frameworks, to ensure these are implemented in a way that is compatible and based on international frameworks.
 - Also includes rules to enhance compatibility of electronic transactions frameworks, including recognition of e-authentication and signatures, to work towards a single window for paperless trading and to expedite express shipments.
 - Promotes the adoption of internationally accepted standards for online payment systems, which improve the digital trade experience for businesses and support cash flow and payment security for SMEs.
- **Business and consumer trust in digital trade**
 - Improved enforcement and compliance provisions on online consumer protection, personal information protection, and discouraging unsolicited commercial electronic messages (spam).
 - A new commitment to cooperate in creating and promoting a safe online environment to protect citizens, especially children and vulnerable members of the community, from harmful online experiences.

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- **Open Government Data**
 - A new commitment to improve the accessibility of publicly available, anonymised government information, for the purpose of economic, social and research benefit;
 - Sharing and analysing data can improve government's ability to make better-informed policy decisions on complex issues, for example in health, education, welfare, and the environment.
 - Academics and research institutions will also be able to use government data more effectively and at lower cost.
 - Across a variety of sectors, access to government data allows for the development of new and customised products and services demanded by business, government and the community.
- **Digital standards**
 - Collaboration on the development of key standards to support digital trade.
 - This work has already begun with a jointly commissioned study to identify priority opportunities for increased digital standardisation, published in October 2020.
- **FinTech and RegTech**
 - Collaboration between FinTech and RegTech enterprises and industry bodies to explore business opportunities for Australian and Singaporean enterprises, and to develop standards for open banking.
- **Submarine data cables**
 - Commitments to facilitate submarine cable installation, maintenance and repair, and the prevention of cable disruptions.
- **Cooperation** between Australia and Singapore that reflects the broader digital economy agenda, including joint regional capacity building in digital trade, online copyright issues, small and medium enterprises, and cybersecurity.

Important information

- None of the provisions in the DEA:
 - affect the ability of Australia to enforce existing regulations on privacy;
 - require changes to Australian regulations, including the Privacy Act and the My Health Records Act.
- Confidential business information, as well as confidential information of consumers and individuals, would be protected from unlawful disclosure under Australian law.

MoUs associated with the DEA

The DEA is supported by seven Memoranda of Understanding (MoUs) which facilitate practical cooperation initiatives on:

- **data innovation**

The Australian Government and the Government of the Republic of Singapore will cooperate on joint projects using combined cross-border datasets to produce new insights, demonstrating the value of sharing trusted, anonymised data across borders.

- **artificial intelligence (AI)**

The Australian Government and the Government of the Republic of Singapore will cooperate on Artificial Intelligence (AI) capabilities, including new AI technologies, talent development and ethical standards to support the positive commercial application of AI in the digital economy.

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- **e-invoicing**

The Australian Taxation Office and the Infocomm Media Development Authority of Singapore will cooperate to expand e-invoicing interoperability in the region, based on the Peppol international framework. This MoU will make it easier for Australian small business to send and receive invoices between Australian and Singapore businesses and with other businesses in the region.

- **e-certification for agricultural exports and imports**

The Department of Agriculture, Water and the Environment and the Singapore Food Agency and National Parks Board of Singapore will cooperate on electronic certification of agricultural goods trade, which is a significant Australian export to and through Singapore.

- **trade facilitation**

The Australian Border Force, the Infocomm Media Development Authority and Singapore Customs will establish a cooperative relationship to develop compatible paperless trading systems for goods traded between Australia and Singapore.

- **personal data protection**

The Office of the Australian Information Commissioner and the Personal Data Protection Commission of Singapore share a common mission to protect personal information and uphold individuals' privacy rights as data flows across borders. This MoU sets out the intentions of both organisations to cooperate through sharing experience, expertise, intelligence and information on best practice in relation to the protection of personal information.

- **digital identity**

The Digital Transformation Agency and the Smart Nation and Digital Government Office will cooperate to develop policy frameworks to support mutual recognition of digital identity systems, which can support more efficient government interactions by businesses operating across borders.

Treaty text

The DEA entered into force on 8 December 2020.

The full text of the DEA is available at: <http://dfat.gov.au/au-sg-dea>

The DEA amends the [SAFTA](#) to replace the existing Electronic Commerce chapter with a new Digital Economy chapter, along with other amendments.

For more information

Further information on the DEA is available at: <http://dfat.gov.au/au-sg-dea>

We welcome your feedback on further potential areas of cooperation with Singapore on digital economy issues.

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