

## **DEED OF UNDERTAKING**

I acknowledge that during the term of my employment with the Enterprise Singapore Board ("the Board"), I will have access or come into possession of information relating to the affairs of the Board or the Government of Singapore. I recognise that all official documents, papers and information I receive are to be treated as confidential. I am aware that disclosure of any such information is prohibited by Section 3 of the Statutory Bodies and Government Companies (Protection of Secrecy) Act, whether during or after the term of my employment with the Board, unless such disclosure is for the purpose of the performance of my duties or functions or is lawfully required or authorised to be disclosed with the written permission of my Chief Executive Officer, or by any court or under the provisions of any written law. I have read and understood Section 3 which is attached herein (Appendix A).

I undertake not to publish or communicate any information relating to the affairs of the Board to any other person under any circumstances without the written consent of the Board except in the course of my official duties.

I further acknowledge that in my work with the Board, I will have access to computer systems of the Board or other parties including that of clients or business partners of the Board and I am aware that any unauthorised access to computer materials, modification of computer materials, unauthorised use or interception of computer service, unauthorised obstruction of use of computer and unauthorised disclosure of access code are offences under the Computer Misuse Act. I have read and understood the relevant part of the Computer Misuse Act which is attached herein (Appendix B).

I undertake with the Board that during or after the term of my employment, I will not carry out any activities that contravene the provisions of the Computer Misuse Act or any internal guidelines established by the Board regarding the use of computer system or access codes given to me by the Board.

I acknowledge that any breach or neglect in complying with the requirements of this undertaking is a disciplinary offence and may also render me liable to prosecution under the Statutory Bodies and Government Companies (Protection of Secrecy) Act or the Computer Misuse Act.

I further acknowledge that no failure or delay on the part of the Board to enforce this undertaking shall operate as a waiver of its right to do so in future and any single or partial enforcement of this undertaking shall not preclude any other or future enforcement.

I agree and shall indemnify the Board fully against all claims and damages suffered by the Board arising from or as a result of a breach of these undertakings by me during or after the term of my employment.

Name of officer: \_\_\_\_\_

Name of Witness: \_\_\_\_\_

Division/Department: \_\_\_\_\_

Signature/Date: \_\_\_\_\_ **26/05/2025**

Signature/Date: \_\_\_\_\_ **26/05/2025**

**By checking this box, I declare that I have read and acknowledged the Deed of Undertaking.**

**SECTION 3 OF THE STATUTORY BODIES AND GOVERNMENT COMPANIES  
(PROTECTION OF SECRECY) ACT  
(CHAPTER 319 – 1998 EDITION)**

**Protection of secrecy**

- 3(1) No person who is or has been a member or an officer, employee or agent of a specified organisation shall, without authority of that organisation, disclose to any other person any secret or confidential document or information which he has obtained or to which he has access by virtue of his position as such member, officer, employee or agent.
- (2) Subsection (1) shall not apply to the disclosure of any document or information —
- (a) for the purpose of the performance of his duties or functions by any member, officer, employee or agent of a specified organisation; or
  - (b) which is lawfully required or authorised to be disclosed with the written permission of the Chief Executive Officer, or by any court or under the provisions of any written law.
- (3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

**PART II COMPUTER MISUSE ACT  
(CHAPTER 50A – 1998 EDITION)**

**OFFENCES**

**Unauthorised access to computer material**

- 3(1) Subject to subsection (2), any person who knowingly causes a computer to perform any function for the purpose of securing access without authority to any program or data held in any computer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.
- (2) If any damage is caused as a result of an offence under this section, a person convicted of the offence shall be liable to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 7 years or to both.
- (3) For the purposes of this section, it is immaterial that the act in question is not directed at -
  - (a) any particular program or data;
  - (b) a program or data of any kind; or
  - (c) a program or data held in any particular computer.

**Access with intent to commit or facilitate commission of offence**

- 4(1) Any person who causes a computer to perform any function for the purpose of securing access to any program or data held in any computer with intent to commit an offence to which this section applies shall be guilty of an offence.
- (2) This section shall apply to an offence involving property, fraud, dishonesty or which causes bodily harm and which is punishable on conviction with imprisonment for a term of not less than 2 years.
- (3) Any person guilty of an offence under this section shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 10 years or to both.
- (4) For the purposes of this section, it is immaterial whether –
  - (a) the access referred to in subsection (1) is authorised or unauthorised;
  - (b) the offence to which this section applies is committed at the same time when the access is secured or at any other time.

**Unauthorised modification of computer material**

- 5(1) Subject to subsection (2), any person who does any act which he knows will cause an unauthorised modification of the contents of any computer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 5 years or to both.
- (2) If any damage is caused as a result of an offence under this section, a person convicted of the offence shall be liable to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 7 years or to both.

- (3) For the purposes of this section, it is immaterial that the act in question is not directed at–
- (a) any particular program or data;
  - (b) a program or data of any kind; or
  - (c) a program or data held in any particular computer.
- (4) For the purposes of this section, it is immaterial whether an unauthorised modification is, or is intended to be, permanent or merely temporary.

#### **Unauthorised use or interception of computer service**

- 6(1) Subject to subsection (2), any person who knowingly–
- (a) secures access without authority to any computer for the purpose of obtaining, directly or indirectly, any computer service;
  - (b) intercepts or causes to be intercepted without authority, directly or indirectly, any function of a computer by means of an electro-magnetic, acoustic, mechanical or other device; or
  - (c) uses or causes to be used, directly or indirectly, the computer or any other device for the purpose of committing an offence under paragraph (a) or (b),
- shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 5 years or to both.
- (2) If any damage is caused as a result of an offence under this section, a person convicted of the offence shall be liable to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 7 years or to both.
- (3) For the purposes of this section, it is immaterial that the unauthorised access or interception is not directed at–
- (a) any particular program or data;
  - (b) a program or data of any kind; or
  - (c) a program or data held in any particular computer.

#### **Unauthorised obstruction of use of computer**

- 7(1) Any person who, knowingly and without authority or lawful excuse–
- (a) interferes with, or interrupts or obstructs the lawful use of, a computer; or
  - (b) impedes or prevents access to, or impairs the usefulness or effectiveness of, any program or data stored in a computer,
- shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 5 years or to both.
- (2) If any damage is caused as a result of an offence under this section, a person convicted of the offence shall be liable to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 7 years or to both.

### **Unauthorised disclosure of access code**

- 8(1) Any person who, knowingly and without authority, discloses any password, access code or any other means of gaining access to any program or data held in any computer shall be guilty of an offence if he did so-
- (a) for any wrongful gain;
  - (b) for any unlawful purpose; or
  - (c) knowing that it is likely to cause wrongful loss to any person.
- (2) Any person guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 5 years or to both.