

# Potential Areas for AI Disputes in Singapore

Governance, Risk & Practical Controls

AI Adoption · Data Breaches · IP Conflicts · Misrepresentation · Principles-Based Regime

## Scope

- Overview of Singapore's AI governance Framework
- Case studies:
  - Personal Data Protection Act 2012 - obligations & enforcement
  - IP & training data - Confidentiality and trade secrets
  - Misrepresentation
- Litigation posture: injunctions and discovery
- Managing liability in contracts

## Singapore's AI Governance Landscape

- No prescriptive “AI law” yet
- Singapore's Model AI Governance Framework
- Sector regulators: MAS, IMDA, MOH
- Model AI Governance Framework – evolving
  - original 2019 edition,
  - revised 2020 edition addressing traditional AI,
  - May 2024 – addressing Generative AI
  - January 2026 – Agentic AI – addressing governance challenges posed by autonomous or semi-autonomous AI agents capable of independent decision-making.

## Singapore's AI Governance Landscape

- Core elements:
  - **Accountability,**
  - **Data,**
  - Trusted Development and Deployment,
  - Incident Reporting,
  - Testing and Assurance,
  - Security,
  - **Content Provenance,**
  - Safety and Alignment Research and Development, and
  - AI for Public Good.

## Singapore's AI Governance Landscape

- What is the framework's practical significance for disputes?
  - Lays down standards in codes of practice by competent authorities
  - Possibly relied on for the purpose of determining negligence liability.
  - Not always conclusive as the legal standard of care is ultimately a matter reserved for the court.
- What does a failure to adhere to Framework mean?
  - Entity not following Framework could amount to an inference of negligence.
  - No existing legal obligation to perform services beyond prevailing industry standard.
  - Failures could result in those standards being deemed inadequate.
- Take a practical approach
  - Recommended to observe Framework
  - Document compliance as at least that provides a starting point for any defence
  - Not conclusive, but likely to improve position.

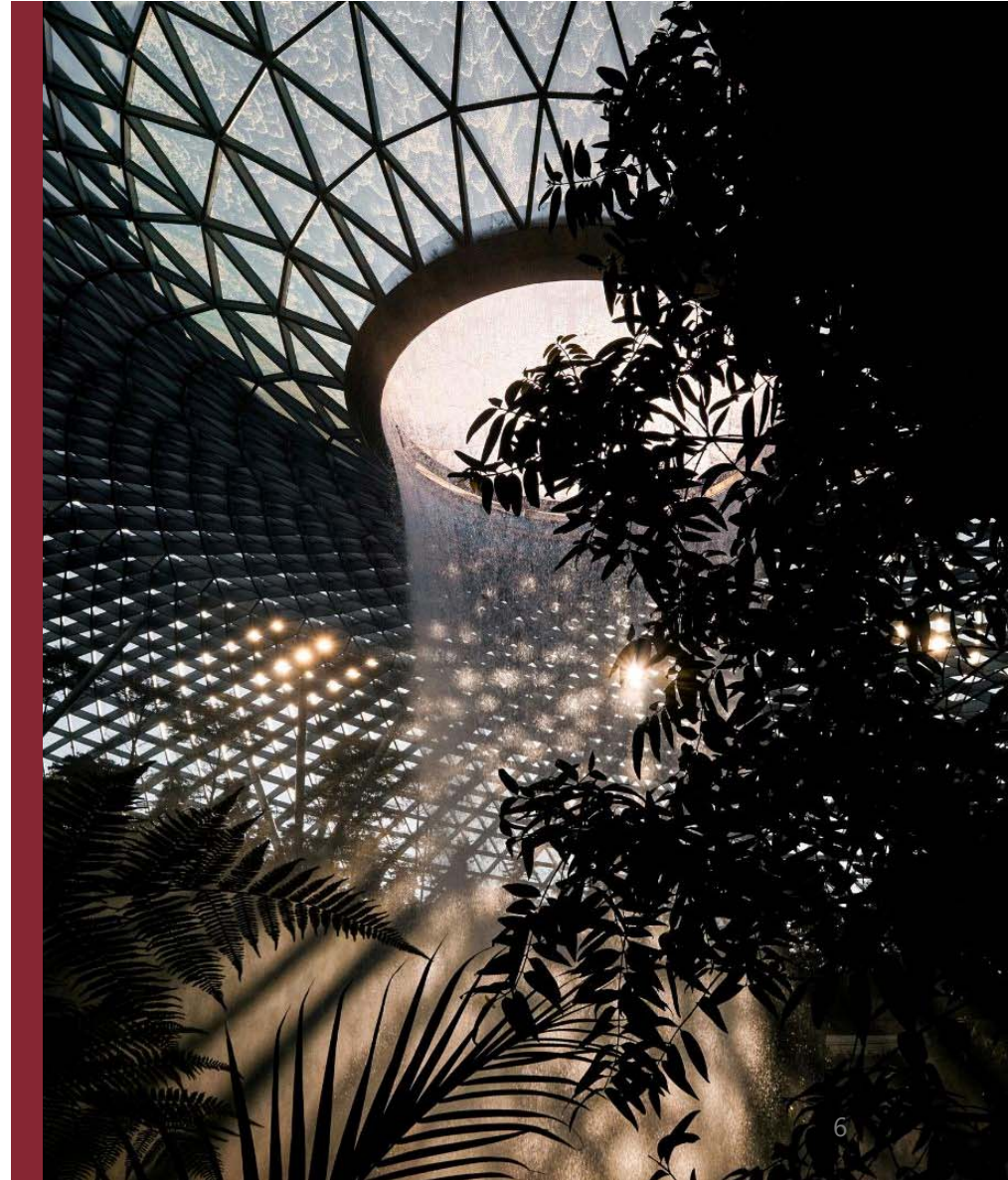
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# Case Study 1: PDPA Breach

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- Training data scraped without consent
- Model outputs revealing personal data
- Notification duties triggered

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## PDPA Obligations & Enforcement

- Obligations of concern:
  - Consent,
  - Purpose limitation,
  - Accuracy,
  - Protection,
  - Transfer limitation
- Breach notification within 3 calendar days (significant harm test)
- Financial penalties up to S\$1M or 10% revenue

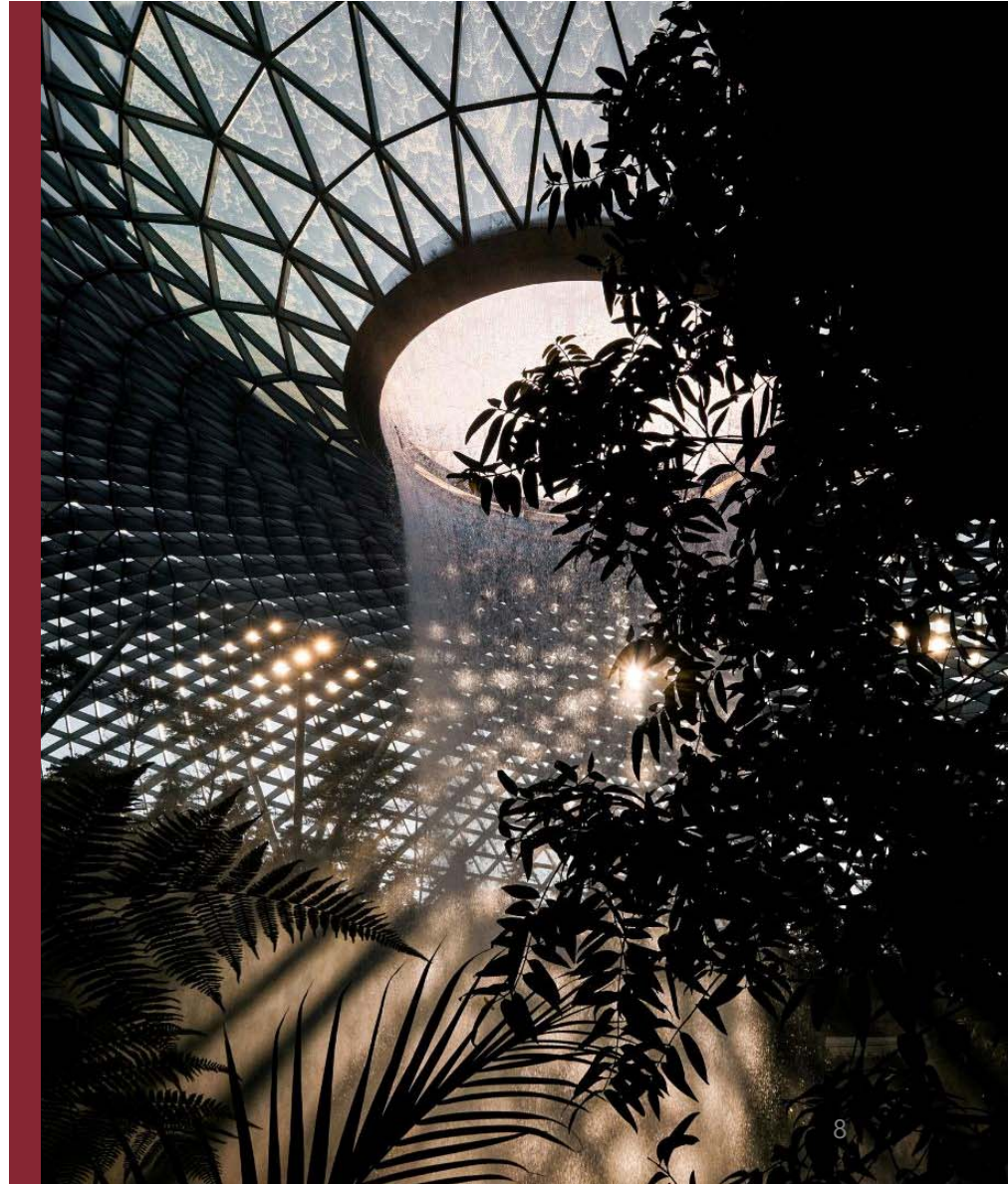
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## Case Study 2: IP & Training Data

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- Training on copyrighted works
- Outputs resembling original works
- Licence terms prohibiting commercial use

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## **Confidentiality & Trade Secrets**

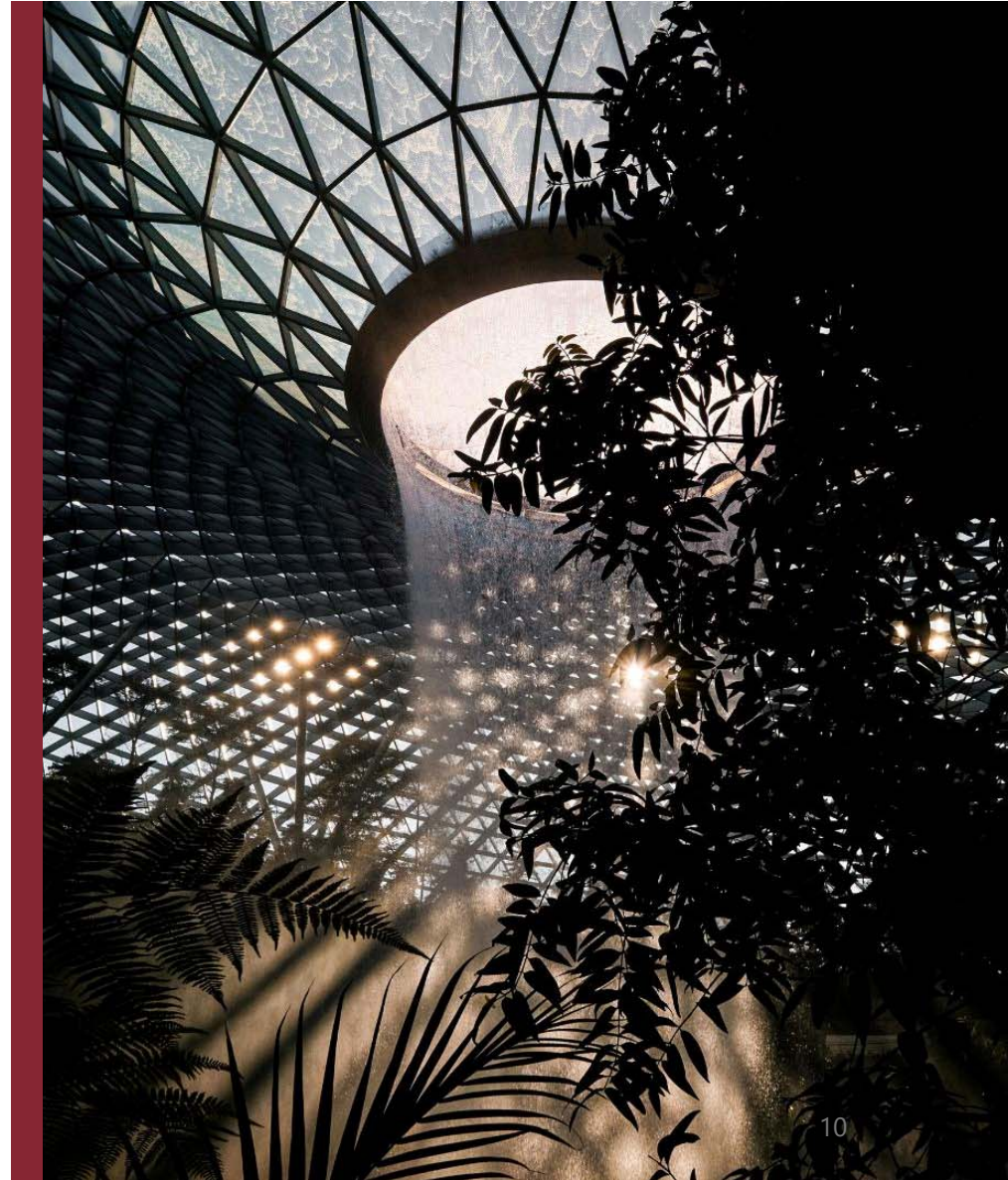
- Employee / contractor disclosure of client data
- NDAs and employment duties
- Contract for output ownership and use restrictions

## Case Study 3: Misrepresentation

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- “AI-powered” accuracy claims
- Reliability promises
- Consumer impact and recourse

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## **Litigation Posture: Injunctions & Discovery**

- Injunction risk (IP, confidentiality)
- Discovery: training sources, logs, communications
- Build retention and access controls early

## Managing Liability in Contracts

- Data rights and training restrictions
- Auditability, logging, cooperation
- Incident response aligned with PDPA timelines
- Indemnities, caps, carve-outs, insurance

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**Thank You**

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