THE STATUTES OF THE REPUBLIC OF SINGAPORE

PARLIAMENTARY ELECTIONS ACT 1954

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Parliamentary Elections Act 1954

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An Act to make provision for Parliamentary elections.

[12 November 1954]

PART 1

PRELIMINARY

Short title

1. This Act is the Parliamentary Elections Act 1954.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

"ballot box" includes a ballot container;

"ballot display" means an electronic video display, image or representation of a ballot paper on a screen;

"candidate" means a person who is nominated as a candidate for election to any seat in Parliament;

"Commissioner of National Registration" means the Commissioner of National Registration appointed under the National Registration Act 1965;

"contact address", in relation to any person, means the person's contact address under section 10(2) of the National Registration Act 1965;

"direct recording electronic voting machine" or "DRE voting machine" means any mechanical, electronic or electro-optical machine that can —

(*a*) be activated by a voter to mark or record his or her vote for any candidate or group of candidates on a ballot display on the machine;

(*b*) process the vote by means of a computer program;

(*c*) instantaneously record and store that vote in a memory device within the machine; and

(*d*) sort and count votes marked or recorded on all ballot displays on that machine,

and includes any computer program that is used in the operation of the machine;

"direct recording electronic voting system" or "DRE voting system" means any voting system using DRE voting machines;

"election" means an election for the purpose of electing a Member of Parliament;

"election advertising" means any poster, banner, notice, circular, handbill, illustration, article, advertisement or other material that can reasonably be regarded as intended —

(*a*) to promote or procure the electoral success at any election for one or more identifiable political parties, candidates or groups of candidates; or

(*b*) to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with any election,

and such material is election advertising even though it can reasonably be regarded as intended to achieve any other purpose as well and even though it does not expressly

mention the name of any political party or candidate, but excludes any button, badge, pen, pencil, balloon and any other thing prescribed by the Minister by notification in the *Gazette*;

"elector" means a person whose name is entered in a register as an elector to vote at an election;

"electoral division" means an electoral division specified in the notification for the time being in force under section 8;

"general election" means a general election of Members after a dissolution of Parliament;

"group" means a group of not less than 3 but not more than 6 candidates nominated for any election in any group representation constituency in accordance with section 27B;

"group representation constituency" means any electoral division declared to be a group representation constituency under section 8A(1)(*a*);

"Member" means a Member of Parliament;

"overseas elector" means an elector who is registered under this Act as an overseas elector;

"overseas polling station" means such of the following premises situated outside Singapore as the Returning Officer may approve under section 36A(2) to be an overseas polling station:

(*a*) an embassy, a High Commission, a diplomatic mission, a permanent mission or a consulate of Singapore (or any part of it) in a country or territory outside Singapore;

(*b*) the official residence (or any part of it) of any person who is appointed to hold or act in any of the following offices in a country or territory outside Singapore:

(i) an ambassador, a High Commissioner, a Consulate-General or the head of a diplomatic mission or consulate;

(ii) the Permanent Representative;

(iii) such other senior diplomatic or consular office as the Minister may prescribe;

"overseas registration centre" means an overseas registration centre established under section 10(4);

"Parliament" means the Parliament of Singapore established by the Constitution;

"political party" means a political party which is registered under the Societies Act 1966;

"polling district" means a part of an electoral division subdivided under section 9;

"polling station" means any polling station established by or under the authority of the Returning Officer under section 36A for voters to cast their votes at an election, and includes any overseas polling station;

"presidential election" means an election under the Presidential Elections Act 1991;

"principal election agent" means an election agent of a candidate in a group who has been appointed under section 62(5) as the principal election agent for that group;

"public authority" means any body corporate, board or authority established by or under any written law for the performance of any public function, but excludes any Town Council constituted under the Town Councils Act 1988;

"publish" means make available to the general public, or any section thereof, in whatever form and by whatever means, including broadcasting (by wireless telegraphy or otherwise) and transmitting on what is commonly known as the Internet;

"register" or "register of electors" means the register of electors for any particular electoral division comprising sections, each of which shall relate to a polling district of that electoral division;

"Registration Officer" and "Assistant Registration Officer" mean respectively the Registration Officer and an Assistant Registration Officer appointed under section 3;

"Returning Officer" means the Returning Officer appointed under section 3;

"Revising Officer" means a Revising Officer appointed under section 12;

"voter" means a person who, whether his or her name does or does not appear in a register of electors, applies to vote or votes at an election.

[6/2017]

(2) For the purposes of this Act —

(*a*) the reference to electoral success at any election is a reference —

(i) in relation to any political party, to the return at the election of candidates or groups of candidates standing in the name of the party; and

(ii) in relation to candidates or groups of candidates, to their return at the election;

(*b*) the reference to the doing of anything mentioned in paragraph (*a*) or (*b*) of the definition of "election advertising" includes doing so by prejudicing the electoral prospects at the election of other political parties, candidates or groups of candidates or (as the case may be) by prejudicing the standing with the electorate of other political parties, candidates or groups of candidates; and

(*c*) the reference to candidates or groups of candidates includes a reference to any person or group of persons (whether or not a member of any political party) who, on or after the date of the issue of a writ for the election is declared, by himself, herself or others, as seeking nomination as a candidate at that election.

Appointment of officers

3.—(1) The Minister may appoint a Registration Officer, a Returning Officer and such number of Assistant Registration Officers as the Minister thinks fit.

(2) An Assistant Registration Officer has all the powers and may perform all the duties of the Registration Officer.

(3) Any reference in this Act to the Registration Officer is deemed, unless the context otherwise requires, to include a reference to an Assistant Registration Officer.

(4) An appointment made by the Minister under this section may be revoked by the Minister at any time.

Appointment of clerks and interpreters

4.—(1) The Registration Officer and the Returning Officer may appoint any number of clerks and interpreters that may be necessary for the purposes of this Act.

(2) The appointments made under subsection (1) may be revoked at any time.

Qualification of electors

5.—(1) Subject to sections 6 and 7, any person who on the prescribed date in any year —

(*a*) is a citizen of Singapore;

(*b*) is ordinarily resident in Singapore; and

(*c*) is not less than 21 years of age,

is entitled to have his or her name entered or retained in a register of electors in that year.

(1A) For the purposes of subsection (1)(*b*), a person is deemed to be ordinarily resident in Singapore on the prescribed date in a year if the person has resided in Singapore for an aggregate of 30 days during the period of 3 years immediately preceding the prescribed date, even though the person is not resident in Singapore on that date.

(2) For the purposes of the preparation or revision of any register of electors a person who is a citizen of Singapore and to whom an identity card has been issued or deemed to have been issued on or before the prescribed date in any year under the provisions of the National Registration Act 1965 and has not been withdrawn is presumed, until the contrary is shown —

(*a*) to be ordinarily resident in Singapore on the prescribed date in that year;

(*b*) to be not less than 21 years of age on the prescribed date in that year, if from the particulars recorded in the register maintained by the Commissioner of National Registration he or she appears to be not less than that age on that date; and

(*c*) to reside in the electoral division and polling district of the electoral division in which is situated the latest address shown on the prescribed date in the register maintained by the Commissioner of National Registration.

(3) Despite subsection (2), the Registration Officer may, in preparing or revising any register of electors, omit from the register the name of any person where the Registration Officer has reason to believe that the latest address of the person shown on the prescribed date in the register maintained by the Commissioner of National Registration has ceased to exist or to be used as a place of residence or is an address situated outside Singapore.

(4) For the purposes of subsections (1), (1A) and (2), the prescribed date is 1 July or such other date as the Minister may, by order in the *Gazette*, specify.

(5) No order may be made under subsection (4) between the date of commencement of any preparation or revision of any register of electors for any year and the date of certification of that register under this Act (both dates inclusive).

(6) For the purposes of this section, the contact address of the holder of an identity card is to be regarded as his or her latest address in the register maintained by the Commissioner of National Registration.

Disqualification of electors

6.—(1) No person is entitled to have his or her name entered or retained in any register of electors if he or she —

(*a*) has done any of the following:

(i) acquired or applied to acquire by registration, naturalisation or other voluntary and formal act (other than marriage) the citizenship of any country outside Singapore;

(ii) voluntarily claimed and exercised any rights (other than any rights in connection with the use of a passport) available to him or her under the law of any country outside Singapore being rights accorded exclusively to the citizens or nationals of that country;

(iii) taken any oath or made any declaration or acknowledgment of allegiance, obedience or adherence to any foreign power or state;

(iv) applied to the authorities of a place outside Singapore for the issue or renewal of a passport or used a passport issued by such authorities as a travel document;

(*b*) is serving a sentence of imprisonment (by whatever name called) imposed by any court in or outside Singapore for an offence punishable with imprisonment for a term exceeding 12 months, or is under sentence of death imposed by any such court or is serving a sentence of imprisonment awarded in lieu of execution of any such sentence;

(*c*) is under any written law found or declared to be of unsound mind;

(*d*) is incapable of being registered by reason of his or her conviction of a corrupt or illegal practice under this Act or the Presidential Elections Act 1991 or by reason of the report of an Election Judge in accordance with the

provisions of this Act or the Presidential Elections Act 1991 or by reason of his or her conviction under section 55 of this Act or section 37 of the Presidential Elections Act 1991;

(*e*) is a serving member on full pay of any naval, military or air force not maintained out of moneys provided by Parliament unless he or she possesses a domicile in Singapore;

(*f*) [*Deleted by Act 14 of 2008*]

(*g*) is a person whose name has been expunged from the register under section 13(3) or 43(5) and whose name has not been restored to the register under section 43(8) or (8A), as the case may be; or

(*h*) is a person whose name has been expunged from the register of electors under section 26(5) of the Presidential Elections Act 1991 and whose name has not been restored to the register under section 26(8) of that Act.

(1A) Without affecting subsection (1), a person who is deemed to be ordinarily resident in Singapore under section 5(1A) is not entitled to have his or her name entered or retained in any register of electors if he or she is —

(*a*) serving a sentence of imprisonment (by whatever name called) in any prison, jail or other place of detention outside Singapore;

(*b*) accused of an offence against any written law punishable with imprisonment for a term exceeding 12 months and a warrant of arrest by a court in Singapore authorising his or her apprehension in relation to that offence remains in force; or

(*c*) convicted by any court in Singapore of any offence punishable with imprisonment for a term exceeding 12 months and a warrant of arrest by a court in Singapore authorising his or her apprehension in relation to that offence remains in force.

(2) For the purposes of subsection (1)(*b*), where the conviction is by a court of law outside Singapore, the person is not so disqualified unless the offence is also one which, had it been committed in Singapore, would have been punishable by a court of law in Singapore.

(3) For the purposes of subsection (1)(*a*)(ii), the exercise of a vote in —

(*a*) any national, state or provincial election; or

(*b*) any election for the local government of any metropolitan or urban area,

in a country outside Singapore (but not an election under this Act or a presidential election) is deemed to be the voluntary claim and exercise of a right available under the law of that country.

Plural voting

7.—(1) Subject to the provisions of this Act, a person is entitled to have his or her name entered in the register of one electoral division only.

(2) Any person who votes as an elector —

(*a*) in or in respect of an electoral division other than the electoral division in which he or she is registered as an elector;

(*b*) more than once at any election in or in respect of the same electoral division in which he or she is registered as an elector; or

(*c*) in or in respect of more than one electoral division at any general election,

shall be guilty of an illegal practice.

(3) The court before which a person is convicted under subsection (2) may, in its discretion in the circumstances of any particular case, mitigate or remit any penalty or incapacity which may be imposed in respect of the conviction under section 79.

Electoral divisions

8.—(1) The Minister may, by notification in the *Gazette*, specify the names and boundaries of the electoral divisions of Singapore for purposes of elections under this Act.

(2) The number of electoral divisions of Singapore is the total number of the electoral divisions specified in the notification made under subsection (1).

Group representation constituencies

8A.—(1) For the purposes of electing Members of Parliament on a group basis to ensure the representation in Parliament of Members from the Malay, Indian and other minority communities under this Act, the President must, subject to this section, by order in the *Gazette* —

(*a*) declare any electoral division, having regard to the number of electors in that division, to be a group representation constituency and designate that constituency as a constituency in which any election is to be held on the basis of a group of such number of candidates, being not less than 3 but not more than 6; and

(*b*) designate every group representation constituency as —

(i) a constituency where at least one of the candidates in every group is a person belonging to the Malay community; or

(ii) a constituency where at least one of the candidates in every group is a person belonging to the Indian or other minority communities.

(1A) At all times, there must be at least 8 electoral divisions which are not group representation constituencies.

(2) The number of Members to be returned by all group representation constituencies must not be less than one-quarter of the total number of Members to be returned at a general election.

(3) The number of group representation constituencies to be designated under subsection (1)(*b*)(i) must be three-fifths of the

total number of group representation constituencies; and where that number is not a whole number, it must be rounded to the next higher whole number.

Polling districts

9.—(1) Whenever any electoral division of Singapore is altered or a new division is created, the Registration Officer must —

(*a*) subdivide that division into polling districts;

(*b*) assign to each such polling district a distinguishing letter or letters;

(*c*) prepare or cause to be prepared maps or other images in such detail and with such markings as sufficient to delineate the polling districts into which that electoral division has been subdivided; and

(*d*) publish in the *Gazette* a notice containing —

(i) particulars of the website at which the maps or other images of the polling districts mentioned in paragraph (*c*) may be accessed online, and the place at which the maps or other images may be inspected, by the public; and

(ii) the distinguishing letter or letters assigned to each such polling district.

[41/2018]

(2) The subdivision of an electoral division into polling districts may be altered by the Registration Officer as occasion may require; and upon any alteration being made the Registration Officer must take the steps mentioned in subsection (1)(*c*) and (*d*) for that electoral division.

[41/2018]

(3) Any alteration under subsection (1) comes into effect on the date of the publication of the notice under section 20(1) relating to the next certification of the register of electors for that electoral division, but the revision of the register before that certification must be made on the basis of that alteration.

PART 2

REGISTRATION OF ELECTORS AND REVISION OF REGISTERS

Registration of electors

10.—(1) As soon as may be after the publication of any notification under section 8, the Registration Officer, with such assistance as the Registration Officer may require from the Commissioner of National Registration, must prepare for that year a separate register of electors for each electoral division and must enter in the register the names of all persons who are qualified as electors under section 5 and are not disqualified by any of the provisions of section 6.

(1A) The Minister may, before a general election, require the Registration Officer to bring up to date any register prepared under subsection (1) in such manner and by reference to such year as the Minister may direct.

(2) For the purpose of satisfying himself or herself as to the qualification of any elector, the Registration Officer may make such enquiry as he or she may consider necessary.

(3) On the completion of the register for any electoral division, the Registration Officer must give notice in the *Gazette* that the register is completed and that the register, or a copy of it, is open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places in or near the electoral division and at such overseas registration centres as may be specified in the notice.

(4) The Registration Officer may, for the purpose of registering persons as overseas electors, establish such number of overseas registration centres as the Registration Officer considers practicable in any embassy, High Commission, diplomatic mission, permanent mission or consulate of Singapore situated in any country or any territory outside Singapore.

Claims and objections

11.—(1) Any person who considers that he or she is entitled to have his or her name entered in a register of electors and whose name has

been omitted from the register (called in this section the claimant) may apply to the Registration Officer to have his or her name entered in the register.

(2) Every claim under subsection (1) must be in writing and be in Form 3 in the First Schedule, and must reach the Registration Officer within 2 weeks from the date of publication in the *Gazette* of the notice of completion of the register.

(2A) Within 21 days from the expiry of the period of 2 weeks mentioned in subsection (2), the Registration Officer must exhibit notices containing the names and addresses of the claimants (if any) at the place or places in or near the electoral division in which those claimants reside and at the overseas registration centres specified in the notice mentioned in section 10(3).

(2B) A claim under subsection (1) may be made at an overseas registration centre and be accompanied by the claimant's application to be registered as an overseas elector made in accordance with section 13A.

(3) Any person whose name appears in the register for any electoral division may object to the inclusion in the register of his or her own name or the name of any other person appearing in the register or may object to the insertion in the register of the name of any claimant.

(4) In this section and section 12, every person objecting to the inclusion or insertion of any name in the register is called the objector.

(5) Every objection to the inclusion of any name in the register must be made in writing and be in Form 4 in the First Schedule, and must reach the Registration Officer within 2 weeks from the date of publication in the *Gazette* of the notice of completion of the register.

(6) Every objection to the insertion of the name of any claimant in the register must be made in writing and be in Form 5 in the First Schedule, and must reach the Registration Officer within 6 days from the date on which the notice containing the names of claimants is exhibited under subsection (2A).

(7) [*Deleted by Act 18 of 2005*]

(8) Subject to subsection (9C), the Registration Officer must, as soon as practicable after receiving an objection to the inclusion or insertion of any name in any register, send a notice of the objection to the person in regard to whom objection has been made.

[41/2018]

(8A) The notice of objection must be in Form 6 in the First Schedule.

(9) The Registration Officer must as soon as practicable hold a public inquiry into all claims and objections which have been duly made, giving not less than 6 clear days' written notice of the date on which and the time and place at which the inquiry will commence to each claimant, objector and person in regard to whom objection has been made.

(9A) At any such public inquiry, any person appearing to the Registration Officer to be interested in or affected by the subject matter of the inquiry may appear and be heard either by himself or herself or by any other person duly authorised by him or her in writing in that behalf.

(9B) Despite subsection (9), the Registration Officer may, without holding any public inquiry —

(*a*) allow any claim in respect of which no objection is made if the Registration Officer is satisfied that the claim should be allowed, and insert the claimant's name in the register and, where applicable, register the claimant as an overseas elector; or

(*b*) reject any claim if the Registration Officer is satisfied that —

(i) the claimant was not a citizen of Singapore on the prescribed date mentioned in section 5(4);

(ii) the claimant was below 21 years of age on the prescribed date mentioned in section 5(4); or

(iii) where the claimant claims to be entitled to have the claimant's name entered in the register for an electoral division on the ground of a change in the claimant's residential address, the new address

specified in the claimant's claim is not the address of any premises in that electoral division.

[41/2018]

(9C) Subsections (8) and (10) do not apply to a claim rejected by the Registration Officer under subsection (9B)(*b*).

[41/2018]

(10) Subject to subsection (9C), where an objection is made to the inclusion or insertion of any name in the register, the Registration Officer must call upon the objector, or some person authorised in writing in that behalf by the objector, to give prima facie proof of the ground of the objection.

[41/2018]

(11) If such prima facie proof is given, the Registration Officer must require proof of the entitlement of the person in regard to whom objection has been made, and —

(*a*) if the person's entitlement is not proved to the Registration Officer's satisfaction, the Registration Officer must expunge that person's name from or (as the case may be) refuse to insert that person's name in the register; or

(*b*) if the person's entitlement is so proved, the Registration Officer must retain that person's name or (as the case may be) insert that person's name in the register and, where applicable, register that person as an overseas elector.

(12) If, on the date fixed for inquiry into any objection, the objector or a person authorised in writing in that behalf by the objector fails to appear, or appears but fails to give such prima facie proof, then —

(*a*) if the objection is to the inclusion in the register of the name of a person appearing in the register, the Registration Officer must retain the person's name in the register without calling upon the person to prove his or her entitlement; or

(*b*) if the objection is to the insertion in the register of the name of any claimant, the Registration Officer must require proof of the entitlement of the claimant; and —

(i) if the claimant's entitlement is not proved to the Registration Officer's satisfaction, the Registration Officer must refuse to insert the claimant's name in the register; or

(ii) if the claimant's entitlement is so proved, the Registration Officer must insert the claimant's name in the register and, where applicable, register the person as an overseas elector.

(13) If an objection is made and is overruled by the Registration Officer and, in the Registration Officer's opinion, the objection was made without reasonable cause, the Registration Officer may, if he or she thinks fit, order in writing the objector to pay to the person in regard to whom objection has been made such sum not exceeding $50 as the Registration Officer considers reasonable compensation for any loss of time incurred by the person in consequence of the objection.

(14) If, upon an objection being overruled, the objector appeals under section 12 to the Revising Officer and the appeal is dismissed, and in the opinion of the Revising Officer the appeal was made without reasonable cause, the Revising Officer may, if he or she thinks fit, order in writing the objector to pay to the person in regard to whom objection has been made such sum not exceeding $50 as the Revising Officer considers reasonable compensation for any loss of time incurred by the person in consequence of the appeal.

(14A) If any appeal is allowed by the Revising Officer, he or she has power to revise or cancel any order made by the Registration Officer for the payment of compensation by the objector.

(15) Any sum awarded as compensation under this section is recoverable as though the order of the Registration Officer or Revising Officer were an order of a District Court for the recovery of money by that Officer.

Appeals to Revising Officer

12.—(1) For the purpose of hearing appeals against any decision of the Registration Officer, the Minister may appoint such Revising Officers as the Minister thinks fit.

(2) If any claimant, objector or person in regard to whom objection has been made is dissatisfied with the decision of the Registration Officer, he or she may, within 10 days from the date of the decision, appeal to the Revising Officer.

(3) Every appeal under this section must be in writing and must state shortly the ground of appeal.

(4) The Revising Officer must hear such appeals in public giving notice of the dates of the hearing of the appeal to the parties concerned.

(4A) It is at the discretion of the Revising Officer whether or not to hear any evidence.

(4B) The Revising Officer's determination of the appeal is final and conclusive and is not to be called in question in any court.

(5) When the Revising Officer has determined the appeals which have been lodged with respect to any register, the Revising Officer must forward to the Registration Officer a statement under the hand of the Revising Officer containing the names which the Revising Officer has decided must be included or inserted in the register and those which the Revising Officer has decided must be expunged from the register, and the Registration Officer must amend the register accordingly.

Certification of registers

13.—(1) The Registration Officer must, as soon as conveniently may be after the claims and objections have been adjudicated upon, certify the register of electors for each electoral division in Form 7 in the First Schedule.

(1A) The Registration Officer may certify any register in accordance with this section during the pendency of any appeal under section 12 but after the appeal, must insert in or expunge from the certified register the name of any person in accordance with the decision of the Revising Officer on the determination of the appeal.

(2) Nothing in this Act is deemed to prohibit the Registration Officer from correcting any clerical or other error in a register within 7 days after certifying the register.

(2A) Any correction of a register under subsection (2) does not affect the entitlement of any person to have his or her name included or retained in the register.

(3) Despite subsections (1), (1A) and (2), the Registration Officer must, on being informed by the Registrar of Citizens that any person has ceased to be a citizen of Singapore under the provisions of the Constitution, or on being informed by the Registrar-General of Births and Deaths that any person is dead, expunge the name of the person from any register of electors.

(4) Despite anything to the contrary in this Act, the Registration Officer may, at any time after certifying any register of electors for any electoral division, except between the issue of a writ of election under section 24 and polling day appointed for election in that division, remove from the register the name of any person where the Registration Officer has reason to believe that the address of that person as shown in the register has ceased to exist or to be used as his or her place of residence or his or her contact address.

(4A) Where the person whose name has been removed under subsection (4) has notified the Commissioner of National Registration in writing of his or her change of address or contact address at the time of the removal of his or her name, the Registration Officer must transfer the name of that person to the appropriate register.

(5) The Registration Officer must not remove or transfer any name under subsection (4) or (4A) unless at least 2 weeks before making the removal or transfer, a notice has been given in the *Gazette* that the Registration Officer proposes to make the removal or transfer and that a list of the names of persons affected is available for inspection at such time and place or places as may be specified in the notice.

(5A) A notice for the purpose of subsection (5) may contain such particulars as the Registration Officer thinks sufficient and appropriate without specifying the names of persons who will be affected by the proposed removal or transfer.

(6) Subject to subsection (7), the Registration Officer has power where any name from any register has been removed by the Registration Officer under subsection (4) —

(*a*) to restore the name to the register if the removal has been made by mistake or through inadvertence; or

(*b*) to enter the name in the appropriate register on the application of the person whose name has been removed and has not been transferred to the appropriate register at the time of the removal.

(7) Where a writ of election has been issued under section 24 for an election in any electoral division, the Registration Officer must not enter any name in the register of that division under subsection (6)(*b*) until after nomination day or, if a poll is to be taken, until after polling day.

Registration as overseas elector

13A.—(1) Any person who is not resident in Singapore but whose name is entered in the register of electors for an electoral division and who is entitled to have his or her name so entered or retained in that register of electors may, at any time and in such form or manner as may be prescribed, apply to the Registration Officer to be registered as an overseas elector for that electoral division.

[6/2017]

(2) An application under subsection (1) by any person to be registered as an overseas elector must contain or be accompanied by —

(*a*) satisfactory proof of his or her identity;

(*b*) particulars of his or her current mailing address outside Singapore;

(*c*) a declaration that he or she is a citizen of Singapore and is not less than 21 years of age;

(*ca*) a declaration that he or she —

(i) has not acquired or applied to acquire by registration, naturalisation or other voluntary and formal act (other than marriage) the citizenship of any country outside Singapore;

(ii) has not voluntarily claimed and exercised any rights (other than any rights in connection with the use of a

passport) available to him or her under the law of any country outside Singapore being rights accorded exclusively to the citizens or nationals of that country;

(iii) has not taken any oath or made any declaration or acknowledgment of allegiance, obedience or adherence to any foreign power or state; and

(iv) has not applied to the authorities of a place outside Singapore for the issue or renewal of a passport or used a passport issued by such authorities as a travel document;

(*d*) a statement specifying the overseas polling station he or she desires to vote at in an election; and

(*e*) any other information as the Registration Officer considers necessary to determine the person's entitlement to have his or her name entered or retained in a register or the electoral division in or in respect of which the person may vote.

[6/2017]

(3) An overseas elector may, at any time and in such form or manner as may be prescribed, apply to the Registration Officer —

(*a*) to change the overseas polling station allotted to him or her under subsection (3A)(*a*); or

(*b*) to cancel his or her registration.

[6/2017]

(3A) Despite section 13, the Registration Officer may —

(*a*) in the case of an application made under subsection (1), register the applicant as an overseas elector and allot to the applicant an overseas polling station;

(*b*) in the case of an application made under subsection (3)(*a*), allot to the applicant another overseas polling station;

(*c*) in the case of an application made under subsection (3)(*b*), cancel the applicant's registration as an overseas elector; or

(*d*) reject any application made under subsection (1) or (3).

[6/2017]

(3AA) If the Registration Officer receives an application under subsection (1) or (3) during the specified period of an election, the Registration Officer is not required to take any action on the application under subsection (3A) until after that specified period.
[6/2017]

(3B) Only one overseas polling station may be allotted to a person who is registered as an overseas elector.

(4) The registration of any person under this section as an overseas elector in any register of electors continues in operation until superseded by the coming into operation of the next certified register relating to any area within that electoral division following any preparation of registers under section 10 or any revision of registers under section 14.

(5) For the purposes of subsection (2)(*ca*)(ii), the exercise of a vote in —

(*a*) any national, state or provincial election; or

(*b*) any election for the local government of any metropolitan or urban area,

in a country outside Singapore (but not an election under this Act or a presidential election) is deemed to be the voluntary claim and exercise of a right available under the law of that country.

(6) In this section, "specified period" means —

(*a*) in the case of an election for an electoral division under this Act — the period starting on the third day (including a Sunday or public holiday) after the issue of the writ of election under section 24 for that election and ending on the nomination day for that election or, if a poll is to be taken, the polling day (or if there is more than one polling day, the last polling day) for that election; and

(*b*) in the case of an election under the Presidential Elections Act 1991 — the period starting on the third day (including a Sunday or public holiday) after the issue of the writ of election under section 6 of that Act and ending on the nomination day or, if a poll is to be taken, the polling day

(or if there is more than one polling day, the last polling day) under that Act for that election.

[6/2017]

Revision of registers

14.—(1) The Minister may from time to time, but in any case not later than 3 years after the last general election, require the Registration Officer to revise the registers of electors and complete the revision before such date as the Minister may, by notification in the *Gazette*, appoint.

(2) For the purpose of revising a register and of satisfying himself or herself as to the entitlement of any person to registration or determining whether the name of any person should be inserted or retained in, or expunged from, the register, the Registration Officer may make such inquiry as the Registration Officer considers necessary either by himself or herself or through a person appointed by him or her.

(2A) Any notice requiring information for the purposes of subsection (2) may be sent by ordinary post to the person from whom the information is required or may be delivered to him or her or to an adult member of his or her household.

(3) All officers in the service of the Government (other than officers of any Government department who are prohibited by law from furnishing information) and all local authorities are authorised and required to furnish to the Registration Officer, or any person appointed by the Registration Officer for the purpose, all the information that he or she may require to enable him or her to revise the register.

(4) Every person who, being in possession of any information required under subsection (2A), fails to give the information to the Registration Officer or to any person appointed by the Registration Officer for the purpose, or wilfully gives any false information, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 6 months or to both.

(5) Without affecting subsection (4), if any person being a registered elector fails to give such information with regard to his or her entitlement to registration to the Registration Officer, or to any person appointed by the Registration Officer for the purpose, within 14 days after the service upon him or her by the Registration Officer of a notice under subsection (2A), his or her name must immediately be expunged from the register by the Registration Officer and he or she is not entitled to have his or her name retained or inserted in the register for the ensuing year.

(6) Every person who is appointed by the Registration Officer and who wilfully suppresses any information relating to the entitlement of any person for registration or relevant for determining whether the name of any person should or should not be retained or inserted in a register, after such information has been furnished to or collected by him or her, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

Method of revising register

15.—(1) In revising a register of electors, the Registration Officer must enter the names of all persons who are qualified as electors under section 5 and are not disqualified by any of the provisions of section 6.

(2) Upon the completion of the revised register of electors referred to in subsection (1), the Registration Officer must give notice in the *Gazette* that the register of electors has been completed and that the register, or a copy of the register, is open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places as may be specified in the notice.

Claims and objections at revision of register

16. Sections 11 and 12 apply to a revision of a register of electors as they apply to the preparation of the register.

Application of section 13 to revised register

17.—(1) Section 13(1) and (1A) shall apply to the certification of a revised register of electors as they apply to the certification of a register of electors.

(2) Section 13(2) to (7) shall apply to a revised register of electors as they apply to a register of electors.

Notices and adjournments

18.—(1) Subject to section 14, any notice required to be given by the Registration Officer or a Revising Officer is sufficiently given if sent by registered post to the address (if any) given in the claim or objection, or in default of that address, to the address given in the register of electors.

(2) The Registration Officer or a Revising Officer may adjourn any proceedings before him or her under this Act to any convenient time and place.

Persons residing in building located on common boundary

19.—(1) In preparing or revising a register of electors, the Registration Officer may, in his or her discretion, enter the name of any person in the register of electors for such electoral division as the Registration Officer considers appropriate if that person is residing in a building which is located on a common boundary between 2 or more electoral divisions.

(2) The decision of the Registration Officer under subsection (1) is final and conclusive and is not to be called in question in any court.

Notice of certification of register and commencement and period of operation

20.—(1) On the certification of a register under this Act, the Registration Officer must give notice in the *Gazette* that the register has been certified and that the register, or a copy of the register, is open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places in the division to which the register relates as may be specified in the notice.

(2) The certified register —

(*a*) in the case of a register prepared under section 10(1) or (1A) — comes into operation at the next general election and not earlier; and

(*b*) in the case of a revised register — comes into operation on the date of publication of the notice of the certification of the register in the *Gazette*.

(2A) Subject to such alterations as may subsequently be made in the register in accordance with section 13, 17 or 43, or with section 26 of the Presidential Elections Act 1991, the register continues in operation until superseded by the coming into operation of the next certified register.

(3) Where a new electoral division is created under section 8 by the amalgamation of the whole of 2 or more existing electoral divisions, or where there is no change in the boundary of any electoral division specified in a notification under section 8(1), section 10 does not apply to that electoral division unless the Minister otherwise directs; and the certified registers of electors in operation for those existing electoral divisions which have been amalgamated to form any new electoral division are deemed to be the register of electors in operation for that new electoral division at the next general election.

Redistribution of polling districts, etc.

20A.—(1) Where any new electoral division is created or the boundaries of any existing electoral division are altered by —

(*a*) redistributing the whole of one or more contiguous polling districts of any existing electoral division or divisions to form a polling district or districts of the new or altered electoral division without any change in the boundaries of those polling districts; or

(*b*) transferring the whole of one or more contiguous polling districts of any existing electoral division or divisions to any other existing division or divisions without any change in the boundaries of those polling districts,

the Minister may, in lieu of specifying the boundaries of the electoral divisions in a notification under section 8, specify —

(*c*) the polling districts which have been retained, redistributed or transferred to form subdivisions of the respective electoral divisions; and

(*d*) the new distinguishing letter or letters (if any) assigned to each such polling district,

and each electoral division is deemed to have been subdivided under section 9(1) into the polling districts so retained, redistributed or transferred as its subdivisions.

(2) Unless the Minister otherwise directs, whenever any new electoral division is created or any electoral division is altered in the manner mentioned in subsection (1)(*a*) or (*b*), section 10 does not apply to that new or altered electoral division and the Registration Officer must, before the next general election, prepare in accordance with subsection (3) a composite register for each new or altered division and certify it in Form 7 in the First Schedule.

(3) A composite register for any new or altered electoral division must be prepared by using the certified registers in operation and combining the sections of those certified registers relating to the polling districts which have been redistributed or transferred to form the polling districts of the new or altered electoral division.

(4) Any composite register prepared in accordance with subsection (3) for a new or altered electoral division —

(*a*) is deemed to be the certified register in operation for that electoral division at the next general election following its certification but not earlier; and

(*b*) subject to such alterations as may be made in the register in accordance with section 13, 17 or 43 or with section 26 of the Presidential Elections Act 1991, continues in operation until superseded by the coming into operation of the next certified register for that electoral division.

Penalty for false statements and wrongful claims

21.—(1) Every person who wilfully makes a false statement or declaration in any claim or objection, or at any inquiry or in any appeal in connection with the claim or objection, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 6 months or to both.

(2) The Registration Officer or a Revising Officer may, on the consideration or hearing of any claim, objection or appeal, require that the evidence tendered by any person be given on oath and may administer the oath for that purpose.

(3) Every person who in the course of that consideration or hearing knowingly swears anything material to the validity of the claim, objection or appeal which is false shall be guilty of the offence of giving false evidence and shall be liable on conviction to the punishment provided therefor in the Penal Code 1871.

(4) Any person who, in making any application under section 13A(1) to be registered as an overseas elector for an electoral division, or any application under section 13A(3A)(*b*) to change the overseas polling station allotted to him or her to another overseas polling station —

(*a*) makes, in or outside Singapore, in any declaration under section 13A(2) any statement which is false, and which he or she knows or has reason to believe is false or does not believe to be true;

(*b*) furnishes, in or outside Singapore, any document which he or she knows or has reason to believe is false or does not believe to be true; or

(*c*) by the intentional suppression of any material fact, furnishes, in or outside Singapore, information which is misleading,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both.

Use of registers of electors

21A.—(1) Any candidate or his or her election agent who, or any political party which, on payment of any fee, acquires from the Registration Officer any copy (whether in printed or electronic form) of any register of electors —

(*a*) must use any information recorded in the register only for communicating with electors;

(*b*) must not use any information recorded in the register for commercial purposes; and

(*c*) may disclose any information recorded in the register to others only after obtaining their written acknowledgment that they are bound by the restrictions in this subsection.

(2) Subject to subsection (3), a person who obtains any information recorded in any register of electors must not reproduce, store or transmit any part of the information by electronic or any other means for any purpose.

(3) Subsection (2) does not apply to —

(*a*) a candidate or his or her election agent who, or any political party which, on payment of any fee, acquires a copy of a register of electors from the Registration Officer; or

(*b*) a person who obtains information in any register of electors from a candidate, an election agent or a political party after giving a written acknowledgment described in subsection (1)(*c*).

(4) Any person who knowingly contravenes subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

(5) In this section, "candidate" includes a candidate at any presidential election.

PART 3

ELECTIONS

Number of Members to be returned for each electoral division and group representation constituency

22.—(1) Subject to subsection (2), each electoral division must return one Member to serve in Parliament.

(2) Each group representation constituency must return the number of Members to serve in Parliament designated for that constituency by the President under section 8A(1)(*a*).

Assistant Returning Officers

23.—(1) The Minister may, in addition to appointing the Returning Officer under section 3, appoint by name or by office one or more persons to assist the Returning Officer in the performance of the Returning Officer's duties.

(1A) A person appointed to assist the Returning Officer has all the powers and may perform all the duties of the Returning Officer and any reference in this Act to the Returning Officer is deemed, unless the context otherwise requires, to include a reference to an Assistant Returning Officer.

(1B) An appointment made by the Minister under subsection (1) may be revoked by the Minister at any time.

(2) If the Returning Officer is, by sickness or other cause, prevented or disabled from performing any of his or her duties under this Act and there is insufficient time for any other person to be appointed by the Minister, the Returning Officer may appoint, by name or office, a deputy to act for him or her.

(3) Every appointment made under subsection (2) must as soon as possible be reported to the Minister and may be revoked by the Minister, but without affecting the validity of anything already done by the deputy.

Writ of election

24.—(1) For the purposes of every general election of Members of Parliament, and for the purposes of the election of Members to supply vacancies caused by death, resignation or otherwise, the President must issue writs under the public seal, addressed to the Returning Officer.

(2) Every such writ must be in Form 1 in the First Schedule and must specify the date or dates (called in this Act the day of nomination) not being less than 5 days nor more than one month after the date of the writ and the place or places of nomination (called in this Act the place of nomination).

(2A) In respect of any group representation constituency, no writ may be issued under subsection (1) for an election to fill any vacancy unless all the Members for that constituency have vacated their seats in Parliament.

(3) Upon receipt of the writ, the Returning Officer must proceed to hold the election in the manner provided in this Act.

Notice of time and place of election

25. On the President issuing a writ, the Returning Officer must give notice of the issue of the writ and of the day, time and place of the nomination of candidates by causing a notice in Form 8 in the First Schedule to be published in the *Gazette* at least 4 clear days before the day fixed for the nomination.

Failure of election

26.—(1) Whenever an election in any electoral division wholly fails, a fresh writ may be issued by the President at any time for the holding of an election in that electoral division, except that where the election in an electoral division has failed because of the death of a candidate after the election has been reported as contested but before polling day, then section 34(8) and (9) or 34A(8) and (8A) (as the case may be) applies.

(2) The original writ for an election in any electoral division that has wholly failed and everything done in connection with the election for the electoral division because of that writ have no effect.

(3) Where a fresh writ is issued under subsection (1), sections 24 and 25 apply to that writ.

(4) For the purposes of this Act, an election has wholly failed if —

(*a*) in the case of an election in a group representation constituency — no group of candidates is nominated or returned as elected for that constituency; or

(*b*) in the case of any other electoral division — no candidate is nominated or returned as elected for that electoral division.

Nomination papers

27.—(1) Any person eligible for election as a Member of Parliament in accordance with the provisions of the Constitution may be nominated as a candidate for election.

(2) A person may be nominated to be a candidate for election only by means of a nomination paper in Form 9 in the First Schedule, which must —

(*a*) set out the name, identity card number and occupation of the person;

(*b*) be signed by a proposer and a seconder, and 4 or more persons as assentors, each of whom must be a person whose name appears in the register of electors for the electoral division in which the person seeks election;

(*c*) contain a statement, signed by that person, to the effect that he or she consents to the nomination; and

(*d*) contain a statutory declaration by the person seeking nomination stating that he or she is qualified to be elected.

(3) Every candidate must, at the time of his or her nomination, deliver to the Returning Officer a political donation certificate issued to the candidate by the Registrar of Political Donations under section 18(4) of the Political Donations Act 2000.

(3A) If the statutory declaration which is required by subsection (2)(*d*) to be made is not so made, or the political donation certificate which is required by subsection (3) to be

delivered is not so delivered, the nomination of the candidate is deemed to be void.

(4) The Returning Officer may, at any time between the date of the notice of the writ referred to in section 25 and 12 noon of the day of nomination, supply a form of nomination paper to any registered elector requiring it.

Election of Members on group basis in group representation constituencies

27A.—(1) In every general election of Members and the election of Members to supply vacancies caused by death, resignation or otherwise, the Members for any group representation constituency must be elected in accordance with this Act subject to the modifications in this section.

(2) All elections in any group representation constituency must be held on a basis of a group of such number of candidates as designated for that constituency by the President under section 8A(1)(*a*).

(3) Subject to subsection (4), any group that desires to contest in any election in any group representation constituency must consist of the number of candidates designated for that constituency by the President under section 8A(1)(*a*), all of whom must either be —

(*a*) members of the same political party standing for such election for that political party; or

(*b*) independent candidates standing as a group.

(4) Where any group representation constituency is —

(*a*) a constituency designated under section 8A(1)(*b*)(i), at least one of the candidates in every group must be a person belonging to the Malay community; or

(*b*) a constituency designated under section 8A(1)(*b*)(ii), at least one of the candidates in every group must be a person belonging to the Indian or other minority communities.

(5) At any time after the date of the notice of the writ referred to in section 25 and at least 2 clear days before the day of nomination, any person —

(*a*) belonging to the Malay community who desires to contest as such a person in any election in any constituency designated under section 8A(1)(*b*)(i); or

(*b*) belonging to the Indian or other minority communities who desires to contest as such a person in any election in any constituency designated under section 8A(1)(*b*)(ii),

must apply in the prescribed manner to the appropriate Committee for a certificate in the prescribed form which certifies whether the applicant is a person belonging to the Malay community or a person belonging to the Indian or other minority communities (as the case may be) for the purposes of any such election.

(6) Upon receipt of any application under subsection (5), the appropriate Committee must —

(*a*) determine whether the applicant is a person belonging to the Malay community or a person belonging to the Indian or other minority communities; and

(*b*) if the appropriate Committee considers that the applicant is a person belonging to the Malay community or a person belonging to the Indian or other minority communities, issue to the applicant not later than the day before the day of nomination a certificate certifying that to be the fact.

(7) Any such certificate is, for the purposes of this Act, conclusive as to the fact which it certifies.

(8) In this section and section 27C —

"Committee" means the Malay Community Committee or Indian and Other Minority Communities Committee established under section 27C;

"person belonging to the Malay community" means any person, whether of the Malay race or otherwise, who considers himself or herself to be a member of the Malay community and who is generally accepted as a member of the Malay community by that community;

"person belonging to the Indian or other minority communities" means —

(*a*) any person of Indian origin who considers himself or herself to be a member of the Indian community and who is generally accepted as a member of the Indian community by that community; or

(*b*) any person who belongs to any minority community other than the Malay or Indian community.

Nomination papers for elections in group representation constituencies

27B.—(1) Any person eligible for election as a Member of Parliament in accordance with the provisions of the Constitution may, subject to section 27A, be nominated as a candidate with the other candidates in a group for any election in any group representation constituency.

(2) A group of persons may be nominated to be a group of candidates for election in a group representation constituency only by means of a nomination paper in Form 9A in the First Schedule, which must —

(*a*) set out the name, identity card number and occupation of each of those persons;

(*b*) be signed by a proposer and a seconder, and 4 or more persons as assentors, each of whom must be a person whose name appears in the register of electors for the group representation constituency in which the group seeks election;

(*c*) contain a statement, signed by each of the persons, to the effect that he or she consents to the nomination; and

(*d*) contain a statutory declaration by each of the persons seeking nomination stating that he or she is qualified to be elected, and the political party for which the group stands (if any).

(3) Every candidate in a group must, at the time of the nomination of the group, deliver to the Returning Officer —

(*a*) [*Deleted by Act 18 of 2005*]

(*b*) a political donation certificate issued to him or her by the Registrar of Political Donations under section 18(4) of the Political Donations Act 2000; and

(*c*) if he or she is a person belonging to —

(i) the Malay community and is nominated as such a person for election in any constituency designated under section 8A(1)(*b*)(i); or

(ii) the Indian or other minority communities and is nominated as such a person for election in any constituency designated under section 8A(1)(*b*)(ii),

a certificate issued to him or her under section 27A(6) certifying that he or she is a person belonging to the Malay community or a person belonging to the Indian or other minority communities, as the case may be.

(3A) If any statutory declaration which is required by subsection (2)(*d*) to be made is not so made, or any certificate which is required by subsection (3) to be delivered by any candidate in a group is not so delivered, the nomination of that group is deemed to be void.

(4) The Returning Officer may, at any time between the date of the notice of the writ referred to in section 25 and 12 noon of the day of nomination, supply a form of nomination paper to any registered elector requiring the same.

(5) Where the nomination paper of any group does not comply with this section or section 27A, or where any candidate in a group withdraws or is deemed to have withdrawn his or her candidature under section 32, the nomination of that group is deemed to be void.

(6) Section 27 does not apply to any election in any group representation constituency.

Committee to determine whether prospective candidate is Malay or other racial minority

27C.—(1) For the purposes of section 27A, there is established —

(*a*) a Malay Community Committee whose function is to determine whether a person desiring to be a candidate for any election in any constituency designated under section 8A(1)(*b*)(i) belongs to the Malay community; and

(*b*) an Indian and Other Minority Communities Committee whose function is to determine whether a person desiring to be a candidate for any election in any constituency designated under section 8A(1)(*b*)(ii) belongs to the Indian or other minority communities.

(2) The Malay Community Committee is to consist of a chairperson and 4 other members, all of whom must be persons belonging to the Malay community and must be appointed by the President on the nomination of the Presidential Council for Minority Rights established under Article 69 of the Constitution after consulting such organisation of the Malay community as the Council thinks fit.

(3) The Indian and Other Minority Communities Committee is to consist of a chairperson and 4 other members, who must be persons belonging to the Indian or other minority communities and must be appointed by the President on the nomination of the Presidential Council for Minority Rights established under Article 69 of the Constitution after consulting such organisations of the Indian and other minority communities as the Council thinks fit.

(4) A decision of any such Committee requires a simple majority of the members present and voting, except that in the case of an equality of votes, the chairperson or the member presiding has a casting vote in addition to his or her original vote.

(4A) The Committee may act despite the absence of any member.

(5) Subject to this section, any such Committee may regulate its own procedure.

(6) The validity of any proceedings of any such Committee is not affected by any defect in the appointment of any member of the Committee.

(7) Any Committee established under this section is to be guided by the merits of each case without regard to legal forms and technicalities, or to whether the evidence before it is in accordance with the law of evidence or not.

(8) Any decision of a Committee established under this section is final and conclusive and is not to be appealed against or called in question in any court.

(9) Regulations may be made to provide for regulating and facilitating the performance by any Committee of its function under this Act.

Deposits by candidates

28.—(1) A candidate, or some person on the candidate's behalf, must, in accordance with subsection (2), deposit or cause to be deposited with the Returning Officer or with some person authorised by the Returning Officer in that behalf, between the date of the issue of the writ referred to in section 24 and 12 noon of the day of nomination, a sum equal to the applicable amount specified in subsection (1AA).

[41/2018]

(1AA) For the purpose of subsection (1), the applicable amount is —

(*a*) in the case of a general election — the amount of the fixed monthly allowance payable to an elected Member of Parliament for the month immediately before the date of dissolution of Parliament, rounded to the nearest $500; and

(*b*) in the case of a by-election — the amount of the fixed monthly allowance payable to an elected Member of Parliament for the month immediately before the date of issue of the writ for the by-election, rounded to the nearest $500.

[41/2018]

(1A) In default of the sum being so deposited under subsection (1), the candidate is deemed to have withdrawn his or her candidature under section 32.

(1B) The Returning Officer must immediately give a receipt for that sum, and that sum must be dealt with in accordance with the provisions of this Act.

[41/2018]

(2) The deposit of the sum required under subsection (1) must be made through an electronic funds transfer system designated by the Returning Officer for that purpose, or by a bank draft or a certified cheque, or in such other form or manner as the Returning Officer allows.

[41/2018]

(3) If a candidate is not nominated as a candidate for election, if an election in an electoral division has wholly failed or if, after the deposit is made, the candidate withdraws his or her candidature under section 32, the deposit must be returned to the person by whom the deposit was made.

(3A) If the candidate dies after the deposit is made and before the poll is commenced, the deposit, if made by the candidate, must be returned to the candidate's legal personal representative or, if not made by the candidate, must be returned to the person by whom the deposit was made.

(4) Subject to subsection (4A), the sum deposited by any candidate under subsection (1) must be returned to the candidate, where the candidate is elected, as soon as the candidate has taken the oath or made affirmation as a Member, and, where the candidate is not elected, as soon as practicable after the result of the election is declared.

(4A) If a candidate who has made the required deposit is not elected and —

(*a*) the number of votes polled by the candidate does not exceed one-eighth of the total number of votes polled in the electoral division for which the candidate contested; or

(*b*) where he or she is a candidate for a group representation constituency, the number of votes polled in that constituency by the group to which the candidate belongs does not exceed one-eighth of the total number of votes polled in that constituency,

the sum deposited is forfeited and must be paid into the Consolidated Fund.

(5) [*Deleted by Act 31 of 2001*]

(5A) [*Deleted by Act 31 of 2001*]

(6) For the purposes of this section —

(*a*) the number of votes polled is deemed to be the number of votes counted other than rejected votes; and

(*b*) "certified cheque" means a cheque which is certified by the drawee bank as good for payment of the sum stated in the cheque.

(7) The Returning Officer must, on giving notice under section 25 of the issue of a writ, specify in the notice the amount to be deposited under subsection (1).

Proceedings on nomination day

29.—(1) The Returning Officer must, on the day of nomination, attend at the place of nomination from 11 a.m. until 12 noon to receive nomination papers and political donation certificates issued by the Registrar of Political Donations and certificates (if any) issued under section 27A(6) (called in this Act nomination papers).

(2) Every such nomination paper and certificate must be delivered to the Returning Officer, in duplicate and in person, by the person seeking nomination accompanied by his or her proposer, seconder and at least 4 assentors, at the place of nomination between 11 a.m. and 12 noon (both times inclusive) on the day of nomination, and if not so delivered, must be rejected.

(3) The Returning Officer must immediately cause a copy of the nomination paper to be posted in a conspicuous position outside the place of nomination.

Amendment of nomination papers

29A.—(1) Subject to subsection (3), where the Returning Officer detects in any nomination paper —

(*a*) an error or omission, or what appears to be an error or omission, which may amount to a ground for rejecting the nomination paper or allowing an objection to the nomination paper; or

(*b*) anything which may affect the validity of the nomination paper and the Returning Officer considers that it can be corrected before 12 noon on the day of nomination,

the Returning Officer may, before making his or her decision under section 29 or 30, give the candidate or person seeking nomination (as the case may be) a reasonable opportunity to correct the error or omission before 12 noon on the day of nomination.

(2) Subject to subsection (3), where any error or omission in a person's nomination paper is brought to the attention of the candidate or person seeking nomination (whether by the Returning Officer under subsection (1) or following an objection made under section 30), the candidate or person seeking nomination (as the case may be) may, at any time before 12 noon on the day of nomination but no later, take such action as may be necessary to correct the error or omission in his or her nomination paper.

(3) Nothing in subsection (1) or (2) authorises any candidate or person seeking nomination to substitute a different person —

(*a*) as a candidate for election for an electoral division; or

(*b*) as proposer, seconder or assentor.

(4) In this section, "error" has the meaning given by section 103.

Objections to nomination papers

30.—(1) Objection may be made to a nomination paper on all or any of the following grounds but on no other ground:

(*a*) that the description of the candidate is insufficient to identify the candidate;

(*b*) that the nomination paper does not comply with or was not delivered in accordance with the provisions of this Act;

(*c*) that it is apparent from the contents of the nomination paper that the candidate is not capable of being elected a Member of Parliament;

(*d*) that the provisions of section 27A or 28 have not been observed.

(1A) Without affecting subsection (4), an objection to the nomination paper of a candidate or a group of candidates for election for an electoral division may only be made by —

(*a*) another candidate for election in that same electoral division;

(*b*) that other candidate's proposer or seconder, or any of that other candidate's assentors; or

(*c*) the one other person (if any) appointed in writing by that other candidate to be present on the day and at the place of nomination.

(2) An objection to a nomination paper must not be allowed —

(*a*) unless it is made in person to the Returning Officer, in the manner specified in subsection (3), at the place of nomination between 11 a.m. and 12.30 p.m. on the day of nomination; or

(*b*) on the ground that a group seeking election in any constituency designated under section 8A(1)(*b*) does not consist of at least a person belonging to the Malay community or a person belonging to the Indian or other minority communities as required under section 27A(4), if any candidate in that group has delivered to the Returning Officer under section 27B(3)(*c*) a certificate issued to the candidate under section 27A(6).

[41/2018]

(3) Every objection must be in writing signed by the objector and must specify the ground of objection.

(4) The Returning Officer may himself or herself lodge an objection on any of the grounds set out in subsection (1).

(5) The Returning Officer must, with the least possible delay, decide on the validity of every objection and inform the candidate concerned of his or her decision, and, if the objection is allowed, of the grounds of his or her decision.

(6) If the Returning Officer disallows any objection, his or her decision is final and conclusive and is not to be called in question in any court; but if the Returning Officer allows the objection, his or her decision is subject to reversal on an application under section 90.

Persons entitled to be present during nomination proceedings

31.—(1) Subject to subsection (2), the following persons, and no others, are entitled to be present at the proceedings specified in sections 29, 29A, 30 and 32:

(*a*) the candidates;

(*b*) each candidate's proposer, seconder and assentors;

(*c*) one other person (if any) appointed in writing by each candidate;

(*d*) the Returning Officer and any persons authorised by the Returning Officer to assist him or her at the proceedings;

(*e*) any other person with the written permission of the Returning Officer to be present at the proceedings.

[41/2018]

(2) A person seeking to be a candidate for election in an electoral division may be refused entry to the place of nomination unless —

(*a*) the person is issued a political donation certificate under section 18(4) of the Political Donations Act 2000;

(*b*) the person is accompanied by at least 6 others as his or her proposer, seconder and assentors; and

(*c*) where that electoral division is a group representation constituency —

(i) the person is a member of a group of persons which satisfies the requirements of section 27A(3);

(ii) the person is accompanied by all of the other members of that group; and

(iii) at least one of the members of that group is certified under section 27A(6)(*b*) as belonging to the community designated for that constituency under section 8A(1)(*b*).

[41/2018]

(3) Subsection (2) only applies to the initial entry of a person seeking to be a candidate for an election to a place of nomination for that election.

[41/2018]

Withdrawal of candidature

32.—(1) A candidate may before 12 noon on the day of nomination, but not afterwards, withdraw his or her candidature by giving, in person, a notice to that effect signed by him or her to the Returning Officer.

(2) The Returning Officer must immediately cause notice of the withdrawal to be posted in a conspicuous position outside the place of nomination.

Multiple nominations

32A.—(1) If at 12 noon on the day of nomination in relation to an election —

(*a*) a person is nominated to be a candidate for election in more than one electoral division at a general election; or

(*b*) a person is nominated more than once to be a candidate for election in the same electoral division,

each such nomination is deemed to be void.

(2) Subsection (1) also applies where 2 or more by-elections are held at the same time.

UNCONTESTED ELECTIONS

Uncontested elections

33.—(1) If, on the day of nomination in any electoral division, after the decision by the Returning Officer on any objection which may have been lodged, only one candidate or a group of candidates stands nominated for that division, the Returning Officer must immediately —

(*a*) declare the nominated candidate or the group of candidates to be elected; and

(*b*) cause the name or names of the Member or Members so elected to be published in the *Gazette*.

(2) Nothing in sections 29 and 30 prevents the Returning Officer from exercising any of his or her powers under subsection (1) before 12.30 p.m. if, at 12 noon on the day of nomination for an election in any electoral division, only one candidate or one group of candidates stands nominated for that electoral division.

CONTESTED ELECTIONS

Contested elections

34.—(1) If, on the day of nomination in any electoral division, after the decision by the Returning Officer on any objections which may have been lodged, more candidates than one stand nominated for that division, the Returning Officer must —

(*a*) immediately adjourn the election to enable a poll to be taken in accordance with the provisions of this Act; and

(*b*) allot to each candidate an approved symbol which must be printed on the ballot paper opposite that candidate's name.

(1A) The Returning Officer may, in his or her discretion, allot to any candidate some other symbol selected by the candidate or by the political association to which the candidate belongs.

(2) In subsection (1), "approved symbol" means any symbol approved by the Returning Officer for the purposes of this Act by notification in the *Gazette*.

(3) Subject to subsection (1A), the determination of the approved symbol to be allotted to each candidate must be made by lot by the Returning Officer.

(4) A candidate must not be allotted any symbol which is of any racial or religious significance.

(5) In the event of any dispute arising regarding the allocation of any symbol under this section, the decision of the Returning Officer is final and is not to be questioned.

(6) The Returning Officer must cause to be published in the *Gazette* a notice in Form 11 in the First Schedule specifying —

(*a*) the electoral division in which the election is contested;

(*b*) whether a direct recording electronic voting system will be used at the poll and if so, a brief description of the system;

(*c*) the day and hours of the poll at every overseas polling station;

(*d*) the date on which the poll will be taken, the date being not earlier than the 10th day, and not later than the 56th day, after the date of publication of the notice in the *Gazette* (called in this Act polling day);

(*e*) the names of the candidates in the order in which they will be printed on the ballot papers, the symbol allotted to each candidate and the names of their proposers and seconders; and

(*f*) the situation of the polling stations for that electoral division and the particular polling stations (if any) reserved for female voters.

(7) In computing time for the purposes of subsection (6)(*d*), the last day of the period is not to be excluded only by reason of the fact that it is a Sunday or that it is a public holiday under the provisions of this Act or of any other written law.

(8) If, after an election has been reported as contested, one of the candidates nominated dies before the poll has commenced, the Returning Officer must, upon being satisfied of the fact of the death —

(*a*) countermand the notice for the poll; and

(*b*) appoint, by notice in the *Gazette*, a fresh date, time and place for the nomination of candidates for election, at least 4 clear days before the fresh date fixed for such nomination.

(9) Where the Returning Officer has countermanded the poll under subsection (8), all proceedings with reference to the election must be commenced afresh, except that no fresh nomination is necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

Contested elections in group representation constituencies

34A.—(1) If, on the day of nomination, in any group representation constituency, after the decision by the Returning Officer on any objection which may have been lodged, more groups than one stand nominated for that constituency, the Returning Officer must —

(*a*) immediately adjourn the election to enable a poll to be taken in accordance with the provisions of this Act; and

(*b*) allot to each group of candidates an approved symbol which must be printed on the ballot paper opposite the names of each group.

(1A) The Returning Officer may, in his or her discretion, allot to any group of candidates some other symbol selected by the group or the political party to which the group belongs.

(2) In subsection (1), "approved symbol" means any symbol approved by the Returning Officer for the purposes of this Act by notification in the *Gazette*.

(3) Subject to subsection (1A), the determination of the approved symbol to be allotted to each group of candidates must be made by lot by the Returning Officer.

(4) A group of candidates must not be allotted any symbol which is of any racial or religious significance.

(5) In the event of any dispute arising regarding the allocation of any symbol under this section, the decision of the Returning Officer is final and is not to be questioned.

(6) The Returning Officer must cause to be published in the *Gazette* a notice in Form 11 in the First Schedule specifying —

(*a*) the group representation constituency in which the election is contested;

(*b*) whether a direct recording electronic voting system will be used at the poll and if so, a brief description of the system;

(*c*) the day and hours of the poll at every overseas polling station;

(*d*) the date on which the poll will be taken, the date being not earlier than the 10th day, and not later than the 56th day, after the date of publication of the notice in the *Gazette* (called in this Act polling day);

(*e*) the names of the candidates in each group in the order in which they will be printed on the ballot papers, the symbol allotted to each group of candidates and the names of their proposers and seconders; and

(*f*) the situation of the polling stations for that group representation constituency and the particular polling stations (if any) reserved for female voters.

(7) In computing time for the purposes of subsection (6)(*d*), the last day of the period is not to be excluded only by reason of the fact that it is a Sunday or that it is a public holiday under the provisions of this Act or of any other written law.

(8) If, after the election in a group representation constituency has been reported as contested, one of the candidates nominated for that constituency dies before the poll has commenced, the Returning Officer must, upon being satisfied of the fact of the death —

(*a*) countermand the notice for the poll; and

(*b*) appoint, by notice in the *Gazette*, a fresh date, time and place for the nomination of candidates for election in that

constituency, at least 4 clear days before the fresh date fixed for the nomination.

(8A) Where the Returning Officer has countermanded the poll under subsection (8), all proceedings with reference to the election must be commenced afresh, except that no fresh nomination is necessary in the case of any group which stood nominated at the time of the countermand of the poll.

(9) Section 34 does not apply to any election in any group representation constituency.

Polling day at general election to be public holiday

35. Polling day at any general election is a public holiday as though it had been so expressly appointed in addition to the days mentioned in any written law for the time being in force relating to holidays.

Presiding officers

36.—(1) The Returning Officer must appoint, and may revoke the appointment of, one or more persons (called in this Act presiding officers) to preside at each polling station.

(1A) If more than one presiding officer is appointed for any polling station, the Returning Officer may appoint one of the presiding officers to be the senior presiding officer who is to exercise general supervision over the other presiding officers, and over all arrangements for the conduct of the poll in that station.

(1B) Each presiding officer must be supplied with a copy of that part of the register of electors containing the names of electors in the register assigned to the presiding officer's polling place.

(2) If any presiding officer is, by sickness or other cause, prevented from acting at any election and there is insufficient time for another person to be appointed by the Returning Officer, the presiding officer may appoint a deputy to act for him or her.

(2A) Every such appointment must as soon as possible be reported to the Returning Officer, and may be revoked by the Returning Officer, but without affecting the validity of anything already done by the deputy.

(3) The Returning Officer may, if he or she thinks fit, preside at any polling station, and the provisions of this Act relating to a presiding officer apply to the Returning Officer.

Polling places and polling stations

36A.—(1) The Returning Officer must, for the purposes of the poll in any electoral division —

(*a*) establish a sufficient number of polling stations within each polling district of the electoral division for the conduct of the poll;

(*b*) provide as many polling places within each polling station as the Returning Officer considers necessary; and

(*c*) allot the electors (including overseas electors) to the polling stations in the electoral division in such manner as the Returning Officer thinks convenient.

(2) The Returning Officer may, for the purposes of the poll at any election, approve the use of such of the following premises outside Singapore that are within —

(*a*) an embassy, a High Commission, a diplomatic mission, a permanent mission or a consulate of Singapore in a country or territory outside Singapore; or

(*b*) the official residence of any person who is appointed to hold or act in any of the following offices in a country or territory outside Singapore:

(i) an ambassador, a High Commissioner, a Consulate-General or the head of a diplomatic mission or consulate;

(ii) the Permanent Representative;

(iii) such other senior diplomatic or consular office as the Minister may prescribe for the purposes of the definition of an "overseas polling station" in section 2(1),

as the Returning Officer thinks practicable or suitable as an overseas polling station for overseas electors to cast their votes thereat.

(3) A polling station comprises such premises or such area within any premises as are demarcated by or under the authority of the Returning Officer to be a polling station.

Facilities to be provided at polling stations

37.—(1) Before the poll in any electoral division opens at a polling station, the presiding officer or the senior presiding officer at that station must cause a notice of the poll to be displayed on or at a conspicuous place outside that station.

[41/2018]

(2) The notice mentioned in subsection (1) —

(*a*) must contain such information, presented in such form or manner, as may be prescribed; and

(*b*) must remain displayed on or at a conspicuous place outside the polling station until the poll closes at that station.

[41/2018]

(3) [*Deleted by Act 41 of 2018*]

(4) [*Deleted by Act 41 of 2018*]

(5) [*Deleted by Act 41 of 2018*]

(6) [*Deleted by Act 41 of 2018*]

(7) It is the duty of the Returning Officer to provide at each polling station reasonable facilities for the electors allotted to that station to enable them to mark their votes screened from observation and to vote in accordance with the provisions of this Act.

(8) The Returning Officer must determine, or may authorise the presiding officer or senior presiding officer to determine, in what manner those facilities are to be distributed among the electors entitled to vote at that station.

(9) An election is not to be questioned by reason of non-compliance with subsection (7) or (8) or any informality relative to polling stations.

Registers of electors to be conclusive evidence of right to vote

38.—(1) Without affecting subsection (2), the register of electors in operation in accordance with this Act at the time of any election of a Member to represent the electoral division to which the register relates is conclusive evidence for the purpose of determining whether a person is or is not entitled to vote at the election.

(2) The right and duty of voting of any person whose name is for the time being contained in the register are not prejudiced by any appeal pending before a Revising Officer in respect of the inclusion of that person's name in the register.

(3) Any vote given by the person mentioned in subsection (2) during the pendency of that appeal is as good as though no such appeal were pending and is not affected by the subsequent decision of the appeal.

(4) A person who, by reason of circumstances existing on the day of the election, is not, by virtue of section 5 or 6, entitled to have his or her name entered or retained in any register of electors is not entitled to vote at the election.

(5) If the person mentioned in subsection (4) votes at the election, he or she shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both, and shall, on conviction, become incapable for a period of 3 years from the date of his or her conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he or she has been elected a Member, his or her election shall be vacated from the date of the conviction.

(6) Nothing in this section affects the liability of any person to any penalty for an infringement of section 7 relating to plural voting.

Admittance to polling station

39.—(1) Subject to subsections (1A) and (2A), a person must not be admitted to vote at any polling station except the polling station allotted to him or her.

(1A) Where an elector for any electoral division is employed as a presiding officer, police officer, or in any other official capacity at a polling station within that division, and it is inconvenient for him or her to vote at the polling station in the division which has been allotted to him or her, the Returning Officer may, by a certificate under his or her hand, authorise the elector to vote at any other polling station in the division, and that polling station is deemed, for the purposes of this section, to be the polling station allotted to that elector.

(2) The certificate mentioned in subsection (1A) must be given under the hand of the Returning Officer and must state the following:

(*a*) the name of the elector and the elector's number and description in the register of electors;

(*b*) the fact that the elector is so employed as mentioned in that subsection.

(2A) Subject to section 7, an overseas elector is also entitled to be admitted to vote at the overseas polling station allotted to him or her under section 13A.

(3) Unless the Returning Officer, by notification in the *Gazette* under this section, or under section 50C(3)(*b*), 56C or 56DA, appoints any other hour, the poll in any electoral division must open at 8 a.m. on the day appointed under section 34 or 34A (as the case may be) and must close at 8 p.m. on that day.

[41/2018]

(4) The presiding officer must —

(*a*) keep order in his or her polling station;

(*b*) regulate the number of voters to be admitted at a time; and

(*c*) exclude all other persons except the candidates, the polling agents admitted to the polling station under this section, the Returning Officer and persons authorised in writing by the Returning Officer, the police officers on duty and other persons officially employed at the polling station.

[41/2018]

(5) The number of polling agents that may be admitted to a polling station for an electoral division must not exceed —

(*a*) where the electoral division is a group representation constituency, the number calculated in the prescribed manner for the group of candidates contesting the election in the electoral division; and

(*b*) in any other case, the number calculated in the prescribed manner for the candidate contesting the election in the electoral division.

[41/2018]

(5A) [*Deleted by Act 41 of 2018*]

(6) A polling agent whose name has not been notified to the presiding officer as required by section 64(1) must not be admitted to a polling station.

(7) If any person misconducts himself or herself in a polling station, or fails to obey the lawful orders of the presiding officer, that person may immediately, by order of the presiding officer, be removed from the polling station by any police officer in or near that station or by any other person authorised in writing by the presiding officer or by the Returning Officer to remove that person.

(7A) The person removed under subsection (7) must not be allowed to enter the polling station again, except with the permission of the presiding officer.

(7B) Any person removed under subsection (7), if charged with the commission in the polling station of any offence, may be kept in custody until he or she can be brought before a Magistrate.

(8) The powers conferred by this section must not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at that station.

Voting by overseas electors

39A.—(1) Subject to section 7, any overseas elector who intends to cast his or her vote at the poll for a contested election in an electoral division may vote at —

(*a*) the overseas polling station allotted to him or her under section 13A by the Registration Officer; or

(*b*) the polling station in the electoral division allotted to him or her under section 36A(1),

but not at both in respect of the same election.

(2) The hours of any poll for any contested election at an overseas polling station must be not less than 4 hours and may be carried out in advance of the poll on polling day in Singapore, except that every such poll at an overseas polling station must close not later than the close of the poll on polling day in Singapore.

(3) Except as otherwise provided in this section and any regulations made under subsection (4), any poll (including an advance poll) at an overseas polling station must be conducted in the same manner as that in which voting at a polling station within Singapore on polling day is conducted, and is to be regarded as such for the purposes of this Act.

(4) The Minister may make regulations modifying the application of any provision of this Act to the conduct of polls in overseas polling stations, including in particular, the appointment of presiding officers for overseas polling stations, the procedures on closing of the poll and for the safe despatch of the sealed ballot boxes containing the votes cast to the Returning Officer in Singapore.

(5) Unless the contrary intention appears therefrom, the regulations made under subsection (4) extend to acts done or omitted to be done outside Singapore by —

(*a*) any Assistant Returning Officer or presiding officer;

(*b*) any polling agent or election agent; or

(*c*) any citizen of Singapore (whether or not a voter or an elector),

in relation to a poll conducted or to be conducted at an overseas polling station.

Poll by ballot and ballot papers

40.—(1) In the case of a poll at an election not using a DRE voting system, the votes must be given by ballot, and the ballot of each voter must consist of a paper (called in this Act a ballot paper).

(2) Every ballot paper must contain —

(*a*) a list of the candidates in English, described, subject to section 105, as in their respective nomination papers, and arranged alphabetically in English in the order of their surnames, and, if there are 2 or more candidates with the same surname, of their other names;

(*b*) the symbol allotted to each candidate; and

(*c*) a clearly demarcated area within which a voter must mark his or her vote for a candidate.

[41/2018]

(2A) Subsection (2) does not apply to any election in any group representation constituency.

(3) In respect of any group representation constituency, every ballot paper must contain —

(*a*) a list of the candidates in each group in English, described, subject to section 105, as in their respective nomination papers, and arranged alphabetically in English in the order of their surnames and, if there are 2 or more candidates with the same surname, of their other names;

(*aa*) a list of the groups of candidates, arranged alphabetically in English in the order of the surname of the first candidate in each group and, if 2 or more of such candidates have the same surname, of their other names;

(*b*) the symbol allotted to each group; and

(*c*) a clearly demarcated area within which a voter must mark his or her vote for a group of candidates.

[41/2018]

(3A) Every ballot paper must be in the appropriate Form 12 in the First Schedule and must be capable of being folded.

(4) Each ballot paper must have a number printed on the back and must have attached a counterfoil with the same number printed on the face.

(5) The official mark for the authentication of ballot papers must comprise a pattern, design, watermark or logo approved by the

Returning Officer which must be affixed, stamped, overprinted or marked (by writing or otherwise), or any combination thereof, on the ballot paper in a particular manner approved by the Returning Officer.

Candidates' photographs on ballot papers

40A.—(1) The Returning Officer must include on every ballot paper in an election a photograph of a candidate at the election if —

(*a*) the candidate delivers the photograph to the Returning Officer at such place, within such time, and in such form and manner, as the Returning Officer specifies; and

(*b*) the photograph is in accordance with the Returning Officer's specifications and requirements to ensure accuracy and consistency.

[41/2018]

(2) In the case of an election in a group representation constituency, the photographs of the candidates in each group of candidates at the election must be arranged from left to right in the order in which the candidates' names appear on the ballot paper in the election.

[41/2018]

(3) If subsection (1)(*a*) or (*b*) is not complied with for any candidate at an election, the Returning Officer must indicate in the area designated for that candidate's photograph on the ballot paper in the election that there is no photograph for that candidate.

[41/2018]

(4) The Returning Officer must cause to be published, as soon as practicable after the issue of the writ for an election and in such manner as will secure adequate publicity to the candidates at the election, the Returning Officer's specifications and requirements under subsection (1)(*a*) and (*b*) for the election.

[41/2018]

Ballot boxes

41.—(1) Every ballot box must be so constructed that the ballot papers can be introduced into the box after it has been sealed or locked but cannot be withdrawn from the box unless the seal or lock is broken.

(2) The presiding officer at a polling station must, immediately before the commencement of the poll, and in the sight of such person as may be present in the polling station —

(*a*) show that each ballot box to be used at the commencement of the poll is empty;

(*b*) close the ballot box; and

(*c*) ensure that the ballot box is sealed or locked in such a manner as to prevent it being opened without breaking the seal or lock.

(3) The ballot boxes, after being sealed or locked in accordance with subsection (2), must be kept in the view of the presiding officer of the polling station for the receipt of ballot papers and must not be opened again until after the close of the poll.

(4) Subsections (2) and (3) apply to every ballot box used during a poll and it is sufficient compliance with those subsections if a ballot box, other than a ballot box used at the commencement of a poll, is shown and sealed or locked in accordance with subsection (2) before it is used.

Manner of voting

42.—(1) Each voter entitled to vote must be given one ballot paper and has one vote.

(1A) Each voter entitled to vote in any group representation constituency has one vote and may vote for any one group of candidates in the manner prescribed by this section.

(2) The ballot paper must be delivered to the voter by the presiding officer or a person acting under the presiding officer's authority.

(2A) Immediately before the ballot paper is delivered to the voter —

(*a*) the paper must, unless it already bears the complete official mark for the authentication of ballot papers, be affixed, stamped or marked (by writing or otherwise) by the presiding officer in the approved manner with that official

mark or the remaining part thereof, or initialled by the presiding officer;

(*b*) the number and name of the voter, as stated in the copy of the register of electors, must be called out;

(*c*) the number of the elector must be marked on the counterfoil; and

(*d*) a mark must be placed in the register against the number of the elector to denote that the elector has received a ballot paper but without showing the particular ballot paper which he or she has received.

[41/2018]

(3) Subject to subsection (3AA), the voter must, on receiving the ballot paper, immediately proceed to such place in the station as may be indicated by the presiding officer or by any person acting under that officer's authority, and must there secretly mark the paper as near as may be in accordance with the directions given for the guidance of voters under this Act.

[41/2018]

(3AA) The voter's mark on the ballot paper must be made in the area demarcated on the ballot paper for that purpose, and not elsewhere.

[41/2018]

(3A) The voter must then fold the paper so as to conceal his or her vote, and must put the paper so folded up into the ballot box.

(3B) The voter must vote without undue delay and must leave the polling station as soon as he or she has put his or her ballot paper into the ballot box.

(4) The presiding officer or any person authorised by the presiding officer may ask any voter if the voter understands the method of voting in accordance with this Act and may, if he or she thinks fit, on the application of any voter, explain to the voter, in the presence of the polling agents of the candidates if present, the method of voting in accordance with this Act; but in so doing he or she must carefully abstain from any action which might be construed by the voter as advice or a direction to vote for any particular candidate or group of candidates.

(5) The presiding officer, on the application of a voter who is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, must mark the ballot paper of the voter in the manner directed by the voter, and must cause the ballot paper to be placed in the ballot box.

(6) The presiding officer may, at any time while a poll is proceeding, take such steps as may be necessary to ensure that no voter delays unduly in any place reserved for the marking of ballot papers.

(7) During the taking of the poll, the presiding officer must cause to be exhibited outside his or her polling station a notice in English, Malay, Chinese and Tamil, substantially in the form set out in the Second Schedule, giving directions for the guidance of voters in voting.

(8) The Minister may, by order in the *Gazette*, amend the Second Schedule.

[41/2018]

Compulsory voting

43.—(1) Every elector must record his or her vote at each election in the division for which he or she is registered.

(2) The Returning Officer must, at the close of each election, prepare a list of the numbers, names and descriptions as stated in the register of electors of such electors as have failed to vote at the election and certify the list under the hand of the Returning Officer.

(3) Despite section 49(9) to (12), it is lawful for the Returning Officer to break the seals of packets containing the marked copies of the registers of electors and to inspect and retain those copies for the purpose of preparing the list referred to in subsection (2) and of any inquiries connected therewith.

(4) The list prepared by the Returning Officer under subsection (2) must be forwarded by the Returning Officer to the Registration Officer.

(5) Despite any other provisions of this Act, the Registration Officer must on receipt of such list cause the names of all persons appearing in the list to be expunged from the register.

(6) The Registration Officer must give notice in the *Gazette* that such list has been received by him or her from the Returning Officer and that the list or copies of the list are open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places in or near each electoral division and at such overseas registration centres as may be specified in the notice.

(7) Every person whose name appears on the list of which notice has been given by the Registration Officer under subsection (6) may make a written application for the restoration of his or her name to the register of electors.

(8) If any applicant under subsection (7) satisfies the Registration Officer that the applicant has a good and sufficient reason for not having recorded his or her vote, the applicant's name must be restored to the register without penalty.

(8A) Where the applicant does not satisfy the Registration Officer under subsection (8), the applicant's name must be restored to the register on payment of the sum of $50 to the Registration Officer.

(9) Any name to be restored to the register under subsection (8) or (8A) must, except as otherwise provided in subsection (11), be restored on the day after the Registration Officer has satisfied himself or herself that the applicant has a good and sufficient reason for not recording his or her vote or on the day after the payment of the sum of $50 to the Registration Officer, as the case may be.

(10) Where any person whose name is to be restored to the register under subsection (8) or (8A) has notified the Commissioner of National Registration of any change in the person's address and it appears from such change of address that the person is no longer residing in the same electoral division, the person's name must be restored to the appropriate register of the electoral division in which he or she is residing.

(11) Where a writ of election has been issued under section 24 for an election in any electoral division, no name may be restored to the

register of that division until after nomination day or, if a poll is to be taken, until after polling day.

Declarations by voters

44.—(1) The presiding officer at any polling station may, in his or her discretion, require any voter, before the voter is given a ballot paper, to furnish such evidence of the voter's identity as the presiding officer may consider necessary and to make and subscribe to the declaration set out in Form 15 in the First Schedule.

[41/2018]

(2) [*Deleted by Act 41 of 2018*]

(3) If any person fails to furnish such evidence of his or her identity or refuses to make the declaration required under subsection (1), the presiding officer may refuse to give him or her a ballot paper.

[41/2018]

(4) If any person wilfully makes a false statement in the declaration required under subsection (1), the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

[41/2018]

Spoilt ballot papers

45.—(1) A voter who has inadvertently dealt with his or her ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in place of the ballot paper so delivered up (called in this Act a spoilt ballot paper).

(2) The spoilt ballot paper must be immediately cancelled by the presiding officer.

Tendered votes

46.—(1) If a person representing himself or herself to be a particular elector named in the register applies for a ballot paper after another person has voted as such elector, the applicant, on taking an oath of identity (which may be administered by the presiding

officer and which must be in Form 16 in the First Schedule), is entitled to receive a ballot paper and to vote in the same manner as any other voter.

(2) The ballot paper (called in this Act a tendered ballot paper) must be of a colour different from the other ballot papers, and, before being placed in a ballot box, must be endorsed by the presiding officer with the name of the voter and the voter's number in the register, and that number must be entered in a list (called in this Act the tendered votes list).

(3) Tendered ballot papers must be dealt with in the manner hereinafter provided.

Closing of poll

47.—(1) No ballot paper shall be delivered to a voter after the hour fixed for the closing of the poll.

(2) Despite subsection (1), if at the hour fixed for the closing of the poll there is in the polling station any voter to whom a ballot paper has been delivered, the voter must be allowed to record his or her vote.

Procedure on closing of poll

48.—(1) As soon as practicable after the close of the poll, the presiding officer of each polling station must, in the presence of such of the candidates and their polling agents as attend, make up into separate packets, sealed with the presiding officer's own seal and the seals of the candidates or their agents if they desire to affix their seals —

(*a*) the unused and spoilt ballot papers placed together;

(*b*) the marked copies of the register of electors;

(*c*) the counterfoils of the ballot papers; and

(*d*) the tendered votes list.

(2) The ballot box or boxes unopened must be secured by the presiding officer and sealed with the presiding officer's seal and with the seals of such of the candidates or their agents as attend and desire to affix their seals, in such manner that the box or boxes cannot be

opened and nothing can be inserted therein without breaking the seals.

(3) Every presiding officer of a polling station must despatch each such packet and the ballot box or boxes in safe custody to the Returning Officer or an Assistant Returning Officer at the counting place where the votes cast at the polling station are to be counted in accordance with the provisions of this Act.

(4) Where the Returning Officer has specified a polling station to be a counting place under this Act, the presiding officer of the polling station must keep at that station every such packet and the ballot box or boxes in safe custody pending counting of the votes at that polling station.

[41/2018]

Counting places

48A.—(1) The Returning Officer may —

(*a*) direct that the votes cast at any polling station or stations in Singapore for an electoral division be counted at such counting place for that electoral division (which may or may not be a polling station) and time as the Returning Officer may specify; and

(*b*) where more than one counting place is specified for an electoral division under paragraph (*a*), direct that the total number of votes given to each candidate or group of candidates at the poll be ascertained at a principal counting place for that electoral division (which may or may not be a counting place for that division) and time as the Returning Officer may specify.

(2) The votes cast at all overseas polling stations must be counted at such place or places in Singapore as the Returning Officer directs.

(3) The Returning Officer must cause notice of every direction made under subsections (1) and (2) to be published in the *Gazette* at least 2 clear days before polling day.

[41/2018]

(4) Where polling at all polling stations established for the purposes of a poll in an electoral division is postponed under section 56C, the

conduct of the counting of votes cast for the electoral division shall stand postponed until such other time as the Returning Officer, by notice in the *Gazette*, specifies.

[41/2018]

(5) Where polling at any polling station established for the purposes of a poll in an electoral division is temporarily suspended, adjourned and postponed or abandoned and restarted under section 56C, the conduct of the count in respect of votes cast at the other polling stations for that electoral division at which the poll has closed, shall stand postponed until such other time as the Returning Officer, by notice in the *Gazette*, specifies.

[41/2018]

Counting votes

49.—(1) Subject to subsection (2) —

(*a*) counting agents for any candidate nominated for an electoral division other than a group representation constituency may be appointed either by the candidate or his or her election agent only; and

(*b*) counting agents for any group of candidates nominated for a group representation constituency may be appointed either by the election agent of any candidate in the group or the principal election agent for that group only.

(2) Not more than one counting agent may be appointed for a candidate or group of candidates to attend the counting of votes at each counting place specified under this Act.

[41/2018]

(2A) The Returning Officer must make arrangements for the counting of votes in the presence of such of the candidates and their counting agents as attend as soon as practicable —

(*a*) where only one counting place is specified for an electoral division under this Act — after the Returning Officer has received at that counting place all the ballot boxes used during the poll conducted in Singapore; or

(*b*) where more than one counting place is specified for an electoral division under this Act, after —

(i) the procedure in section 48 has been complied with at the close of the poll if the counting place is also a polling station; and

(ii) the Assistant Returning Officer in charge of each counting place has received at his or her counting place all the ballot boxes containing the votes cast at the polling station or stations in Singapore which are specified in the direction to be counted at that counting place, subject to any directions from the Returning Officer to delay or postpone the counting. *[41/2018]*

(3) The Returning Officer, his or her assistants and clerks, and the candidates and their counting agents, but no other persons except with the sanction of the Returning Officer, may be present at the counting of the votes.

(4) Before the Returning Officer proceeds to count the votes, the Returning Officer or a person authorised by the Returning Officer must, in the presence of such of the candidates and their counting agents as attend, open each ballot box and, taking out the papers therein, mix together the whole of the ballot papers contained in the ballot boxes.

(4A) The Returning Officer, while counting the votes, must keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.

(5) The Returning Officer must so far as practicable proceed continuously with counting the votes and must endorse "rejected" on any ballot paper which the Returning Officer rejects as invalid.

(6) The Returning Officer must not count the tendered ballot papers but must place them in separate packets according to the candidate or group of candidates whom they support and mark each packet with the name of the candidate or group of candidates, and must seal the packet and retain it unless it is required for the purposes of an application under section 90.

(7) Where only one counting place is specified for an electoral division under this Act, the Returning Officer must, when the

counting of votes cast at all polling stations in Singapore is completed at that sole counting place or, if a recount thereof is conducted under section 49B, after that recount is completed, immediately act as follows:

(*a*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is less than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes — the Returning Officer must declare the candidate or (as the case may be) group of candidates to whom the greatest number of votes is given to be elected;

(*b*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is equal to or more than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes — the Returning Officer must declare the number of votes cast in Singapore in favour of each candidate or (as the case may be) group of candidates at the election, and the date and premises at which the votes cast by the overseas electors will be counted.

[41/2018]

(7A) Where more than one counting place is specified for an electoral division under this Act, an Assistant Returning Officer must, immediately after the counting of votes cast in Singapore is completed at the counting place under his or her charge and, if a recount thereof is conducted under section 49B, after the recount is completed, at each counting place for the electoral division —

(*a*) announce to the candidates or their counting agents as attend the number of votes given to each candidate or group of candidates;

(*b*) prepare a record (called in this Act the record of counting) in a prescribed form containing the number of votes given to each candidate or group of candidates and other results

of the counting of votes at the counting place, and certify that record;

(*c*) transmit to the principal counting place for that electoral division, by any means available, the results of the counting of votes at the counting place; and

(*d*) seal up in an envelope the record of counting and despatch or deliver the envelope in safe custody to the principal counting place for that electoral division.

[41/2018]

(7B) Except with the sanction of the Returning Officer, no person other than the following persons may be present at a principal counting place during the addition of votes:

(*a*) the Returning Officer and such other officers and staff appointed by the Returning Officer to assist him or her in adding the votes cast for each candidate or group of candidates at the counting places and ascertaining the total number of votes given to each candidate or group of candidates at the poll;

(*b*) the candidates and their election agents or, where the votes to be added relate to a group of candidates, the groups of candidates and their principal election agents.

(7C) Despite subsection (7B), where a principal counting place is also a counting place, such counting agents as were present during the counting of votes may continue to be present during the addition of votes.

(7D) At a principal counting place for an electoral division, the Returning Officer must, upon receipt of the results of the counting of votes at all counting places for that electoral division, ascertain the total number of votes given to each candidate or group of candidates at the poll by adding up the number of votes recorded for each candidate or group of candidates in those results.

(7E) When the total number of votes cast at polling stations in Singapore for each candidate or (as the case may be) group of candidates at an election in an electoral division is ascertained under subsection (7D), or if a recount thereof is conducted under

section 49B, after that recount is completed, the Returning Officer must immediately act as follows:

(*a*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is less than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes — the Returning Officer must declare the candidate or (as the case may be) group of candidates to whom the greatest number of votes is given to be elected;

(*b*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is equal to or more than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes — the Returning Officer must declare the number of votes cast in Singapore in favour of each candidate or (as the case may be) group of candidates at the election, and the date and premises at which the votes cast by the overseas electors will be counted.

[41/2018]

(8) When, after the counting of votes (including any recount conducted under section 49B) is completed, an equality of votes is found to exist between any candidates or groups of candidates, and the addition of a vote would entitle any of the candidates or groups of candidates to be declared elected, the determination of the candidate or group of candidates to whom the one additional vote is deemed to have been given must be made by lot in the presence of the Returning Officer in such manner as the Returning Officer may determine.

[41/2018]

(9) After the Returning Officer has made any declaration under subsection (7) or (7E), the Returning Officer must ensure that the following procedures are complied with at every counting place and principal counting place:

(*a*) all ballot papers and all other documents relating to the election at every counting place and principal counting

place must be sealed up in separate packets and placed in any ballot box or boxes;

(*b*) the ballot box or boxes must then be sealed with the seal of the Returning Officer and the seals of such of the candidates or their counting agents as attend and desire to affix their seals;

(*c*) the sealed ballot box or boxes must be despatched and delivered in safe custody to the Returning Officer;

(*d*) subject to subsection (10), the ballot papers and other documents in the sealed ballot box or boxes must be retained in safe custody for a period of 6 months;

(*e*) the ballot papers and other documents must be destroyed at the end of the period of 6 months unless otherwise directed by order of the President.

(10) A Judge sitting in the General Division of the High Court may make an order that any ballot paper or other document relating to an election which has been sealed as required by this Act be inspected, copied or produced at such time and place and subject to such conditions as the Judge may consider expedient.

[40/2019]

(11) A Judge sitting in the General Division of the High Court must not make an order under subsection (10) unless he or she is satisfied that the inspection, copy or production is required for the purpose of instituting or maintaining a prosecution or an application under section 90 in connection with the election.

[40/2019]

(12) Except as provided in this section, no person is allowed to inspect any such ballot paper or document after it has been sealed up pursuant to subsection (9).

Counting of votes by overseas electors

49A.—(1) Subject to section 56DB, every sealed ballot box containing votes cast at an overseas polling station at an election in an electoral division (called in this section the affected electoral division) must, in order for those votes to be counted in the election, reach the custody of the Returning Officer in Singapore —

(*a*) within 10 days after polling day in Singapore for the election; or

(*b*) where the Returning Officer extends time under subsection (2), within the extended time.

[41/2018]

(2) The Returning Officer may extend time by another 7 days if the Returning Officer —

(*a*) has made a declaration under section 49(7)(*b*) or (7E)(*b*) in the election; and

(*b*) is satisfied, for any reason, that any sealed ballot box containing votes cast at an overseas polling station in the election is not likely to reach the custody of the Returning Officer in Singapore within the time specified in subsection (1)(*a*).

[41/2018]

(2A) If the Returning Officer extends time under subsection (2) —

(*a*) the counting of the votes cast at the overseas polling stations for the affected electoral division, and for every related electoral division specified in subsection (2B), stands postponed to the date specified by the Returning Officer under paragraph (*b*)(ii); and

(*b*) the Returning Officer must, as soon as practicable, publish a notice in the *Gazette* —

(i) stating that the Returning Officer has extended the time; and

(ii) specifying the date on, the time at and the counting place in Singapore at which the votes cast at the overseas polling stations will be counted.

[41/2018]

(2B) For the purposes of subsection (2A)(*a*), a related electoral division is —

(*a*) in the case of a general election, an electoral division (other than the affected electoral division) in the general election; or

(*b*) in the case of a by-election, an electoral division for which a by-election is held at the same time as the by-election for the affected electoral division.

[41/2018]

(3) Subject to subsection (1), the Returning Officer must arrange for the counting of votes cast by overseas electors in the presence of the candidates and their counting agents as attend as soon as practicable after all the sealed ballot boxes used at overseas polling stations during the poll have been received by the Returning Officer in Singapore.

[41/2018]

(4) Section 49 applies to the counting of votes cast by overseas electors, with the necessary modifications.

[41/2018]

(5) Where the Returning Officer has made a declaration under section 49(7)(*b*) or (7E)(*b*), the number of votes given by overseas electors to each candidate or group of candidates must be added to the number declared by the Returning Officer as the number of votes cast in Singapore, respectively, for each candidate or (as the case may be) group of candidates, and the Returning Officer must immediately declare the candidate or (as the case may be) group of candidates to whom the greatest total number of votes is given to be elected.

(6) After the Returning Officer has made any declaration under subsection (5), the Returning Officer must ensure that the following procedures are complied with:

(*a*) all ballot papers and all other documents relating to the election at every place where the votes of overseas electors are counted must be sealed up in separate packets and placed in any ballot box or boxes;

(*b*) the ballot box or boxes must then be sealed with the seal of the Returning Officer and the seals of such of the candidates or their counting agents as attend and desire to affix their seals;

(*c*) the sealed ballot box or boxes must be despatched and delivered in safe custody to the Returning Officer;

(*d*) subject to section 49(10), the ballot papers and other documents in the sealed ballot box or boxes must be retained in safe custody for a period of 6 months;

(*e*) the ballot papers and other documents must be destroyed at the end of the period of 6 months unless otherwise directed by order of the President.

Recounting of votes

49B.—(1) The Returning Officer must conduct a recount of the votes cast in Singapore at an election in an electoral division if the difference between the number of votes given to the candidate or (as the case may be) group of candidates with the most votes and the number of votes given to any other candidate or (as the case may be) group of candidates at the election is 2% or less of the total number of votes cast in Singapore (excluding rejected votes and tendered votes) at the election.

[41/2018]

(2) The recount of the votes under subsection (1) may be conducted only once, and must take place as soon as practicable —

(*a*) where a sole counting place is specified under this Act for the election, after the counting of the votes at the sole counting place is completed; or

(*b*) where more than one counting place is specified under this Act for the election, after the Returning Officer has ascertained the total number of votes given to each candidate or (as the case may be) group of candidates in the election under section 49(7D).

[41/2018]

(3) Where a recount of the votes is to be conducted, the votes at the sole counting place or, if there is more than one counting place, at every counting place must be recounted and added following as far as practicable the same procedure set out in sections 49 and 50.

[41/2018]

(4) Where the Returning Officer has made a declaration under section 49(7)(*b*) or (7E)(*b*) in an election, this section applies, with

the necessary modifications, to the counting of votes cast by overseas electors at that election.

[41/2018]

Votes to be rejected

50.—(1) The Returning Officer must reject as invalid the following ballot papers only:

(*a*) any ballot paper which does not bear the complete official mark for the authentication of ballot papers or is not initialled by the presiding officer;

(*b*) any ballot paper on which votes are given for more than one candidate or group of candidates;

(*c*) any ballot paper on which anything is written or marked by which the voter can be identified except the printed number on the back;

(*d*) any ballot paper which is unmarked;

(*e*) any ballot paper which is void for uncertainty.

(2) Subject to subsection (2A), where the Returning Officer is satisfied that any mark made on a ballot paper clearly indicates the intention of the voter and the candidate or group of candidates for whom the voter gives his or her vote, the Returning Officer must not reject the ballot paper on the ground solely that it has not been marked in all respects in accordance with the directions given for the guidance of voters under this Act.

[41/2018]

(2A) When determining whether a mark made on a ballot paper clearly indicates the voter's intention and the candidate or group of candidates for whom the voter gives his or her vote, the Returning Officer must disregard any mark on the ballot paper that is not made within the area demarcated on the ballot paper for the voter to mark his or her vote for a candidate or group of candidates.

[41/2018]

(3) Before rejecting a ballot paper, the Returning Officer must show it to each candidate or the candidate's counting agent if present and hear his or her views thereon, taking all proper precautions to prevent any person from seeing the number printed on the back of the paper.

(4) The decision of the Returning Officer as to whether or not any ballot paper is to be rejected is final and is not to be questioned on an application under section 90.

Approval of DRE voting systems

50A.—(1) A DRE voting system must not be used at any poll in any electoral division unless the DRE voting system is approved before the date of the writ of the election under section 24 by —

(*a*) the Auditor-General; or

(*b*) any person appointed by the Minister in consultation with the Auditor-General.

(2) The Auditor-General or person appointed under subsection (1) must not approve any DRE voting system for use at any election in any electoral division unless, after conducting such tests as he or she considers necessary in the presence of the Returning Officer and such representatives of any political party as are present, he or she is satisfied that the DRE voting system —

(*a*) permits voting in secrecy;

(*b*) permits each voter to vote from all the candidates or groups of candidates as are nominated for the election;

(*c*) operates safely and efficiently and accurately counts all votes cast for each candidate or group of candidates;

(*d*) is set to detect voting errors and to reject all votes for any candidate or group of candidates when the number of votes recorded exceeds the number of votes that may lawfully be cast;

(*e*) permits each voter to clearly see the ballot display;

(*f*) is safe from fraudulent or unauthorised manipulation or operation;

(*g*) ensures that all voting data stored in the DRE voting machines used is maintained regardless of electrical power surges or outages; and

(*h*) is capable of providing records from which the operation of the DRE voting system may be audited and for verification of the accuracy of the recording and counting of votes, but that does not allow for identification of any voter.

(3) Subject to subsection (1), a DRE voting system must not be used at a poll in any electoral division unless the Returning Officer specifies, by notice under section 34(6) or (as the case may be) 34A(6), that a DRE voting system will be used at the poll in that electoral division.

(4) Where a DRE voting system is to be used at any forthcoming poll in any electoral division in accordance with this section, the Returning Officer may, for the purpose of instructing electors, provide one or more demonstrations as to the use of the DRE voting system in one or more public places within that electoral division.

Approval of DRE voting machines and equipment

50B.—(1) It is the duty of the Returning Officer to provide at each polling station within every electoral division specified in the notice under section 34(6) or (as the case may be) 34A(6) —

(*a*) a sufficient number of DRE voting machines and other direct recording electronic voting equipment approved under subsection (2) for electors allotted to the polling station to cast their votes;

(*b*) booths or other reasonable facilities within which approved DRE voting machines are to be placed to enable electors allotted to the polling station to record their votes screened from observation and to vote in accordance with the provisions of this Act; and

(*c*) a sufficient number of other approved DRE voting machines, direct recording electronic voting equipment and other voting equipment in the event of any malfunction of all or any approved DRE voting machines at that polling station.

(2) Not earlier than 4 clear days before polling day, the Auditor-General or person appointed by the Minister under

section 50A(1) must inspect and conduct or cause to be inspected and conducted such tests on every DRE voting machine and direct recording electronic voting equipment to be used at a poll, and if he or she is satisfied that any such DRE voting machine and equipment are in the proper order for use at a poll, he or she must not later than on the eve of polling day —

(*a*) approve the DRE voting machine and equipment so tested for use at the poll;

(*b*) number the approved DRE voting machine;

(*c*) seal with his or her seal and secure the approved DRE voting machine and direct recording electronic voting equipment against use until polling day and despatch it in safe custody to the Returning Officer who must store it in safe custody until polling day;

(*d*) make a record containing the identification numbers of every such approved DRE voting machine and the respective polling stations to which each has been allocated; and

(*e*) furnish a copy of the record to such candidate or his or her election agent who requests such a copy before polling day.

(3) Any inspection and test of DRE voting machines and direct recording electronic voting equipment under subsection (2) must be carried out —

(*a*) on such date and at such time and premises as the Returning Officer may specify by public notice not less than 5 clear days before polling day; and

(*b*) in the presence of such candidate or his or her election agent or polling agent as may be present at those premises on that date and time.

Pre-poll testing of DRE voting system, etc.

50C.—(1) Immediately before the commencement of the poll in any electoral division specified in a notice under section 34(6) or (as the case may be) 34A(6), the presiding officer at every polling station

within the electoral division, in the sight of such person as may be present at the polling station, must —

(*a*) ensure that every DRE voting machine and direct recording electronic voting equipment delivered to the polling station for use at the poll is approved under section 50B(2) and still sealed and secured against use;

(*b*) install the approved DRE voting machine and direct recording electronic voting equipment for use at the poll at the polling station;

(*c*) inspect and test each DRE voting machine and direct recording electronic voting equipment so installed in the prescribed manner to ensure that it is functioning properly and take such corrective action (including replacement or repair) as is necessary to ensure that it is functioning properly; and

(*d*) unsecure the DRE voting machine for use at the poll.

(2) The presiding officer at a polling station using DRE voting machines and direct recording electronic voting equipment at the poll must periodically inspect or cause to be inspected the machines and equipment for any tampering and damage or any malfunction while voting is in progress.

(3) If at any time before or after the commencement of a poll using a DRE voting system, the presiding officer at a polling station determines that the approved DRE voting machines or direct recording electronic voting equipment delivered to the polling station cannot be replaced or repaired promptly and that voting cannot be continued using the remaining approved DRE voting machines and approved direct recording electronic voting equipment without interfering substantially with the orderly conduct of the poll, the presiding officer must, with the approval of the Returning Officer —

(*a*) immediately halt voting at that polling station if the poll has already commenced; and

(*b*) make such necessary arrangements for voting at the polling station —

(i) to commence or resume (as the case may be) on the same day and close at such other hours as the Returning Officer may appoint, using either the same DRE voting system or ballot papers in accordance with the provisions of this Act; or

(ii) to be adjourned and conducted afresh on such other date as the Returning Officer may declare by notification in the *Gazette*, being a date not more than one week later, using either the same DRE voting system or ballot papers in accordance with the provisions of this Act.

DRE voting system procedures generally

50D.—(1) Except as otherwise provided in sections 50B and 50C and any regulations made under this section, any poll using any DRE voting system must be conducted in the same manner as that in which voting is conducted under sections 35 to 51, and is regarded as a poll for the purposes of this Act.

(2) The ballot image displayed on any approved DRE voting machine at any poll must be an identical representation in electronic form of the ballot paper used at the poll.

(3) The Minister may make regulations modifying the application of any provision of this Act to the conduct of polls using a DRE voting system, including in particular, prescribing the training of presiding officers in operating DRE voting systems, the procedures on opening and closing of such a poll, the manner of voting, the counting of votes and for the safe despatch or transmission of records of voting using DRE voting machines for counting, including recounting, if any.

Publication of result and statement of poll in *Gazette*

51. The Returning Officer must immediately after the result has been declared by him or her under section 49(7)(*a*) or (7E)(*a*) and all the votes cast by overseas electors have been counted or after the result has been declared by him or her under section 49A(5), as the case may be, compile a statement of the poll in Form 17 in the First

Schedule and must cause the name or names of the Members so elected and also the statement to be published in the *Gazette*.

Election of non-constituency Members in certain circumstances

52.—(1) At any general election, the number of non-constituency Members to be declared elected is the whole number (ignoring any number less than 0) ascertained in accordance with the formula

$$12 - B,$$

where B is the total number of Opposition Members elected to Parliament in accordance with section 49(7) or (7E) or 49A(5), as the case may be.

[41/2018]

(1A) [*Deleted by Act 10 of 2010*]

(2) Subject to subsection (3A), the non-constituency Member or Members to be declared elected under subsection (1) must be determined from among the candidates of those political parties (other than the party or parties that will form the Government) contesting the general election on the basis of the percentage of the votes polled at the same general election by such candidates in the following order of priority — the candidate receiving the highest percentage of votes being placed first and the other candidates being placed in descending order in accordance with the percentages of votes polled by them.

(3) Subject to subsection (3A), where any non-constituency Member is to be declared elected under this section, the Returning Officer must, as soon as the Returning Officer determines the candidate who stands first in accordance with the order of priority under subsection (2), declare that candidate to be so elected; and if more than one non-constituency Member are to be declared elected, the Returning Officer must declare as so elected the next succeeding candidate or candidates (as the case may be) in the order of priority under subsection (2).

(3A) A candidate must not be declared as so elected under subsection (3) if —

(*a*) the candidate has polled less than 15% of the total number of votes (other than rejected votes) polled at the election in the electoral division contested by him or her;

(*b*) 2 other candidates at the election in the same group representation constituency have been declared to be elected under subsection (3); or

(*c*) one other candidate at the election in the same electoral division that is not a group representation constituency has been declared to be elected under subsection (3).

(3B) Where there is an equality of the percentage of the votes between any candidates and the number of such candidates who are eligible to be declared elected under this section exceeds the number of non-constituency Members to be declared elected, the determination of the candidate or candidates to be declared elected must be as follows:

(*a*) if all such candidates are from the same group, the Returning Officer must inform that group of the number of candidate or candidates in that group to be declared elected and the group must within 7 days determine among themselves who is to be declared elected and must immediately notify the Returning Officer of such determination;

(*b*) in any other case, or where the group referred to in paragraph (*a*) fails to notify the Returning Officer, the determination must be made by lot in the presence of the Returning Officer in such manner and at such time as the Returning Officer may determine.

(3C) Upon receipt of a notification under subsection (3B)(*a*), the Returning Officer must as soon as possible declare the candidate or candidates determined under that subsection to be elected as a non-constituency Member or Members, as the case may be.

(3D) For the purposes of this section and section 53, each candidate in a group for any group representation constituency is deemed to

have received in respect of that constituency the percentage of the votes polled by that group in that constituency.

(4) In this section, "Opposition Member" means a Member of Parliament who is not a member of the political party or parties forming the Government.

Failure to take Oath of Allegiance by non-constituency Member

53.—(1) Subject to subsection (3), if any non-constituency Member declared to be elected under section 52 fails to take and subscribe before Parliament the Oath of Allegiance under Article 61 of the Constitution at the first or second sitting of Parliament during its first session after the general election, Parliament may by resolution declare that his or her seat has become vacant and that it be filled by the next succeeding candidate at the general election in the order of priority as determined in accordance with section 52(2) from among those candidates who are eligible to be elected as non-constituency Members and have not been so elected.

(2) The candidate last mentioned in subsection (1) is, upon such resolution, deemed to be elected as a non-constituency Member under section 52 in place of the non-constituency Member whose seat was declared vacant.

(3) Parliament must not move any resolution under subsection (1) unless the next succeeding candidate has polled not less than 15% of the total number of votes (other than rejected votes) polled at the election in the electoral division contested by him or her.

Failure to comply with provisions of this Act

54.—(1) An election is not invalid by reason of any failure to comply with any provision of this Act relating to elections if it appears that the election was conducted in accordance with the principles laid down in that provision, and that the failure did not affect the result of the election.

(2) Where in this Act any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any candidate or agent at the time and place

appointed for the purpose does not, if that act or thing is otherwise duly done, invalidate that act or thing.

Offences

55.—(1) Every person who —

(*a*) forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the Returning Officer any nomination paper knowing it to be forged;

(*b*) forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper;

(*c*) without due authority supplies any ballot paper to any person;

(*d*) sells or offers to sell any ballot paper to any person or purchases or offers to purchase any ballot paper from any person;

(*e*) not being a person entitled under this Act to be in possession of any ballot paper which has been marked with the official mark in accordance with this Act, has any such ballot paper in his or her possession;

(*f*) puts into any ballot box anything other than the ballot paper which he or she is authorised by law to put in;

(*g*) without due authority takes out of the polling station any ballot paper or is found in possession of any ballot paper outside a polling station;

(*h*) without due authority destroys, takes, opens, or otherwise interferes with any ballot box, packet of ballot papers or any DRE voting machine or direct recording electronic voting equipment approved under section 50B(2) in use or intended to be used for the purposes of an election;

(*i*) without due authority prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election; or

(*j*) manufactures, constructs, imports into Singapore, has in his or her possession, supplies or uses for the purpose of an election, or causes to be manufactured, constructed, imported into Singapore, supplied or used for the purpose of any election, any appliance, device or mechanism by which a ballot paper may be extracted, affected or manipulated after having been deposited in a ballot box during the polling at any election,

shall be guilty of an offence and shall be liable on conviction by a District Court to a fine and to imprisonment for a term not exceeding 5 years and shall, on conviction, become incapable for a period of 7 years from the date of his or her conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he or she has been elected a Member, his or her election shall be vacated from the date of the conviction.

(2) Every person who attempts to commit an offence specified in this section shall be liable to the punishment prescribed for that offence.

(3) Every offence under this section is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(4) In a prosecution for an offence in relation to a nomination paper, ballot box, ballot paper, DRE voting machine, direct recording electronic voting equipment or marking instrument at an election, the property in the nomination paper, ballot box, ballot paper, DRE voting machine, direct recording electronic voting equipment or marking instrument, as well as the property in the counterfoil of any ballot paper, may be stated to be in the Returning Officer at that election.

(5) A prosecution for an offence under this section may only be instituted with the consent of the Public Prosecutor.

Maintenance of secrecy at elections

56.—(1) Every officer, clerk, interpreter, candidate and agent authorised to attend at a polling station, or at the counting of the

votes, must, before so attending, make an oath of secrecy, substantially in Form 18 in the First Schedule.

(2) The Returning Officer has power to administer any oaths required to be taken under subsection (1).

(3) Subject to subsection (3A), every officer, clerk, interpreter, candidate and agent in attendance at a polling station must maintain, and aid in maintaining, the secrecy of the voting in the station, and must not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(3A) The total number of voters who have voted at any station at any time before the poll is closed may, in the discretion of the presiding officer, be divulged to the candidate or the candidate's agent authorised to attend at the polling station.

(4) Every officer, clerk, interpreter, candidate or agent, and every person must not —

(*a*) attempt to obtain in the polling station information as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted; or

(*b*) communicate at any time to any person any information obtained in a polling station as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at the station.

(5) Every officer, clerk, interpreter, candidate and agent in attendance at the counting of the votes must maintain, and aid in maintaining, the secrecy of the voting, and must not —

(*a*) attempt to ascertain at the counting the number on the back of any ballot paper; or

(*b*) communicate any information obtained at the counting as to the candidate or group of candidates, for whom any vote is given by any particular ballot paper.

(6) No person, except a presiding officer acting for a purpose authorised by this Act or a person authorised by the presiding officer and acting for that purpose, is to communicate or attempt to communicate with any voter after the voter has received a ballot paper and before the voter has placed it in a ballot box, or after the voter has been authorised to use an approved DRE voting machine to mark or record his or her vote and before the voter marks or records his or her vote at the machine, as the case may be.

(7) Every person who acts in contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

POSTPONEMENT AND ADJOURNMENT OF ELECTIONS

Postponement of nomination day, etc., before nomination day

56A.—(1) Despite any other provision of this Act, at any time before the day of nomination appointed for any election in any electoral division, the President may postpone the date for the nomination of candidates to another day, or change the place of nomination, because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks, candidates and other persons authorised under section 31(1) to be present at the place of nomination, or to difficulties in the physical conduct of nomination proceedings.

[41/2018]

(2) Any postponement of the date for the nomination of candidates to another day, or any change in the place of nomination, under subsection (1) must be —

(*a*) by notice in the *Gazette* describing the postponement of the day of nomination or the change in the place of nomination, as the case may be; or

(*b*) if publication under paragraph (*a*) is not practicable, by notice published in such manner as will secure adequate publicity in the electoral division for which the election is to be held describing the postponement of the day of nomination or the change in the place of nomination, as the case may be,

and any postponement or change so made is valid and sufficient and any date or place provided for in lieu of a date or place fixed by the writ is deemed to be the day of nomination or place of nomination so fixed, as the case may be.

Change in hours for nomination of candidates, etc., before nomination day

56B.—(1) Despite any other provision of this Act but subject to subsection (3), at any time before the day of nomination appointed for any election in any electoral division, the Returning Officer may change the hours for nomination proceedings to another time, because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks, candidates and other persons authorised under section 31(1) to be present at the place of nomination, or

to difficulties in the physical conduct of nomination proceedings.

[41/2018]

(2) Any change in the hours for nomination proceedings to another time under subsection (1) must be —

(*a*) by notice in the *Gazette* describing the change in the hours for nomination proceedings; or

(*b*) if publication under paragraph (*a*) is not practicable, by notice published in such manner as will secure adequate publicity in the electoral division for which the election is to be held describing the change in the hours for nomination proceedings,

and any change so made is valid and sufficient.

(3) In changing the hours for nomination proceedings under subsection (1), the Returning Officer may specify such other times in the day but —

(*a*) must specify a period of one hour for the Returning Officer to receive nomination papers;

(*b*) must specify a period of 90 minutes for the making of objections to any nomination paper;

(*c*) must specify the latest time by which a candidate must make his or her deposit for the purposes of section 28, may correct errors in the nomination papers and may withdraw his or her candidature;

(*d*) must specify the time at which the nomination of a candidate who is the subject of multiple nominations described in section 32A is void; and

(*e*) must specify the latest time by which a candidate may make his or her indication (regarding his or her name) to the Returning Officer under section 105(1).

[41/2018]

(4) Any changes in time under subsection (1) in lieu of the hours fixed by the notice of the issue of the writ under section 25 for an election in an electoral division are deemed to be the hours for

nomination proceedings so fixed, and sections 27, 27A, 27B, 28, 29, 29A, 30, 32, 32A and 33 apply with such modifications as are necessary.

[41/2018]

Changes to nomination proceedings, etc., on nomination day

56BA.—(1) Despite any other provision of this Act, the Returning Officer may, on the day of nomination appointed for an election in an electoral division, exercise the powers conferred on him or her in this section if it appears to the Returning Officer on that day that the nomination proceedings for the election are, or are likely to be, obstructed, disrupted, undermined or seriously affected because of a disruptive event which arises before or during the nomination proceedings.

[41/2018]

(2) If the disruptive event arises before the start of the nomination proceedings on the day of nomination, the Returning Officer may —

(*a*) do either or both of the following:

(i) change the hours of the nomination proceedings;

(ii) change the location of the place of nomination; or

(*b*) wholly abandon the nomination proceedings.

[41/2018]

(3) If the disruptive event arises during the nomination proceedings on the day of nomination, the Returning Officer may —

(*a*) change the hours of the nomination proceedings by temporarily suspending the nomination proceedings for such period or, where the nomination proceedings are temporarily suspended under subsection (4), such further period as the Returning Officer determines, with or without changing the location of the place of nomination; or

(*b*) wholly abandon the nomination proceedings.

[41/2018]

(4) Before making a decision under subsection (3), the Returning Officer may temporarily suspend the nomination proceedings for a

period not exceeding 2 hours for the purpose of determining the decision to be made under that subsection.

[41/2018]

(5) Any decision of the Returning Officer to change the hours of the nomination proceedings under this section is subject to the following:

(*a*) where subsection (2)(*a*)(i) applies, the nomination proceedings must start and conclude within the same day of nomination;

(*b*) where subsection (3)(*a*) applies —

(i) the nomination proceedings must resume and conclude within the same day of nomination;

(ii) the aggregate of the period of time before the suspension, and the period of time upon the resumption, of the nomination proceedings for the delivery of nomination papers to the Returning Officer must not be less than one hour; and

(iii) the aggregate of the period of time before the suspension, and the period of time upon the resumption, of the nomination proceedings for the making of objections to a nomination paper must not be less than 90 minutes.

[41/2018]

(6) Where a decision is made under subsection (2), (3) or (4), the Returning Officer must, as soon as practicable and in the manner specified in subsection (8), publish a notice containing the following information:

(*a*) the temporary suspension (including the period of the suspension), the new start or the resumption (including the time of the new start or the resumption), or the abandonment (as the case may be) of the nomination proceedings;

(*b*) the change (if any) in the location of the place of nomination.

[41/2018]

(7) Where there is a change in the hours of the nomination proceedings under this section, the Returning Officer must specify in the notice mentioned in subsection (6) —

(*a*) a period of one hour (where subsection (2)(*a*)(i) applies) or the latest time (where subsection (3)(*a*) applies) for the delivery of nomination papers to the Returning Officer;

(*b*) a period of 90 minutes (where subsection (2)(*a*)(i) applies) or the latest time (where subsection (3)(*a*) applies) for the making of objections to a nomination paper;

(*c*) the latest time for depositing the sum required under section 28(1), correcting errors in nomination papers and withdrawal of candidature;

(*d*) the time at which the nomination of a candidate who is the subject of multiple nominations described in section 32A is deemed to be void; and

(*e*) the latest time by which a candidate may make his or her indication (regarding his or her name) to the Returning Officer under section 105(1).

[41/2018]

(8) The notice mentioned in subsection (6) must be published —

(*a*) in the *Gazette*; or

(*b*) if publication in the *Gazette* is not practicable, in such manner as will secure adequate publicity in the electoral division to which the nomination proceedings relate.

[41/2018]

(9) Where there is a change in the hours of the nomination proceedings or the location of the place of nomination under this section —

(*a*) that change is valid and sufficient;

(*b*) any time or place provided under this section in lieu of the time or place specified in the notice of the issue of the writ under section 25 for the election is deemed to be the time or place so specified for the nomination proceedings; and

(*c*) sections 27, 27B, 28, 29, 29A, 30, 32, 32A and 33 apply with such modifications as are necessary.

[41/2018]

(10) The Minister may prescribe the manner in which any suspension, new start, resumption or abandonment of nomination proceedings under this section is to be carried out.

[41/2018]

(11) In this section, "disruptive event" means any of the following:

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms);

(*f*) any other thing which endangers the safety of assistants, clerks, candidates or other persons authorised under section 31(1) to be present at the place of nomination, or causes difficulties in the physical conduct of the nomination proceedings.

[41/2018]

Adjournment, etc., of polling

56C.—(1) Despite any other provision of this Act, if at any time before the polling day appointed in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the polling at all polling stations established for the purposes of the poll in the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of—

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of presiding officers, clerks, interpreters, polling agents or voters within the polling station, or to difficulties in the physical conduct of voting,

which has arisen or is likely to arise before or during the polling at all of those polling stations, the Returning Officer may postpone the polling day for that election to another day, except that the postponed poll for an election that is a general election must be within 3 months after the dissolution of Parliament.

(2) Despite any other provision of this Act, if at any time before or during the conduct of polling in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the polling at any polling station established for the purposes of the poll in the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of presiding officers, clerks, interpreters, polling agents or voters within the polling station, or to difficulties in the physical conduct of voting,

which has arisen or is likely to arise before or during the polling at that polling station, the Returning Officer may, subject to subsection (3), do one of the following:

(*g*) temporarily suspend the polling at that polling station for a period or, where polling at that polling station is temporarily suspended under subsection (2A), a further period not exceeding 2 hours, with or without changing the location of that polling station;

(*h*) adjourn and postpone the polling at that polling station to another day, with or without changing the location of that polling station;

(*i*) wholly abandon and restart the polling at that polling station on another day, with or without changing the location of that polling station;

(*j*) terminate the polling at that polling station early;

(*k*) in the case of polling at an overseas polling station, abandon the poll at the polling station if the Returning Officer is satisfied that polling thereat cannot start or be resumed or completed.

[41/2018]

(2A) Before making a decision under paragraphs (*g*) to (*k*) of subsection (2), the Returning Officer may temporarily suspend the polling at the polling station mentioned in that subsection for a period not exceeding 2 hours for the purpose of determining the decision to be made under those paragraphs.

[41/2018]

(3) Any poll at an overseas polling station, if resumed or held in place of a postponed poll thereat, must close not later than the close of the poll on polling day in Singapore, and any poll held in place of a postponed poll at any polling station for an election that is part of a general election must be held within 3 months after the dissolution of Parliament.

(4) In exercising any power under subsection (1) or (2), the Returning Officer must —

(*a*) by notification in the *Gazette* declare the temporary suspension, adjournment, postponement, abandonment, restart, or early termination (as the case may be) of polling at the polling station concerned and, where applicable, specify the date and time on and at which polling at that polling station is to resume, restart or be held in place of the suspended, adjourned, postponed or abandoned poll, as the case may be; or

(*b*) if publication under paragraph (*a*) is not practicable, by notice published in such manner as will secure adequate publicity in the electoral division for which the election is to be held for the temporary suspension, adjournment, postponement, abandonment, restart or early termination (as the case may be) of the polling and, where applicable, the date and time on and at which polling at that polling station is to resume, restart or be held in place of the suspended, adjourned, postponed or abandoned poll, as the case may be,

and any postponement, resumption, restart or other change so made is valid and sufficient and any date or place provided for in lieu of a date or place fixed by the notice of contested election is deemed to be the polling day or polling place so fixed, as the case may be.

(5) If, in exercising any power under subsection (2), the Returning Officer changes the location of any polling station, the notice given under subsection (4) must also contain the address of the relocated polling station.

(6) Any temporary suspension, adjournment, postponement, abandonment, restart, or early termination (as the case may be) of polling at a polling station pursuant to the exercise of any power under subsection (1) or (2) must be carried out in the prescribed manner.

(7) Nothing in this section restricts the exercise of any power under section 50C(3).

Voting at adjourned polling

56D. Where for any reason the polling at any polling station established for the purposes of the poll in any electoral division is so suspended or postponed under section 50C(3) or 56C, only those electors —

(*a*) who are registered electors for that electoral division for which the polling station is established;

(*b*) who are entitled to vote as electors for that electoral division at that polling station; and

(*c*) who have not already voted,

are entitled to vote on the date and time on and at which polling at that polling station is to resume or to be held in place of the postponed poll, as the case may be.

Ballot box lost or destroyed after close of poll in Singapore

56DA.—(1) The Returning Officer must wholly abandon the counting of all the votes cast at a polling station in Singapore (called in this section the affected polling station) at an election in an electoral division (called in this section the affected electoral division) if any sealed ballot box containing votes cast at the affected polling station in the election is lost or destroyed at any time —

(*a*) after the close of the poll at the affected polling station; and

(*b*) before the ballot box could reach the counting place specified under this Act for the counting of the votes cast at the affected polling station.

[41/2018]

(2) The Returning Officer must restart (within 3 months after the dissolution of Parliament in the case of a general election) the polling at the affected polling station if the Returning Officer is satisfied that the aggregate of the following is equal to or more than the difference between the number of votes given in Singapore at the election in the affected electoral division to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes:

(*a*) the total number of affected electors lawfully entitled to vote at the election in the affected electoral division;

(*b*) the total number of overseas electors lawfully entitled to vote at the election in the affected electoral division.

[41/2018]

(3) The Returning Officer must, as soon as practicable, inform the candidates or (as the case may be) groups of candidates for the affected electoral division of the abandonment of the counting of the votes cast at the affected polling station and whether the polling at the affected polling station must restart.

[41/2018]

(4) Where the polling at the affected polling station must restart, the counting of the votes cast at the overseas polling stations for the affected electoral division, and for every related electoral division, stands postponed —

(*a*) in the case where a sealed ballot box containing votes cast at an overseas polling station at the election in the affected electoral division is also lost or destroyed and section 56DB(2) applies in respect of that overseas polling station — to the date specified by the Returning Officer under section 56DB(5)(*b*)(ii); and

(*b*) in any other case — to the date specified by the Returning Officer under subsection (5)(*b*)(iii).

[41/2018]

(5) The Returning Officer must, as soon as practicable, publish a notice in the *Gazette* —

(*a*) stating that the Returning Officer has abandoned the counting of all the votes cast at the affected polling station; and

(*b*) where subsection (2) applies, specifying —

(i) the date on which the polling is to restart, the hours of the poll and the location of the polling station in Singapore (whether or not at the same location as the affected polling station) where the poll will be conducted;

(ii) the date on, the time at and the counting place in Singapore at which the votes cast at the polling station during the restarted poll will be counted; and

(iii) the date on, the time at and the counting place in Singapore at which the votes cast at the overseas polling stations will be counted.

[41/2018]

(6) Any restart of polling in an election or other change under this section is valid and sufficient, and any polling day or polling station specified by the Returning Officer under this section is deemed to be the polling day or polling station (as the case may be) specified in the

notice published under section 34(6) or (as the case may be) 34A(6) for that election.

[41/2018]

(7) Nothing in this section restricts the exercise of any power under section 50C(3).

[41/2018]

(8) The Minister may prescribe the manner in which any abandonment of the counting of votes, restart of polling or counting of votes under this section is to be carried out.

[41/2018]

(9) In this section —

"affected electors", in relation to an election in an electoral division, means the electors (excluding overseas electors) who are allotted to an affected polling station in the electoral division under section 36A(1)(*c*) for the purposes of the election;

"related electoral division", in relation to an affected electoral division, means —

(*a*) in the case of a general election, an electoral division (other than the affected electoral division) in the general election; or

(*b*) in the case of a by-election, an electoral division for which a by-election is held at the same time as the by-election for the affected electoral division.

[41/2018]

Ballot box lost or destroyed after close of poll at overseas polling station

56DB.—(1) The Returning Officer must wholly abandon the counting of all the votes cast at an overseas polling station (called in this section the affected overseas polling station) at an election in an electoral division (called in this section the affected electoral division) if any sealed ballot box containing votes cast at the affected overseas polling station at the election is lost or destroyed at any time —

(*a*) after the close of the poll at the affected overseas polling station; and

(*b*) before the ballot box could reach the counting place specified under this Act for the counting of the votes cast at the affected overseas polling station.

[41/2018]

(2) The Returning Officer must restart (within 3 months after the dissolution of Parliament in the case of a general election) the polling at the affected overseas polling station for the election in the affected electoral division if the Returning Officer is satisfied that any of the following is equal to or more than the difference between the number of votes given in Singapore at the election in the affected electoral division to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes:

(*a*) in the case where a sealed ballot box containing votes cast at a polling station in Singapore at the election in the affected electoral division is also lost or destroyed and section 56DA(2) applies in respect of that polling station — the aggregate mentioned in that section;

(*b*) in any other case — the total number of overseas electors lawfully entitled to vote at the election in the affected electoral division.

[41/2018]

(3) The Returning Officer must, as soon as practicable, inform the candidates or (as the case may be) groups of candidates for the affected electoral division of the abandonment of the counting of votes cast at the affected overseas polling station and whether the polling at the affected overseas polling station for the election in the affected electoral division must restart.

[41/2018]

(4) Where the polling at the affected overseas polling station for the affected electoral division must restart, the counting of the votes cast at all other overseas polling stations for the affected electoral division, and the overseas polling stations for every related electoral division, stands postponed to the date specified by the Returning Officer under subsection (5)(*b*)(ii).

[41/2018]

(5) The Returning Officer must, as soon as practicable, publish a notice in the *Gazette* —

(*a*) stating that the Returning Officer has abandoned the counting of all the votes cast at the affected overseas polling station; and

(*b*) where subsection (2) applies, specifying —

(i) the date on which the polling is to restart, the hours of the poll and the location of the overseas polling station (whether or not at the same location as the affected overseas polling station) where the poll will be conducted; and

(ii) the date on, the time at and the counting place in Singapore at which the votes cast during the restarted poll and the votes mentioned in subsection (4) will be counted.

[41/2018]

(6) Any restart of polling in an election or other change under this section is valid and sufficient, and any polling day, polling hours or overseas polling station specified by the Returning Officer under this section is deemed to be the polling day, polling hours or overseas polling station (as the case may be) specified in the notice published under section 34(6) or (as the case may be) 34A(6) for that election.

[41/2018]

(7) Nothing in this section restricts the exercise of any power under section 50C(3).

[41/2018]

(8) The Minister may prescribe the manner in which any abandonment of the counting of votes, restart of polling or counting of votes under this section is to be carried out.

[41/2018]

(9) In this section, "related electoral division", in relation to an affected electoral division, means —

(*a*) in the case of a general election, an electoral division (other than the affected electoral division) in the general election; or

(*b*) in the case of a by-election, an electoral division for which a by-election is held at the same time as the by-election for the affected electoral division.

[41/2018]

Adjournment, etc., of counting

56E.—(1) Despite any other provision of this Act, if at any time before or during the counting of votes in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the counting of votes at any counting place for the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks counting the votes and candidates or their counting agents present in the counting place, or to difficulties in the physical conduct of counting,

which has arisen or is likely to arise before or during the counting of votes at that counting place, the Returning Officer may —

(*g*) temporarily suspend the counting at that counting place for a period or, where counting at that counting place is temporarily suspended under subsection (1A), a further period not exceeding 2 hours, with or without changing the location of that counting place;

(*h*) adjourn and postpone the counting at that counting place to another day, with or without changing the location of that counting place;

(*i*) wholly abandon the counting of votes at that counting place if the Returning Officer is satisfied that counting

thereat cannot be resumed or completed and that the number of votes to be counted will not affect the result of the election, and in the case of an abandoned recount of votes at that counting place, declare the election results using the results of the first count; or

(*j*) wholly abandon the counting of votes at that counting place and restart (within 3 months after the dissolution of Parliament in the case of a general election) the polling at all polling stations which are specified under this Act to be counted at that counting place and the counting of the votes cast thereat, if the Returning Officer is satisfied that counting thereat cannot be resumed or completed and that the number of votes to be counted will affect the result of the election.

[41/2018]

(1A) Before making a decision under paragraphs (*g*) to (*j*) of subsection (1), the Returning Officer may temporarily suspend the counting of votes at the counting place mentioned in that subsection for a period not exceeding 2 hours for the purpose of determining the decision to be made under those paragraphs.

[41/2018]

(2) In exercising any power under subsection (1), the Returning Officer must —

(*a*) announce to such of the candidates and their counting agents attending the counting of the votes at the counting place concerned, the temporary suspension, adjournment, postponement or abandonment (as the case may be) of counting of votes at the counting place and where applicable, the date and time on and at which counting of votes at that counting place is to resume or be held in place of the suspended, adjourned, postponed or abandoned count, as the case may be; and

(*b*) by notice in the *Gazette* declare the temporary suspension, adjournment, postponement or abandonment (as the case may be) of counting of votes at the counting place concerned and where applicable, specify the date and time on and at which counting of votes at that counting

place is to resume or be held in place of the suspended, adjourned, postponed or abandoned count, as the case may be.

(3) If, in exercising any power under subsection (1), the Returning Officer changes the location of any counting place, the announcement and notice given under subsection (2) must also contain the address of the relocated counting place.

(4) Before every temporary suspension or adjournment of the counting of votes at any counting place —

(*a*) all counted ballot papers, uncounted ballot papers and all other documents relating to the counting of votes at the counting place must be sealed up in separate packets and placed in any ballot box or boxes; and

(*b*) those ballot box or boxes must then be sealed with the seal of the Returning Officer and the seals of such of the candidates or their counting agents as attend and desire to affix their seals.

(5) Before resuming the counting of votes following any such temporary suspension or adjournment of counting, the Returning Officer or a person authorised by the Returning Officer must, in the presence of such of the candidates and their counting agents as attend, show each ballot box with such seals unbroken before taking out the uncounted ballot papers therein.

(6) Any temporary suspension, adjournment, postponement or abandonment of the counting of votes at any counting place pursuant to the exercise of any power under subsection (1), and the resumption of counting of votes or polling in place of the suspended, adjourned, postponed or abandoned count, must be carried out in the prescribed manner.

(7) In this section, any reference to counting of votes includes a reference to the recounting of votes.

Adjournment, etc., of adding of counted votes

56F.—(1) Despite any other provision of this Act, if at any time before or during the adding of all the counted votes in respect of an

election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the adding of those votes at the principal counting place for the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks adding the votes and candidates or their election agents present in the principal counting place, or to difficulties in the physical conduct of adding the counted votes,

which has arisen or is likely to arise before or during the addition of votes at the principal counting place for that electoral division, the Returning Officer may —

(*g*) temporarily suspend the addition of votes at the principal counting place for a period or, where the addition of votes at the principal counting place is temporarily suspended under subsection (1A), a further period not exceeding 2 hours, with or without changing the location of the principal counting place; or

(*h*) adjourn and postpone the addition of votes at the principal counting place to another day, with or without changing the location of the principal counting place.

[41/2018]

(1A) Before making a decision under paragraph (*g*) or (*h*) of subsection (1), the Returning Officer may temporarily suspend the addition of votes at the principal counting place mentioned in that subsection for a period not exceeding 2 hours for the purpose of determining the decision to be made under either of those paragraphs.

[41/2018]

(2) In exercising any power under subsection (1), the Returning Officer must —

(*a*) announce to such of the candidates and their election agents attending the addition of the votes at the principal counting place concerned, the temporary suspension, adjournment or postponement (as the case may be) of addition of votes at the principal counting place and where applicable, the date and time on and at which addition of votes at the principal counting place is to resume or to be held in place of the suspended, adjourned or postponed addition of votes, as the case may be; and

(*b*) by notice in the *Gazette* declare the temporary suspension, adjournment or postponement (as the case may be) of the addition of the votes at the principal counting place concerned and where applicable, specify the date and time on and at which addition of votes at that principal counting place is to resume or to be held in place of the suspended, adjourned or postponed addition of votes, as the case may be.

(3) If, in exercising any power under subsection (1), the Returning Officer changes the location of any principal counting place, the announcement and notice given under subsection (2) must also contain the address of the relocated principal counting place.

(4) Any temporary suspension, adjournment or postponement (as the case may be) of the addition of votes at any principal counting place pursuant to the exercise of any power under subsection (1), and the resumption of the addition of votes or the addition of votes in place of the suspended, adjourned or postponed addition, must be carried out in the prescribed manner.

CORRUPT PRACTICES

Personation

57.—(1) Every person who —

(*a*) at an election applies for a ballot paper or to record his or her vote at a DRE voting machine in the name of some

other person, whether that name be that of a person living or dead, or of a fictitious person; or

(*b*) having voted once at any such election, applies at the same election for a ballot paper or to record his or her vote at a DRE voting machine in his or her own name,

shall be guilty of the offence of personation.

(2) The offence of personation under this section is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Treating

58.—(1) A person shall be guilty of treating if the person corruptly, by himself or herself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving, any meat, drink, refreshment, cigarette, entertainment or other provision or thing or any money or ticket or other means or device to enable the procuring of any such meat, drink, refreshment, cigarette, entertainment or other provision or thing, to or for any person —

(*a*) for the purpose of corruptly influencing that person or any other person to vote or refrain from voting;

(*b*) for the purpose of inducing that person to attend or remain at any election meeting;

(*c*) on account of any such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at the election; or

(*d*) on account of any such person having attended an election meeting.

(2) A person shall also be guilty of treating if the person corruptly accepts or takes any such meat, drink, refreshment, cigarette, entertainment or other provision or thing or any such money or ticket or who adopts any other means or device to enable the procuring of such meat, drink, refreshment, cigarette, entertainment or other provision or thing.

Undue influence

59. Every person who —

(*a*) directly or indirectly, by himself or herself or by any other person on his or her behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or herself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting at any election; or

(*b*) by abduction, duress or any fraudulent device or contrivance, impedes or prevents the free exercise of the franchise of any elector or voter, or thereby compels, induces or prevails upon any elector or voter either to vote or refrain from voting at any election,

shall be guilty of the offence of undue influence.

Bribery

60. The following persons shall be deemed guilty of the offence of bribery:

(*a*) every person who, directly or indirectly, by himself or herself or by any other person on his or her behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any elector or voter, or to or for any person on behalf of any elector or voter or to or for any other person, in order to induce any elector or voter to vote or refrain from voting, or corruptly does any such act on account of that elector or voter having voted or refrained from voting at any election under this Act;

(*b*) every person who, directly or indirectly, by himself or herself or by any other person on his or her behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure, any

office, place or employment to or for any elector or voter or to or for any person on behalf of any elector or voter, or to or for any other person, in order to induce that elector or voter to vote or refrain from voting, or corruptly does any such act on account of that elector or voter having voted or refrained from voting at any election under this Act;

(*c*) every person who, directly or indirectly, by himself or herself or by any other person on his or her behalf, makes any gift, loan, offer, promise, procurement or agreement referred to in paragraph (*a*) or (*b*) to or for any person in order to induce that person to procure or endeavour to procure the return of any person as a Member of Parliament, or the vote of any elector or voter at any election under this Act;

(*d*) every person who, directly or indirectly, by himself or herself or by any other person on his or her behalf, makes any such gift, loan, offer, promise, procurement or agreement to or for any person who is assisting or has promised to assist a candidate at an election to induce that person to refrain from assisting that candidate;

(*e*) every person who upon or in consequence of any such gift, loan, offer, promise, procurement or agreement procures or engages, promises or endeavours to procure, the return of any person as a Member of Parliament, or the vote of any elector or voter at an election under this Act;

(*f*) every person who —

(i) advances or pays or causes to be paid any money to or to the use of any other person with the intent that the money or any part of the money is to be expended in bribery at any election under this Act; or

(ii) knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election;

(*g*) every elector or voter who, before or during any election under this Act, directly or indirectly, by himself or herself or by any other person on his or her behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place or employment, for himself or herself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

(*h*) every person who, after any election under this Act, directly or indirectly, by himself or herself or by any other person on his or her behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or to refrain from voting at any such election;

(*i*) every person who, directly or indirectly, by himself or herself or by any other person on his or her behalf, on account of and as payment for voting or for having voted or for agreeing or having agreed to vote for any candidate or group of candidates, at an election, or on account of and as payment for his or her having assisted or agreed to assist any candidate or group of candidates, at an election, applies to that candidate or to any candidate in that group, or to the agent or agents of such candidate, for the gift or loan of any money or valuable consideration, or for the promise of the gift or loan of any money or valuable consideration or for any office, place or employment or for the promise of any office, place or employment;

(*j*) every person who, directly or indirectly, by himself or herself or by any other person on his or her behalf, in order to induce any other person to agree to be nominated as a candidate or to refrain from becoming a candidate or to withdraw if he or she has become a candidate, gives or procures any office, place or employment or agrees to give or procure or offers or promises to procure or to endeavour to procure any office, place or employment to or for that other person, or gives or lends, or agrees to give or lend, or offers, or promises to procure or to endeavour to procure

any money or valuable consideration to or for any person or to or for that other person, or to or for any person on behalf of that other person.

Punishment and incapacities for corrupt practice

61.—(1) Every person who —

(*a*) commits the offence of personation, or aids, abets, counsels or procures the commission of the offence of personation;

(*b*) commits the offence of treating, undue influence or bribery;

(*c*) publishes or causes to be published any election advertising during the period beginning with the day the writ of election is issued for an election and ending with the start of polling day at that election which —

(i) in the case of election advertising that is, or is contained in, a printed document, does not bear on its face or, if there is more than one side of printed matter, on the first or last page of the document, the names of its printer, its publisher and the person for whom or at whose direction the election advertising is published; or

(ii) in the case of any other election advertising, does not bear in the form and manner prescribed under section 78A the names of its publisher and the person for whom or at whose direction the election advertising is published;

(*d*) makes or publishes, before or during any election, for the purpose of affecting the return of any candidate, any false statement of fact in relation to the personal character or conduct of the candidate;

(*e*) makes or publishes, before or during any election, for the purpose of promoting or procuring the election of any

candidate, any false statement of the withdrawal of any other candidate at the election;

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(*ea*) being a candidate, knowingly makes the declaration required by section 73A falsely; or

[Act 28 of 2021 wef 07/07/2022]

(*f*) being a candidate or an election agent, knowingly makes the declaration as to election expenses required by section 74 falsely,

shall be guilty of a corrupt practice and shall on conviction by a District Court be liable —

(*g*) in the case mentioned in paragraph (*a*) — to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 3 years or to both;

(*h*) in the case mentioned in paragraph (*b*) — to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 3 years or to both;

(*i*) in the case mentioned in paragraph (*c*) — to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both;

(*j*) in the case mentioned in paragraph (*d*) or (*e*) — to a fine or to imprisonment for a term not exceeding 12 months or to both; or

(*k*) in the case mentioned in paragraph (*ea*) or (*f*) — to a fine not exceeding $2,000 or to imprisonment for a term not exceeding 6 months or to both.

[41/2018]

[Act 28 of 2021 wef 07/07/2022]

(2) Every person who is convicted of a corrupt practice shall become incapable for a period of 7 years from the date of his or her conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he or she has been elected a Member, his or her election shall be vacated from the date of the conviction.

(3) A prosecution for a corrupt practice (except any corrupt practice as defined in subsection (1)(*d*) and (*e*)) must not be instituted without the consent of the Public Prosecutor.

(4) Without affecting section 57, every offence of undue influence or bribery under section 59 or 60 (as the case may be) and every other corrupt practice under subsection (1)(*c*), (*d*) or (*e*) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(5) Where any election advertising is published in contravention of subsection (1)(*c*), the printer of the election advertising as well as the person for whom or at whose direction the election advertising is published shall each also be guilty of a corrupt practice and shall each be liable on conviction to the same punishment and incapacity under this section as the publisher of the election advertising.

(6) Subsection (1)(*c*) does not apply in respect of —

(*a*) the distribution of a book, or the promotion of the sale of a book, for not less than its commercial value, if the book was planned to be published regardless of whether there was to be an election;

(*b*) the publication of a document directly by a person or a group of persons to their members, employees or shareholders, as the case may be;

(*c*) the publication of any news relating to an election —

(i) in a newspaper in any medium by a person permitted to do so under the Newspaper and Printing Presses Act 1974; or

(ii) in a radio or television broadcast by a person licensed to do so under the Broadcasting Act 1994;

(*d*) the telephonic or electronic transmission by an individual to another individual of the firstmentioned individual's own political views, on a non-commercial basis; or

(*e*) such other circumstances or activities as the Minister may, by order in the *Gazette*, prescribe.

ELECTION AGENT, ELECTION EXPENSES AND ILLEGAL PRACTICES

Nomination of election agent

62.—(1) On or before the day of nomination at an election, a person must be named in writing by or on behalf of each candidate as his or her agent for that election and the person is called in this Act the election agent.

(2) A candidate may name himself or herself as election agent, and is thereupon, so far as circumstances admit, subject to the provisions of this Act, both as a candidate and as an election agent, and any reference in this Act to an election agent is construed to refer to the candidate acting in his or her capacity as an election agent.

(3) On or before the day of nomination, the name and address of the election agent of each candidate must be declared in writing by the candidate or some other person on the candidate's behalf to the Returning Officer.

(3A) The Returning Officer must then immediately, by affixing a notice in a conspicuous place outside the Returning Officer's office, give public notification of the name and address of every election agent so declared.

(4) One election agent only must be appointed for each candidate, but the appointment, whether the election agent appointed be the candidate himself or herself or not, may be revoked.

(4A) In the event of such revocation or of the death of an election agent, whether the event is before, during or after the election, another election agent must immediately be appointed, and his or her name and address declared in writing to the Returning Officer, who must immediately give public notice of the name and address in the manner specified in subsection (3A).

(5) A principal election agent for a group of candidates must be appointed by the candidates from among their election agents and the provisions of this section relating to the appointment and revocation of appointment of an election agent and public notification thereof

apply, with the necessary modifications, in respect of a principal election agent.

(6) The election agent of a candidate (called candidate A) belonging to a group of candidates may act by the election agent of any other candidate belonging to the same group (called a sub-agent) whom the firstmentioned election agent authorises in writing in respect of such expenses incurred on account of or in respect of the conduct or management of the election for the candidates as are named in the authority, and —

(*a*) anything done by or to the sub-agent is deemed to be done by the election agent and sub-agent jointly; and

(*b*) candidate A suffers the like incapacity as if any act or default of the sub-agent had been the act or default of candidate A's election agent.

(7) To avoid doubt, nothing in subsection (6) prevents an election agent of a candidate belonging to a group from authorising in writing more than one sub-agent from among the respective election agents of the other candidates belonging to the same group.

(8) The authorisation of a sub-agent under subsection (6) —

(*a*) is not vacated by the election agent who authorised the sub-agent ceasing to be an election agent; and

(*b*) may be revoked by whoever is for the time being the election agent.

(9) The references in sections 64, 65(1) and (1A), 66, 68 and 69 to an election agent of a candidate (called candidate A) are, in relation to an election in a group representation constituency, to be taken as references to the election agent —

(*a*) acting by himself or herself; or

(*b*) acting by the election agent of any other candidate belonging to the same group as candidate A whom the firstmentioned election agent has authorised in writing under subsection (6) to act as his or her sub-agent in respect of such expenses incurred on account of or in respect of the

conduct or management of the election for the candidates as are named in that authority.

Person convicted of corrupt practice not to be appointed election agent

63. A person must not be appointed an election agent if the person has, within 7 years prior to such appointment, been convicted of any corrupt practice under this Act or the Presidential Elections Act 1991.

Making of contracts through election agent

64.—(1) Subject to subsection (1A), the election agent of a candidate must —

(*a*) appoint every polling agent, clerk and messenger employed for payment on behalf of the candidate at an election;

(*b*) hire every committee-room hired on behalf of the candidate; and

(*c*) inform the presiding officer at each polling station in writing of the name of every polling agent appointed to act at that station before the person is admitted to the station.

(1A) In the case of a group of candidates, either the principal election agent for the group or the election agent of any candidate in that group must appoint every polling agent on behalf of the group of candidates at an election and must inform the presiding officer at each polling station in writing of the name of every polling agent appointed to act at that station before the person is admitted to the station.

(2) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election is not enforceable against a candidate at the election, unless made by the candidate himself or herself or by the candidate's election agent.

(3) Any inability under this section to enforce the contract against the candidate does not relieve the candidate from the consequences of any corrupt or illegal practice committed by the candidate's agent.

Payment of expenses through election agent

65.—(1) Except as permitted by or pursuant to this Act, no payment and no advance or deposit is to be made by a candidate at an election, or by any agent on behalf of the candidate, or by any other person at any time, whether before, during or after the election, in respect of any expenses incurred on account of or in respect of the conduct or management of the election otherwise than by or through the election agent of the candidate.

(1A) All money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as gift, loan, advance or deposit, must be paid to the candidate or the candidate's election agent and not otherwise.

(2) Subsections (1) and (1A) are not to be deemed to apply to —

(*a*) any payments made by the Returning Officer;

(*b*) any payments which are, in accordance with section 66(8), (9) or (10) or 68(1), made by the candidate;

(*c*) any expenses which are paid in accordance with section 68(4) by a person or political party authorised as mentioned in that section; and

(*d*) any sum disbursed by any person out of his or her own money for any small expense legally incurred by himself or herself, if the sum is not repaid to him or her.

(3) A person who makes any payment, advance or deposit in contravention of this section or pays in contravention of this section any money so provided as aforesaid shall be guilty of an illegal practice.

Period for sending in claims and making payments for election expenses

66.—(1) Every payment made by an election agent in respect of any expenses incurred on account of or in respect of the conduct or management of an election must, except where less than $10 or where, from the nature of the case, such as travel by rail or postage, a

receipt is not obtainable, be vouched for by a bill stating the particulars and by a receipt.

(2) Every claim against a candidate at an election or the candidate's election agent in respect of any expenses incurred on account of or in respect of the conduct or management of the election, which is not sent in to the election agent within the time limited by this Act, is barred and must not be paid.

(2A) Subject to such exception as may be allowed pursuant to this Act, an election agent who pays a claim in contravention of subsection (2) shall be guilty of an illegal practice.

(3) Except as by this Act permitted, the time limited by this Act for sending in claims is 14 days after the date of publication of the result of the election in the *Gazette*.

(4) All expenses incurred by or on behalf of a candidate at an election, which are incurred on account of or in respect of the conduct or management of the election, must be paid within the time limited by this Act and not otherwise.

(4A) Subject to such exception as may be allowed pursuant to this Act, an election agent who makes a payment in contravention of subsection (4) shall be guilty of an illegal practice.

(5) Except as by this Act permitted, the time limited by this Act for the payment of those expenses is 28 days after the date of publication of the result of the election in the *Gazette*.

(6) Where it has been proved to the satisfaction of the Election Judge by a candidate that any payment made by an election agent in contravention of this section was made without the sanction or connivance of the candidate, the election of the candidate is not void, nor is the candidate subject to any incapacity under this Act by reason only of the payment having been made in contravention of this section.

(7) If the election agent in the case of any claim sent in to him or her within the time limited by this Act disputes it, or refuses or fails to pay it within the period of 28 days, the claim is deemed to be a disputed claim.

(8) The claimant may bring an action for a disputed claim in any competent court; and any sum paid by the candidate or his or her agent pursuant to the judgment or order of that court is deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act, requiring claims to be paid by the election agent.

(9) On cause shown to the satisfaction of a Judge sitting in the General Division of the High Court, the Judge, on application by the claimant or by the candidate or his or her election agent, may by order give permission for the payment by a candidate or his or her election agent of a disputed claim, or of a claim for those expenses, although sent in after the time in this section mentioned for sending in claims, or although the claim was sent in to the candidate and not to the election agent.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(10) Any sum specified in the order of permission may be paid by the candidate or his or her election agent; and when paid pursuant to that permission is deemed to be paid within the time limited by this Act.

[Act 25 of 2021 wef 01/04/2022]

Remuneration of election agent

67.—(1) So far as circumstances admit, this Act applies to an election agent's claim for his or her remuneration and to the payment thereof in like manner as if he or she were any other creditor.

(2) If any difference arises respecting the amount of the claim, the claim is a disputed claim within the meaning of this Act, and is to be dealt with accordingly.

Expenses which may be paid otherwise than by election agents

68.—(1) The candidate at an election may pay any personal expenses incurred by him or her on account of or in connection with or incidental to the election to an amount not exceeding $1,000, but any further personal expenses so incurred by the candidate must be paid by the candidate's election agent.

(2) The candidate must send to the election agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid by the candidate.

(3) The personal expenses of a candidate include his or her reasonable travelling expenses, and the reasonable expenses of his or her living at hotels or elsewhere for the purposes of the election.

(4) If so authorised in writing by the election agent of a candidate (called in this subsection candidate A) —

(*a*) any person may pay any necessary expense for stationery, postage, telephonic communication (or any other similar means of communication) and other petty expenses; or

(*b*) the political party for whom candidate A is standing for election (or an officer of the party authorised by the party to act on its behalf) may pay any expenses incurred on account of or in respect of the conduct or management of the election of candidate A,

to a total amount not exceeding that named in the authority, but any excess above the total amount so named must be paid by the election agent of candidate A.

Expenses in excess of maximum to be illegal practice

69.—(1) Subject to such exception as may be allowed pursuant to this Act, no sum is to be paid and no expense is to be incurred by a candidate at an election or his or her election agent, whether before, during, or after an election, on account of or in respect of the conduct or management of the election, in excess of the amount determined in accordance with the Third Schedule.

(1A) The amount mentioned in subsection (1) does not include any expenditure incurred by the candidate for his or her personal expenses, or any fee paid to the election agent not exceeding $500.

(2) Any candidate or election agent who knowingly acts in contravention of this section shall be guilty of an illegal practice.

(3) The Minister may by order amend the Third Schedule; and every such order must be presented to Parliament as soon as possible after publication in the *Gazette*.

(4) Where a writ of election has been issued under section 24 for an election in any electoral division, no order under subsection (3) may be made until after the day of nomination or, if a poll is to be taken, until after polling day of that election.

Certain expenditure to be illegal practice

70.—(1) No payment or contract for payment is, for the purpose of promoting or procuring the election of a candidate at any election, to be made —

(*a*) on account of the conveyance of electors or voters to or from the poll, whether for the hiring of vehicles or animals of transport of any kind whatsoever, or for railway or other fares, or otherwise; or

(*b*) to or with an elector or voter on account of the use of any house, land, building or premises for the exhibition of any address, bill or notice, or on account of the exhibition of any address, bill or notice.

(2) Despite anything in subsection (1) —

(*a*) where it is the ordinary business of an elector or voter as an advertising agent to exhibit for payment bills and advertisements, a payment to or contract with the elector or voter, if made in the ordinary course of business, is not deemed to be an illegal practice within the meaning of this section; and

(*b*) where electors or voters are unable at an election to reach their polling stations from their place of residence without crossing the sea or a branch or arm thereof or a river, means may be provided for conveying those electors or voters by sea to their polling stations, or to enable them to cross the river in order to reach their polling stations, and the amount of payment for such means of conveyance may be in addition to the maximum amount of expenses allowed by this Act.

Use of motor vehicles at elections

71.—(1) Subject to this section, a person must not let, lend, employ, hire, borrow or use any motor vehicle for the purpose of conveyance of electors or voters to or from the poll.

(1A) A person knowingly acting in contravention of subsection (1) shall be guilty of an illegal practice except that a candidate shall not be liable, nor shall the candidate's election be avoided, for an illegal practice under this subsection committed without his or her consent or connivance by any person other than his or her election agent.

(1B) The court before whom a person is convicted under subsection (1A) may, if the court thinks it just in the circumstances of the case, mitigate or entirely remit any incapacity imposed by virtue of section 79.

(2) Nothing in this section prevents any person from employing a motor vehicle for the purpose of conveying to or from the poll himself or herself, or any member of his or her family.

(3) In subsection (2), "member of his or her family" means a person's spouse, parents and children.

(4) Between 8 a.m. and 8 p.m. on polling day, a person must not park a motor vehicle within 100 metres of any polling station other than a motor vehicle used for the conveyance of any sick, infirm or disabled person for such time as is reasonably necessary to enable the person to cast his or her vote.

(5) Any person who contravenes subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $500.

(6) The illegal practice and the offence under subsections (1A) and (4), respectively, are each an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Certain employment to be illegal

72.—(1) Subject to section 62(6) and (7), a person must not, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for the purpose or in the capacities following:

(*a*) one election agent and no more;

(*b*) the number of polling agents that may be admitted to each polling station under section 39(5);

(*c*) a reasonable number of clerks and messengers having regard to the area of the electoral division and the number of electors on the register of electors for the division.

[41/2018]

(2) Subject to such exception as may be allowed pursuant to this Act, if any person is engaged or employed in contravention of this section, either before, during or after an election, the person engaging or employing him or her shall be guilty of an illegal practice.

Saving for creditors

73. The provisions of this Act prohibiting certain payments and contracts for payments, and the payment of any sum, and the incurring of expenses in excess of a certain maximum, do not affect the right of any creditor who, when the contract was made or the expense was incurred, was ignorant that they were in contravention of this Act.

Post-election declaration by candidates

73A.—(1) Every candidate at an election must give to the Returning Officer a declaration that is in accordance with subsection (2), not later than the 7th day after the day that the result of the election is published under section 33(1)(*b*) or 51, as the case may be.

(2) The declaration required by subsection (1) to be given by a candidate must be made by the candidate, be in the prescribed form, and further state that, to the best of the knowledge and belief of the candidate —

(*a*) no foreigner has been authorised by the candidate or his or her election agent under section 83(2) to conduct any election activity for the purpose of procuring the electoral success at that election of the candidate or the group of candidates of whom the candidate is part;

(*b*) the conduct of any election activity by the candidate or his or her election agent for the purpose of procuring the electoral success at that election of the candidate, or the group of candidates of whom the candidate is part, was not undertaken by the candidate or election agent pursuant to any impermissible arrangement; and

(*c*) the conduct of any election activity for the purpose of procuring the electoral success at that election of the candidate, or the group of candidates of whom the candidate is part, was not authorised by the candidate or the candidate's election agent, pursuant to any impermissible arrangement.

(3) For the purposes of this section, any declaration that is required by subsection (1) to be given to the Returning Officer must not be regarded as so given unless the declaration is actually received by the Returning Officer.

(4) Where any declaration which is required by subsection (1) to be given to the Returning Officer is not so given within the time delimited under subsection (1), the candidate shall be guilty of an illegal practice; and the provisions of this subsection are in addition to and not in derogation of section 61.

(5) In addition, where any declaration which is required by subsection (1) to be given to the Returning Officer is not so given within the time delimited under subsection (1), the candidate must not, after the expiry of that time, sit or vote in Parliament as a Member until either —

(*a*) the declaration has been given; or

(*b*) the date of the allowance of an authorised excuse under section 87A for failing to give the declaration.

(6) A candidate who sits or votes in contravention of subsection (5) shall be guilty of an offence and shall be liable on conviction to a penalty of $500 for every day on which he or she so sits or votes.

(7) In this section —

"arrangement" includes a contract, an agreement, understanding or other arrangement of any kind, whether written or unwritten;

"foreign principal" has the meaning given by section 4 of the Foreign Interference (Countermeasures) Act 2021;

"foreigner" means an individual who is not a citizen of Singapore;

"impermissible arrangement", in relation to a candidate or his or her election agent, means an arrangement —

(*a*) to which the candidate or election agent is party; and

(*b*) under which the candidate or election agent (as the case may be) is accustomed or under an obligation (whether formal or informal) to engage in conduct in accordance with the directions, instructions or wishes of a foreign principal or, where the foreign principal is a corporation, of the directors of the foreign principal.

[Act 28 of 2021 wef 07/07/2022]

Return and declaration respecting election expenses

74.—(1) Within 31 days after the date of publication of the result of an election in the *Gazette*, the election agent of every candidate at that election must transmit to the Returning Officer a true return (called in this Act the return respecting election expenses), in Form 19 in the First Schedule, containing detailed statements as respects that candidate of —

(*a*) all payments made by the election agent;

(*b*) the amount of personal expenses (if any) paid by the candidate;

(*c*) the disputed claims so far as the election agent is aware;

(*d*) all unpaid claims (if any) of which the election agent is aware in respect of which application has been made or is

about to be made to an Election Judge or a Judge sitting in the General Division of the High Court; and

(*e*) every donation accepted by the election agent or by the candidate for the purpose of expenses incurred or to be incurred on account of or in respect of the management of the election, naming every person from whom the donation may have been received.

[41/2018; 40/2019]

(1A) [*Deleted by Act 41 of 2018*]

(2) The return respecting election expenses must be signed by the election agent and must be accompanied by a statement made by the candidate and his or her election agent which must be in Form 19 in the First Schedule.

[41/2018]

(2A) [*Deleted by Act 41 of 2018*]

(3) If the return and statements are not transmitted before the expiration of the time limited for the purpose, the candidate must not after the expiration of the time sit or vote in Parliament as a Member until either the return and statements have been transmitted or until the date of the allowance of such authorised excuse for failure to transmit them as in this Act mentioned.

(3A) If a candidate sits or votes in contravention of this Act, he or she shall be guilty of an offence and shall be liable on conviction to a penalty of $500 for every day on which he or she so sits or votes.

(3B) Where a candidate or an election agent fails to transmit the return respecting election expenses and the statement referred to in subsection (2) before the expiration of the time limited for the purpose and in the manner required by this Act, the candidate or election agent shall not be qualified to be elected as President.

(4) If any candidate or election agent fails to comply with the requirements of subsection (1) or (2), he or she shall be guilty of an illegal practice and the provisions of this section shall be in addition to and not in derogation of section 61.

[41/2018]

(4A) [*Deleted by Act 41 of 2018*]

(5) In this section, "donation" has the meaning given by section 3(1) of the Political Donations Act 2000, and a donation is accepted by a candidate or an election agent if it is accepted within the meaning of that Act.

Publication of receipt of return, etc.

75.—(1) When the Returning Officer has received any return respecting election expenses and the statements made in respect thereof, the Returning Officer must, as soon as possible, cause a notice of the date on which the return and statements in question were received by the Returning Officer and of the time and place at which they can be inspected, to be fixed in some conspicuous place in the Returning Officer's office and published in the *Gazette*.

(2) The Returning Officer must —

(*a*) preserve all such returns and statements;

(*b*) at all reasonable times during 6 months after the publication in the *Gazette* of the notice mentioned in this section, permit any person to inspect them and to make extracts therefrom on payment of a fee of $2; and

(*c*) on payment of 30 cents for each page, supply a copy or copies of any part thereof.

[41/2018]

(2A) Before permitting the inspection of, or the making of extracts from, any return or statement under subsection (2)(*b*), the Returning Officer must —

(*a*) completely redact the address and contact number of any individual disclosed in the return or statement; and

(*b*) partially redact the identity card number of any individual disclosed in the return or statement.

[41/2018]

(3) After the end of one year after the date of publication of the notice mentioned in subsection (1), those documents may be destroyed or returned to the candidate if application for their return is made by the candidate before they are destroyed.

[41/2018]

Supporting documents, etc., for returns respecting election expenses

75A.—(1) A candidate and his or her election agent at an election must maintain, for the period specified in subsection (2), the following documents relating to the election (collectively called in this section the supporting documents):

(*a*) every bill and receipt mentioned in section 66(1) relating to the candidate;

(*b*) every written authority mentioned in section 68(4) given by the election agent.

[41/2018]

(2) For the purposes of subsection (1), the period is one year after the date of publication of the notice under section 75(1) on the return respecting election expenses for the candidate in the election.

[41/2018]

(3) The Returning Officer may, by written notice at any time during the period specified in subsection (2), require the candidate or the election agent, or both of those persons, to furnish, within such time as may be specified in the notice, any supporting document or any other information relating to the return respecting election expenses.

[41/2018]

(4) The candidate or the election agent who is given a written notice under subsection (3) must comply with the notice.

[41/2018]

(5) The candidate and the election agent are jointly and severally responsible for complying with the requirements of subsections (1) and (where applicable) (4).

[41/2018]

(6) Any person who contravenes subsection (1) or (4) shall be guilty of an illegal practice.

[41/2018]

(7) This section is in addition to and not in derogation of section 61.

[41/2018]

Employers to allow employees reasonable period for voting

76.—(1) Every employer must, on polling day, allow every elector who is an employee thereof a reasonable period for voting.

(1A) An employer must not make any deduction from the pay or other remuneration of any such elector or impose upon or exact from the elector any penalty by reason of the absence of the elector during that period.

(2) This section extends to the employees of the Railway except such as are actually engaged in the running of trains and to whom such time cannot be allowed without interfering with the manning of the trains; and the General Manager of Railways shall be deemed to be the employer of such employees.

(3) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other manner, interferes with granting to any elector who is an employee thereof a reasonable period for voting shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 6 months or to both.

Badges, symbols, etc., prohibited on polling day and eve of polling day

77.—(1) A badge, symbol, rosette, favour, set of colours, flag, advertisement, handbill, placard or poster or any replica of a voting paper must not be worn, used, carried or displayed by any person or on any motorcar, truck or other vehicle as political propaganda on polling day or on the eve of polling day at an election.

(2) The prohibition under subsection (1) does not preclude the wearing on his or her person by a candidate of a badge indicating his or her affiliation with a political party or a replica of the symbol allotted to him or her or to the group of candidates to which he or she belongs under section 34 or 34A, as the case may be.

(3) The offence under subsection (4) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(4) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months.

Regulations for display of posters and banners

78.—(1) The Minister may make regulations to regulate the display of posters and banners in respect of an election.

(2) Such regulations may provide for the Returning Officer to determine the number and size of posters and banners which may be displayed in any electoral division and for the determination of the places at which they may be so displayed.

(3) In this section and any regulations made under this section —

"banner" includes a flag, bunting, ensign or standard;

"poster" includes any label, set of colours, drawing, painting, advertisement, handbill or placard or any replica of a voting paper or of the symbol of any political party.

(4) Any person who commits an offence under such regulations shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months.

(5) Every offence under such regulations is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Regulations for other election advertising

78A.—(1) The Minister may make regulations —

(*a*) prescribing the form and manner in which the names of the publisher of any election advertising not comprising printed matter and of the person for whom or at whose direction it is published must be included in such election advertising for the purpose of complying with section 61(1)(*c*)(ii); and

(*b*) regulating election advertising and the publication thereof during an election period on what is commonly known as the Internet by political parties, and candidates or their election agents, including prescribing the features that must or must not appear or be used in any such election advertising.

[41/2018]

(2) Any person who contravenes any regulations made under subsection (1)(*b*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both.

(2A) Every offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(3) In this section and any regulations made under subsection (1), "election period" means the period beginning with the day the writ of election is issued for an election and ending with the start of polling day at the election.

Election advertising ban

78B.—(1) Except as otherwise provided by or under subsection (2), a person must not, at any time on polling day or the eve of polling day at an election in an electoral division —

(*a*) knowingly publish, or knowingly cause or permit to be published, any election advertising in or among any electors in the electoral division; or

(*b*) knowingly display, or knowingly cause or permit to be displayed, any election advertising on any vehicle, thing or structure within the electoral division or adjoining the electoral division.

(2) Subsection (1) does not apply to —

(*a*) the distribution of a book, or the promotion of the sale of a book, for not less than its commercial value, if the book was planned to be published regardless of whether there was to be an election;

(*b*) the publication of any news relating to an election —

(i) in a newspaper in any medium by a person permitted to do so under the Newspaper and Printing Presses Act 1974; or

(ii) in a radio or television broadcast by a person licensed to do so under the Broadcasting Act 1994;

(*c*) the telephonic or electronic transmission by an individual to another individual of the firstmentioned individual's own political views, on a non-commercial basis;

(*d*) any election advertising that was lawfully published or displayed before the start of the eve of polling day at any election on what is commonly known as the Internet and that was not changed after its publication or display;

(*e*) the continued lawful display or posting of posters or banners that have been displayed or posted before the start of the eve of polling day at any election; and

(*f*) such activities or circumstances as the Minister may prescribe.

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction by a District Court to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both.

(4) Every offence under subsection (3) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Blackout period for election survey results

78C.—(1) A person must not publish or permit or cause to be published the results of any election survey during the period beginning with the day the writ of election is issued for an election and ending with the close of all polling stations on polling day at the election.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months or to both.

(2A) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(3) In this section, "election survey" means an opinion survey of how electors will vote at an election or of the preferences of electors respecting any candidate or group of candidates or any political party

or issue with which an identifiable candidate or group of candidates is associated at an election.

Exit polls ban on polling day

78D.—(1) A person must not publish or permit or cause to be published on polling day before the close of all polling stations on polling day —

(*a*) any statement relating to the way in which voters have voted at the election where that statement is (or might reasonably be taken to be) based on information given by voters after they have voted; or

(*b*) any forecast as to the result of the election which is (or might reasonably be taken to be) based on information so given.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months or to both.

(2A) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(3) In this section —

(*a*) "forecast" includes estimates; and

(*b*) any reference to the result of an election is a reference to the result of an election either as a whole or so far as any particular candidate or group of candidates at the election are concerned.

Defence for election advertising offences

78E.—(1) It is a defence for a person charged with an offence under section 61(1) or (5), 78A(2), 78B(3), 78C(2) or 78D(2) to prove —

(*a*) that the contravention of section 61(1)(*c*), (*d*) or (*e*), 78B(1), 78C(1), 78D(1) or any regulations made under section 78A(1)(*b*) (as the case may be) arose from circumstances beyond the person's control; and

(*b*) that the person took all reasonable steps, and exercised all due diligence, to ensure that that contravention would not arise.

(2) Nothing in subsection (1) limits the operation of section 26 of the Electronic Transactions Act 2010 in relation to network service providers.

Punishment for conviction for illegal practice

79.—(1) Every person who commits an illegal practice shall be guilty of an offence and shall be liable on conviction by a District Court to a fine not exceeding $2,000 and become incapable for a period of 3 years from the date of his or her conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he or she has been elected a Member, his or her election shall be vacated from the date of the conviction.

(2) A prosecution for an illegal practice must not be instituted without the consent of the Public Prosecutor, except that nothing in this subsection prevents any police officer from exercising the powers conferred on him or her by Division 1 of Part 4 (other than section 20) and sections 34, 39, 40, 111, 258, 260, 261 and 280 of the Criminal Procedure Code 2010 in the case of non-arrestable offences or from exercising his or her powers to prevent a continuance of any illegal practice.

Prohibition of canvassing on polling day and eve of polling day

80.—(1) A person must not on polling day and the eve of polling day at an election in an electoral division —

(*a*) by word, message, writing or in any other manner endeavour to persuade any person to give or dissuade any person from giving his or her vote at the election; or

(*b*) visit an elector at his or her home or place of work for any purpose in connection with the election.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding

$1,500 or to imprisonment for a term not exceeding 12 months or to both.

(3) Despite the provisions of the Criminal Procedure Code 2010 relating to the powers of search of any police officer, if any police officer has reasonable cause to believe that an offence is being committed under subsection (1), the police officer, by virtue of his or her office, is empowered to enter and search any premises or place for the purpose of ascertaining whether such an offence is being committed.

(4) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(5) For the purposes of this section, any person who, on polling day or on the eve of polling day, enters or is seen at more than 2 houses or places of work of electors in the same polling district other than his or her own home or place of work, is, unless the person proves the contrary, presumed to have committed an offence under subsection (1)(*a*) and (*b*).

Restrictions on election meetings

80A.—(1) Without affecting sections 12 and 13 of the Public Order Act 2009, and despite section 14 of that Act, all election meetings, wherever held, are prohibited —

(*a*) in the case of a general election, on polling day and the eve of polling day at the general election; or

(*b*) in the case of a by-election in any electoral division, on polling day and the eve of polling day at the by-election,

and despite section 7 of that Act, a permit must not be granted under Part 2 of that Act for such an election meeting even if a notice under section 6 of that Act is given in respect of that election meeting.

(2) Despite section 14 of the Public Order Act 2009, an election meeting must not take place within any public place that is designated as an unrestricted area under that section during any of the following periods:

(*a*) in the case of a general election, between the day of nomination appointed for the general election and the day

before the eve of polling day at that general election (both days inclusive);

(*b*) in the case of a by-election in any electoral division, between the day of nomination appointed for the by-election and the day before the eve of polling day at that by-election (both days inclusive),

unless the Commissioner of Police is notified under section 6 of that Act of the intention to hold the election meeting, and a permit is granted under section 7 of that Act in respect of that election meeting; and Part 2 of that Act applies to such an election meeting as if it does not take place within an unrestricted area.

(3) Any reference in the Public Order Act 2009 to an assembly or a procession that is unlawful under Part 2 of that Act includes a reference to an election meeting —

(*a*) that is held in contravention of subsection (1) or (2); or

(*b*) in the case of an election meeting that takes place in an unrestricted area within the meaning of section 14 of the Public Order Act 2009 —

(i) that is held on a date or at a time which differs from the date or time specified in relation to the election meeting in the notice given under section 6 of that Act; or

(ii) that is not in compliance with any requirement imposed by section 8(1) of that Act or any condition imposed under section 8(2) of that Act on organisers or persons taking part in that election meeting.

(4) In this section, "election meeting" means a public assembly (within the meaning of the Public Order Act 2009) organised by or on behalf of a candidate nominated for election —

(*a*) to promote or procure the electoral success at the election for one or more identifiable political parties, candidates or groups of candidates; or

(*b*) to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with the election.

Prohibition of dissuasion from voting

81.—(1) A person must not between the day of nomination and polling day (both days being inclusive) at any election, by word, message, writing or in any other manner dissuade or attempt to dissuade any person from giving his or her vote at the election.

(2) 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.

(3) Despite the provisions of the Criminal Procedure Code 2010 relating to the powers of search of any police officer, if any police officer has reasonable cause to believe that an offence is being committed under subsection (1), the police officer, by virtue of his or her office, is empowered to enter and search any premises or place for the purpose of ascertaining whether such an offence is being committed.

(4) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Undue influence at or near polling station

82.—(1) A person must not —

(*a*) endeavour to establish the identity of any person entering a polling station;

(*b*) check the name of any person entering a polling station on any list at the approach to a polling station;

(*c*) anywhere place any desk or table or establish any office or booth for the purpose of recording particulars of voters;

(*d*) wait outside any polling station on polling day, except for the purpose of gaining entry to the polling station to cast his or her vote;

(*e*) loiter in any street or public place within a radius of 200 metres of any polling station on polling day; or

(*f*) open or maintain, for the purpose of any activity directed towards promoting or procuring the election of a candidate at any election, any office in any room, building or any place whatsoever, whether open or enclosed, on polling day.

(1A) Despite subsection (1), every candidate or his or her election agent may open or maintain in his or her electoral division one office for each polling district, which must not be within a radius of 200 metres of any polling station, and the address of every such office must be registered by the candidate or his or her election agent with the Returning Officer before polling day.

(2) 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.

(3) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Persons prohibited from conducting election activity

83.—(1) A person —

(*a*) attending a primary or secondary school as a student;

(*b*) against whom an order of supervision has been made under section 30(1)(*b*) of the Criminal Law (Temporary Provisions) Act 1955;

(*c*) who is an undischarged bankrupt; or

(*d*) who is not a citizen of Singapore,

must not take part in any election activity.

[12/2018]

(1A) An individual who is not a citizen of Singapore must not knowingly publish or display, or knowingly cause or permit to be published or displayed, any election advertising in or among any electors in an electoral division during the period beginning with the

day the writ of election is issued for an election and ending with the start of the eve of polling day at the election.

(2) A person must not conduct any election activity unless the person is in possession of a written authority signed by a candidate or his or her election agent in Form 22 or Form 23 (as the case may be) in the First Schedule and such authority must be issued only on or after the day of nomination.

(3) Every candidate and election agent must supply particulars in duplicate of all written authorities issued by him or her under subsection (2) to the Returning Officer, who must on receipt thereof forward a copy of those particulars to the Commissioner of Police.

(4) A candidate or an election agent must, if so required by the Commissioner of Police, immediately withdraw and deliver to the Returning Officer the written authority given by the candidate or election agent to any person who is stated by the Commissioner of Police to be a person in respect of whom an order has been made under section 30(1)(*b*) of the Criminal Law (Temporary Provisions) Act 1955.

[12/2018]

(5) Any person who contravenes any of the provisions of this section 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.

(6) A candidate or an election agent must not authorise any person to conduct an election activity, knowing or having reason to believe that the person is attending a primary or secondary school as a student or that an order has been made in respect of the person under section 30(1)(*b*) of the Criminal Law (Temporary Provisions) Act 1955.

[12/2018]

(7) Every offence under this section for contravening subsection (1), (1A) or (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

(8) In this section, "election activity" includes any activity (other than clerical work wholly performed within enclosed premises) which is done for the purpose of —

(*a*) promoting or procuring the electoral success at any election for one or more identifiable political parties, candidates or groups of candidates; or

(*b*) prejudicing the electoral prospects of other political parties, candidates or groups of candidates at the election.

[41/2018]

(9) Nothing in this section prohibits the carrying out by any prescribed person, or person in a prescribed class of persons, of such type of work as is prescribed, being work that is performed solely pursuant to a contract for service entered into with a person authorised to conduct election activity under this section.

Unlawful assembly

84. Where it is shown that the common object of an assembly of 5 or more persons is —

(*a*) to interrupt or interfere with an election meeting; or

(*b*) to go about in a group on polling day in a manner calculated to cause intimidation, alarm or annoyance to any elector, voter or candidate,

the assembly is deemed to be an unlawful assembly as defined in section 141 of the Penal Code 1871.

Offence to operate loudspeaker

85.—(1) It shall be an offence for a person to operate any loudspeaker or other instrument for the production or reproduction of any speech, sound or music in any street or public place or any premises adjoining any street or public place, so as to interfere with any election meeting or so as to cause annoyance to persons conducting or attending the meeting.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months.

(3) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

EXCUSE FOR CORRUPT AND ILLEGAL PRACTICE

Report exonerating candidate in certain cases of corrupt and illegal practice by agents

86. Where, upon the hearing of an application under section 90 respecting an election under this Act, the Election Judge reports that a candidate at the election has been guilty by his or her agents of the offence of treating or undue influence or of any illegal practice in reference to the election, and the Election Judge further reports, after giving the Public Prosecutor an opportunity of being heard, that the candidate has proved to the court —

(*a*) that no corrupt or illegal practice was committed at the election by the candidate or his or her election agent and the offences mentioned in the report were committed contrary to the orders and without the sanction or connivance of the candidate or his or her election agent;

(*b*) that the candidate and his or her election agent took all reasonable means for preventing the commission of corrupt and illegal practices at the election;

(*c*) that the offences mentioned in the said report were of a trivial, unimportant and limited character; and

(*d*) that in all other respects the election was free from any corrupt or illegal practice on the part of the candidate and of his or her agents,

then the election of the candidate is not, by reason of the offences mentioned in the report, void, and the candidate is not subject to any incapacity under this Act.

Power of election court to except innocent act from being illegal practice, etc.

87.—(1) Where, on application made, it is shown to an Election Judge or to a Judge sitting in the General Division of the High Court by such evidence as seems to the Judge sufficient —

(*a*) that any act or omission of a candidate at any election, or of his or her election agent or of any other agent or person,

would, by reason of being the payment of a sum or the incurring of expense in excess of any maximum amount allowed by this Act, or of being a payment, engagement, employment, or contract in contravention of this Act, or of otherwise being in contravention of any of the provisions of this Act, be but for this section an illegal practice; and

(*b*) that the act or omission arose from inadvertence or from accidental miscalculations or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith,

and in the circumstances it seems to the Judge, after giving the candidates, the Returning Officer, and any elector within the electoral division an opportunity of being heard, to be just that the candidate in question and the election and other agent and person, or any of them, should not be subject to any of the consequences under this Act of that act or omission, the Judge may make an order allowing that act or omission to be an exception from the provisions of this Act which would otherwise make the act or omission an illegal practice, payment, employment or hiring.

[40/2019]

(2) Upon the making of an order under subsection (1), the candidate, agent or person is not subject to any of the consequences under this Act of the act or omission mentioned in that subsection.

Authorised excuse for non-compliance with section 73A

87A.—(1) Where —

(*a*) any declaration which is required by section 73A(1) to be given by a candidate at an election in an electoral division to the Returning Officer is not so given within the time delimited under that section, or being given contains a false statement; and

(*b*) the candidate applies to an Election Judge or a Judge sitting in the General Division of the High Court and shows that the failure to give the declaration or the false statement in the declaration (as the case may be) has arisen by reason of

the candidate's illness, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the candidate,

the Judge may, after notice of the application, and on production of evidence of the grounds stated in the application, and of the good faith of the application, and otherwise, as to the Judge seems fit, and after giving the other candidates, the Returning Officer and any elector within the electoral division an opportunity of being heard, make such order for allowing an authorised excuse for the failure to give that declaration or for the false statement in that declaration (as the case may be) as the Judge considers just.

(2) The order under subsection (1) may make the allowance conditional upon the making of the declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the Election Judge or a Judge sitting in the General Division of the High Court (as the case may be) seems best calculated for carrying into effect the objects of this Act.

(3) An order under subsection (1) allowing an authorised excuse relieves the candidate applying for the order from any liability or consequences under this Act in respect of the matter excused by the order.

(4) Where it is proved by the candidate to the Election Judge or a Judge sitting in the General Division of the High Court (as the case may be) that —

(*a*) any act or omission of the candidate's election agent in relation to the conduct of election activity for the purpose of procuring the electoral success of the candidate, or the group of candidates of whom the candidate is part, was without the sanction or connivance of the candidate; and

(*b*) the candidate took all reasonable steps for preventing the act or omission,

the Judge must relieve the candidate from the consequences of the act or omission on the part of the candidate's election agent.

(5) The date of an order under subsection (1) or, if conditions and terms are to be complied with, the date at which the applicant fully

complies with them is referred to in this Act as the date of the allowance of the excuse.

[Act 28 of 2021 wef 07/07/2022]

Authorised excuse for non-compliance with provisions as to return and statements respecting election expenses

88.—(1) Where the return and statements respecting election expenses of a candidate at an election have not been transmitted as required by this Act, or being transmitted contain some error or false statement, then —

(*a*) if the candidate applies to an Election Judge or a Judge sitting in the General Division of the High Court and shows that the failure to transmit the return and statements, or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his or her illness, or of the absence, death, illness or misconduct of his or her election agent, or of any clerk or officer of the agent, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant; or

(*b*) if the election agent of the candidate applies to an Election Judge or a Judge sitting in the General Division of the High Court and shows that the failure to transmit the return and statements which he or she was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his or her illness, or of the death, illness or misconduct of any prior election agent of the candidate, or of the absence, death, illness or misconduct of any clerk, or officer of an election agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant,

the Judge may, after such notice of the application, and on production of such evidence of the grounds stated in the application, and of the good faith of the application, and otherwise, as to the Judge seems fit, and after giving the other candidates, the Returning Officer and any elector within the electoral division an opportunity of being heard,

make such order for allowing an authorised excuse for the failure to transmit such return and statements or for an error or false statement in such return and statements as to the Judge seems just.

[41/2018; 40/2019]

(2) Where it appears to the Judge that any person being or having been an election agent has refused or failed to make such return or supply such particulars as will enable the candidate and his or her election agent to comply with the provisions of this Act as to the return and statements respecting election expenses, the Judge must —

(*a*) before making an order allowing the excuse as in this section mentioned order the person to attend before the Judge; and

(*b*) unless the person attends and shows cause to the contrary, order him or her to make the return and statements, or to deliver a statement of the particulars required to be contained in the return, as to the Judge appears just, and to make or deliver them within such time and to such person and in such manner as the Judge may direct, or may order him or her to be examined with respect to those particulars, and, in default of compliance with that order, the person shall be guilty of an illegal practice.

[41/2018]

(3) The order may make the allowance conditional upon the making of the return and statements in a modified form or within an extended time, and upon the compliance with such other terms as to the Judge seems best calculated for carrying into effect the objects of this Act.

(4) An order allowing an authorised excuse relieves the applicant for the order from any liability or consequences under this Act in respect of the matter excused by the order.

(5) Where it is proved by the candidate to the Judge that any act or omission of the election agent in relation to the return and statements respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing the act or omission, the Judge is to relieve the candidate from the consequences of the act or omission on the part of his or her election agent.

[41/2018]

(6) The date of the order or, if conditions and terms are to be complied with, the date at which the applicant fully complies with them is called in this Act the date of the allowance of the excuse.

GROUNDS FOR AVOIDING ELECTIONS

Avoidance by conviction of candidate

89. The election of a candidate as a Member is avoided by his or her conviction for any corrupt or illegal practice.

Application for avoidance of election on certain grounds

90. The election of a candidate as a Member must be declared to be void on an application made to an Election Judge on any of the following grounds which may be proved to the satisfaction of the Election Judge:

(*a*) that by reason of general bribery, general treating, or general intimidation, or other misconduct, or other circumstances, whether similar to those before enumerated or not, the majority of electors were or may have been prevented from electing the candidate or group of candidates whom they preferred;

(*b*) non-compliance with the provisions of this Act relating to elections, if it appears that the election was not conducted in accordance with the principles laid down in those provisions and that the non-compliance affected the result of the election;

(*c*) that a corrupt practice or an illegal practice was committed in connection with the election by the candidate or with his or her knowledge or consent or by any agent of the candidate;

(*d*) that the candidate personally engaged a person as his or her election agent, or as a canvasser or an agent, knowing that the person had, within 7 years prior to the engagement, been convicted or found guilty of a corrupt practice by a District Court or by the report of an Election Judge;

(*e*) that the candidate was at the time of his or her election a person disqualified for election as a Member.

Proceedings in respect of qualification

91.—(1) Proceedings may be instituted in the General Division of the High Court against any person acting or claiming to be entitled to act as an elected Member on the ground of his or her being disqualified within the meaning of this section for so acting.

[40/2019]

(2) Proceedings under subsection (1) on the ground of a person acting as aforesaid must not be instituted after the end of 6 months from the date of the last occasion on which he or she so acted.

(3) Where in proceedings instituted under this section it is proved that the defendant has acted as an elected Member while disqualified from so acting, then the General Division of the High Court has power —

(*a*) to make a declaration to that effect and to declare that the office in which the defendant has acted is vacant;

(*b*) to grant an injunction restraining the defendant from so acting; and

(*c*) to make any order which may seem fit as to the costs of the proceedings.

[40/2019]

(4) Where in proceedings instituted under this section it is proved that the defendant claims to act as an elected Member and is disqualified from so acting, the General Division of the High Court has power to make a declaration to that effect and to declare that the office in which the defendant claims to be entitled to act is vacant, and to grant an injunction restraining him or her from so acting.

[40/2019]

(5) Proceedings must not be instituted under this section by any person other than a person who pursuant to this Act is an elector for the electoral division for which the person against whom proceedings are to be instituted was elected.

(6) For the purposes of this section, a person is deemed to be disqualified for acting as an elected Member —

(*a*) if he or she is not qualified to be, or is disqualified from being, an elected Member or a holder of that office; or

(*b*) if by reason of resignation or failure to attend meetings of Parliament or for any other reason his or her seat has become vacant and he or she has ceased to be an elected Member or to hold that office.

PART 4

APPLICATIONS FOR AVOIDANCE OF ELECTION

Appointment and powers of Election Judge

92.—(1) Every application under section 90 is to be heard by the Chief Justice or by a Supreme Court Judge nominated by the Chief Justice for the purpose.

[40/2019]

(2) The Chief Justice or the Judge so nominated is called in this Act the Election Judge.

(3) Witnesses are to be subpoenaed and sworn in the same manner as nearly as circumstances admit as in a trial by the General Division of the High Court in the exercise of its original civil jurisdiction and are subject to the same penalties for the giving of false evidence.

[40/2019]

(4) On the hearing of an application under section 90, the Election Judge may, by order under his or her hand, compel the attendance of any person as a witness who appears to the Election Judge to have been concerned in the election to which the application refers.

(5) Any person who wilfully refuses to obey the order of the Election Judge under subsection (4) shall be guilty of contempt of court under section 4(1) of the Administration of Justice (Protection) Act 2016.

[19/2016]

(6) The Election Judge may examine any witness so compelled to attend or any person in court, although the witness is not called and examined by any party to the application.

(7) After the examination of a witness by the Election Judge, the witness may be cross-examined by or on behalf of the applicant and the respondent, or either of them.

(8) The Election Judge is to be attended on the hearing of an application under section 90 in the same manner as if the Election Judge were a Judge sitting in the General Division of the High Court.
[40/2019]

(9) Unless otherwise ordered by the Chief Justice, all interlocutory matters in connection with an application under section 90 may be dealt with and decided by any Judge sitting in the General Division of the High Court.
[40/2019]

Who may make application under section 90

93. An application under section 90 may be made to the Supreme Court by any one or more of the following persons:

(*a*) some person who voted or had a right to vote at the election to which the application relates;

(*b*) some person claiming to have had a right to be returned or elected at the election;

(*c*) some person alleging himself or herself to have been a candidate at the election.

Relief which may be claimed

94. All or any of the following reliefs to which the applicant may be entitled may be claimed in an application under section 90:

(*a*) a declaration that the election is void;

(*b*) a declaration that the return of the person elected was undue;

(*c*) a declaration that any candidate was duly elected and ought to have been returned;

(*d*) where the seat is claimed for an unsuccessful candidate on the ground that he or she or the group of candidates to which he or she belongs had a majority of lawful votes, a scrutiny.

Certificate of Election Judge as to validity of election

95.—(1) At the conclusion of the hearing of an application under section 90, the Election Judge must determine whether the Member whose return or election is complained of, or any other and what person, was duly returned or elected, or whether the election was void, and must certify such determination to the President.

(2) Upon the certificate being given under subsection (1), the determination is final; and the return must be confirmed or altered, or the President must within one month of the determination, by notice in the *Gazette*, order the holding of an election in the electoral division concerned, as the case may require, in accordance with the certificate.

(3) Where the election of any Member for a group representation constituency is determined by the Election Judge under subsection (1) to be void, the election of the other Members for that constituency is deemed to be void.

Report of Election Judge as to corrupt or illegal practice

96.—(1) At the conclusion of the hearing of an application under section 90, the Election Judge must also report in writing to the President —

(*a*) whether any corrupt or illegal practice has or has not been proved to have been committed by or with the knowledge and consent of any candidate at the election, or by his or her agent, and the nature of the corrupt or illegal practice (if any); and

(*b*) the names and descriptions of all persons (if any) who have been proved at the hearing to have been guilty of any corrupt or illegal practice.

(2) Before any person, not being a party to an application under section 90 nor a candidate on behalf of whom the seat is claimed by such an application, is reported by an Election Judge under this section, the Election Judge must give the person an opportunity of being heard and of giving and calling evidence to show why the person should not be so reported.

(3) When the Election Judge reports that a corrupt or illegal practice has been committed by any person, that person is subject to the same incapacities as if at the date of the report he or she had been convicted of that practice.

(4) A person is subject to the same incapacities if he or she was a candidate at the election and the Election Judge reports that the corrupt or illegal practice was committed with his or her knowledge and consent or by his or her agent.

(5) The President must cause a copy of such report to be published in the *Gazette*, and it is the duty of the Registration Officer immediately to peruse the report and immediately to delete from the registers of electors the name of every person appearing from the report to be incapable of voting at an election.

Time for making application

97.—(1) Subject to this section, every application under section 90 must be made within 21 days of the date of publication of the result of the election in the *Gazette*.

(2) An application under section 90 questioning the return or the election upon the ground of a corrupt practice and specifically alleging a payment of money or other act to have been made or done since the date referred to in subsection (1) by the Member whose election is questioned or by an agent of the Member or with the privity of the Member or his or her election agent pursuant to or in furtherance of the corrupt practice may, so far as respects that corrupt practice, be made at any time within 28 days after the date of the payment or act.

(3) An application under section 90 questioning the return or the election upon an allegation of an illegal practice may, so far as respects that illegal practice, be made within the following time:

(*a*) at any time before the end of 14 days after the date of the publication in the *Gazette* of the notice required by section 75 as to the election expenses of the Member whose election is questioned;

(*aa*) at any time before the end of 21 days after the date of the publication of the result of the election in the *Gazette*, as to the declaration required by section 73A from the Member whose election is questioned;

[Act 28 of 2021 wef 07/07/2022]

(*b*) if the application specifically alleges a payment of money or other act to have been made or done since that date by the Member whose election is questioned or by an agent of the Member or with the privity of the Member or of his or her election agent pursuant to or in furtherance of the illegal practice alleged in the application, the application may be made at any time within 28 days after the date of the payment or other act.

(4) An application under section 90 made in due time may, for the purpose of questioning the return or the election upon an allegation of a corrupt or illegal practice, be amended with the permission of a Judge sitting in the General Division of the High Court within the time within which an application questioning the return or the election upon that ground may be made.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(5) For the purposes of this section, where there is an authorised excuse for failing to make and transmit the return and statements respecting election expenses or make and give the declaration required by section 73A, the date of the allowance of the excuse or, if there was a failure in 2 or more particulars and the excuse was allowed at different times, the date of the allowance of the last excuse, shall be substituted for the date of the publication in the *Gazette* of the notice mentioned in subsection (3)(*a*) or the date of the publication of the results of the election in the *Gazette* mentioned in subsection (3)(*aa*), as the case may be.

[Act 28 of 2021 wef 07/07/2022]

Prohibition of disclosure of vote

98. An elector who has voted at any election must not, in any proceeding to question the election, be required to state for whom the elector has voted.

Votes to be struck off at scrutiny

99.—(1) On a scrutiny at the hearing of an application under section 90, only the following votes are to be struck off:

(*a*) the vote of any person whose name was not on the register of electors assigned to the polling station at which the vote was recorded or who has not been authorised to vote at the station under section 39;

(*b*) the vote of any person whose vote was procured by bribery, treating or undue influence;

(*c*) the vote of any person who committed or procured the commission of personation at the election;

(*d*) where the election was a general election, the vote of any person proved to have voted at the general election in more than one electoral division;

(*e*) the vote of any person, who, by reason of a conviction of a corrupt or illegal practice or by reason of the report of an Election Judge, or by reason of his or her conviction of an offence under section 55, was incapable of voting at the election;

(*f*) votes given for a disqualified candidate or group of candidates by a voter knowing that the candidate, or any candidate in that group, as the case may be, was disqualified or the facts causing the disqualification, or after sufficient public notice of the disqualification, or when the disqualification or the facts causing it were notorious.

(2) The vote of a registered elector must not, except in the case specified in subsection (1)(*e*), be struck off at a scrutiny by reason only of the voter not having been or not being qualified to have his or her name entered in the register of electors.

(3) On a scrutiny, any tendered vote that is proved to be a valid vote must be added to the poll if any party to the application under section 90 applies for that vote to be so added.

Procedure and practice on applications under section 90

100.—(1) The procedure and practice on applications under section 90 are regulated by rules which may be made by the Rules Committee constituted and appointed under section 80 of the Supreme Court of Judicature Act 1969.

(2) The Rules contained in the Fourth Schedule are deemed to have been made under the powers conferred by subsection (1) and are amendable by rules made under that subsection.

Rejection of ballot paper by Returning Officer not to be questioned

101. On the making of an application under section 90, the decision of a Returning Officer as to whether or not a ballot paper must be rejected under section 50 is not to be questioned.

PART 5

GENERAL

Minister may make regulations

102. The Minister may make regulations prescribing anything that is to be prescribed under the provisions of this Act and generally for the purposes of giving effect to the provisions of this Act.

Inaccurate description of persons and places

103.—(1) No omission and no misnomer or inaccurate description of any person or place named or described in any register, notice or other document prepared or issued under or for the purposes of this Act is to in any way affect the operation of this Act as respects that person or place if that person or place is so designated in such register, notice or document as to be identifiable.

(2) Without limiting subsection (1), a nomination paper must not be rejected, and an objection must not be allowed, on account of —

(*a*) any error or omission in a nomination paper in relation to the description of, or any particulars in respect of, the candidate or person seeking nomination, or his or her

proposer or seconder or any of his or her assentors, if the particulars contained in the nomination paper are sufficient to identify the candidate or person seeking nomination, or his or her proposer, seconder or assentor, as the case may be;

(*b*) any error or omission with regard to any place specified in the nomination paper, if such place is otherwise sufficiently identifiable from the particulars given in the nomination paper; or

(*c*) any error or omission that is corrected before 12 noon on the day of nomination in accordance with section 29A.

(3) In this section —

(*a*) "error" includes any misnomer, misspelling, misprint, misplacement, mistake, inaccuracy, omission, and any clerical, technical or printing error, and any error of any other description or nature; and

(*b*) "particulars" and "description" each includes anything stated or required to be stated in respect of any person or place in the nomination paper.

Publication of notices, etc.

104.—(1) Where any notice is required by this Act to be published and, in the opinion of the authority who is required to publish the notice, the prescribed mode of publication does not give sufficient publicity to the notice, the authority may, in addition to publishing the notice as required by this Act, exhibit copies of the notice in conspicuous places within the electoral division to which the notice relates or take such other steps as the authority may consider necessary for giving publicity to the notice.

(2) Every person who, without lawful authority, destroys, mutilates, defaces or removes any notice which is exhibited by any authority under subsection (1) or any document which is made available for inspection in accordance with this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000.

(3) The offence under subsection (2) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

Names of candidates

105.—(1) Before 12.30 p.m. on the day of nomination, any candidate may, by writing under his or her hand, indicate to the Returning Officer which of his or her names mentioned in the nomination paper the candidate desires should be omitted and which should be specified by initial only.

(2) For the purposes of the election, the names which the candidate desires to omit may be omitted and an initial may be used in place of those names which the candidate desires should be specified by initial.

Use of schools as polling stations

106.—(1) The Returning Officer may use, free of charge, as a polling station, any school (or part of it) for the purposes of any election.

(2) The Returning Officer must make good any damage done to, and defray any expenses incurred by the persons having control over, any school (or part of it) by reason of its being used as a polling station.

Forms

107. The forms in the First Schedule or forms substantially to the like effect, are sufficient in law, and may be varied, or other forms prescribed, by the Minister as circumstances require.

Corporate offenders and unincorporated associations

108.—(1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of —

(*a*) any director, manager, secretary or other similar officer of the body corporate; or

(*b*) any person who was purporting to act in any such capacity,

he or she, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of the body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director of the body corporate.

(3) Proceedings for an offence alleged to have been committed under this Act by an unincorporated association must be brought against the association in its own name (and not in that of any of its members) and, for the purposes of any such proceedings, any rules of court relating to service of documents have effect as if the association were a corporation.

(4) Where a partnership is guilty of an offence under this Act, every partner (other than a partner who is proved to have been ignorant of, or to have attempted to prevent the commission of, the offence) shall also be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(5) Where any other unincorporated association is guilty of an offence under this Act —

(*a*) every officer of the association who is bound to fulfil any duty of which the offence is a breach; or

(*b*) if there is no such officer, every member of the committee or other similar governing body (other than a member who is proved to have been ignorant of, or to have attempted to prevent the commission of, the offence),

shall also be guilty of an offence and shall be liable to be proceeded against and punished accordingly.

Composition of offences

109.—(1) The Returning Officer, or any officer of the Elections Department who is authorised by the Returning Officer, may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(*a*) one half of the amount of the maximum fine that is prescribed for the offence;

(*b*) a sum not exceeding $500.

(2) The Minister may make regulations to prescribe the offences that may be compounded.

(3) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

(4) All sums collected under this section must be paid to the Consolidated Fund.

FIRST SCHEDULE

FORM 1

Section 24(2)

PARLIAMENTARY ELECTIONS ACT 1954

WRIT OF ELECTION

By
President of the Republic of Singapore

To: RETURNING OFFICER

WHEREAS section 24(1) of the Parliamentary Elections Act 1954 provides that for the purposes of every general election of Members of Parliament, and for the purposes of the election of Members to supply vacancies caused by death, resignation or otherwise, the President must issue writs under the public seal, addressed to the Returning Officer:

*AND WHEREAS I think it is expedient that a writ should now be issued for the election of Members to serve in Parliament:

†AND WHEREAS the seat of the Elected Member/**seats of the Elected Members for the Electoral Division of has/**have become vacant.

NOW, therefore, I, , the President, do require that, after notice of the time and place or places fixed for the nomination of candidates has been given in accordance with the Parliamentary Elections Act 1954, you do on (*date*) at the respective places specified in the Schedule to this Writ, cause election or elections to be made according to the Act for the election of the Member for the Electoral Division/**the Members for the Electoral Division/*the

FIRST SCHEDULE — *continued*

Members for the Electoral Divisions specified opposite that place in the Schedule to this Writ, and that, if necessary, you do cause a poll or polls to be taken on the date required to be notified under section 34(6)(*d*)/**section 34A(6)(*d*) of the Parliamentary Elections Act 1954.

The place/*places of nomination of candidates for the Electoral Division/*respective Electoral Divisions is/*are given in the Schedule to this Writ.

PUBLIC SEAL

Given under my hand and the seal of the Republic of Singapore this day of .

President.

*to be retained in a writ for a general election.

†to be retained in a writ for a by-election.

**to be retained in a writ for an election in a Group Representation Constituency.

THE SCHEDULE

Place of nomination (Nomination centre)	*Electoral Division*
(Set out address or addresses of nomination centre or centres)	*(Set out Electoral Division or Divisions)*

FORM 2

[*Deleted by S 231/2019*]

FORM 3

Section 11(2)

PARLIAMENTARY ELECTIONS ACT 1954

FORM OF CLAIM BY PERSON WHOSE NAME HAS BEEN OMITTED OR EXPUNGED FROM THE REGISTER

To: THE REGISTRATION OFFICER **Elections Department**	Electoral Division of	For Official Use Registration No.

FIRST SCHEDULE — *continued*

I PARTICULARS OF CLAIMANT AS SHOWN IN IDENTITY CARD			Telephone (Home/Work)	
NRIC No.	Sex	Date of Birth	Telephone (Mobile)	
			Date Citizenship Acquired (if applicable)*	
Name (*in block letters and underline surname*)			Date of Report on Change of Address (if applicable) **	
Address			Postal Code	

I, the abovenamed person, certify that to the best of my knowledge and belief the above information given by me is true and I am applying to have my name inserted/retained in the Register of Electors on the following grounds:

.....
Date

.....
(*Signature or thumb mark of Claimant*)

* *Applicable to a person who makes this application on the ground that he or she has recently acquired Singapore citizenship.*

** *Applicable to a person who makes this application on the ground that his or her address has changed.*

II ACTION BY INSPECTION CENTRE CLERK:

The ground of claim is (please tick below)

	Name omitted from Register of Electors
	Change of address
	Change of name
	Other ground

.....
Date

.....
Name (in block letters)

.....
Signature

III ACTION BY ELECTIONS DEPARTMENT

ARO'S COMMENTS	TYPE OF DECISIONS	ARO'S DECISION	
		INITIAL	DATE

FIRST SCHEDULE — *continued*

	Change of Address			
	Change of Particulars	Name		
		Sex		
	Restored Voter			
	New Voter			
	No Action			
	Disallowed			

REMARKS

FORM 4

Section 11(5)

PARLIAMENTARY ELECTIONS ACT 1954

FORM OF OBJECTION

To: THE REGISTRATION OFFICER
Elections Department

Electoral Division of
.....
.....

PARTICULARS OF PERSON MAKING OBJECTION

Name (*in block letters*)	NRIC No.

Address (*as shown in NRIC*)	Polling District
	Serial No.

I, the abovenamed person, declare that my name appears in the Register of Electors and that I wish to object to the name of the person mentioned and described below being included in the Register of Electors for the abovementioned Electoral Division. The grounds of my objection are specified below.

PARTICULARS AS APPEAR IN THE REGISTER OF ELECTORS OF PERSON OBJECTED TO			Grounds of Objection
Polling District	Name	Address	
Serial No.			

FIRST SCHEDULE — *continued*

Dated this ..... day of ....

.....
Signature or thumb mark of Objector.

Signed or marked by the abovenamed objector in my presence,

.....	.....	.....
Signature of Witness.	*Name of Witness*.	*Address of Witness*.

FORM 5

Section 11(6)

PARLIAMENTARY ELECTIONS ACT 1954

FORM OF OBJECTION AGAINST CLAIMANT

To: THE REGISTRATION OFFICER **Elections Department**	Electoral Division of ....

PARTICULARS OF PERSON MAKING OBJECTION								
Name (*in block letters*)	NRIC No.							
Address (*as shown in NRIC*)	Polling District							
	Serial No.							

I, the abovenamed person, declare that my name appears in the Register of Electors and that I wish to object to the name of the claimant mentioned and described below being entered/retained in the Register of Electors for the abovementioned Electoral Division. The grounds of my objection are specified below.

PARTICULARS AS APPEAR IN THE CLAIMANTS LIST OF PERSON OBJECTED TO		Grounds of Objection
Name of Claimant Objected to	Address	

FIRST SCHEDULE — *continued*

Dated this ..... day of ....

.....
Signature or thumb mark of Objector.

Signed or marked by the abovenamed objector in my presence,

.....	.....	.....
Signature of Witness.	*Name of Witness.*	*Address of Witness.*

FORM 6

Section 11(8A)

PARLIAMENTARY ELECTIONS ACT 1954

NOTICE TO PERSONS OBJECTED TO

TAKE NOTICE that I have received objections to the inclusion of your name and address in the proposed list of electors for Polling District No. ..... of the Electoral Division of ..... and that a public inquiry will take place on the ..... day of .... between the hours of ..... and .....

AND FURTHER TAKE NOTICE that unless you appear before me and show cause why your name (should not be deleted from) (should be included in) the list of electors, your name (may be deleted therefrom) (may not be included therein).

The grounds of objections are .....

.....
Registration Officer.

FIRST SCHEDULE — *continued*

Date .....

(Reverse side of Form)

(FORM 6) (Frank)

TO BE SENT TO ALL PERSONS OBJECTED TO

.....

.....

(*Name and address*)

FORM 7

Sections 13(1) and 20A(2)

PARLIAMENTARY ELECTIONS ACT 1954

CERTIFICATE OF REGISTRATION OFFICER

I, ..., Registration Officer, certify that this is the Register of Electors for the Electoral Division of ....

Dated this ..... day of ....

.....
Registration Officer.

FORM 8

Section 25

PARLIAMENTARY ELECTIONS ACT 1954

NOTICE OF ELECTION FOR
*THE ELECTORAL DIVISION OF _____
*ALL ELECTORAL DIVISIONS

TAKE NOTICE that the President having issued the Writ *for the election of *a Member/*Members of Parliament for the Electoral Division of _____/

FIRST SCHEDULE — *continued*

*for the general election of Members of Parliament for all Electoral Divisions, the Returning Officer will be holding the election as follows.

Nomination papers of persons seeking election must be delivered to the Returning Officer on (*specify date*), between 11 a.m. and 12 noon (both times inclusive) at the place of nomination specified in the Schedule to the Writ against the Electoral Division concerned.

Every nomination paper must be signed by at least 6 electors qualified to vote in the Electoral Division in which the nominee or group of nominees (as the case may be) is seeking election.

A nomination paper will not be valid or acted upon by the Returning Officer unless it is accompanied by the following:

(*a*) the written consent of the nominee or nominees, as the case may be;

(*b*) for each nominee, an election deposit of $_____;

(*c*) a statutory declaration by each nominee to the effect that he or she is qualified to be elected;

(*d*) a political donation certificate issued to the nominee from the Registrar of Political Donations under section 18(4) of the Political Donations Act 2000; and

(*e*) if the Electoral Division is a Group Representation Constituency, the certificate required to be delivered by a nominee in the group under section 27B(3)(*c*) of the Parliamentary Elections Act 1954.

Forms of nomination papers may be obtained after the date of this Notice from the office of the Returning Officer between _____ and _____ daily (except Sunday and public holidays), and between _____ and _____ on Saturdays. The office of the Returning Officer is situated at _____.

If the election in an Electoral Division is not contested, the Returning Officer will immediately declare the sole nominated candidate or group of candidates for the Electoral Division to be elected as the Member or Members of Parliament (as the case may be) for that Electoral Division.

If, however, the election in an Electoral Division is contested, a poll will be held.

Dated this day of .

Returning Officer,
Singapore.

FIRST SCHEDULE — *continued*

*Delete whichever is inapplicable.

FORM 9

Section 27(2)

PARLIAMENTARY ELECTIONS ACT 1954

NOMINATION PAPER

SECTION A: TO BE COMPLETED BY PERSONS NOMINATING												
DETAILS OF NOMINEE												
NAME (*in block letters*)	NRIC NO.									SEX (*Please circle*)		OCCUPATION
										M	F	
DETAILS OF PERSONS NOMINATING												
We, the persons specified below, being registered in the register of electors for the Electoral Division of ....., hereby nominate the above person as candidate for election as a Member of Parliament for the said Electoral Division:												
NAME		NRIC NO.										SIGNATURE
PROPOSER												
SECONDER												
ASSENTOR 1												
ASSENTOR 2												
ASSENTOR 3												
ASSENTOR 4												
ASSENTOR 5												
ASSENTOR 6												
ASSENTOR 7												
ASSENTOR 8												

SECTION B: DECLARATION TO BE COMPLETED BY NOMINEE

I, the person nominated in Section A, do solemnly and sincerely declare that —

(*a*) I am duly qualified to be elected as a Member of Parliament for the Electoral Division of .....;

(*b*) I consent to this nomination as candidate for election as a Member of Parliament for the said Electoral Division; and

*(*c*) I am a member of and am standing for (*state name of political party*) .....

*(*c*) I am an independent candidate.

*Delete whichever is inapplicable

And I make this solemn declaration by virtue of the Oaths and Declarations Act 2000, and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

FIRST SCHEDULE — *continued*

.....

Signature of Nominee

Dated this ..... day of ..... 20.....

Before Me

.....	.....
Name of Commissioner for Oaths/Justice of the Peace (in block letters)	*Signature of Commissioner for Oaths/Justice of the Peace*

I, the nominee, can be contacted at	Address:
	Telephone Number:

FORM 9A

Section 27B(2)

PARLIAMENTARY ELECTIONS ACT 1954

NOMINATION PAPER

SECTION A: TO BE COMPLETED BY PERSONS NOMINATING

DETAILS OF NOMINEES

NAME (*in block letters*)	NRIC NO.									SEX (*Please circle*)		OCCUPATION
1										M	F	
2										M	F	
3										M	F	
4										M	F	
5										M	F	
6										M	F	

DETAILS OF PERSONS NOMINATING

We, the persons specified below, being registered in the register of electors for the Electoral Division of ....., hereby nominate the above group of persons as candidates for election as Members of Parliament for the said Electoral Division:

NAME		NRIC NO.									SIGNATURE
PROPOSER											
SECONDER											
ASSENTOR 1											
ASSENTOR 2											
ASSENTOR 3											

FIRST SCHEDULE — *continued*

ASSENTOR 4											
ASSENTOR 5											
ASSENTOR 6											
ASSENTOR 7											
ASSENTOR 8											

SECTION B: DECLARATION TO BE COMPLETED BY NOMINEES

We, the persons nominated in Section A, do each solemnly and sincerely declare that —

(*a*) We are each duly qualified to be elected as a Member of Parliament for the Electoral Division of .....;

(*b*) We each consent to this nomination as candidate for election as a Member of Parliament for the said Electoral Division; and

*(*c*) We are each a member of and are standing for (*state name of political party*) .....

*(*c*) We are standing as a group of independent candidates.

*Delete whichever is inapplicable

And We each make this solemn declaration by virtue of the Oaths and Declarations Act 2000, and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

.....
Signature of Nominee 1

.....
Signature of Nominee 2

.....
Signature of Nominee 3

.....
Signature of Nominee 4

.....
Signature of Nominee 5

.....
Signature of Nominee 6

Dated this ..... day of ..... 20.....

FIRST SCHEDULE — *continued*

Before Me	
.....	.....
Name of Commissioner for Oaths/Justice of the Peace (in block letters)	*Signature of Commissioner for Oaths/Justice of the Peace*
We, the nominees, can be contacted at	Address:
	Telephone Number:

FORM 10

[*Deleted by Act 18 of 2005*]

FORM 11

Sections 34(6) and 34A(6)

PARLIAMENTARY ELECTIONS ACT 1954

NOTICE OF CONTESTED ELECTION
FOR THE ELECTORAL DIVISION OF _____

NOTICE is given to the electors of the above Electoral Division that a Poll will be held for the Electoral Division as follows:

POLL IN SINGAPORE

The Poll in Singapore will be held on *(specify date)*. The Poll will open at 8 a.m. and close at 8 p.m. at the Polling Stations in the Electoral Division below:

Polling Stations	*Polling Districts*

OVERSEAS POLL

The Poll at the following overseas polling stations will be held on the date and at the times specified below opposite the overseas polling station:

Overseas Polling Station	*Date*	*Time*

FIRST SCHEDULE — *continued*

The candidates for election in the above Electoral Division and their symbols, and their respective proposers and seconders are as follows:

Candidate	*Symbol*	*Proposer*	*Seconder*

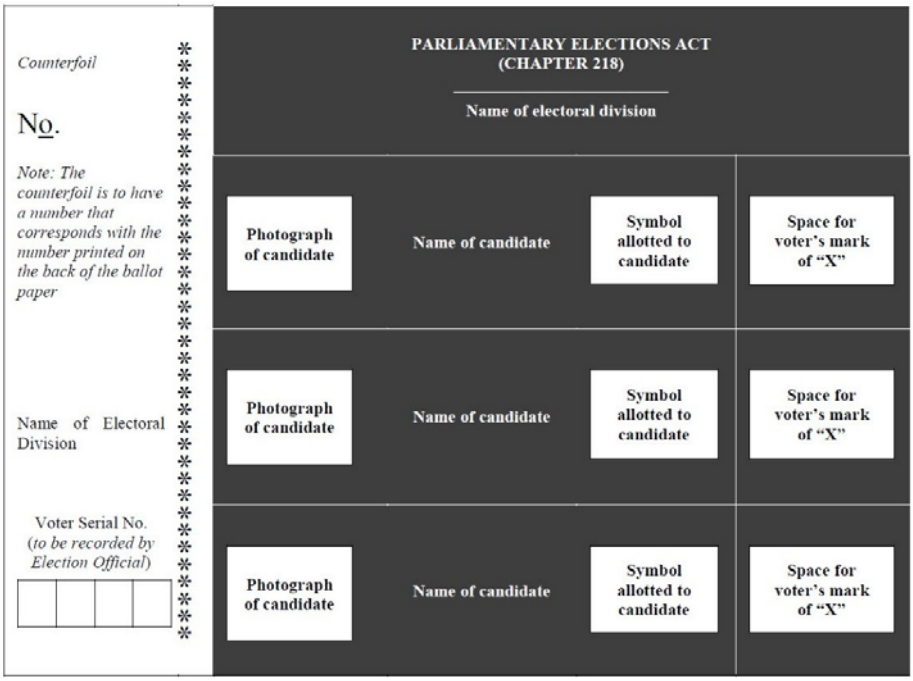
Dated this day of .

Returning Officer,
Singapore.

FORM 12

Section 40(3A)

FACE OF BALLOT PAPER

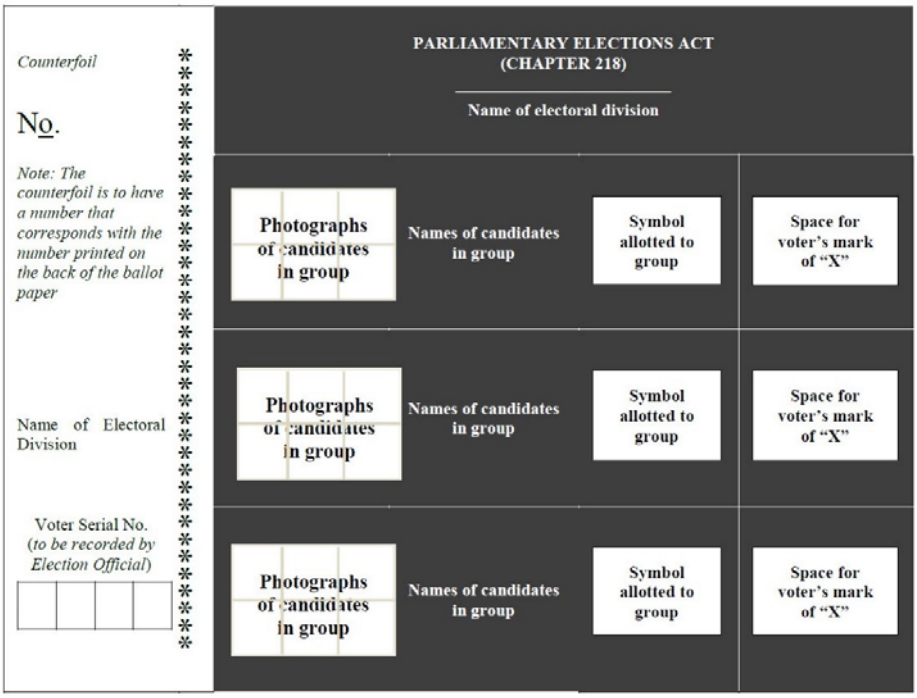


FIRST SCHEDULE — *continued*

FORM 12

Section 40(3A)

FACE OF BALLOT PAPER
FOR GROUP REPRESENTATION CONSTITUENCY



FORM 13

[*Deleted by S 231/2019*]

FORM 14

[*Deleted by S 231/2019*]

FORM 15

Section 44(1)

PARLIAMENTARY ELECTIONS ACT 1954

DECLARATION BY VOTER

PARTICULARS OF VOTER	
Name (in block letters)	NRIC No.

FIRST SCHEDULE — *continued*

Address (as shown in NRIC)	Polling District and Serial Number of Voter shown in the Register of Electors	
	Polling District	Voter Serial No.

I, the abovenamed person, declare that I am the same person whose name appears as ..... in the Register of Electors in force for the Electoral Division of ..... and that I have not already voted either here or elsewhere at this election.

.....
Signature or thumb mark of Voter

Declared before me on .....

....
Name of Presiding Officer *Signature of Presiding Officer*

FORM 16

Section 46(1)

PARLIAMENTARY ELECTIONS ACT 1954

OATH OF IDENTITY

PARTICULARS OF VOTER		
Name (in block letters)	NRIC No.	
Address (as shown in NRIC)	Polling District and Serial Number of Voter shown in the Register of Electors	
	Polling District	Voter Serial No.

I, the abovenamed person, *swear/affirm that I am the same person whose name appears as ..... in the Register of Electors in force for the Electoral Division of ..... and that I have not already voted either here or elsewhere at this election.

.....
Signature or thumb mark of Voter

*Sworn/Affirmed before me on .....

....
Name of Presiding Officer *Signature of Presiding Officer*

**Delete whichever is inapplicable.*

FORM 16A

Section 49(7A)(*b*)

PARLIAMENTARY ELECTIONS ACT 1954
RECORD OF COUNTING

Electoral Division :

GARO Centre :

Counting Centre :

Counting Place No. :

For counting of votes cast at the following Polling Station(s):

Number of Ballot Papers Issued for the Poll at the above Polling Station(s)	

Number of Ballot Papers cast for

Name(s) of Candidate/ Candidates in Group	Symbol	Count	*Recount (if applicable)*
Total Number of Ballot Papers cast for the above Candidates			
Number of Rejected Ballot Papers			
Total Number of Ballot Papers found in the ballot boxes from the above Polling Station(s)			
Total Number of Electors in the Register of Electors used at the Poll at the above Polling Station(s)			

Date and time of announcement of results to candidate(s)/counting agent(s) in attendance:

Count *Recount (if applicable)*

FIRST SCHEDULE — *continued*

Date: ..... Time:	Date: ..... Time: .....
I certify that the above record of counting of votes is correct. ..... Name of Assistant Returning Officer ..... Signature of Assistant Returning Officer Date:	I certify that the above record of recounting of votes is correct. ..... Name of Assistant Returning Officer ..... Signature of Assistant Returning Officer Date: .....

FORM 17

Section 51

PARLIAMENTARY ELECTIONS ACT 1954

STATEMENT OF THE POLL AFTER COUNTING THE BALLOTS

ELECTORAL DIVISION OF			
‡Number of Ballot Papers Issued			
Number of Ballot Papers cast for			
Name of Candidate	Party	‡Number of Ballot Papers	
‡Total Number of Ballot Papers cast for the above Candidates			
Number of *Rejected Ballot Papers			
Total Number of Ballot Papers found in the ballot boxes			
Number of Unused Ballot Papers undetached from the books			
Number of †Spoilt Ballot Papers			
		‡TOTAL	

*A Rejected Ballot Paper means a ballot paper which has been handed by the presiding officer to an elector to cast his or her vote but which, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted.

FIRST SCHEDULE — *continued*

†A Spoilt Ballot Paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the presiding officer to be spoilt or improperly printed or which has been handed by the presiding officer to an elector to cast his or her vote, and (*a*) has been spoilt in marking by the elector, and (*b*) has been handed back to the presiding officer and exchanged for another.

‡The numbers in this statement account for the votes cast in all local and overseas polling stations for the electoral division.

Total Number of Electors in the Register of Electors used at the Poll	

I certify that the above statement is correct.

Dated this day of .

Returning Officer,
Singapore.

FORM 18

Section 56(1)

PARLIAMENTARY ELECTIONS ACT 1954

FORM OF OATH OF SECRECY

RETURNING OFFICER **Elections Department**	Electoral Division of ....

PARTICULARS OF PERSON TAKING THE OATH								
Name (*in block letters*)	NRIC No.							
Address (*as shown in NRIC*)								

I, the abovenamed person, swear that I will not at this election in the abovementioned Electoral Division do anything forbidden by section 56 of the Parliamentary Elections Act 1954 which has been read to me.

FIRST SCHEDULE — *continued*

.....
Signature of Person taking the Oath.

Sworn before me, this ..... day of ....

.....	.....
Signature of Justice of the Peace/ Commissioner for Oaths.	*Name (in block letters).*

Note: Section 56 of the Parliamentary Elections Act 1954 (printed overleaf) must be read to the person taking the Oath. No stamp fee is required.

56.—(1) Every officer, clerk, interpreter, candidate and agent authorised to attend at a polling station, or at the counting of the votes, must, before so attending, make an oath of secrecy, substantially in Form 18 in the First Schedule.

(2) The Returning Officer has power to administer any oaths required to be taken under subsection (1).

(3) Subject to subsection (3A), every officer, clerk, interpreter, candidate and agent in attendance at a polling station must maintain, and aid in maintaining, the secrecy of the voting in the station, and must not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(3A) The total number of voters who have voted at any station at any time before the poll is closed may, in the discretion of the presiding officer, be divulged to the candidate or the candidate's agent authorised to attend at the polling station.

(4) Every officer, clerk, interpreter, candidate or agent, and every person must not —

(*a*) attempt to obtain in the polling station information as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted; or

(*b*) communicate at any time to any person any information obtained in a polling station as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at the station.

FIRST SCHEDULE — *continued*

(5) Every officer, clerk, interpreter, candidate and agent in attendance at the counting of the votes must maintain, and aid in maintaining, the secrecy of the voting, and must not —

(*a*) attempt to ascertain at the counting the number on the back of any ballot paper; or

(*b*) communicate any information obtained at the counting as to the candidate or group of candidates, for whom any vote is given by any particular ballot paper.

(6) No person, except a presiding officer acting for a purpose authorised by this Act or a person authorised by the presiding officer and acting for that purpose, is to communicate or attempt to communicate with any voter after the voter has received a ballot paper and before the voter has placed it in a ballot box, or after the voter has been authorised to use an approved DRE voting machine to mark or record his or her vote and before the voter marks or records his or her vote at the machine, as the case may be.

(7) Every person who acts in contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

FORM 19

Section 74(1) and (2)

PARLIAMENTARY ELECTIONS ACT 1954

RETURN RESPECTING ELECTION EXPENSES AND DECLARATIONS BY CANDIDATE AND ELECTION AGENT

ELECTORAL DIVISION	
NAME (*in block letters*)	NRIC NO.
CANDIDATE	
ELECTION AGENT	

*I, the above duly appointed election agent of the above candidate for election in the above Electoral Division, make this return respecting election expenses of the candidate at that election.

*I, the above candidate for election in the above Electoral Division and acting as my own election agent, make this return respecting my election expenses at that election.

FIRST SCHEDULE — *continued*

This return respecting election expenses shows —

(*a*) all payments made by the election agent;

(*b*) the amount of personal expenses, if any, paid by the candidate;

(*c*) the disputed claims so far as the election agent is aware of;

(*d*) all unpaid claims, if any, of which the election agent is aware in respect of which application has been made or is about to be made to an Election Judge or a Judge sitting in the General Division of the High Court; and

(*e*) all donations accepted by the election agent or the candidate for the purpose of expenses incurred or to be incurred on account of or in respect of the management of that election.

I declare to the best of my knowledge and belief that this is a complete and correct return as required by law and that, except for the expenses set out in this return, no other expenses of any nature have been incurred in, or for the purpose of, the candidate's candidature at that election.

_____	_____
Signature of Election Agent	*Date*

I, the above candidate for election in the above Electoral Division, have examined this return respecting election expenses prepared by my election agent in respect of my candidature at that election. I declare to the best of my knowledge and belief that this return is complete and correct as required by law and that, except for the expenses set out in this return, no other expenses of any nature have been incurred in, or for the purpose of, my candidature at that election.

_____	_____
Signature of Candidate	*Date*

**Delete whichever is inapplicable.*

SECTION A: EXPENSES

(Fill in the total amount of expenses for each category, in Singapore dollars, rounded up to the nearest dollar. Write NIL if there is no expense to declare.)

_____

FIRST SCHEDULE — *continued*

Description	$
(*a*) Election advertising expenses:	
(i) For print election advertising	
(ii) For Internet election advertising	
(iii) For other non-print election advertising	
(*b*) Election meeting expenses:	
(i) For rallies	
(ii) For assembly centres	
(*c*) Transport expenses	
(*d*) Office rental and office supplies expenses	
(*e*) Allowances for election agent, polling agent(s) and counting agent(s)	
(*f*) Other expenses	
(*g*) Personal expenses of candidate	
TOTAL	

SECTION B: DISPUTED AND UNPAID CLAIMS

(Fill in the total amount of claims for each category, in Singapore dollars, rounded up to the nearest dollar. Write NIL if there is no claim to declare. If there is insufficient space in any section, attach a separate sheet containing the details.)

(1) DISPUTED CLAIMS		
Name and description of claimant	**Subject matter of claim**	**$**
	TOTAL	

FIRST SCHEDULE — *continued*

(2) UNPAID CLAIMS (in respect of which application has been made or is about to be made to an Election Judge or a Judge sitting in the General Division of the High Court)		
Name and description of claimant	**Subject matter of claim**	**$**
	TOTAL	

SECTION C: NON-RECORDABLE DONATIONS[1]

(Provide details of non-recordable donations accepted and particulars of their donors, in chronological order according to the date each donation is received. Write NIL if there is no donation to declare. Include only donations given, spent, lent or provided (whether before or after the candidate became a candidate) for the purposes of the candidate's election. If there is insufficient space in any section, attach a separate sheet containing the details and particulars.)

Donor's name[2] and unique identification number[3]	**Donor's address[4]**	**Date of receipt of donation[5] and recipient's name (*e.g. 28/08/00 by (name)*)**	**Value of donation[5] (*in Singapore dollars, rounded up to the nearest dollar*)**	**Description of donation[5]**
		TOTAL		

[1] *Donations that need not be recorded in a donation report under the Political Donations Act 2000.*

[2] *Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act 1967.*

[3] *Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act 1967.*

[4] *Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.*

[5] *The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act 2000. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.*

SECTION D: RECORDABLE DONATIONS

(Provide details of single and multiple recordable donations accepted and particulars of their donors, in chronological order according to the date each donation is received. Write NIL if there is no donation to declare. Include only donations given, spent, lent or provided (whether before or after the candidate became a candidate) for the purposes of the candidate's election. If there is insufficient space in any section, attach a separate sheet containing the details and particulars.)

(1) SINGLE RECORDABLE DONATIONS

(Recordable donation means a donation required to be recorded in a donation report under the Political Donations Act 2000. A single recordable donation means a single donation of $10,000 or more.)

Donor's name[1] and unique identification number[2]	**Donor's address[3]**	**Date of receipt of donation[4] and recipient's name (*e.g. 28/08/00 by (name)*)**	**Value of donation[4] (*in Singapore dollars, rounded up to the nearest dollar*)**	**Description of donation[4]**
		TOTAL		

[1] *Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act 1967.*

FIRST SCHEDULE — *continued*

[2] *Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act 1967.*

[3] *Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.*

[4] *The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act 2000. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.*

(2) MULTIPLE RECORDABLE DONATIONS

(Recordable donation means a donation required to be recorded in a donation report under the Political Donations Act 2000. A multiple recordable donation means a donation which, when added to any other donation made by the same donor during the same reporting period under the Political Donations Act 2000, amounts to an aggregate of $10,000 or more.)

Donor's name[1] and unique identification number[2]	**Donor's address[3]**	**Date of receipt of donation[4] and recipient's name (*e.g. 28/08/00 by (name)*)**	**Value of donation[4] (*in Singapore dollars, rounded up to the nearest dollar*)**	**Description of donation[4]**
		Sub-total		
		Sub-total		
		Sub-total		
		TOTAL		

FIRST SCHEDULE — *continued*

[1] *Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act 1967.*

[2] *Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act 1967.*

[3] *Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.*

[4] *The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act 2000. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.*

FORM 19A

[*Deleted by S 443/2020*]

FORM 20

[*Deleted by S 443/2020*]

FORM 20A

[*Deleted by S 443/2020*]

FORM 21

[*Deleted by Act 18 of 2005*]

FORM 22

Section 83(2)

PARLIAMENTARY ELECTIONS ACT 1954

AUTHORITY TO CONDUCT ELECTION ACTIVITY

To:	From:
RETURNING OFFICER **Elections Department**	..... (*Name of Candidate*) ..... (*Contesting Electoral Division*) .... (*Address*) ..... (*Political Party*)

FIRST SCHEDULE — *continued*

I, the abovenamed candidate for election in the Electoral Division of ...., authorise the undermentioned person to conduct election activities on my behalf.

2. To the best of my knowledge and belief, the undermentioned person is not prohibited under section 83 of the Parliamentary Elections Act 1954 to conduct any election activity.

Name (*in block letters*)	NRIC No.

Address (*as shown in NRIC*)

.....
Date.

.....
Signature of Candidate.

3. This authorisation extends to publishing online, during the campaign period of the election, any election advertising, but only in accordance with the following conditions:

(*a*) before the election advertising is so published, the particulars of every platform on which the election advertising is to be published by the undermentioned person during the campaign period must be given in writing to myself or my election agent;

(*b*) the period that the election advertising will start appearing or appear online must be specified in writing to myself or my election agent by the undermentioned person, and updated by that person if the period is changed;

(*c*) the undermentioned person must declare, under his or her hand, to myself or my election agent —

(i) whether any money or money's worth (including sponsorship) is received or paid or to be received or paid (directly or indirectly) for publishing the election advertising, from or by another person except myself or my election agent; and

(ii) the name and other sufficient particulars to identify that other person in sub-paragraph (i) if money or money's worth is received or paid or to be received or paid, and the amount paid

FIRST SCHEDULE — *continued*

or to be paid by the undermentioned person for publishing the election advertising.

FORM 23

Section 83(2)

PARLIAMENTARY ELECTIONS ACT 1954

AUTHORITY TO CONDUCT ELECTION ACTIVITY

To:	From:
RETURNING OFFICER **Elections Department**	..... (*Name of Election Agent*) ..... (*Contesting Electoral Division*) .... (*Address*) ..... (*Political Party*)

I, being the election agent of .....,

(*Name of Candidate*)

a candidate for election in the abovementioned Electoral Division, authorise the undermentioned person to conduct election activities on behalf of the said candidate.

2. To the best of my knowledge and belief the undermentioned person is not prohibited under section 83 of the Parliamentary Elections Act 1954 to conduct any election activity.

Name (*in block letters*)	NRIC No.

Address (*as shown in NRIC*)

.....
Date.

.....
Signature of Election Agent.

3. This authorisation extends to publishing online, during the campaign period of the election, any election advertising, but only in accordance with the following conditions:

(*a*) before the election advertising is so published, the particulars of every platform on which the election advertising is to be published by the undermentioned person during the campaign period must be given in writing to myself or the candidate;

(*b*) the period that the election advertising will start appearing or appear online must be specified in writing to myself or the candidate by the undermentioned person, and updated by that person if the period is changed;

(*c*) the undermentioned person must declare, under his or her hand, to myself or the candidate —

(i) whether any money or money's worth (including sponsorship) is received or paid or to be received or paid (directly or indirectly) for publishing the election advertising, from or by another person except myself or the candidate; and

(ii) the name and other sufficient particulars to identify that other person in sub-paragraph (i) if money or money's worth is received or paid or to be received or paid, and the amount paid or to be paid by the undermentioned person for publishing the election advertising.

[18/2005; 40/2019; S 3/2019; S 231/2019; S 443/2020]

SECOND SCHEDULE

Section 42(7)

PARLIAMENTARY ELECTIONS ACT 1954

DIRECTIONS FOR GUIDANCE OF VOTERS

1. When you are given a ballot paper, go to a polling booth.

2. Mark on your ballot paper an "X" in the empty box for the candidate, or the group of candidates (in the case of a group representation constituency), you are voting for.

SECOND SCHEDULE — *continued*

(*a*) Do not make any other mark on your ballot paper, or your vote may not be counted.

(*b*) If you make a mistake when marking your ballot paper, return it to the presiding officer and ask for another ballot paper.

3. After marking your ballot paper, fold it in half and drop it into the ballot box. Do not let anyone see your vote.

4. Leave the polling station immediately after dropping your ballot paper into the ballot box.

[S 232/2019]

THIRD SCHEDULE

Section 69(1) and (3)

PARLIAMENTARY ELECTIONS ACT 1954

ELECTION EXPENSES

The maximum amount which a candidate at an election or his or her election agent can pay or incur on account of or in respect of the conduct or management of the election is —

(*a*) in relation to a candidate at an election in any group representation constituency — an amount equal to $4.00 for each elector on the register for that constituency divided by the number of candidates in each group nominated for that election; or

(*b*) in relation to any other candidate — an amount equal to $4.00 for each elector on the register.

[S 499/2015]

FOURTH SCHEDULE

Section 100(2)

PARLIAMENTARY ELECTIONS ACT 1954

PARLIAMENTARY ELECTIONS (APPLICATION FOR AVOIDANCE OF ELECTION) RULES

Citation

1. These Rules are the Parliamentary Elections (Application for Avoidance of Election) Rules.

Interpretation

2. In these Rules, unless the context otherwise requires —

"application for withdrawal" means an application made to a Judge under rule 22 for leave to withdraw an application under section 90, and "applicant for withdrawal" is to be construed accordingly;

"application under section 90" means an application made to a Judge under section 90 of the Act for the election of a candidate as a Member to be declared to be void on any of the grounds specified in that section;

"defendant" means a person in respect of whose election an application under section 90 has been made;

"Judge" means the Election Judge;

"plaintiff" means a person making an application under section 90;

"Registrar" means the Registrar of the Supreme Court.

Application of Rules of Court

3. Subject to the provisions of these Rules and of the Act, the Rules of Court apply, with the necessary modifications, to the practice and procedure in any proceedings under the Act to which these Rules relate.

Manner of making application under section 90

4.—(1) An application under section 90 must be made by originating summons supported by an affidavit.

(2) In such an application —

(*a*) the applicant is the plaintiff; and

(*b*) the person in respect of whose election the application is made is the defendant.

(3) The application must be made by filing it at the office of the Registrar, and the Registrar or the officer of his or her department with whom the application is filed must, if required, give a receipt in the following form:

"Received on the ..... day of ..... at the Registry of the Supreme Court, an application touching the election of ....., Member for ..... purporting to be made by ..... (*insert the name of plaintiff*).

.....,

Registrar
(or as the case may be).".

Contents and form of supporting affidavit for application under section 90

5.—(1) The affidavit supporting an application under section 90 must be deposed to by the plaintiff or, where there is more than one plaintiff, by each such plaintiff, and must state —

(*a*) the right of the plaintiff or plaintiffs to apply within section 93; and

(*b*) the holding and result of the election, and the facts and grounds relied on to sustain the relief sought.

(2) The affidavit must be divided into paragraphs, each of which, as nearly as may be, must be confined to a distinct portion of the subject, and every paragraph must be numbered consecutively, and no costs are allowed for drawing or copying any affidavit not substantially in compliance with this rule, unless otherwise ordered by the Court or a Judge.

(3) The affidavit must conclude with a statement of the relief sought by the plaintiff or plaintiffs as, for instance, that some specified person should be declared duly returned or elected, or that the election should be declared void, as the case may be.

(4) The following form, or one to the like effect, is sufficient:

"AFFIDAVIT

I ..... of ....., Singapore (make oath) (affirm) and say as follows:

FOURTH SCHEDULE — *continued*

1. I am a person who (voted) (had a right to vote) (claims to have had a right to be returned) (was a candidate) at the election held on the ..... day of ....., 20 ....., when ..... was a candidate.

2. On the ..... day of ....., 20....., the Returning Officer returned ..... as being duly elected.

3. (Here state the facts and grounds relied on in support of the application).

4. I am therefore seeking a declaration (that the said ..... was not duly elected or returned, and that the election was void) (that the said ..... was duly elected and ought to have been returned, as the case may be).

*Sworn/*Affirmed at Singapore

this ..... day of ..... 20.....

Before me,

.....

A Commissioner for Oaths.".

Evidence not to be stated in originating summons

6. Evidence need not be stated in the originating summons by which the application under section 90 is made, but the Judge may, upon the defendant's application by summons, order such particulars as may be necessary to prevent surprise and unnecessary expense, and to ensure a fair and effectual hearing upon such terms as to costs and otherwise as may be ordered.

Where more than one application is made in relation to same election

7. Where more applications than one are made under section 90 relating to the same election or return, all the applications are to be dealt with as one application, so far as the inquiry into the same is concerned, unless the Judge otherwise directs.

List of votes objected to where seat claimed by unsuccessful candidate

8.—(1) When a plaintiff claims the seat for an unsuccessful candidate, alleging that he or she had a majority of lawful votes, every plaintiff and defendant must, not less than 7 days before the day appointed for the hearing, file with the Registrar, and also at the address for service (if any) of the plaintiffs and defendants (as the case may be) a list of the votes intended to be objected to, and of the heads of objection to each such vote.

(2) The Registrar must allow inspection of office copies of the lists to all parties concerned.

(3) No evidence is to be given against the validity of any vote, nor upon any head of objection not specified in the list, except by leave of the Judge, upon such terms as to amendment of the list, postponement of the inquiry, and payment of costs, as may be ordered.

List of objections in recriminatory case

9.—(1) The defendant in an application under section 90 complaining of an undue return and claiming the seat for some person may lead evidence to prove that the election of the person was undue, and in that case the defendant must, not less than 7 days before the day appointed for the hearing, file with the Registrar, and also at the address for service (if any) of the plaintiff, a list of the objections to the election upon which he or she intends to rely.

(2) The Registrar must allow inspection of office copies of the lists to all parties concerned.

(3) No evidence is to be given by a defendant of any objection to the election not specified in the list, except by leave of the Judge, upon such terms as to amendments of the list, postponement of the inquiry, and payments of costs, as may be ordered.

Appointment of solicitor by plaintiff

10.—(1) The plaintiff or plaintiffs in an application under section 90 must file at the office of the Registrar together with the application a written notice, signed by the plaintiff or plaintiffs, giving the name of an advocate and solicitor of the Supreme Court whom the plaintiff or plaintiffs authorise to act as his, her or their solicitor or stating that the plaintiff or plaintiffs act for himself, herself or themselves (as the case may be) and in either case giving an address within Singapore at which notices may be left (called in these Rules the address for service).

(2) If no such written notice is filed or address for service given, then all notices may be given by leaving them at the office of the Registrar.

(3) Every such written notice must be stamped with the duty payable on it under the law for the time being in force.

Appointment of solicitor by defendant

11.—(1) Any person returned as a Member may, at any time, after he or she is returned, file at the office of the Registrar a written notice, signed by him or her on his or her behalf, appointing an advocate and solicitor of the Supreme Court to act as his or her solicitor in case there should be an application under section 90 against him or her, or stating that he or she intends to act for himself or herself, and

in either case giving an address within Singapore at which notices addressed to him or her may be left (called in these Rules the address for service).

(2) If no such written notice is filed or address for service given, all notices and proceedings may be given or served by leaving them at the office of the Registrar.

(3) Every such written notice must be stamped with the duty payable on it under the law for the time being in force.

Registrar to keep book with addresses and names of solicitors

12. The Registrar must cause a book to be kept at his or her office in which all addresses and the names of solicitors given under rule 10 or 11 must be entered, which book must be open to inspection by any person during the office hours of the Registrar.

Security by plaintiff for cost, etc., of application under section 90

13.—(1) At the time of the filing of the application under section 90, or within 3 days afterwards, security for the payment of all costs, charges and expenses that may become payable by the plaintiff must be given on behalf of the plaintiff.

(2) The security must be to an amount of not less than $5,000. If the number of charges in any application exceeds 3, additional security to an amount of $2,500 must be given in respect of each charge in excess of the first 3.

(2A) In paragraph (2), "charge" means an allegation of the commission of a corrupt practice, an illegal practice or an offence under the Act at an election.

(3) The security required by this rule must be given by a deposit of money.

(4) If security required by this rule to be provided is not given by the plaintiff, no further proceedings are to be had on the application under section 90, and the defendant may apply by summons to the Judge for an order directing the dismissal of the application under section 90 and for the payment of the defendant's costs.

(5) The costs of hearing and deciding the defendant's application under paragraph (4) must be paid as ordered by the Judge, and in default of such order forms part of the general costs of the application under section 90.

Security by deposit of money

14.—(1) The deposit of money as security under rule 13 must be lodged in Court.

(2) [*Deleted by S 444/2020*]

(3) The Registrar must keep a book open to the inspection of all parties concerned, in which the amount and the application under section 90 to which it is applicable must be entered.

Return of money so deposited

15.—(1) Money so deposited must, if and when the deposit is no longer needed for securing payment of such costs, charges and expenses, be returned or otherwise disposed of as justice may require by order of the Judge.

(2) Such order may on application be made upon proof that all just claims have been satisfied or otherwise sufficiently provided for as the Judge may require.

(3) Such order may direct payment either to the party in whose name the money is deposited or to any person entitled to receive the money.

Service of notice and copy of application under section 90 on defendant

16.—(1) Notice of the filing of an application under section 90, accompanied by a copy of that application and its supporting affidavit, must, within 10 days of the filing of the application, be served by the plaintiff on the defendant.

(2) Such service may be effected —

(*a*) by delivering the notice and a copy each of the application and its supporting affidavit to the defendant personally, or to the solicitor appointed by the defendant under rule 11;

(*b*) by posting the notice and a copy of the application and its supporting affidavit in a registered letter to the address for service given under rule 11 at such time that, in the ordinary course of post, the letter would be delivered within the time mentioned in paragraph (1); or

(*c*) if no solicitor has been appointed, nor any address for service given, by a notice in the *Gazette* or in at least one local newspaper circulating in Singapore stating that an application under section 90 has been filed and that a copy each of that application and its supporting affidavit may be obtained by the defendant on application at the office of the Registrar.

When application under section 90 to be deemed at issue

17. An application under section 90 is deemed to be at issue on the expiration of the time limited for the making of such applications.

List of applications under section 90

18.—(1) The Registrar must make out a list of applications under section 90.

(2) The Registrar must insert in the list —

(*a*) the names of the solicitors of the plaintiffs and defendants appointed under rules 10 and 11, respectively; and

(*b*) the addresses for service of the plaintiffs and defendants.

(3) The list may be inspected at the office of the Registrar at any time during office hours, and must be affixed for that purpose upon a notice board appropriated to proceedings under the Act, and headed "Parliamentary Elections Act 1954".

Time and place of hearing of application under section 90

19. The time and place of the hearing of each application under section 90 is to be fixed by the Judge, and not less than 14 days' notice thereof must be given to the plaintiff and defendant by letter directed to the addresses of service of the plaintiff or defendant or, if no such addresses have been given, by notice in the *Gazette* and in at least one local newspaper circulating in Singapore.

Postponement of hearing

20. The Judge may, by order made on the application of a party to the application under section 90, postpone the beginning of the hearing to such day as the Judge may name; and the order, when made, must immediately be published by the Registrar in the *Gazette* and in at least one local newspaper circulating in Singapore.

Adjournment and continuation of hearing

21.—(1) No formal adjournment of the Court for the hearing of an application under section 90 is necessary, but the hearing is to be deemed adjourned, and may be continued from day to day until the inquiry is concluded.

(2) In the event of the Judge who begins the hearing being disabled by illness or otherwise, the Chief Justice or another Judge nominated under section 92(1) may continue the hearing.

(3) This rule does not prevent the Judge who continues the hearing under paragraph (2) from recalling all or any of the witnesses or taking their evidence afresh.

Amendment of application under section 90

21A. Subject to section 97, the Judge may, at any time before or at the hearing of an application under section 90, allow the plaintiff to amend his or her application on such terms as to costs or otherwise as the Judge thinks fit.

Withdrawal of application under section 90

22.—(1) An application under section 90 must not be withdrawn without the leave of the Judge; and such leave may be given upon such terms as to the payment of costs and otherwise as the Judge may think fit.

(2) An application for withdrawal must be made by summons supported by an affidavit.

(3) Where there are more plaintiffs than one, no application for withdrawal may be made except with the consent of all the plaintiffs.

Affidavits supporting application for withdrawal

23.—(1) An application for withdrawal must be supported by affidavits filed by all the parties to that application and their solicitors, and by the election agents of all the parties who were candidates at the election, except that the Judge may on cause shown dispense with the affidavit of any particular person if it appears to the Judge on special grounds to be just to do so.

(2) Each affidavit must state the grounds on which that application for withdrawal is made and —

(*a*) that, to the best of the deponent's knowledge and belief, no agreement or terms of any kind whatsoever has or have been made, and no undertaking has been entered into in relation to the withdrawal of the application under section 90; or

(*b*) if any lawful agreement has been made with respect to the withdrawal of the application under section 90, that agreement.

Copy of application for withdrawal to be given to defendant

24. A copy of an application for withdrawal and its supporting affidavits must be served by the plaintiff on the defendant, and a notice in the following terms signed by the plaintiff must be published immediately in the *Gazette* or in at least one local newspaper circulating in Singapore by the plaintiff at his or her own expense, not less than 7 days before the hearing of the application:

"The Parliamentary Elections Act 1954.

In the application under section 90 for ..... in which ..... is plaintiff and ..... defendant.

Notice is hereby given that the above plaintiff did on the ..... day of ..... file at the office of the Registrar of the Supreme Court an application for leave to withdraw the application under section 90, and set out below is a copy of the application for leave to withdraw:

FOURTH SCHEDULE — *continued*

(*Set out the application here*).

And Take Notice that under the Parliamentary Elections (Application for Avoidance of Election) Rules, any person who might have been a plaintiff in respect of the said election may, within 5 days after the date of publication of this notice, give written notice to the Registrar of the Supreme Court of his or her intention on the hearing of the application to be substituted as a plaintiff in the application under section 90.

(Signed)

.....”.

Application to be substituted as plaintiff on withdrawal

25. Any person who might have been a plaintiff in respect of the election to which an application under section 90 relates may, within 5 days after the notice is published by the original plaintiff under rule 24, file a written notice, signed by him or her or on his or her behalf, with the Registrar, of his or her intention to apply at the hearing of the application for withdrawal to be substituted for the original plaintiff, but the want of that notice does not defeat the application for substitution, if in fact made at the hearing.

Time and place of hearing of application for withdrawal

26.—(1) The time and place of hearing the application for withdrawal is to be fixed by the Judge but must not be less than one week after the application for withdrawal has been filed at the office of the Registrar as in these Rules provided.

(2) Notice of the time and place appointed for the hearing must be given to the person (if any) who gave notice to the Registrar of an intention to apply to be substituted as plaintiff in the application under section 90, and otherwise in such manner and at such time as the Judge directs.

Substitution of another plaintiff

27.—(1) On the hearing of the application for withdrawal, any person who might have been a plaintiff in respect of the election to which the application under section 90 relates, may apply to the Judge to be substituted as a plaintiff for the original plaintiff so desirous of withdrawing the application under section 90.

(2) The Judge may substitute for the original plaintiff any such person applying under paragraph (1) to be so substituted (called the substituted plaintiff); and may further, if the proposed withdrawal is in the opinion of the Judge induced by any corrupt bargain or consideration, by order direct that —

(*a*) the security given on behalf of the original plaintiff remains as security for any costs that may be incurred by the substituted plaintiff; and

(*b*) to the extent of the sum named in the security the original plaintiff is liable to pay the costs of the substituted plaintiff.

(3) If no such order is made with respect to the security given on behalf of the original plaintiff, security to the same amount as would be required in the case of a new application under section 90, and subject to the like conditions, must be given by or on behalf of the substituted plaintiff within 3 days after the order of substitution, and he or she must not proceed further with the application under section 90 until the security is given.

(4) Subject to paragraphs (1), (2) and (3), a substituted plaintiff stands in the same position as nearly as may be, and is subject to the same liabilities as the original plaintiff.

(5) If an application under section 90 is withdrawn, the plaintiff is liable to pay the costs of the defendant.

Abatement of application under section 90 by death

28.—(1) An application under section 90 is abated by the death of a sole plaintiff or of the survivor of several plaintiffs.

(2) The abatement of an application under section 90 does not affect the liability of the plaintiff or of any other person to the payment of costs previously incurred.

Application to be substituted as plaintiff, on abatement

29.—(1) Notice of abatement of an application under section 90, by death of the plaintiff or surviving plaintiff, must be given by the party or person interested in the same manner as notice of an application for withdrawal, and the time within which application may be made to a Judge to be substituted as a plaintiff in the application under section 90 is one calendar month, from the day of the publication of the notice of abatement or such further time as upon consideration of any special circumstances the Judge may allow.

(2) Any person who might have been a plaintiff in respect of the election to which the application under section 90 relates may apply to the Judge to be substituted as a plaintiff in the application.

(3) The Judge may substitute as a plaintiff in the application under section 90 any such applicant who is desirous of being substituted and on whose behalf security to the same amount is given as is required in the case of a new application under section 90.

FOURTH SCHEDULE — *continued*

On death, resignation, or notice not to oppose of defendant, application under section 90 to continue

30.—(1) If before the hearing of an application under section 90 a defendant dies or resigns, or files a written notice with the Court that he or she does not intend to oppose the application, the application is not abated but continues whether or not any person applies to be admitted as defendant as hereinafter provided.

(2) A defendant who does not intend to oppose the application under section 90 must, not less than 7 days before the day appointed for hearing (exclusive of the day of filing the notice), file a written notice under the hand of the defendant to that effect at the office of the Registrar.

(3) Notice of the fact that a defendant has died, or resigned, or that he or she has filed a written notice that he or she does not intend to oppose the application under section 90, must be published by the Registrar in the *Gazette* or in at least one local newspaper circulating in Singapore.

(4) Any person who might have been a plaintiff in respect of the election to which the application under section 90 relates may apply to the Judge to be admitted as a defendant to oppose the application under section 90 within 10 days after the notice has been published in the *Gazette* or a local newspaper or such further time as the Judge may allow.

Defendant not opposing application under section 90 not to appear as party

31. A defendant who has given notice of his or her intention not to oppose an application under section 90 is not allowed to appear or act as a party against the application under section 90 in any proceedings thereon.

Countermanding notice of hearing where application under section 90 abated, etc.

32.—(1) Upon receiving the plaintiff's application for withdrawal, or notice of the defendant's intention not to oppose, or of the abatement of the application under section 90 by death, or of the happening of any of the events mentioned in rule 30, if the application for withdrawal or the notice is received after notice of the hearing has been given, and before the hearing has commenced, the Registrar must immediately countermand the notice of the hearing.

(2) The countermand must be given in the same manner, as near as may be, as the notice of the hearing.

Dismissal, etc., of application under section 90

32A.—(1) An application by the defendant to stay or dismiss an application under section 90 before the day fixed for the hearing must be made by summons to the Judge.

(2) The defendant must, not less than 7 days before the date of hearing of the defendant's application under paragraph (1), serve a copy of the application and its supporting affidavit on every plaintiff, and must file a copy of the served documents at the office of the Registrar.

(3) The Judge may, at any stage of the proceedings, order an application under section 90 —

(*a*) to be stayed or dismissed; or

(*b*) to be struck out or amended on the ground that —

(i) it is scandalous, frivolous or vexatious;

(ii) it may prejudice, embarrass or delay the fair hearing of the application; or

(iii) it is otherwise an abuse of the process of the Court.

Costs

33. All costs of and incidental to the making of an application under section 90 and to the proceedings consequent thereon must be defrayed by the parties to the application in such manner and in such proportions as the Judge may determine, regard being had to —

(*a*) the disallowance of any costs which may, in the opinion of the Judge, have been caused by vexatious conduct, unfounded allegations, or unfounded objections, on the part either of the plaintiff or the defendant; and

(*b*) the discouragement of any needless expense by throwing the burden of defraying the costs of and incidental to the application under section 90 on the parties by whom it has been caused, whether the parties are or are not on the whole successful.

Taxation and recovery of costs

34.—(1) Costs are to be taxed by the Registrar upon the order by which the costs are payable in the same manner as costs are taxed in the General Division of the High Court, but subject to such express directions, either general or specific, as the Judge may give; and costs when taxed may be recovered in the same manner as the costs of an action at law.

FOURTH SCHEDULE — *continued*

(2) The Judge may direct that the whole or any part of any moneys deposited by way of security under rules 13 and 14 may be applied in the payment of taxed costs.

(3) Order 91 of the Rules of Court applies to an application under section 90 and the proceedings on the application under these Rules as if the application were an originating process.

Notice of appointment of solicitor

35. A solicitor must, immediately upon his or her appointment as such, file written notice thereof at the office of the Registrar.

Service of notices on solicitors

36. Service of notices and proceedings upon the solicitors is sufficient for all purposes.

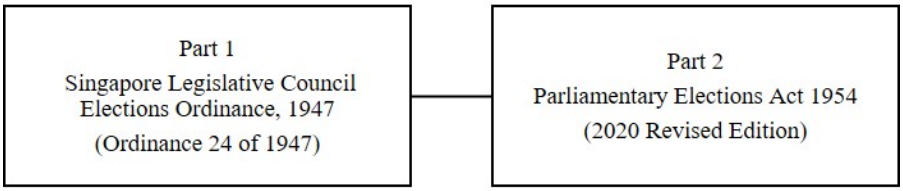
[42/2005; 40/2019; S 444/2020]

LEGISLATIVE HISTORY

PARLIAMENTARY ELECTIONS ACT 1954

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1
SINGAPORE LEGISLATIVE COUNCIL ELECTIONS ORDINANCE, 1947 (ORDINANCE 24 OF 1947)

1. Ordinance 24 of 1947 — Singapore Legislative Council Elections Ordinance, 1947

Bill	:	G.N. No. S 176/1947
First and Second Readings	:	Information not available
Third Reading	:	3 July 1947
Commencement	:	18 July 1947

2. Ordinance 28 of 1948 — Singapore Legislative Council Elections (Amendment) Ordinance, 1948

Bill	:	G.N. No. S 147/1948
First Reading	:	18 May 1948
Second Reading	:	15 June 1948
Select Committee Report	:	Council Paper No. 36 of 1948
Third Reading	:	19 October 1948
Commencement	:	9 November 1948

3. Ordinance 13 of 1951 — Singapore Legislative Council Elections (Amendment) Ordinance, 1951

Bill	:	G.N. No. S 42/1951

First, Second and Third Readings	:	16 February 1951
Commencement	:	22 February 1951

4. Ordinance 15 of 1952 — Singapore Legislative Council Elections (Amendment) Ordinance, 1952

Bill	:	7/1952
First Reading	:	18 March 1952
Second Reading	:	17 April 1952
Notice of Amendments	:	17 April 1952
Third Reading	:	17 April 1952
Commencement	:	28 April 1952

5. Ordinance 39 of 1952 — Singapore Legislative Council Elections (Amendment No. 2) Ordinance, 1952

Bill	:	38/1952
First, Second and Third Readings	:	18 November 1952
Commencement	:	22 November 1952

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(2020 REVISED EDITION)

6. Ordinance 26 of 1954 — Singapore Legislative Assembly Elections Ordinance, 1954

Bill	:	G.N. No. S 365/1954
First and Second Readings	:	2 November 1954
Notice of Amendments	:	2 November 1954
Third Reading	:	2 November 1954
Commencement	:	12 November 1954

7. 1955 Revised Edition — Singapore Legislative Assembly Elections Ordinance (Chapter 53)

Operation	:	1 July 1956

8. Ordinance 27 of 1956 — Singapore Legislative Assembly Elections (Amendment) Ordinance, 1956

Bill	:	59/1956
First Reading	:	5 September 1956
Second and Third Readings	:	3 October 1956
Commencement	:	21 October 1956

9. Ordinance 20 of 1957 — Singapore Legislative Assembly Elections (Temporary Provisions) Ordinance, 1957

Bill	:	107/1957
First Reading	:	22 May 1957
Second and Third Readings	:	19 June 1957
Commencement	:	5 July 1957

10. Ordinance 39 of 1957 — Singapore Legislative Assembly Elections (Amendment) Ordinance, 1957

Bill	:	Information not available
First and Second Readings	:	18 November 1957
Notice of Amendments	:	18 November 1957
Third Reading	:	18 November 1957
Commencement	:	10 October 1958

11. Ordinance 26 of 1959 — Singapore Legislative Assembly Elections (Amendment) Ordinance, 1959

Bill	:	199/1959
First Reading	:	21 January 1959
Second Reading	:	11 February 1959
Notice of Amendments	:	4 March 1959
Third reading	:	4 March 1959
Commencement	:	18 March 1959

12. G.N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order, 1959

Commencement	:	3 June 1959

13. Ordinance 41 of 1959 — Singapore Legislative Assembly Elections (Amendment No. 2) Ordinance, 1959

Bill	:	Information not available
First Reading	:	15 July 1959
Second and Third Readings	:	16 July 1959
Commencement	:	8 June 1959

14. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959

Commencement	:	20 November 1959

15. Ordinance 71 of 1959 — Transfer of Powers Ordinance, 1959
(Amendments made by section 4 read with the First Schedule to the above Ordinance)

Bill	:	30/1959
First Reading	:	22 September 1959
Second and Third Readings	:	11 November 1959
Commencement	:	20 November 1959 (section 4 read with the First Schedule)

16. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance, 1959
(Amendments made by section 2 read with the First Schedule to the above Ordinance)

Bill	:	31/1959
First Reading	:	22 September 1959
Second Reading	:	11 November 1959
Notice of Amendments	:	11 November 1959
Third Reading	:	11 November 1959
Commencement	:	20 November 1959 (section 2 read with the First Schedule)

17. Ordinance 23 of 1960 — Singapore Legislative Assembly Elections (Amendment) Ordinance, 1960

Bill	:	65/1960
First Reading	:	10 February 1960
Second Reading	:	6 April 1960
Notice of Amendments	:	6 April 1960

Third Reading	:	6 April 1960
Commencement	:	14 April 1960

18. G.N. Sp. No. S 46/1963 — State Laws (Modification) (No. 2) Order, 1963

Commencement	:	16 September 1963

19. Ordinance 31 of 1963 — Singapore Legislative Assembly Elections (Amendment) Ordinance, 1963

Bill	:	18/1963
First Reading	:	9 December 1963
Second and Third Readings	:	20 December 1963
Commencement	:	28 December 1963

20. G.N. No. S 38/1966 — Modification of Laws (Elections) Order, 1966

Commencement	:	9 August 1965

Note: The Singapore Legislative Assembly Elections Ordinance was renamed as the Singapore Parliament Elections Ordinance by this Order.

21. 1966 Reprint — Singapore Parliament Elections Ordinance (Chapter 53)

Reprint	:	6 April 1966

22. Act 30 of 1967 — Singapore Parliament Elections (Amendment) Act, 1967

Bill	:	28/1967
First Reading	:	31 October 1967
Second and Third Readings	:	14 November 1967
Commencement	:	15 November 1967

23. Act 14 of 1969 — Statute Law Revision Act, 1969
(Amendments made by section 2 read with the First Schedule to the above Act)

Bill	:	22/1969
First Reading	:	15 October 1969
Second Reading	:	22 December 1969
Notice of Amendments	:	22 December 1969
Third Reading	:	22 December 1969

Commencement	:	2 January 1970 (section 2 read with the First Schedule)

24. 1970 Revised Edition — Parliamentary Elections Act (Chapter 50)

Operation	:	1 April 1971

Note: The Singapore Parliament Elections Ordinance was renamed as the Parliamentary Elections Act in the 1970 Revised Edition.

25. Act 24 of 1971 — Parliamentary Elections (Amendment) Act, 1971

Bill	:	15/1971
First Reading	:	19 October 1971
Second and Third Readings	:	2 December 1971
Commencement	:	20 December 1971

26. Act 17 of 1972 — Parliamentary Elections (Amendment) Act, 1972

Bill	:	10/1972
First Reading	:	7 March 1972
Second and Third Readings	:	23 March 1972
Commencement	:	20 December 1972

27. Act 56 of 1973 — Parliamentary Elections (Amendment) Act, 1973

Bill	:	48/1973
First Reading	:	28 August 1973
Second and Third Readings	:	30 November 1973
Commencement	:	15 February 1974

28. Act 6 of 1975 — Parliamentary Elections (Amendment) Act, 1975

Bill	:	2/1975
First Reading	:	25 February 1975
Second and Third Readings	:	26 March 1975
Commencement	:	2 May 1975

29. G.N. No. S 204/1976 — Metrication (Parliamentary Elections Act) Order, 1976

Commencement	:	14 October 1976

30. G.N. No. S 19/1978 — Parliamentary Elections (Variation of Deposits by Candidates) Notification, 1978

Commencement	:	3 February 1978

31. Act 2 of 1978 — Parliamentary Elections (Amendment) Act, 1978

Bill	:	16/1977
First Reading	:	9 November 1977
Second Reading	:	31 January 1978
Notice of Amendments	:	31 January 1978
Third Reading	:	31 January 1978
Commencement	:	1 April 1978

32. G.N. No. S 229/1978 — Parliamentary Elections (Amendment of First Schedule) Regulations, 1978

Commencement	:	22 September 1978

33. 1978 Reprint — Parliamentary Elections Act (Chapter 50)

Reprint	:	15 November 1978

34. G.N. No. S 313/1982 — Parliamentary Elections Petition (Amendment) Rules, 1982

Commencement	:	19 November 1982

35. Act 22 of 1984 — Parliamentary Elections (Amendment) Act 1984

Bill	:	9/1984
First Reading	:	29 June 1984
Second and Third Readings	:	25 July 1984
Commencement	:	22 August 1984

36. 1985 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	30 March 1987

37. Act 10 of 1988 — Parliamentary Elections (Amendment) Act 1988

Bill	:	23/1987
First Reading	:	30 November 1987
Second Reading	:	11 January 1988
Select Committee Report	:	Parl. 3 of 1988
Third Reading	:	18 May 1988

Commencement	:	1 June 1988

38. G.N. No. S 146/1988 — Parliamentary Elections (Substitution of First Schedule) Regulations 1988

Commencement	:	16 June 1988

39. Act 11 of 1988 — Parliamentary Elections (Amendment No. 2) Act 1988

Bill	:	8/1988
First Reading	:	25 May 1988
Second and Third Readings	:	28 June 1988
Commencement	:	30 July 1988

40. G.N. No. S 212/1988 — Parliamentary Elections Act (Variation of Form) Regulations 1988

Commencement	:	16 August 1988

41. 1989 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	15 March 1989

42. Act 9 of 1991 — Parliamentary Elections (Amendment) Act 1991

Bill	:	1/1991
First Reading	:	3 January 1991
Second Reading	:	14 January 1991
Notice of Amendments	:	14 January 1991
Third Reading	:	14 January 1991
Commencement	:	5 February 1991

43. Act 21 of 1991 — Parliamentary Elections (Amendment No. 2) Act 1991

Bill	:	18/1991
First Reading	:	7 May 1991
Second and Third Readings	:	28 June 1991
Commencement	:	2 August 1991 (sections 2, 3, 5, 6 and 7) 14 December 1991 (sections 4 and 8)

44. Act 27 of 1991 — Presidential Elections Act 1991
(Amendments made by section 85 read with the Schedule to the above Act)

Bill	:	21/1991
First Reading	:	28 June 1991

Second and Third Readings	:	29 July 1991
Commencement	:	2 November 1992 (section 85 read with the Schedule)

45. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993
(Amendments made by section 29(4) and section 29(5) read with item (13) of the Schedule to the above Act)

Bill	:	12/1993
First Reading	:	26 February 1993
Second Reading	:	12 April 1993
Notice of Amendments	:	12 April 1993
Third Reading	:	12 April 1993
Commencement	:	1 July 1993 (section 29(4) and section 29(5) read with item (13) of the Schedule)

46. Act 18 of 1994 — Statutes (Miscellaneous Amendments) Act 1994
(Amendments made by section 2 read with item (5) of the Schedule to the above Act)

Bill	:	25/1994
First Reading	:	25 July 1994
Second and Third Readings	:	25 August 1994
Commencement	:	1 October 1994 (section 2 read with item (5) of the Schedule)

47. 1995 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	15 March 1995

48. Act 42 of 1996 — Parliamentary Elections (Amendment) Act 1996

Bill	:	29/1996
First Reading	:	1 October 1996
Second and Third Readings	:	28 October 1996
Commencement	:	12 November 1996

49. G.N. No. S 528/1996 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 1996

Commencement	:	13 December 1996

50. Act 8 of 1998 — Holidays Act 1998
(Amendments made by section 11(3) of the above Act)

Bill	:	1/1998
First Reading	:	14 January 1998
Second and Third Readings	:	19 February 1998
Commencement	:	10 April 1998 (section 11(3))

51. Act 18 of 1999 — Parliamentary Elections (Amendment) Act 1999

Bill	:	14/1999
First Reading	:	18 March 1999
Second and Third Readings	:	15 April 1999
Commencement	:	14 May 1999

52. 1999 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	30 December 1999

53. Act 20 of 2000 — Political Donations Act 2000
(Amendments made by section 36 of the above Act)

Bill	:	15/2000
First Reading	:	9 May 2000
Second Reading	:	22 May 2000
Notice of Amendments	:	22 May 2000
Third Reading	:	22 May 2000
Commencement	:	15 February 2001 (section 36)

54. Act 19 of 2001 — Parliamentary Elections (Amendment) Act 2001

Bill	:	20/2001
First Reading	:	16 March 2001
Second and Third Readings	:	20 April 2001
Commencement	:	15 May 2001

55. 2001 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	31 July 2001

56. Act 31 of 2001 — Parliamentary Elections (Amendment No. 2) Act 2001

Bill	:	29/2001
First Reading	:	25 July 2001

Second and Third Readings	:	13 August 2001
Commencement	:	14 September 2001

57. G.N. No. S 522/2001 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2001

Commencement	:	17 October 2001

58. G.N. No. S 523/2001 — Parliamentary Elections Act (Amendment of Third Schedule) Order 2001

Commencement	:	17 October 2001

59. Act 34 of 2002 — Media Development Authority of Singapore Act 2002
(Amendments made by section 68(1) read with item (4) of the Second Schedule to the above Act)

Bill	:	37/2002
First Reading	:	1 October 2002
Second and Third Readings	:	31 October 2002
Commencement	:	1 January 2003 (section 68(1) read with item (4) of the Second Schedule)

60. Act 18 of 2005 — Parliamentary Elections (Amendment) Act 2005

Bill	:	9/2005
First Reading	:	18 April 2005
Second and Third Readings	:	16 May 2005
Commencement	:	6 June 2005

61. G.N. No. S 389/2005 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2005

Commencement	:	17 June 2005

62. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005
(Amendments made by section 5 read with item (26) of the First Schedule to the above Act)

Bill	:	30/2005
First Reading	:	17 October 2005
Second and Third Readings	:	21 November 2005
Commencement	:	1 January 2006 (section 5 read with item (26) of the First Schedule)

63. G.N. No. S 232/2006 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2006

Commencement	:	19 April 2006

64. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2007
(Amendments made by section 12 of the above Act)

Bill	:	14/2006
First Reading	:	8 November 2006
Second and Third Readings	:	22 January 2007
Commencement	:	1 March 2007 (section 12)

65. 2007 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	31 March 2007

66. Act 14 of 2008 — Parliamentary Elections (Amendment) Act 2008

Bill	:	8/2008
First Reading	:	21 July 2008
Second and Third Readings	:	25 August 2008
Commencement	:	3 March 2009

67. Act 10 of 2010 — Parliamentary Elections (Amendment) Act 2010

Bill	:	4/2010
First Reading	:	11 March 2010
Second and Third Readings	:	27 April 2010
Commencement	:	1 July 2010

68. Act 15 of 2010 — Criminal Procedure Code 2010
(Amendments made by section 430 read with item 72 of the Sixth Schedule to the above Act)

Bill	:	11/2010
First Reading	:	26 April 2010
Second Reading	:	18 May 2010
Third Reading	:	19 May 2010
Commencement	:	2 January 2011 (section 430 read with item 72 of the Sixth Schedule)

69. G.N. No. S 141/2011 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2011

Commencement	:	14 March 2011

70. G.N. No. S 142/2011 — Parliamentary Elections Act (Amendment of Third Schedule) Order 2011

Commencement	:	14 March 2011

71. 2011 Revised Edition — Parliamentary Elections Act (Chapter 218)

Operation	:	15 April 2011

72. G.N. No. S 498/2015 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2015

Commencement	:	20 August 2015

73. G.N. No. S 499/2015 — Parliamentary Elections Act (Amendment of Third Schedule) Order 2015

Commencement	:	20 August 2015

74. Act 6 of 2017 — Presidential Elections (Amendment) Act 2017
(Amendments made by section 24 of the above Act)

Bill	:	2/2017
First Reading	:	9 January 2017
Second and Third Readings	:	6 February 2017
Commencement	:	1 April 2017 (section 24)

75. Act 19 of 2016 — Administration of Justice (Protection) Act 2016
(Amendments made by section 41 of the above Act)

Bill	:	23/2016
First Reading	:	11 July 2016
Second and Third Readings	:	15 August 2016
Commencement	:	1 October 2017 (section 41)

76. Act 12 of 2018 — Criminal Law (Temporary Provisions) (Amendment) Act 2018
(Amendments made by section 10(3) of the above Act)

Bill	:	5/2018
First Reading	:	9 January 2018
Second and Third Readings	:	6 February 2018
Commencement	:	1 January 2019 (section 10(3))

77. G.N. No. S 3/2019 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2019

Commencement	:	2 January 2019

78. Act 41 of 2018 — Parliamentary Elections (Amendment) Act 2018

Bill	:	34/2018
First Reading	:	10 September 2018
Second and Third Readings	:	1 October 2018
Commencement	:	2 January 2019

79. G.N. No. S 231/2019 — Parliamentary Elections Act (Amendment of First Schedule) (No. 2) Regulations 2019

Commencement	:	1 April 2019

80. G.N. No. S 232/2019 — Parliamentary Elections Act (Amendment of Second Schedule) Order 2019

Commencement	:	1 April 2019

81. G.N. No. S 443/2020 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2020

Commencement	:	8 June 2020

82. G.N. No. S 444/2020 — Parliamentary Elections Act (Amendment of Fourth Schedule) Rules 2020

Commencement	:	8 June 2020

83. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019 (Amendments made by section 28(1) read with item 110 of the Schedule to the above Act)

Bill	:	32/2019
First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 110 of the Schedule)

84. 2020 Revised Edition — Parliamentary Elections Act 1954

Operation	:	31 December 2021

85. Act 25 of 2021 — Courts (Civil and Criminal Justice) Reform Act 2021
(Amendments made by Part 7 of the above Act)

Bill	:	18/2021
First Reading	:	26 July 2021
Second and Third Readings	:	14 September 2021
Commencement	:	1 April 2022

86. Act 28 of 2021 — Foreign Interference (Countermeasures) Act 2021
(Amendments made by the above Act)

Date of First Reading	:	13 September 2021 (Bill No. 24/2021 published on 13 September 2021)
Second and Third Readings	:	4 October 2021
Date of Commencement	:	7 July 2022

COMPARATIVE TABLE

PARLIAMENTARY ELECTIONS ACT 1954

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	**2011 Ed.**
—	**11**—(16) [*Deleted by Act 18 of 2005*]
—	**12**—(6)[*Deleted by Act 18 of 2005*]
—	**29**—(4) [*Deleted by Act 41 of 2018*]
—	**68**—(5) [*Deleted by Act 41 of 2018*]
—	**71**—(7) [*Deleted by Act 10 of 20210*]
—	(8) [*Deleted by Act 10 of 2010*]