



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 —
 “access”, in relation to content, means to encounter, read, view,
 hear or otherwise experience the content, and includes —

- (a) access that is subject to a precondition, such as the use of a password;
- (b) access by way of push technology;
- (c) access by way of a standing request; and
- (d) access for a limited period of time only;

[Act 8 of 2023 wef 14/06/2024]

“ballot box” includes a ballot container;

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

“banner” means any continuous piece of fabric or other flexible material, or one or more pieces of fabric or other flexible material joined into a continuous piece —

- (a) on which content is printed, written, drawn or depicted in such a way as to be fully legible in windless conditions; and
- (b) that is attached (by rope, wire or otherwise) to any building or structure or to any pole or flagstaff projecting vertically, horizontally or at an angle,

but not a banner carried during a procession;

[Act 8 of 2023 wef 14/06/2024]

“billboard” means any of the following:

- (a) a hoarding, signboard or free-standing advertising structure on which content is printed, written, drawn, affixed or depicted in such a way as to be fully legible;
- (b) a sign or panel which —
 - (i) has an electronically controlled or a digitally controlled (or both) illuminated display surface; and
 - (ii) allows for different content to be shown, changed, animated or illuminated in different ways and at different intervals on that sign or panel;

- (c) a wall, ceiling or other like substantially flat and fixed surface, on which content is painted, written, drawn or depicted in such a way as to be fully legible;
 - (d) a blimp, a gas-inflated balloon or other like object which is attached or anchored to the ground and upon which information or material is displayed,
- but not a poster, placard, picture, photograph or balloon carried during a procession;

Examples

- (a) A sky sign on or above the roof, parapet or eaves of a building.
- (b) An animated billboard.
- (c) A computer monitor, screen or digital display panel or similar appliance designed to be used primarily for the reception and display of any content capable of being received, or received and displayed, as visual images (whether moving or still) with or without sound, from a broadcasting service.

[Act 8 of 2023 wef 14/06/2024]

“by electronic means” means by using an electronic service;

[Act 8 of 2023 wef 14/06/2024]

“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;

“content” means information or material —

- (a) whether in the form of text;
- (b) whether in the form of speech, music or other sounds;
- (c) whether in the form of colours or visual images (animated or otherwise), pictorial or graphic form (for example, an anthropomorphic or a humanlike depiction);

(d) whether in any other form; or

(e) whether in any combination of forms;

[Act 8 of 2023 wef 14/06/2024]

“conveyance” means any aircraft, train, vehicle, vessel or other mode of transport, whether of passengers or goods or both;

[Act 8 of 2023 wef 14/06/2024]

“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 information or 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 information or 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;

[Act 8 of 2023 wef 14/06/2024]

“election advertising regulations” means regulations made under section 61R;

[Act 8 of 2023 wef 14/06/2024]

“election meeting” has the meaning given by section 80A(4);

[Act 8 of 2023 wef 14/06/2024]

“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;

“electronic service” means —

(a) a service that allows end-users of the service to access content using a broadcasting service or telecommunication service for carrying messages or other content (whether between persons and persons, things and things or persons and things); or

(b) a service that delivers content to persons having equipment appropriate for receiving that content, where the delivery of the service is by a broadcasting service or telecommunication service described in paragraph (a),

and includes a social media service (as defined in section 61S(1));

[Act 8 of 2023 wef 14/06/2024]

“end-user”, in relation to an electronic service, means a person that, and whether or not in the course of business —

(a) has access to content, or something which contains content, by means of the electronic service; or

- (b) communicates content, or something which contains content, by means of the electronic service;

[Act 8 of 2023 wef 14/06/2024]

“entity” means —

- (a) a body corporate (including a limited liability partnership);
- (b) an unincorporated association;
- (c) a partnership;
- (d) a body politic;
- (e) a body of individuals who together form a body; or
- (f) a person other than an individual;

[Act 8 of 2023 wef 14/06/2024]

“flag” means a continuous piece of fabric or other flexible material, or one or more pieces of fabric or other flexible material joined into a continuous piece —

- (a) on which content is printed, written, drawn or depicted in such a way as to be normally not legible in windless conditions; and
- (b) that is attached (by rope, wire or otherwise) to a pole or flagstaff projecting vertically, horizontally or at an angle,

and includes a flag, bunting, ribbon or streamer of any colour or colours but not a flag, bunting or streamer carried during a procession;

[Act 8 of 2023 wef 14/06/2024]

“foreign entity” means an entity that —

- (a) is constituted or organised under a law of a foreign country, even if registered under any written law; or
- (b) has its principal place of business in a foreign country, even if incorporated under any written law;

[Act 8 of 2023 wef 14/06/2024]

“foreigner” means an individual who is not a citizen of Singapore;

[Act 8 of 2023 wef 14/06/2024]

“general election” means a general election of Members after a dissolution of Parliament;

“grounds” means land in Singapore that has a boundary fence or another structure or feature to mark the boundary of the land;

[Act 8 of 2023 wef 14/06/2024]

“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;

“non-online election advertising” means election advertising that is not online election advertising;

[Act 8 of 2023 wef 14/06/2024]

“nursing home” means any premises that are —

(a) licensed as a private hospital under the Private Hospitals and Medical Clinics Act 1980; and

(b) used or intended to be used for the reception of, and the provision of nursing for, persons suffering or convalescing from any sickness, injury or infirmity;

[Act 8 of 2023 wef 14/06/2024]

“official sign” means a poster, banner or other notice for an election prepared by, or with the authority of, the Returning Officer as required by or for the purposes of this Act;

[Act 8 of 2023 wef 14/06/2024]

“online election advertising” means election advertising that is published in any way that renders the election advertising accessible from the Internet;

[Act 8 of 2023 wef 14/06/2024]

“online location” means any website, webpage, chatroom or forum, or any other similar thing in electronic or digital form that is accessible from the Internet;

[Act 8 of 2023 wef 14/06/2024]

“ordinary polling station” means a polling station established in Singapore under section 36A(1);

[Act 8 of 2023 wef 14/06/2024]

“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 donation certificate” means a political donation certificate issued under section 63(3) of the Foreign

Interference (Countermeasures) Act 2021 in respect of an election;

[Act 28 of 2021 wef 29/12/2023]

“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 —

- (a) an ordinary polling station;
- (b) a special polling station; or
- (c) an overseas polling station;

[Act 8 of 2023 wef 14/06/2024]

“postal voting papers” means —

- (a) a ballot paper designed and intended to be used exclusively for the postal voting method (called in this Act a postal ballot paper); and
- (b) an envelope designed and intended to be used exclusively to contain a postal ballot paper (called in this Act a return envelope);

[Act 8 of 2023 wef 14/06/2024]

“postal voting period”, for an election in an electoral division, means the period —

- (a) starting the day immediately after the day of nomination at the election; and
- (b) ending (and including) the eve of polling day in Singapore at the election;

[Act 8 of 2023 wef 14/06/2024]

“poster” means any of the following:

- (a) any paper, plastic, corflute or other inflexible material on which content is printed, written, drawn or depicted in such a way as to be fully legible;
- (b) any text, any colours or visual images (animated or otherwise) or any pictorial or graphic form, which is

projected on to any external surface of a building or structure by light or any other means;

(c) any billboard,

but not a placard carried during a procession;

[Act 8 of 2023 wef 14/06/2024]

“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;

“public place” means —

(a) any place in Singapore (open to the air or otherwise) to which members of the public have access as of right or by virtue of express or implied permission, whether or not on payment of a fee, and whether or not access to the place may be restricted at particular times or for particular purposes; or

(b) a part of a place in Singapore that the occupier of the place allows members of the public to enter, but only while the place is ordinarily open to members of the public;

[Act 8 of 2023 wef 14/06/2024]

“publicly display”, for any content, means to display, exhibit, screen or project the content —

(a) in a public place in order that another person may see the content;

(b) in or on a conveyance (whether mobile or stationary) used for public passenger transport and which is in a public place in order that another person may see the content; or

- (c) in any place in a way so that anyone in a public place can see the content from inside or outside the firstmentioned place;

[Act 8 of 2023 wef 14/06/2024]

“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;

“special polling station” means a polling station established in Singapore under section 47A(1);

[Act 8 of 2023 wef 14/06/2024]

“telecommunication service” has the meaning given by section 2 of the Telecommunications Act 1999;

[Act 8 of 2023 wef 14/06/2024]

“third party”, in relation to an election in an electoral division, means a person who is none of the following:

- (a) a candidate at the election;
- (b) a political party with one or more candidates at the election;
- (c) an election agent of a candidate at the election;

[Act 8 of 2023 wef 14/06/2024]

“traditional election advertising” means non-online election advertising in the form of a banner, flag or poster;

[Act 8 of 2023 wef 14/06/2024]

“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.

(3) Where any content is published by electronic means, the content is to be taken to be published in Singapore if —

(a) any person physically present in Singapore accesses or is capable of having access to the content, even if the content originates wholly outside Singapore or is published by a

person outside Singapore or the origin of which cannot be determined; or

- (b) the content originates in Singapore, even if none of the persons capable of having access to the content is physically present in Singapore.

[Act 8 of 2023 wef 14/06/2024]

(4) In determining for the purposes of this Act whether a person is physically present in Singapore, it is to be assumed that the person will not falsify or conceal the person's identity or location.

[Act 8 of 2023 wef 14/06/2024]

(5) Without limiting the definition of "content" in subsection (1) —

- (a) any content consisting of or including a hyperlink is taken to include the content accessed directly via the hyperlink; and
- (b) any content consisting of or including an image or item on which data is stored electronically is taken to include content accessed directly by means of the image or item.

[Act 8 of 2023 wef 14/06/2024]

(6) Without limiting the definition of "publish" in subsection (1) —

- (a) any non-online election advertising, and any other election advertising that is not published by electronic means, is taken to be published in Singapore if it is left in such a position and in such circumstances as to indicate that it is intended to be available for collection by members of the public who are in a public place;
- (b) any content is taken to be published by electronic means by an end-user of an electronic service if the end-user causes the content to be accessible to, or forwards the content to, or shares the content with, any other end-user or end-users of the electronic service, on or by the electronic service; and
- (c) any content that was published before and by electronic means so as to be accessible from the Internet, is taken to be published again on each day that any subsequent step is

taken on that day to amplify the access to the content from the Internet by persons physically present in Singapore.

[Act 8 of 2023 wef 14/06/2024]

(7) In this Act, any election advertising relates to an election in an electoral division if the election advertising contains an express or implicit reference to —

- (a) the election in the electoral division;
- (b) an individual who is a candidate at the election in the electoral division in his or her capacity as a candidate;
- (c) a political party, or the interests of a political party, with one or more candidates at the election in the electoral division; or
- (d) an issue submitted or otherwise before electors in the election.

[Act 8 of 2023 wef 14/06/2024]

(8) For the purposes of this Act, any postal voting paper or any ballot box used at an overseas polling station that is required by this Act to be received by the Returning Officer by a specified time is regarded as received only when it is actually received by the Returning Officer, or an authorised representative of the Returning Officer, in Singapore.

[Act 8 of 2023 wef 14/06/2024]

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 keeps and maintains a contact address, even though the person is not resident in Singapore on that date.

[Act 8 of 2023 wef 01/06/2023]

(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.

(1A) The boundaries required by subsection (1) to be specified may be defined —

- (a) by metres, bounds and coordinates or any other different definition of boundaries; or
- (b) by one or more maps or images containing such details and with such markings as are sufficient to delineate the boundaries of each electoral division.

[Act 8 of 2023 wef 14/06/2024]

(1B) Where one or more maps or images are published in the notification under subsection (1), the Registration Officer must —

- (a) prepare and certify further maps on a scale larger than the published map or maps;
- (b) make the further maps available for free inspection by any member of the public at a reasonable hour on any day, and for sale at a reasonable cost; and
- (c) publish in the same notification, a notice containing particulars of the website at which the maps or images of the electoral division may be accessed free of charge online, and the place at which the further maps or other images may be inspected, by the public.

[Act 8 of 2023 wef 14/06/2024]

(1C) A website is not accessible for the purposes of subsection (1B)(c) if —

- (a) access is subject to a precondition, such as the use of a password;
- (b) access is only by way of a request; or
- (c) access is for a limited period of time only.

[Act 8 of 2023 wef 14/06/2024]

(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);

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(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; or

[Act 8 of 2023 wef 01/06/2023]

(iv) the claim is frivolous or vexatious.

[41/2018]

[Act 8 of 2023 wef 01/06/2023]

(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 unless the Registration Officer is satisfied that the objection is frivolous or vexatious, in which case the Registration Officer may overrule the objection without further inquiry into the objection.

[41/2018]

[Act 8 of 2023 wef 01/06/2023]

(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.

[6/2017]

[Act 8 of 2023 wef 01/06/2023]

(1A) A person who is registered as an overseas elector for an electoral division may record his or her vote at a poll in a presidential election, or in an election in that electoral division, according to paragraph (a) or (b) as follows, but not both in respect of the same presidential election or same election:

- (a) by attending in person at a polling place in an ordinary polling station allotted to him or her under section 36A(1)(c);
- (b) by either —
 - (i) the postal voting method prescribed under this Act but only if he or she is designated a postal voter; or
 - (ii) in an overseas polling station allotted to him or her, but not if he or she is designated a postal voter,but not both in respect of the same presidential election or same election.

[Act 8 of 2023 wef 01/06/2023]

(1B) However, a person is not entitled to be an overseas elector for an electoral division in any year if he or she has not resided in Singapore for an aggregate of 30 days during the period of 3 years immediately preceding the date the person applies under subsection (1) to the Registration Officer to be registered as an overseas elector.

[Act 8 of 2023 wef 01/06/2023]

(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 his or her option either —
 - (i) to record his or her vote at a poll in a presidential election and an election by attending in person at an overseas polling station specified in the statement; or
 - (ii) to record his or her vote at a poll in a presidential election and an election by the postal voting method prescribed under this Act; and

[Act 8 of 2023 wef 01/06/2023]
- (e) any other information as the Registration Officer considers necessary to determine whether the person —

- (i) is disqualified to have his or her name entered or retained in a register of electors; and
- (ii) is disqualified by subsection (1B) to be an overseas elector.

[6/2017]

[Act 8 of 2023 wef 01/06/2023]

(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)(i);

[Act 8 of 2023 wef 01/06/2023]

- (aa) to change his or her option in subsection (2)(d)(i) to subsection (2)(d)(ii), and vice versa; or

[Act 8 of 2023 wef 01/06/2023]

- (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, in accordance with the applicant's option under subsection (2)(d), either —

- (i) allot to the applicant an overseas polling station specified by the applicant in his or her option; or
 - (ii) designate the applicant as a postal voter,

unless the applicant is disqualified by subsection (1B) to be an overseas elector;

[Act 8 of 2023 wef 01/06/2023]

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

- (ba) in the case of an application made under subsection (3)(aa) to change his or her option, do one of the following in accordance with the applicant's application:

- (i) allot to the applicant an overseas polling station specified by the applicant in his or her application;

(ii) designate the applicant as a postal voter;

[Act 8 of 2023 wef 01/06/2023]

(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) Any person —

(a) whose name is entered in the certified register of electors in operation for an electoral division;

(b) who is entitled to have his or her name so entered or retained in that register of electors; and

(c) who is registered as an overseas elector,

must be treated as registered as an overseas elector for that electoral division.

[Act 8 of 2023 wef 01/06/2023]

(4A) The registration of any person under this section as an overseas elector continues in operation until the happening of any of the following events, whichever first occurs:

(a) the person applies to cancel the person's registration as an overseas elector and the Registration Officer cancels accordingly;

(b) the person's name is —

(i) expunged or removed from any register of electors under section 13(3) or (4), or under section 13(3) or (4) read with section 17(2) when revising any register of electors;

- (ii) expunged from any register of electors under section 14(5); or
- (iii) expunged from any register of electors under section 43(5) or under section 26(5) of the Presidential Elections Act 1991;
- (c) when the registers of electors prepared under section 10(1) or (1A) are certified and the person's name is not entered in or is omitted from every register of electors so prepared;
- (d) when the registers of electors revised under section 14 are certified and the person's name is not entered or retained in or is omitted from every register of electors so revised;
- (e) when the registers of electors are prepared under section 10(1) or (1A) or revised under section 14 for any year, the Registration Officer cancels the person's registration as an overseas elector upon the Registration Officer, after proper inquiry, satisfying himself or herself that the person has not resided in Singapore for an aggregate of 30 days during the period of 3 years immediately preceding the prescribed date of that year.

[Act 8 of 2023 wef 01/06/2023]

(4B) Where a person's registration as an overseas elector is cancelled by the Registration Officer under subsection (4A)(e), the Registration Officer has power to restore the person's registration upon an application by the person to the Registration Officer for a reconsideration of the cancellation.

[Act 8 of 2023 wef 01/06/2023]

(4C) To avoid doubt, the registration of any person under this section as an overseas elector for an electoral division does not end or become cancelled just because a certified register of electors for the electoral division is superseded by the coming into operation of —

- (a) the next certified register relating to the same or any area within that electoral division following a notification under section 8 specifying the boundaries of electoral divisions;
- or

- (b) the composite register deemed the next certified register relating to the same or any area within that electoral division, following the creation of any new electoral division or altering of any electoral division in the manner mentioned in section 20A(1)(a) or (b).

[Act 8 of 2023 wef 01/06/2023]

(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 in or near the electoral division and at such overseas registration centres as may be specified in the notice.

[Act 8 of 2023 wef 01/06/2023]

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 it, is open for inspection according to subsection (1A).

[Act 8 of 2023 wef 01/06/2023]

(1A) It is the duty of the Registration Officer to make open for inspection every certified register of electors at all reasonable hours of the day —

- (a) at the office of the Registration Officer;
- (b) at any other place or places in or near the electoral division to which the register relates and specified in the notice required by subsection (1); and
- (c) at the overseas registration centres specified in the notice required by subsection (1).

[Act 8 of 2023 wef 01/06/2023]

(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 full name (as stated in the identity card of the person), identity card number and occupation of the person;

[Act 8 of 2023 wef 14/06/2024]

- (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 for election, deliver to the Returning Officer a political donation certificate issued to the candidate in respect of the election.

[Act 28 of 2021 wef 29/12/2023]

(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 full name (as stated in the identity card of each of those persons), identity card number and occupation of each of those persons;

[Act 8 of 2023 wef 14/06/2024]

- (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 in respect of the election; and

[*Act 28 of 2021 wef 29/12/2023*]

(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]

(1C) After a writ of election is issued and before the end of nomination proceedings under the writ, the Returning Officer must publish and maintain, on an Internet website accessible to the general public, a list of every candidate who has —

(a) deposited the sum required by this section; and

(b) consented to having his or her name so published.

[Act 34 of 2024 wef 22/01/2025]

(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) for an election in an electoral division must be returned to the candidate, as soon as practicable after the results of the election in that electoral division are published in the *Gazette* under section 33 or 51, as the case may be.

[Act 8 of 2023 wef 14/06/2024]

(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 and certificates (if any) issued under section 27A(6) (called in this Act nomination papers).

[Act 28 of 2021 wef 29/12/2023]

(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 in respect of that election;

[Act 28 of 2021 wef 29/12/2023]

- (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 and special polling station;

[Act 8 of 2023 wef 14/06/2024]

- (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 and special polling station;
[Act 8 of 2023 wef 14/06/2024]
- (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 for the electoral division as many ordinary polling stations as are necessary for the poll —

(i) within each polling district of the electoral division;
and

(ii) in a polling district of another electoral division which has a common boundary with the firstmentioned electoral division, but only if the Returning Officer is satisfied that doing so is conducive to the voting convenience of a large number of electors of the electoral division who reside near that common boundary;

[Act 8 of 2023 wef 14/06/2024]

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

[Act 8 of 2023 wef 14/06/2024]

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

[Act 8 of 2023 wef 14/06/2024]

(1A) A single ordinary polling station in a polling district of an electoral division may be established for the conduct of a poll in another electoral division only if the polling district has a common boundary with a polling district of the other electoral division.

[Act 8 of 2023 wef 14/06/2024]

(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.

(4) Where an ordinary polling station or a special polling station is located in any grounds, the Returning Officer —

- (a) may designate —
 - (i) an entrance to those grounds as a designated entrance to the polling station; and
 - (ii) the routes that electors have to use to access the polling places within the polling station and the polling booths or other facilities for voting in accordance with this Act, including paths, hallways and doorways; and

- (b) if a designation under paragraph (a)(i) is made, must indicate or cause to be indicated by a presiding officer the designated entrance to those grounds by displaying an official sign at that entrance.

[Act 8 of 2023 wef 14/06/2024]

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 subsection (1A) but without affecting section 7 (on plural voting), a person must not be admitted —

- (a) to an ordinary polling station to vote in person at an election in any electoral division unless the person is

allotted under section 36A(1)(c) to that ordinary polling station;

- (b) to an overseas polling station to vote in person at an election in any electoral division unless the person —
 - (i) is registered as an overseas elector for that electoral division;
 - (ii) is not designated under section 13A(3A) as a postal voter for that election; and
 - (iii) is allotted under section 13A(3A) to that overseas polling station; or
- (c) to a special polling station to vote in person at an election in any electoral division unless the person is allotted under section 47B(1) to that special polling station.

[Act 8 of 2023 wef 14/06/2024]

(1A) Where an elector for any electoral division is employed as a presiding officer, police officer, or in any other official capacity at an ordinary polling station or a special polling station, and it is inconvenient for him or her to vote at the ordinary polling station 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, and that other polling station is deemed, for the purposes of this section, to be the polling station allotted to that elector.

[Act 8 of 2023 wef 14/06/2024]

(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) [Deleted by Act 8 of 2023 wef 14/06/2024]

(3) Unless the Returning Officer, by notification in the *Gazette* under this section, or under section 50C(3)(b), 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]

[Act 8 of 2023 wef 14/06/2024]

(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.

39A. [*Repealed by Act 8 of 2023 wef 14/06/2024*]

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, by reason of blindness or other physical disability, is unable to vote 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.

[Act 8 of 2023 wef 14/06/2024]

(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.

(1A) An elector who is allotted to a special polling station under section 47B(1) for the purposes of the poll in an electoral division and who —

- (a) attends in person at a polling place in the special polling station to record his or her vote; or
- (b) has his or her vote taken by a mobile polling team, deployed at the special polling station,

must be treated under this section as having recorded his or her vote at the election in the electoral division for which he or she is registered.

[Act 8 of 2023 wef 14/06/2024]

(1B) An overseas elector —

- (a) who is designated under section 13A(3A) as a postal voter for the purposes of the poll in a presidential election and an election in an electoral division; and
- (b) who applies for postal voting papers to be issued to him or her during the postal voting period for that presidential election or election,

must be treated under this section as having recorded his or her vote at that election for which he or she is registered.

[Act 8 of 2023 wef 14/06/2024]

(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.

Special polling arrangements to meet voting needs of certain voters

47A.—(1) The Returning Officer may, for the purposes of the poll in an election in any electoral division —

- (a) establish all or part of a nursing home as a special polling station; and
- (b) authorise all or any of the following special polling arrangements to be provided to service the voting needs of electors who are in-patients or residents of the nursing home during the election period of the election by enabling them to record their votes there in that poll:

- (i) by establishing one or more polling places within the nursing home for those in-patients or residents to attend in person to record their votes;
- (ii) by deploying one or more mobile polling teams to visit those in-patients or residents to take the votes of those in-patients or residents, as the case may be.

(2) In determining whether to establish a special polling station under subsection (1) in a nursing home for the purposes of the poll in an election, the Returning Officer must have regard to whether there is or is likely to be, during the election period of the election, a significant number of electors who are in-patients or residents of the nursing home and who —

- (a) are unable or likely to be unable to travel to the ordinary polling stations allotted to them respectively under section 36A(1) except with great difficulty; but
- (b) are able to vote at the nursing home by marking a ballot paper personally or in the manner allowed under section 42(5).

(3) In addition, the Returning Officer must have regard to the following factors in determining whether to authorise special polling arrangements by way of mobile polling to be made available under subsection (1)(b)(ii):

- (a) the number of electors who are in-patients or residents of the nursing home with any physical condition, serious illness or infirmity that will preclude the electors' attendance in person at a polling place in the special polling station;
- (b) the practicality of establishing and deploying mobile polling teams to take the votes of those electors, having regard to their numbers and the resources required for doing so;
- (c) the existence of any peculiar circumstances within the nursing home applying to those electors and their voting needs.

(4) Subject to subsection (5) and regulations made under section 47C, a poll and voting at a special polling station by electors who are in-patients or residents of a nursing home where the special polling station is established must be conducted, as far as practicable, in the same manner as that in which a poll and voting at an ordinary polling station on polling day is conducted.

(5) Despite sections 80, 81 and 82, the person in charge of a nursing home where a special polling station is established under subsection (1) may lawfully inform a presiding officer who is a member of a mobile polling team deployed at that special polling station that a visit to an in-patient or a resident of the nursing home is forbidden on medical grounds, and the mobile polling team must then not visit the in-patient or resident to take the in-patient's or resident's vote.

[Act 8 of 2023 wef 14/06/2024]

Voting at special polling station in lieu of voting at ordinary polling station

47B.—(1) Where a special polling station is determined to be established under section 47A(1) in a nursing home for the purposes of the poll in an electoral division, the Returning Officer must, without delay, allot the special polling station to every person —

- (a) whose name is entered in the certified register of electors in operation for the electoral division;
- (b) who is entitled to have his or her name so entered or retained in that register of electors; and
- (c) who is an in-patient or a resident of the nursing home during the election period of that election.

(2) An elector who is allotted to a special polling station under subsection (1) may —

- (a) attend in person at a polling place in the special polling station to record his or her vote at an election, or have his or her vote taken by a mobile polling team; or

- (b) attend in person at the ordinary polling station allotted to him or her under section 36A(1)(c) to record his or her vote at an election,

but not at both in respect of the same election.

[Act 8 of 2023 wef 14/06/2024]

Regulations relating to special polling arrangements

47C.—(1) Subject to subsection (2) and section 102B, the Minister may make regulations to modify the application of any provision of this Act to the conduct of polls in any special polling station established in a nursing home, including but not limited to —

- (a) the preparation by or under the authority of the Returning Officer of the list of electors allotted to the special polling station;
- (b) the manner of voting at the special polling station and the taking of votes by mobile polling teams;
- (c) fixing the maximum number of polling agents who may be admitted to a special polling station;
- (d) the admission of any person who is employed by the nursing home (whether or not a citizen of Singapore) into any polling place in the special polling station or authorising the presence of such an employee in the special polling station, for the purpose of providing any assistance to the presiding officers, mobile polling team or any elector at the special polling station;
- (e) the procedure on the closing of the poll at the special polling station; and
- (f) the procedure on the counting of the votes cast at the special polling station, including the recounting of such votes, and in particular, requiring the sorting of the ballot papers according to electoral divisions before starting to count the votes from the opened ballot boxes from the special polling stations.

(2) Regulations made under subsection (1) —

- (a) must not authorise any person to vote —
 - (i) 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;
 - (ii) in or in respect of an electoral division other than the electoral division in which he or she is registered as an elector; and
 - (iii) in or in respect of more than one electoral division at any general election;
- (b) must provide for a record of every vote cast at a special polling station, including votes taken by a mobile polling team, but the vote record must not contain any means of identifying the person who cast the vote; and
- (c) must be consistent with the principles laid down in any provision of the Act that is modified by those regulations.

[Act 8 of 2023 wef 14/06/2024]

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) as the Returning Officer may specify; and

[Act 8 of 2023 wef 14/06/2024]

(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) as the Returning Officer may specify.

[Act 8 of 2023 wef 14/06/2024]

(2) [Deleted by Act 8 of 2023 wef 14/06/2024]

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

[41/2018]

[Act 8 of 2023 wef 14/06/2024]

(4) *[Deleted by Act 8 of 2023 wef 14/06/2024]*

(5) *[Deleted by Act 8 of 2023 wef 14/06/2024]*

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 any candidate in the group, the election agent of any candidate in the group or the principal election agent for that group only.

[Act 8 of 2023 wef 14/06/2024]

(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 votes may be counted manually or by mechanical or electronic means.

[Act 8 of 2023 wef 14/06/2024]

(4B) The Returning Officer must, while counting the votes, take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.

[Act 8 of 2023 wef 14/06/2024]

(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).

49A. [*Repealed by Act 8 of 2023 wef 14/06/2024*]

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) *[Deleted by Act 8 of 2023 wef 14/06/2024]*

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 56E(1)(b), 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*.

[Act 8 of 2023 wef 14/06/2024]

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 56E(1)(b), as the case may be.

[41/2018]

[Act 8 of 2023 wef 14/06/2024]

(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 return envelope or the official mark on any ballot paper or return envelope for its authentication;

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- (c) without due authority supplies any ballot paper or return envelope to any person;

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- (d) sells or offers to sell any ballot paper or return envelope to any person or purchases or offers to purchase any ballot paper or return envelope from any person;
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- (e) not being a person entitled under this Act to be in possession of any ballot paper or return envelope which has been marked with the official mark in accordance with this Act, has any such ballot paper or return envelope in his or her possession;
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- (f) puts into any ballot box anything other than the ballot paper which he or she is authorised by law to put in;
- (fa) puts into any return envelope anything other than the postal ballot paper which he or she is authorised by law to put in;
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- (g) without due authority takes out of the polling station any ballot paper (other than a postal ballot paper) or is found in possession of any ballot paper (other than a postal ballot paper) outside a polling station;
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- (ga) without due authority intentionally opens, unseals or tampers with a sealed return envelope;
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- (gb) without due authority intentionally damages a sealed return envelope;
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- (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, return envelope, DRE voting machine, direct recording electronic voting equipment or marking instrument at an election, the property in the nomination paper, ballot box, ballot paper, return envelope, 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.

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

(6) This section extends to a citizen of Singapore who engages in any conduct wholly or partly outside Singapore that constitutes an offence described in subsection (1) as if the offence had been committed in Singapore.

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Maintenance of secrecy at elections

56.—(1) Every officer, clerk, interpreter, candidate and agent authorised to attend at a polling station under section 39(4) or every other person so authorised under regulations made under section 47C(1)(d), or at the counting of the votes, must, before so attending, make an oath of secrecy, substantially in Form 18 in the First Schedule.

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(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 authorised under section 39(4) and every person authorised under regulations made under section 47C(1)(d) 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.

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(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.

OVERSEAS VOTING

[Act 8 of 2023 wef 14/06/2024]

Voting at overseas polling station

56A.—(1) The hours of any poll at an overseas polling station for any contested election in an electoral division must be not less than 4 hours and may start 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.

(2) Subject to any regulations made under section 56F, a poll (including an advance poll) and voting at an overseas polling station must be conducted, as far as practicable, in the same manner as that in

which a poll and voting at an ordinary polling station on polling day in Singapore is conducted.

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Postal voting by overseas electors designated as postal voters

56B.—(1) An overseas elector who is designated under section 13A(3A) as a postal voter for an election in an electoral division may record his or her vote at the poll in the election in the electoral division either —

- (a) by using the postal voting method in accordance with the manner prescribed under this section; or
- (b) by attending in person at a polling place in the ordinary polling station allotted to him or her under section 36A(1),

but not at both in respect of the same election.

(2) However, an overseas elector who intends to record his or her vote in person under subsection (1)(b) at the ordinary polling station allotted to him or her must first make and subscribe to the declaration set out in Form 15 in the First Schedule before he or she is given a ballot paper at the ordinary polling station.

(3) To record his or her vote by the postal voting method at the poll in an election in an electoral division, an overseas elector who is designated under section 13A(3A) as a postal voter for the election in the electoral division must do all the following in the following sequence, before the end of the postal voting period of that election:

- (a) apply to the Returning Officer, once the postal voting period of that election starts and in the manner prescribed by regulations made under section 56F, for postal voting papers to be issued to the overseas elector;
- (b) mark the overseas elector's vote on the postal ballot paper comprised in the postal voting papers issued on application, fold the postal ballot paper and insert it in the return envelope comprised in the postal voting papers so issued, and seal the return envelope in accordance with the regulations made under section 56F;

- (c) take the steps prescribed by regulations made under section 56F with respect to those postal voting papers in order to indicate the date of posting or sending;
- (d) as soon as practicable after the return envelope is sealed, the overseas elector or a person to whom the overseas elector has entrusted the sealed return envelope for posting or delivery, must post or deliver the sealed return envelope to the Returning Officer in Singapore.

(4) Where an overseas elector records his or her vote at a poll in an election in an electoral division by attending in person at a polling place in the ordinary polling station allotted to him or her under section 36A(1), any other vote that is purportedly recorded by the same overseas elector at the same election is void.

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Pre-count examination of postal voting papers

56C.—(1) Before starting the counting of any votes cast by the postal voting method at an election, the Returning Officer must, at the place and time directed under section 56D(1) and in the presence of such candidates and their counting agents as attend, produce all return envelopes containing or purporting to contain postal ballot papers that have been received by the Returning Officer in Singapore before the expiry of 10 days after polling day in Singapore for the election.

(2) The Returning Officer must then, if satisfied after due examination of those return envelopes that —

- (a) a return envelope was received by the Returning Officer in Singapore before the expiry of 10 days after polling day in Singapore for the election;
- (b) that return envelope was posted or sent for delivery before the end of the postal voting period for the election;
- (c) that return envelope —
 - (i) remains sealed;
 - (ii) has not been opened or tampered with; and
 - (iii) is not materially damaged so as to preclude authenticating that it was posted or delivered, or

entrusted for posting or delivery, to the Returning Officer by an overseas elector who is designated under section 13A(3A) as a postal voter for the election; and

- (d) that return envelope was posted or delivered, or entrusted for posting or delivery, to the Returning Officer by an overseas elector who is designated under section 13A(3A) as a postal voter for the election,

accept that return envelope and its contents for counting, but if the Returning Officer is not so satisfied, the Returning Officer must disallow from counting the postal voting papers comprising the return envelope and the postal ballot paper inside (if any), without opening the return envelope.

(3) In addition to subsection (2), where more than one return envelope was received by the Returning Officer in Singapore, before the expiry of 10 days after polling day in Singapore for the election, from or purportedly from an overseas elector who is designated under section 13A(3A) as a postal voter for the election, the Returning Officer —

- (a) must regard the unopened return envelope not disallowed under subsection (2) and first handled by the Returning Officer during the examination of all return envelopes so received as containing the sole vote recorded by the overseas elector on a postal ballot paper, regardless —
 - (i) when the postal ballot paper was actually marked;
 - (ii) when the unopened return envelope was posted, sent for delivery or delivered in relation to the other return envelopes which are not so disallowed; and
 - (iii) if that unopened return envelope first handled is empty; and
- (b) must disallow from counting all other unopened return envelopes from or purportedly from the same overseas elector and their contents, without opening these other return envelopes.

(4) Before disallowing from counting any postal voting papers under subsection (2) or (3), the Returning Officer must —

- (a) first, show the return envelope without opening it, to each candidate or the candidate's counting agent as attend; and
- (b) then, hear the views of the candidate or the candidate's counting agent thereon,

taking all proper precautions to prevent any person from opening the return envelope in question.

(5) The decision of the Returning Officer as to whether or not to disallow from counting any postal voting papers is final and is not to be questioned on an application under section 90.

(6) If the Returning Officer has accepted an unopened return envelope and its contents for counting, the Returning Officer must then —

- (a) open the unopened return envelope without destroying it;
- (b) withdraw the postal ballot paper; and
- (c) without inspecting the postal ballot paper or allowing another person to do so, set aside the postal ballot paper for counting.

(7) Where an unopened return envelope accepted for counting is found, upon opening under due authority under subsection (6), to contain more than one postal ballot paper, the Returning Officer must reject all the postal ballot papers as invalid unless all the ballot papers clearly indicate that the overseas elector intends to vote for the same particular candidate or group of candidates, in which case the Returning Officer must —

- (a) treat one of the postal ballot papers as representing the vote recorded by the overseas elector at the election; and
- (b) reject all the other ballot papers as invalid.

(8) 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 pre count examination of postal voting papers.

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Counting of votes by overseas electors

56D.—(1) The votes cast at all overseas polling stations or by the postal voting method (collectively called in this section and section 56E overseas votes) must be counted at such place or places in Singapore and at such time as the Returning Officer directs.

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

(3) Every sealed ballot box containing votes cast at an overseas polling station, and every vote cast by the postal voting method, at an election in an electoral division must, in order for those votes to be counted in the election, be received by the Returning Officer in Singapore within 10 days after polling day in Singapore for the election.

(4) Subject to subsection (3), the Returning Officer must arrange for the counting of the overseas votes in the presence of the candidates and their counting agents as attend as soon as practicable after the Returning Officer has received in Singapore —

(a) all the sealed ballot boxes used at overseas polling stations during the poll; and

(b) all the votes cast by the postal voting method.

(5) Despite section 49(2), the number of counting agents that may be appointed under section 49(1) to attend —

(a) the counting of overseas votes at the counting place as directed under subsection (1); or

(b) the pre-count examination of postal voting papers under section 56C,

must not exceed 5 or any other higher number prescribed in substitution by regulations made under section 56F for either paragraph (a) or (b) or both.

(6) Subject to regulations made under section 56F, the counting of votes cast by overseas electors must be conducted, as far as practicable, in the same manner as that in which counting of votes cast at ordinary polling stations is conducted.

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Ascertaining final results

56E.—(1) Where the Returning Officer has made a declaration under section 49(7)(b) or (7E)(b) —

- (a) the number of overseas votes given 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 group of candidates, as the case may be; and
- (b) the Returning Officer must immediately declare the candidate or group of candidates (as the case may be) to whom the greatest total number of votes is given to be elected.

(2) After the Returning Officer has made any declaration under subsection (1)(b), 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 overseas votes are counted must be sealed up in separate packets and placed in one or more ballot 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 sealed ballot box or boxes containing the ballot papers and other documents 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.

(3) Where the Returning Officer has made a declaration under section 49(7)(b) or (7E)(b) in an election, and a recount of the votes is to be conducted, section 49B applies, with the necessary modifications, to the counting of votes cast by overseas electors at that election.

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Regulations for voting in overseas polling stations and postal voting

56F.—(1) Subject to section 102B, the Minister may make regulations modifying the application of any provision of this Act to —

- (a) the conduct of polls in overseas polling stations, including in particular —
 - (i) the appointment of presiding officers for overseas polling stations;
 - (ii) the procedure on closing of the poll; and
 - (iii) the procedure for the safe despatch of the sealed ballot boxes containing the votes cast to the Returning Officer in Singapore; and
- (b) counting (including recounting) of the votes cast at overseas polling stations and by the postal voting method, respectively.

(2) Unless the contrary intention appears, the regulations made under subsection (1) on the conduct of polls in overseas polling stations 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.

(3) Subject to section 102B, the Minister may make regulations relating to the postal voting method for a contested election, including regulations for or in respect of the following matters:

- (a) the period for an overseas elector to make an application for postal voting papers and the form and manner of such application;
- (b) the period and manner for an overseas elector to access, download and print his or her postal ballot paper and return envelope from the prescribed website;
- (c) the appointment of any authorised representative of the Returning Officer for the purposes of receiving return envelopes containing postal ballot papers;
- (d) the procedure for the postal voting method, including any measures that are necessary to ensure the authenticity of any vote;
- (e) the measures to ensure the safe custody of any return envelope received by the Returning Officer in Singapore;
- (f) the form of any application for postal voting papers, a postal ballot paper or return envelope.

(4) Regulations made under subsection (1) or (3) —

- (a) must not authorise any person to vote —
 - (i) 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;
 - (ii) in or in respect of an electoral division other than the electoral division in which he or she is registered as an elector; and
 - (iii) in or in respect of more than one electoral division at any general election;

- (b) must provide for a record of every vote cast at a polling station but the vote record must not contain any means of identifying the person who cast the vote; and
- (c) must be consistent with the principles laid down in any provision of the Act that is modified by those regulations.

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Other offences connected with postal voting

56G.—(1) Any person to whom an envelope containing or purporting to contain a postal ballot paper is given by an overseas elector for the purpose of posting or delivery to the Returning Officer, or an authorised representative of the Returning Officer for the purposes of receiving return envelopes containing postal ballot papers, and who has agreed to post or deliver the envelope, commits an offence if the person, without reasonable excuse, fails to post or deliver the envelope promptly.

(2) Any person guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$1,500.

(3) This section extends to a citizen of Singapore (whether or not a voter or an elector) who engages in any conduct wholly or partly outside Singapore that constitutes an offence described in subsection (1) as if the offence had been committed in Singapore.

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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) *[Deleted by Act 8 of 2023 wef 14/06/2024]*

(d) knowingly makes or publishes in Singapore, before or during any election, for the purpose of affecting the return of any candidate, content that is or contains any false statement of fact in relation to the personal character or conduct of the candidate;

[Act 8 of 2023 wef 14/06/2024]

(e) knowingly makes or publishes in Singapore, before or during any election, for the purpose of promoting or procuring the election of any candidate, content that is or contains any false statement of the withdrawal of any other candidate at the election;

[Act 28 of 2021 wef 07/07/2022]

[Act 8 of 2023 wef 14/06/2024]

(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 or 74A 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) *[Deleted by Act 8 of 2023 wef 14/06/2024]*
- (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]

[Act 8 of 2023 wef 14/06/2024]

(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)(d) or (e) is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

[Act 8 of 2023 wef 14/06/2024]

(5) *[Deleted by Act 8 of 2023 wef 14/06/2024]*

(6) *[Deleted by Act 8 of 2023 wef 14/06/2024]*

ELECTION ADVERTISING

[Act 8 of 2023 wef 14/06/2024]

Division 1 — Transparency and accountability requirements

Objects of this Division

61A. The objects of Divisions 1 to 4 are to promote free and informed voting at elections by enhancing the following:

- (a) the transparency of the electoral system, by allowing voters to know who is communicating election advertising;
- (b) the accountability of those persons participating in public debate relating to any election, by making those persons responsible for their communications;
- (c) the traceability of communications of election advertising, by ensuring that obligations imposed by this Division in relation to those communications can be enforced.

[Act 8 of 2023 wef 14/06/2024]

Published-by requirements

61B.—(1) A person commits a corrupt practice if —

- (a) the person publishes, or causes to be published, in Singapore any content, or any thing containing content, at any time during the election period of an election in an electoral division;
- (b) the content is or includes election advertising that relates to the election in the electoral division; and
- (c) the election advertising does not include the information mentioned in subsection (3) —
 - (i) on or in it; or
 - (ii) if it is not reasonably practicable in the case of online election advertising to comply with sub-paragraph (i), in text or other form in an online location that is directly accessible from the online election advertising,

and in the manner (including language) prescribed by the election advertising regulations.

(2) A person commits a corrupt practice if —

- (a) the person publicly displays, or causes to be publicly displayed, in an electoral division any content, or any thing containing content, at any time during the election period of an election in the electoral division;

- (b) the content is or includes election advertising that relates to the election in the electoral division; and
 - (c) the election advertising does not include the information mentioned in subsection (4) on or in it and in the manner (including language) prescribed by the election advertising regulations.
- (3) The information required by subsection (1)(c) is as follows:
 - (a) the identity particulars of every person who authorised the publishing of the election advertising;
 - (b) the identity particulars of every person who approved the content in the election advertising, if the content is approved by a person not in paragraph (a), before the election advertising was published;
 - (c) the identity particulars of every person for whom or at whose direction the election advertising was published if the person is not in paragraph (a) or (b);
 - (d) in the case where all or part of the production of the content that is or includes the election advertising, or the publication of the election advertising, is paid for in money or money's worth by the person or by another person —
 - (i) the fact that the production of the content that is or includes the election advertising, or the publication of the election advertising (as the case may be) is paid for; and
 - (ii) the identity particulars of every person who paid for the production of the content that is or includes the election advertising, or the publication of the election advertising, as the case may be;
 - (e) the identity particulars of every printer of the election advertising, if the election advertising is printed.
- (4) The information required by subsection (2)(c) is as follows:
 - (a) the identity particulars of every person who authorised the public display of the election advertising;

- (b) the identity particulars of every person who approved the content in the election advertising, if the content is approved by a person not in paragraph (a), before the election advertising was publicly displayed;
- (c) the identity particulars of every person for whom or at whose direction the election advertising was publicly displayed if the person is not in paragraph (a) or (b);
- (d) in the case where all or part of the production of the content that is or includes the election advertising, or the public display of the election advertising, is paid for in money or money's worth by the person or by another person —
 - (i) the fact that the production of the content that is or includes the election advertising, or the public display of the election advertising (as the case may be) is paid for; and
 - (ii) the identity particulars of every person who paid for the production of the content that is or includes the election advertising, or the public display of the election advertising, as the case may be;
- (e) the identity particulars of every printer of the election advertising, if the election advertising is printed.

(5) In proceedings for an offence under subsection (1) or (2), it is not necessary for the prosecution to prove that an accused knew or had reason to believe that the content published or publicly displayed is election advertising as described in subsection (1)(b) or (2)(b), as the case may be.

(6) Any person who is guilty of a corrupt practice under subsection (1) or (2) —

- (a) 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; and
- (b) 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 as a Member, his or her election shall be vacated from the date of the conviction.

(7) Where any election advertising that is printed is published or publicly displayed in the commission of a corrupt practice under subsection (1) or (2), the printer of the election advertising shall also be guilty of a corrupt practice and shall be liable on conviction to the same punishment and incapacity under this section as the person who caused to be published or publicly displayed the election advertising.

(8) A prosecution for a corrupt practice under this section must not be instituted without the consent of the Public Prosecutor.

(9) Subsection (1) does not apply to or in relation to publishing, or causing to be published, in Singapore any of the following:

- (a) any election advertising consisting only of permissible electoral matter and forming part of any of the following:
 - (i) any clothing that is intended to be worn on the body;
 - (ii) any article in the nature of a dress or clothing accessory, such as a lapel pin, tie, scarf, cap or hat;
 - (iii) any button, badge, mug, pen or pencil, or any other small and portable promotional item prescribed in the election advertising regulations;
- (b) any communication of content between 2 or more individuals that is of a private or domestic nature by electronic means;
- (c) any publication of any content, in a way that renders the content accessible from the Internet, and by any individual who —
 - (i) is a citizen of Singapore and is not a candidate or an election agent;
 - (ii) does so at no other person's direction and on no other person's behalf; and
 - (iii) does not receive or agree to receive, and who does not contract for, any money or money's worth, for or

in connection with his or her publishing that content on the Internet;

- (d) any communication of content by means of an electronic service where the user-generated content enabled by that service is accessible substantially or only to a closed group of end-users employed or engaged in a business (whether or not carried on for profit) and solely for their use as a tool in the conduct of that business;
- (e) any publication of any news relating to an election by an authorised news agency;
- (f) any distribution, sale or otherwise making available of any literary work or artistic work in the course of the sale, or promotion of the sale, of the literary work or artistic work for not less than its commercial value, if the literary work or artistic work (as the case may be) was planned to be published regardless if there was any election;
- (g) any publishing or causing to be published, in Singapore, of election advertising in other circumstances prescribed by the election advertising regulations.

(10) Subsection (2) does not apply to or in relation to any of the following:

- (a) any election advertising consisting only of permissible electoral matter and forming part of any of the following:
 - (i) any clothing that is intended to be worn on the body;
 - (ii) any article in the nature of a dress or clothing accessory, such as a lapel pin, tie, scarf, cap or hat;
 - (iii) any button, badge, mug, pen or pencil, or any other small and portable promotional item prescribed in the election advertising regulations;
- (b) any public display, handing out, distribution, sale or otherwise making available of any literary work or artistic work in the course of the sale, or promotion of the sale, of the literary work or artistic work for not less than its commercial value, if the literary work or artistic

work (as the case may be) was planned to be published regardless if there was any election;

- (c) any public display of election advertising in other circumstances prescribed by the election advertising regulations.

[Act 8 of 2023 wef 14/06/2024]

Election advertising ban during cooling-off period

61C.—(1) A person commits an offence if —

- (a) the person publishes, or causes to be published, in Singapore any content, or any thing containing content, at any time during the cooling-off period of an election in an electoral division;
- (b) the content is or includes election advertising that relates to the election in the electoral division; and
- (c) the person knows or ought reasonably to have known that the content is or includes election advertising that relates to the election in the electoral division.

(2) A person commits an offence if —

- (a) the person publicly displays, or causes to be publicly displayed, any content, or any thing containing content, in an electoral division at any time during the cooling-off period of an election in the electoral division;
- (b) the content is or includes election advertising that relates to the election in the electoral division; and
- (c) the person knows or ought reasonably to have known that the content is or includes election advertising that relates to the election in the electoral division.

(3) Any person who is guilty of an offence under subsection (1) or (2) 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) In this section, “cooling-off period” means —
- (a) for a general election of Members, the period —
 - (i) starting the eve of polling day of the general election; and
 - (ii) ending with the close of polling on polling day at that general election; or
 - (b) for a by-election of a Member or group of Members for an electoral division, the period —
 - (i) starting the eve of polling day for the purposes of the by-election; and
 - (ii) ending with the close of polling on polling day at that by-election.

[Act 8 of 2023 wef 14/06/2024]

Exceptions to cooling-off period election advertising ban

61D.—(1) Section 61C does not apply to or in relation to any of the following:

- (a) any election advertising consisting only of permissible electoral matter and forming part of any of the following:
 - (i) any clothing that is intended to be worn on the body;
 - (ii) any article in the nature of a dress or clothing accessory, such as a lapel pin, tie, scarf, cap or hat;
 - (iii) any button, badge, mug, pen or pencil or any other small and portable promotional item prescribed in the election advertising regulations;
- (b) any public display, handing out, distribution, sale or otherwise making available of any literary work or artistic work in the course of the sale, or promotion of the sale, of the literary work or artistic work for not less than its commercial value, if the literary work or artistic work (as the case may be) was planned to be published regardless if there was any election.

(2) In addition, section 61C(1) does not apply to or in relation to any of the following:

- (a) any communication of content between 2 or more individuals that is of a private or domestic nature by electronic means;
- (b) any communication of content by means of an electronic service where the user-generated content enabled by that service is accessible substantially or only to a closed group of end-users employed or engaged in a business (whether or not carried on for profit) and solely for their use as a tool in the conduct of that business;
- (c) any publication of any news relating to an election by an authorised news agency;
- (d) any publication of election advertising in other circumstances prescribed by the election advertising regulations as excluded from section 61C(1).

(3) In addition, section 61C(2) does not apply to or in relation to any of the following:

- (a) any non-online election advertising that —
 - (i) was lawfully publicly displayed in the electoral division concerned before the start of the cooling-off period of the election concerned; and
 - (ii) is not relocated, altered or modified since the start of the cooling-off period;
- (b) the public display of any non-online election advertising within or on an exterior wall or exterior window of the office or committee room of a candidate or group of candidates provided that the non-online election advertising —
 - (i) consists only of permissible electoral matter; and
 - (ii) is solely for the purpose of indicating that the office or room is the office or committee room of the candidate or group;

(c) the public display of any non-online election advertising —

- (i) on an exterior wall or exterior window of any building or part of a building occupied by a political party as its office;
- (ii) on an exterior wall or exterior window of any building partly occupied by a political party as its office; or
- (iii) if a building mentioned in sub-paragraph (i) or (ii) is located in any grounds, on any outer wall, fence or other structure or feature to mark the boundary of those grounds,

provided that the non-online election advertising contains only the name or symbol, or both, of the political party concerned and is solely for the purpose of indicating that the office of the political party is or is within the building;

(d) any public display of election advertising in other circumstances prescribed by the election advertising regulations as excluded from section 61C(2).

[Act 8 of 2023 wef 14/06/2024]

Certain traditional election advertising banned before nomination day

61E.—(1) A person commits an offence if —

- (a) the person publicly displays, or causes to be publicly displayed, any traditional election advertising in an electoral division during the period —
 - (i) starting when a writ of election is issued under section 24 for the purposes of an election in an electoral division; and
 - (ii) ending immediately before the start of the campaign period of the election in the electoral division; and
- (b) the traditional election advertising contains an express or implicit reference to a political party —

- (i) by its name or symbol; or
- (ii) by another symbol which can reasonably be regarded as indicating a direct association or an immediate affiliation with the political party.

(2) Strict liability applies to an offence under subsection (1).

(3) Any person who is guilty of an offence under subsection (1) 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) However, subsection (1) does not apply to or in relation to the public display of any traditional election advertising in any of the following circumstances:

(a) the display of any traditional election advertising —

- (i) on an exterior wall or exterior window of any building or part of a building occupied by a political party as its office;
- (ii) on an exterior wall or exterior window of any building partly occupied by a political party as its office; or
- (iii) if a building mentioned in sub-paragraph (i) or (ii) is located in any grounds, on any outer wall, fence or other structure or feature to mark the boundary of those grounds,

provided that the traditional election advertising contains only the name or symbol, or both, of the political party concerned and is solely for the purpose of indicating that the office of the political party is or is within the building;

(b) any traditional election advertising that —

- (i) was lawfully publicly displayed in the electoral division concerned before the start of the election period of the election concerned;
- (ii) has not been relocated, altered or modified since the start of the election period; and

- (iii) is declared to the Returning Officer, within 12 hours after the start of the election period, together with such details as to its place of display and content, in accordance with the requirements prescribed by the election advertising regulations;
- (c) any traditional election advertising that is publicly displayed at a public assembly or public procession held on the day of nomination at an election around a place of nomination for that election to show support —
 - (i) for any person or group of persons seeking nomination as a candidate or group of candidates at that election; or
 - (ii) for any candidate or group of candidates in that election at or about the time the Returning Officer is to declare a candidate or group of candidates to be elected under section 33(1);
- (d) any public display of traditional election advertising in other circumstances prescribed by the election advertising regulations as excluded from subsection (1).

[Act 8 of 2023 wef 14/06/2024]

*Division 2 — Campaign controls: candidates
and political parties*

Online election advertising, etc., in campaign period

61F.—(1) This section applies only to election advertising that is —

- (a) online election advertising published in Singapore; or
 - (b) non-online election advertising published in Singapore by electronic means.
- (2) A person commits an offence if —
- (a) the person publishes or causes to be published in Singapore, any content, or any thing containing content, at any time during the campaign period of an election in an electoral division;

- (b) the person is, or is doing so on behalf of —
 - (i) an individual who is a candidate at the election in the electoral division; or
 - (ii) a political party with one or more candidates at the election in the electoral division;
- (c) the content is or includes election advertising that relates to the election in the electoral division; and
- (d) the content is or includes —
 - (i) election advertising which the candidate or the candidate's election agent or the political party did not declare to the Returning Officer in accordance with the requirements of subsection (3); or
 - (ii) election advertising that —
 - (A) has a functionality prescribed in the election advertising regulations as impermissible for that form of election advertising; or
 - (B) does not have a functionality prescribed in the election advertising regulations as requisite for that election advertising.

(3) For the purposes of subsection (2)(d)(i), any election advertising to which subsection (1) applies must be declared by a candidate or the candidate's election agent or a political party to the Returning Officer, in accordance with the procedure prescribed in the election advertising regulations, and accompanied by such details about it as may be prescribed (such as the online location or service used), at the following times:

- (a) no later than 12 hours after the start of the campaign period concerned, if the election advertising is published in Singapore within 12 hours after the start of the campaign period;
- (b) before the election advertising is published, if the election advertising is first published in Singapore after the start of that period unless otherwise allowed under paragraph (a).

(4) In proceedings for an offence under subsection (2), it is not necessary for the prosecution to prove that an accused knew or had reason to believe that the content published is or includes election advertising as described in subsection (2)(c).

(5) Any person who is guilty of an offence under subsection (2) 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.

(6) Subsection (2) does not apply to or in relation to any publishing in Singapore, at any time during the campaign period of an election in an electoral division, of election advertising in any circumstances that are prescribed by the election advertising regulations as excluded from that subsection.

[Act 8 of 2023 wef 14/06/2024]

Traditional election advertising in campaign period

61G.—(1) This section and sections 61H, 61I and 61J apply only —

- (a) to traditional election advertising; and
- (b) during the campaign period of an election in an electoral division.

(2) A person commits an offence if —

- (a) the person publicly displays, or causes to be publicly displayed, in an electoral division during the campaign period of an election in the electoral division, any traditional election advertising;
- (b) the person is, or is doing so on behalf of —
 - (i) an individual who is a candidate at the election in the electoral division; or
 - (ii) a political party with one or more candidates at the election in the electoral division; and
- (c) the traditional election advertising relates to the election in the electoral division.

(3) In proceedings for an offence under subsection (2), it is not necessary for the prosecution to prove that an accused knew or had reason to believe that the content publicly displayed is traditional election advertising as described in subsection (2)(c).

(4) Any person who is guilty of an offence under subsection (2) 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.

(5) However, subsection (2) does not apply to or in relation to any of the following:

- (a) the public display of any traditional election advertising under the authority of a permit granted by the Returning Officer;
- (b) the public display of any traditional election advertising within or on an exterior wall or exterior window of the office or committee room of a candidate or group of candidates provided that the traditional election advertising —
 - (i) consists only of permissible electoral matter; and
 - (ii) is solely for the purpose of indicating that the office or room is the office or committee room of the candidate or group;
- (c) the public display of any traditional election advertising —
 - (i) on an exterior wall or exterior window of any building or part of a building occupied by a political party as its office;
 - (ii) on an exterior wall or exterior window of any building partly occupied by a political party as its office; or
 - (iii) if a building mentioned in sub-paragraph (i) or (ii) is located in any grounds, on any outer wall, fence or other structure or feature to mark the boundary of those grounds,

provided that the traditional election advertising contains only the name or symbol, or both, of the political party concerned and is solely for the purpose of indicating that the office of the political party is or is within the building;

- (d) the public display of any traditional election advertising within a hall or room that is being or is about to be used for an election meeting;
- (e) any public display of traditional election advertising in other circumstances prescribed by the election advertising regulations as excluded from subsection (2).

[Act 8 of 2023 wef 14/06/2024]

Maximum permissible number for traditional election advertising displayed

61H.—(1) A person commits an offence if —

- (a) the person publicly displays, or causes to be publicly displayed, any traditional election advertising in an electoral division during the campaign period of an election in the electoral division;
- (b) the person is, or is doing so on behalf of —
 - (i) an individual who is a candidate at the election in the electoral division; or
 - (ii) a political party with one or more candidates at the election in the electoral division;
- (c) the traditional election advertising relates to the election in the electoral division; and
- (d) the traditional election advertising is in excess of the maximum permissible number prescribed in the election advertising regulations for traditional election advertising in that same form.

(2) Any person who is guilty of an offence under subsection (1) 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.

(3) Strict liability applies to an offence under subsection (1).

(4) However, any traditional election advertising which is publicly displayed in any of the following circumstances is not countable for the purposes of subsection (1):

(a) the public display of any traditional election advertising within or on an exterior wall or exterior window of the office or committee room of a candidate or group of candidates provided that the traditional election advertising —

(i) consists only of permissible electoral matter; and

(ii) is solely for the purpose of indicating that the office or room is the office or committee room of the candidate or group;

(b) the public display of any traditional election advertising —

(i) on an exterior wall or exterior window of any building or part of a building occupied by a political party as its office;

(ii) on an exterior wall or exterior window of any building partly occupied by a political party as its office; or

(iii) if a building mentioned in sub-paragraph (i) or (ii) is located in any grounds, on any outer wall, fence or other structure or feature to mark the boundary of those grounds,

provided that the traditional election advertising contains only the name or symbol, or both, of the political party concerned and is solely for the purpose of indicating that the office of the political party is or is within the building;

(c) the public display of any traditional election advertising within a hall or room that is being or is about to be used for an election meeting;

- (d) any public display of traditional election advertising in other circumstances prescribed by the election advertising regulations as excluded from subsection (1).

[Act 8 of 2023 wef 14/06/2024]

Permissible locations for traditional election advertising display

61I.—(1) A person commits an offence if —

- (a) the person publicly displays, or causes to be publicly displayed, any traditional election advertising in an electoral division during the campaign period relating to an election in the electoral division;
- (b) the person is, or is doing so on behalf of —
 - (i) an individual who is a candidate at the election in the electoral division; or
 - (ii) a political party with one or more candidates at the election in the electoral division;
- (c) the traditional election advertising relates to the election in the electoral division;
- (d) the traditional election advertising is publicly displayed in a place which is not a permissible location; and
- (e) the person knows or has reason to believe that the place is not a permissible location.

(2) For the purposes of subsection (1)(d) and (e), a permissible location is any premises, or any conveyance, thing or structure, prescribed in the election advertising regulations as a permissible location for the purpose of this section.

(3) In proceedings for an offence under subsection (1), it is not necessary for the prosecution to prove that an accused knew or had reason to believe that the content publicly displayed is traditional election advertising as described in subsection (1)(c).

(4) Any person who is guilty of an offence under subsection (1) 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.

(5) To avoid doubt, this section does not entitle any person to display any traditional election advertising on any premises, conveyance, thing or structure —

- (a) without the consent of the owner of the premises, conveyance, thing or structure;
- (b) without a licence, permit or other like approval required by or under any other written law; or
- (c) in a manner or in circumstances as to cause a serious and imminent risk of damaging other property or injuring another individual or an animal if the traditional election advertising does fall.

[Act 8 of 2023 wef 14/06/2024]

Restricted signage zone of polling station in Singapore

61J.—(1) A person commits an offence if —

- (a) the person publicly displays, or causes to be publicly displayed, in an electoral division any traditional election advertising during the campaign period relating to an election in the electoral division;
- (b) the person is, or is doing so on behalf of —
 - (i) an individual who is a candidate at the election in the electoral division; or
 - (ii) a political party with one or more candidates at the election in the electoral division;
- (c) the traditional election advertising relates to the election in the electoral division;
- (d) the traditional election advertising is publicly displayed within the restricted signage zone of any ordinary polling station or special polling station established for the conduct of a poll in that election; and

- (e) the person knows or has reason to believe that where the traditional election advertising is publicly displayed is within a restricted signage zone of such a polling station.

(2) In this section, “restricted signage zone”, for an ordinary polling station or a special polling station, means all of the following, unless otherwise provided in subsection (3):

- (a) the building, or part of the building, in which the following are, or are to be, located:
 - (i) any polling place of the polling station;
 - (ii) any polling booth or other facility for electors allotted to that polling station are to vote in accordance with this Act;
- (b) the area within 50 metres of the external edges of a building or part of a building mentioned in paragraph (a);
- (c) if a building or part of a building mentioned in paragraph (a) is located in any grounds —
 - (i) the area in those grounds;
 - (ii) the area within 50 metres of any outer wall, fence or other structure or feature that marks the boundary of those grounds; and
 - (iii) if the Returning Officer or a presiding officer of that polling station has designated entrances to the grounds under section 36A(4) — the area within 50 metres of each designated entrance to those grounds.

(3) However, “restricted signage zone” does not include premises in the zone mentioned in subsection (2)(b) or (c) that are —

- (a) used as a residence;
- (b) outside Singapore;
- (c) used by a candidate in an election in any electoral division, or by a political party, as an office; or

- (d) other premises lawfully occupied by or under an arrangement with the Returning Officer.

(4) In proceedings for an offence under subsection (1), it is not necessary for the prosecution to prove that an accused knew or had reason to believe that the content publicly displayed is traditional election advertising as described in subsection (1)(c).

(5) Any person who is guilty of an offence under subsection (1) 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.

- (6) Subsection (1) does not apply to or in relation to —

- (a) any official sign; and
- (b) any traditional election advertising prescribed by the election advertising regulations as excluded from subsection (1).

[Act 8 of 2023 wef 14/06/2024]

*Division 3 — Controls on third party
campaigning, foreigners and manipulated content*

[Act 34 of 2024 wef 22/01/2025]

Unauthorised third party online election advertising

61K.—(1) A person who is a third party at an election in an electoral division commits an offence if —

- (a) the third party publishes, or causes to be published, in Singapore, at any time during the election period of an election in the electoral division, any content, or any thing containing content, by electronic means in any way that renders the content accessible from the Internet;
- (b) the content is or includes online election advertising that relates to the election in the electoral division;
- (c) all or part of —
 - (i) the production of the content that is or includes the online election advertising; or
 - (ii) the publication of the online election advertising,

is paid for in money or money's worth by the third party or by another person who may or may not be a third party; and

(d) the third party knows or ought reasonably to have known that —

(i) the content is or includes online election advertising as described in paragraph (b); and

(ii) the production of the content that is or includes the online election advertising, or the publication of the online election advertising, is paid for in money or money's worth by the third party or by another person who may or may not be a third party.

(2) Any person who is guilty of an offence under subsection (1) 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.

(3) However, in any proceedings for an offence under subsection (1), it is a defence for the person charged to prove, on a balance of probabilities, that the person was granted a written authority signed by a candidate or a candidate's election agent in Form 22 or 23 (as the case may be) in the First Schedule when publishing or causing to be published the content in question.

(4) Subsection (1) does not apply to or in relation to any of the following:

(a) any publication of any news relating to an election by an authorised news agency;

(b) any publishing of content by electronic means in other circumstances prescribed by the election advertising regulations as excluded from subsection (1).

[Act 8 of 2023 wef 14/06/2024]

Unauthorised third party non-online election advertising

61L.—(1) A person who is a third party at an election in an electoral division commits an offence if —

(a) the third party, at any time during the election period of an election in the electoral division —

- (i) publishes, or causes to be published, in Singapore any content by electronic means in any way other than rendering the content accessible from the Internet; or
 - (ii) publicly displays, or causes to be publicly displayed, in the electoral division any content;
- (b) the content is or includes non-online election advertising that relates to the election in the electoral division; and
- (c) the third party knows or ought reasonably to have known that the content is or includes non-online election advertising that relates to the election in the electoral division.

(2) Any person who is guilty of an offence under subsection (1) 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.

(3) However, in any proceedings for an offence under subsection (1), it is a defence for the person charged to prove, on a balance of probabilities, that the person was granted a written authority signed by a candidate or a candidate's election agent in Form 22 or 23 (as the case may be) in the First Schedule.

(4) Subsection (1) does not apply to or in relation to any of the following:

- (a) any publication of any news relating to an election by an authorised news agency;
- (b) any publishing of content by electronic means or the public display of content in other circumstances prescribed by the election advertising regulations as excluded from subsection (1).

[Act 8 of 2023 wef 14/06/2024]

Ban on foreigners, etc., publishing or displaying election advertising

61M.—(1) A person commits an offence if —

- (a) the person, at any time during the election period of an election in an electoral division —
 - (i) publishes, or causes to be published, in Singapore; or
 - (ii) publicly displays, or causes to be publicly displayed, any content, or any thing containing content;
- (b) the content is or includes election advertising that relates to the election in the electoral division;
- (c) the person is a foreigner or a foreign entity; and
- (d) the person knows or ought reasonably to have known that the content is or includes election advertising that relates to the election in the electoral division.

(2) Any person who is guilty of an offence under subsection (1) 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.

[Act 8 of 2023 wef 14/06/2024]

Ban on manipulated online election advertising containing realistic but false representation of candidate, etc.

61MA.—(1) A person commits an offence if —

- (a) the person publishes, or causes to be published, in Singapore any content, or any thing containing content, at any time during the election period of an election in an electoral division;
- (b) the content is or includes online election advertising that relates to the election in the electoral division;
- (c) the person knows or ought reasonably to have known that the content is or includes online election advertising that relates to the election in the electoral division;
- (d) the online election advertising contains an audio, visual or audiovisual representation of a candidate in the election

saying or doing something, whether during that election period or at some other time;

- (e) the candidate did not in fact say or do that thing, but the representation is realistic enough such that it is likely that some members of the general public would, if they heard or saw the representation, reasonably believe that the candidate said or did that thing; and
- (f) the representation was created wholly or partly with content that was generated or manipulated using digital means.

Illustrations

The following are illustrations of online election advertising that contain representations of a candidate saying or doing something that he or she did not in fact say or do.

- (a) An online election advertisement contains an audio representation of a candidate saying “I support tax increases”. The candidate in fact said “I do not support tax increases”.
- (b) An online election advertisement contains an audiovisual representation of a candidate pausing for a long time between 2 sentences. The candidate did say the 2 sentences but did not pause between them.
- (c) An online election advertisement contains an audiovisual representation of a candidate making a speech at a temple with a statement “We will build public housing on this land”. The candidate did make the speech and the statement, but on a piece of vacant land.

The technology known as generative artificial intelligence is an example of digital means by which content could be generated or manipulated.

(2) Any person who is guilty of an offence under subsection (1) 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.

(3) However, in any proceedings for an offence under subsection (1), it is a defence for the person charged to prove, on a balance of probabilities, that the person did not know and had no reason to believe that the candidate did not in fact say or do the thing mentioned in subsection (1)(d) and (e).

(4) Subsection (1) does not apply to or in relation to any of the following:

- (a) any communication of content between 2 or more individuals that is of a private or domestic nature by electronic means;
- (b) any publication of any news relating to an election by an authorised news agency;
- (c) any publishing of content by electronic means in other circumstances prescribed by the election advertising regulations as excluded from subsection (1).

(5) For the purposes of this section, “candidate”, in relation to an election in an electoral division, means —

- (a) for the period starting when the writ for that election is issued under section 24 and ending with the end of nomination proceedings for that election — a person whose name is published under section 28(1C); and
- (b) for the period starting with the end of nomination proceedings for that election and ending with the end of the election period for that election — a person who is nominated as a candidate for that election.

[Act 34 of 2024 wef 22/01/2025]

Division 4 — Supplementary provisions

Corrective directions for online election advertising

61N.—(1) Where the Returning Officer reasonably believes that an offence under section 61B, 61C, 61F, 61K, 61M, 61MA, 78C, 78D or 83(5) is being or has been committed, resulting in or involving publishing in Singapore by electronic means any online election advertising, the Returning Officer may, by written direction, require a relevant person —

- (a) to do one or more of the following as the Returning Officer considers appropriate:
 - (i) to take all reasonable steps to ensure the removal, from the social media service, relevant electronic

service or internet access service (as the case may be) of the online election advertising identified in the direction;

- (ii) to take all reasonable steps to disable access to the online election advertising on the social media service, relevant electronic service or internet access service (as the case may be) by end-users in Singapore who use or may use the service;
 - (iii) to take all reasonable steps so as to stop or reduce electronic communications activity involving, provision of or access to, or further electronic communications activity involving, further provision of or access to, that online election advertising by end-users in Singapore of the social media service, relevant electronic service or internet access service; and
- (b) to do so within the period specified in the written direction, or any extension of that period that the Returning Officer may allow in any particular case.

[Act 34 of 2024 wef 22/01/2025]

(2) Any relevant person who, without reasonable excuse, fails to comply with a direction given under subsection (1) shall be guilty of an offence and shall be liable on conviction —

- (a) in the case of a provider of a social media service — to a fine not exceeding \$1,000,000; or
- (b) in any other case — to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both.

[Act 34 of 2024 wef 22/01/2025]

(2A) A candidate may make a request in the prescribed form and manner for the Returning Officer to give a direction under subsection (1) in respect of an offence under section 61MA.

[Act 34 of 2024 wef 22/01/2025]

(2B) A candidate commits an illegal practice if he or she —

- (a) knowingly makes a false or misleading declaration in a request under subsection (2A); or
- (b) makes a request under subsection (2A) knowing that a material particular of the request is false or misleading.

[Act 34 of 2024 wef 22/01/2025]

(3) In this section, “relevant person” means —

- (a) a candidate at an election in an electoral division;
- (b) a political party with one or more candidates at an election in an electoral division;
- (c) a third party in relation to an election in an electoral division who is connected with the commission of the offence but not a person mentioned in paragraph (d); or
- (d) a provider of a social media service, a relevant electronic service or an internet access service.

[Act 8 of 2023 wef 14/06/2024]

Removal and confiscation of traditional election advertising, etc.

61O.—(1) Where the Returning Officer reasonably believes that an offence under section 61C, 61E, 61G, 61H, 61I or 61J is being committed, the Returning Officer may direct a person —

- (a) to either remove or cause to be removed, or to otherwise stop any public display of, any traditional election advertising that is publicly displayed in connection with that offence; and
- (b) to do so within the period specified in the direction, or any extension of that period that the Returning Officer may allow in any particular case.

(2) Without affecting the right of the Returning Officer to exercise the powers under subsection (3), a person who, without reasonable excuse, fails to comply with any direction given to the person under subsection (1) commits 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.

(3) If any direction given under subsection (1) is not complied with to the satisfaction of the Returning Officer, the Returning Officer may carry out or take steps or cause to be carried out any work or any steps to be taken, which are in the Returning Officer's opinion necessary to secure compliance with the direction, including all or any of the following:

- (a) remove or causing to be removed any traditional election advertising that is publicly displayed in connection with an offence under section 61C, 61E, 61G, 61H, 61I or 61J and moving and detaining the traditional election advertising at a holding yard or other place;
- (b) stop any public display of any traditional election advertising that is publicly displayed in connection with an offence under section 61C, 61E, 61G, 61H, 61I or 61J.

(4) Any removed traditional election advertising moved or removed to a holding yard under subsection (3) —

- (a) must be dealt with in accordance with section 364(1) of the Criminal Procedure Code 2010 where the removed traditional election advertising is produced in any criminal trial;
- (b) is deemed to be forfeited to the Government where the owner of the removed traditional election advertising consents to its disposal; or
- (c) in any other case, must be returned to the owner of the removed traditional election advertising or reported to a Magistrate's Court.

[Act 8 of 2023 wef 14/06/2024]

Evidence

61P. In proceedings for an offence under Division 1, 2 or 3 —

- (a) an election advertising that includes a statement that its publication was authorised by a specified person;

- (b) an election advertising that includes a statement that it was printed by a specified person; or
- (c) material consisting of, or containing, a commentary on a candidate or political party, or the issues being submitted to electors, that includes a statement that a specified person takes responsibility for the publication of the material,

is, in the absence of proof to the contrary, proof of that fact.

[Act 8 of 2023 wef 14/06/2024]

Defences

61Q.—(1) In any proceedings for an offence under Division 1, 2 or 3, it is a defence to the charge if the accused proves, on a balance of probabilities, that —

- (a) the accused —
 - (i) did not know and could not reasonably have known that the offence would be or is being committed; and
 - (ii) took all reasonable steps and exercised all due diligence to prevent or stop the commission of the offence or further commission of that offence when the accused became aware that it was committed; or
- (b) the commission of the offence arose from circumstances beyond the accused's control.

(2) Every offence under Division 1, 2 or 3 or any election advertising regulations is an arrestable offence within the meaning of the Criminal Procedure Code 2010.

[Act 8 of 2023 wef 14/06/2024]

Election advertising regulations

61R.—(1) Subject to section 102B, the Minister may make regulations necessary or convenient to be prescribed for carrying out or giving effect to this Division or Division 1, 2 or 3.

(2) In particular, the Minister may make regulations for any of the following:

- (a) regulating any public display, by or on behalf of a political party, or a candidate or group of candidates, or both, of any traditional election advertising;
 - (b) regulating the publishing in Singapore by electronic means, by or on behalf of a political party, or a candidate or group of candidates, or both, in connection with an election in an electoral division, any online election advertising and any non-online election advertising;
 - (c) providing that any contravention of any provision of the regulations shall be an offence punishable with a fine not exceeding \$1,000 or with imprisonment for a term not exceeding 12 months or with both;
 - (d) providing for any saving, transitional and other consequential, incidental and supplemental provisions that are necessary or expedient.
- (3) The election advertising regulations may prescribe —
- (a) a maximum permissible number of traditional election advertising allowed to be publicly displayed within an electoral division by reference to the total number of electors registered for the electoral division; and
 - (b) different maximum permissible numbers for different types of traditional election advertising or for different forms of public display of traditional election advertising.

[Act 8 of 2023 wef 14/06/2024]

Supplementary interpretive provisions for election advertising controls

61S.—(1) In this Division and Divisions 1, 2 and 3 —

“a point” includes a mobile or potentially mobile point, whether on land, underground, in the atmosphere, underwater or anywhere else;

“authorised news agency” means the holder of —

- (a) a permit granted under the Newspaper and Printing Presses Act 1974; or

- (b) a broadcasting licence granted under section 8, or deemed granted under section 9, of the Broadcasting Act 1994;

“campaign period”, for an election in an electoral division, means the period —

- (a) starting immediately after nomination proceedings end on the day of nomination for that election and the election is adjourned under section 34(1)(a) or 34A(1)(a) (as the case may be) to enable a poll to be taken in accordance with the Act; and
- (b) ending with the start of cooling-off period for that election, as defined in section 61C(4);

“election period” means —

- (a) for a general election of Members, the period —
 - (i) starting when a writ of election is issued under section 24 for the purposes of the general election; and
 - (ii) ending with the close of polling on polling day at that general election; or
- (b) for a by-election of a Member or group of Members for an electoral division, the period —
 - (i) starting when a writ of election is issued under section 24 for the purposes of the by-election; and
 - (ii) ending with the close of polling on polling day at that by-election;

“functionality”, in relation to an electronic service or an internet access service, includes —

- (a) any feature that enables interactions of any description between end-users of the service;
- (b) any feature that enables end-users to search online locations or databases, index search results or

otherwise retrieve information or material from the search results; and

- (c) any feature enabling an end-user to do anything as follows:
 - (i) creating a user profile, including an anonymous or a pseudonymous profile;
 - (ii) searching within the service for user-generated content or other users of the service;
 - (iii) forwarding content to, or sharing content with, other users of the service;
 - (iv) sharing content on any internet-based services;
 - (v) sending direct messages to or speaking to other users of the service, or interacting with them in another way (such as by playing a game);
 - (vi) expressing a view on content;

Examples

- (a) Applying a “like” or “dislike” button or other similar button.
- (b) Applying an emoji or a symbol of any kind.
- (c) Engaging in yes/no voting.
- (d) Rating or scoring content in any way.
- (vii) sharing current or historic location information with other users of the service, recording a user’s movements or identifying which other users of the service are nearby;
- (viii) following or subscribing to particular kinds of content or particular users of the service;
- (ix) creating lists, collections, archives or directories of content or users of the service;
- (x) tagging or labelling content present on the service;
- (xi) uploading content relating to goods or services;

(xii) applying or changing settings on the service which affect the presentation of user-generated content on the service;

(xiii) accessing other internet services through content present on the service (such as through hyperlinks);

“identity particulars” means —

(a) for an individual — his or her full name as shown in his or her passport or other identity document and any other identifying particulars prescribed (if prescribed); or

(b) for an entity —

(i) the full name of the entity; and

(ii) any other identifying particulars prescribed (if prescribed);

“internet access service” means a telecommunication service between a point in Singapore and another point in Singapore or between 2 points, one of which is in Singapore —

(a) that —

(i) enables end-users to access content on the Internet using that service; or

(ii) delivers content to persons having equipment appropriate for receiving that content on the Internet, where the delivery of the service is by a telecommunication service described in sub-paragraph (i); and

(b) that is covered by a licence under the Telecommunications Act 1999,

but excludes a social media service;

“MMS” means an electronic service that enables only the transmission of multimedia messages (such as visual or voice communication) from an end-user on a mobile telephone to

another mobile telephone through a telecommunication service;

“money’s worth” means any service, any office or employment, or any goods or property (whether movable or immovable and whether tangible or intangible) and includes any of the following:

- (a) any virtual voucher, virtual coupon, virtual credit, virtual coin or virtual token;
- (b) any arrangement under which a party has —
 - (i) an encashable legal or equitable right to receive a financial benefit;
 - (ii) an encashable legal or equitable obligation to provide a financial benefit; or
 - (iii) a combination of one or more such rights and one or more such obligations;
- (c) any right to receive money or something else that is money’s worth under this definition;

“permissible electoral matter” means all or any of the following, and nothing else:

- (a) the name or symbol (or both) of a political party;
- (b) the name or image (or both) of a candidate as a candidate;
- (c) the symbol allotted to a candidate, or to the group of candidates to which he or she belongs, under section 34 or 34A;

“point-to-multipoint service” means an electronic service which allows an end-user to communicate content to more than one end-user simultaneously;

“relevant electronic service” means —

- (a) an electronic service that enables end-users to communicate, by means of email, with other end-users;

- (b) an online instant messaging service that enables end-users to communicate with other end-users;
- (c) a point-to-multipoint service;
- (d) an electronic service that enables end-users to play online games with other end-users; or
- (e) an electronic service that specialises in providing links or facilitating access to, or information about, online locations, such as (but not limited to) a search engine, directory service or web browser;

“SMS” means an electronic service that only enables the transmission of short text messages from an end-user on a mobile telephone to another mobile telephone through a telecommunication service;

“social media service” means an electronic service that satisfies all the following characteristics:

- (a) the sole or primary purpose of the service is to enable online interaction or linking between 2 or more end-users (including enabling end-users to share content for social purposes);
- (b) the service allows end-users to communicate content on the service;
- (c) such other characteristics as are prescribed;

“user-generated content”, in relation to an electronic service, means content —

- (a) that is —
 - (i) generated directly on the service by an end-user of the service; or
 - (ii) communicated by posting or sharing on the service by an end-user of the service; and
- (b) that may be accessed by another end-user of that service, or other users, of the service by means of that service.

(2) In this Division and Divisions 1, 2 and 3, a person undertakes electronic communications activity in relation to any content if the person communicates or distributes the content on or by —

- (a) an SMS;
- (b) an MMS;
- (c) a service that renders the content accessible from the Internet, such as but not limited to on or by a social media service, a relevant electronic service or an internet access service; or
- (d) a broadcasting service or other electronic service (such as real-time transmission) for reception on a computer monitor, television screen, mobile device or similar medium equipment appropriate for receiving that content.

(3) For the purposes of section 61B(9)(b), 61D(2)(a) or 61MA(4)(a), whether any communication of content by electronic means is or is not of a private or domestic nature must be determined by having regard to all or any one of the following factors:

- (a) the number of individuals in Singapore who are able to access the content by means of the service;
- (b) any restrictions on who may access the content by means of the service (such as a requirement for approval or permission from a user, or the provider, of the service);
- (c) the relationship between the persons that the content is being or has been communicated;
- (d) any other relevant factor.

[Act 34 of 2024 wef 22/01/2025]

(4) However, for the purposes of subsection (3), the following factors do not count as restrictions on access to content communicated by electronic means:

- (a) a requirement to log in to or register with the electronic service (or part of such a service);
- (b) a requirement to make a payment or take out a subscription in order to access the electronic service (or part of such a

service) or to access particular content communicated by means of that service;

- (c) inability to access the electronic service (or part of such a service) or to access particular content communicated by means of that service except by using particular technology or a particular kind of device (as long as that technology or device is generally available to the public).

(5) For the purposes of the definition of “money’s worth” in subsection (1), a right to receive, or an obligation to provide, a financial benefit is encashable if, and only if —

- (a) the benefit is money or money’s worth;
- (b) in the case of a right, the holder thereof intends to satisfy or settle it by receiving money or money’s worth;
- (c) in the case of an obligation, the party subject to it intends to satisfy or settle it by providing money or money’s worth; or
- (d) the financial benefit is readily convertible into money or money’s worth and there is a market for the financial benefit that has a high degree of liquidity.

(6) Any provision in this Division or Division 1, 2 or 3 or section 78C or 78D, or in the election advertising regulations, involving publishing content by electronic means extends to a person who engages in any conduct that constitutes an offence described in the respective provision —

- (a) wholly or partly in Singapore; or
- (b) wholly outside Singapore and as a result of that conduct, the offence occurs wholly or partly in Singapore.

(7) For the purpose of subsection (6), where a person sends content or a thing containing content, or causes content or a thing containing content to be sent, by electronic means —

- (a) from a point outside Singapore to a point in Singapore; or
 - (b) from a point in Singapore to a point outside Singapore,
- that conduct is taken to have occurred partly in Singapore.

(8) To avoid doubt, nothing in this Act limits the operation of section 26 of the Electronic Transactions Act 2010 in relation to network service providers.

[Act 8 of 2023 wef 14/06/2024]

ELECTION AGENT,
ELECTION EXPENSES
AND ILLEGAL PRACTICES

Appointment of election agent

62.—(1) On or before the day of nomination at an election, a person must be appointed 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.

[Act 8 of 2023 wef 14/06/2024]

(2) A candidate may appoint 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.

[Act 8 of 2023 wef 14/06/2024]

(2A) Where there is no appointment in force under subsection (1) or (2) of an election agent of a candidate for the election, the candidate must be treated, and so far as circumstances admit and subject to the provisions of this Act —

- (a) both as a candidate and as an election agent; and
- (b) as appointed under subsection (1) as his or her election agent for that election and deemed so declared under subsection (3),

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 by virtue of this subsection.

[Act 8 of 2023 wef 14/06/2024]

(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 using either an electronic system or a form approved by the Returning Officer for the election.

[Act 8 of 2023 wef 14/06/2024]

(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 or deemed declared.

[Act 8 of 2023 wef 14/06/2024]

(4) Only one person may hold an appointment as the election agent for a particular candidate at any one time, but the appointment, whether the election agent appointed be the candidate himself or herself or not, may be revoked.

[Act 8 of 2023 wef 14/06/2024]

(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.

(5A) When there is no appointment in force under subsection (5) of a principal election agent for a group of candidates in an election, but there are appointments of election agents under subsection (1), (2) or (2A) in force, the election agent of the candidate whose name is to appear first in the group in the ballot papers under section 40(3)(a), must be treated as appointed as the principal election agent of the group in relation to the election and deemed declared under subsection (3) as that principal election agent.

[Act 8 of 2023 wef 14/06/2024]

(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.

[Act 8 of 2023 wef 14/06/2024]

Person convicted of corrupt practice, etc., not to be appointed election agent

63. A person must not be appointed an election agent if the person is an undischarged bankrupt or has, within 7 years prior to such appointment, been convicted of any corrupt practice under this Act or the Presidential Elections Act 1991.

[Act 8 of 2023 wef 14/06/2024]

Making of contracts through election agent

64.—(1) Subject to subsections (1A) and (1B), 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.

[Act 8 of 2023 wef 14/06/2024]

(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.

(1B) The candidate or, in the case of a group of candidates, any candidate in the group may —

- (a) make any appointment mentioned in subsections (1)(a) and (1A); and
- (b) inform the presiding officer at each polling station in writing of the name of every polling agent appointed to act at that polling station.

[Act 8 of 2023 wef 14/06/2024]

(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) The Returning Officer may issue one or more guidelines for the purpose of providing practical guidance or certainty in respect of any one or more of the requirements of this section, what must be or need not be disclosed in any returns respecting election expenses.

[Act 8 of 2023 wef 14/06/2024]

(4B) In proceedings for an illegal practice under this Act involving any returns respecting election expenses —

- (a) compliance with a provision of any guideline issued under subsection (4A) found by the court, to be relevant to a matter to which a contravention or failure alleged in the proceedings relates; or
- (b) a contravention of or a failure to comply with, whether by act or omission, any such provision so found,

may be relied on by any party to those proceedings as tending to negative or establish any liability which is in question in those proceedings.

[Act 8 of 2023 wef 14/06/2024]

(5) For the purposes of this section, “donation” has the meaning given by the definition of “political donation” in section 51 of the Foreign Interference (Countermeasures) Act 2021, and a donation is accepted by a candidate or an election agent if it is accepted within the meaning of that Act.

[Act 28 of 2021 wef 29/12/2023]

Corrections to returns respecting election expenses, etc.

74A.—(1) Where the election agent of any candidate at an election becomes aware of any error or omission in any content contained in any return respecting election expenses which the election agent first transmitted under section 74 to the Returning Officer with respect to the candidate and the election (called in this section an original return) —

- (a) the election agent may apply to the Returning Officer to correct the error or omission in the original return, accompanied by —

- (i) a fresh return respecting election expenses annotated with what content in the original return is corrected and how it is corrected; and
 - (ii) a fresh statement and declaration in Form 19 in the First Schedule, made together with the candidate, in relation to the return respecting election expenses annotated under sub-paragraph (i); and
 - (b) the Returning Officer must give the election agent a reasonable opportunity to correct that error or omission unless subsection (3) applies.
- (2) To avoid doubt, an election agent may make more than one application under this section to correct the same original return.
- (3) However —
- (a) no application under subsection (1) may be made; and
 - (b) no correction may be made with respect to any original return earlier transmitted to the Returning Officer,
- after the expiry of the time delimited by section 74(1) for the transmission to the Returning Officer of returns respecting election expenses and the statements relating thereto.
- (4) Every fresh return respecting election expenses by an election agent of a candidate and every fresh statement and declaration relating thereto, if transmitted to the Returning Officer according to subsection (1), must be treated for the purposes of this Act as replacing any original return by the same election agent and any statement and declaration relating to the original return.
- (5) In this section, “error” has the meaning given by section 103(3).
- (6) Nothing in this section affects section 88.

[Act 8 of 2023 wef 14/06/2024]

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 under section 74(1) or 74A(1), 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 online location maintained by the Government at which they can be inspected, to be published in the *Gazette* and published in Singapore in any other manner that will secure adequate publicity in Singapore for the contents of the notice.

[Act 8 of 2023 wef 14/06/2024]

(2) The Returning Officer must —

- (a) preserve all such returns and statements; and
- (b) ensure that, for a period of 6 months starting the date the notice is published under subsection (1) in the *Gazette*, the online location specified in that notice is accessible at all times so that any person may inspect those returns respecting election expenses and statements at that online location.

[Act 8 of 2023 wef 14/06/2024]

(c) [Deleted by Act 8 of 2023 wef 14/06/2024]

[41/2018]

(2A) Before permitting the inspection of 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]

[Act 8 of 2023 wef 14/06/2024]

(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]

(3A) In addition to subsection (3), the Returning Officer may, at any time during the period specified in subsection (2), audit or cause to be audited by a person approved by the Returning Officer, any return respecting election expenses transmitted under section 74(1) or 74A(1) (as the case may be) by an election agent of a candidate on behalf of the candidate, in accordance with generally accepted accounting standards to report whether —

- (a) the return respecting election expenses presents fairly the content contained in the supporting documents on which it is based; and
- (b) the provisions of this Act relating to returns respecting election expenses and any statement or declaration relating thereto have been in all respects complied with.

[Act 8 of 2023 wef 14/06/2024]

(3B) For the purpose of carrying out an audit of any return respecting election expenses by an election agent of a candidate on behalf of the candidate, the Returning Officer or a person approved under subsection (3A) (each called in this subsection and subsection (3C) an auditor) —

- (a) is to have access at any reasonable time to all of the candidate's documents and his or her election agent's documents, and the supporting documents and other records, books, vouchers, documents, stores or other property subject to the audit; and
- (b) may require the candidate and his or her election agent, or the political party to whom the candidate belongs, to provide any information or explanation that the auditor needs to prepare the auditor's report under subsection (3A).

[Act 8 of 2023 wef 14/06/2024]

(3C) If a candidate or his or her election agent, or a political party refuses access or to provide information or explanation, required under subsection (3B), to an auditor, the auditor may state in the auditor's report under subsection (3A) that the auditor has not received all the information and explanation required for the purpose of subsection (3B).

[Act 8 of 2023 wef 14/06/2024]

(3D) The Returning Officer must not approve any person under subsection (3A) to be an auditor unless the person is an individual who is registered or deemed to be registered in accordance with the Accountants Act 2004 as a public accountant.

[Act 8 of 2023 wef 14/06/2024]

(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.

78. *[Repealed by Act 8 of 2023 wef 14/06/2024]*

78A. *[Repealed by Act 8 of 2023 wef 14/06/2024]*

78B. *[Repealed by Act 8 of 2023 wef 14/06/2024]*

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, or any content purporting to be any result of an 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.

[Act 8 of 2023 wef 14/06/2024]

(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 voters will vote at an election or of the preferences of voters 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.

[Act 8 of 2023 wef 14/06/2024]

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 section 78C or 78D offence

78E.—(1) It is a defence for a person charged with an offence under section 61(1) or (5), 78C(2) or 78D(2) to prove —

- (a) that the contravention of section 61(1)(d) or (e), 78C(1) or 78D(1) (as the case may be) arose from circumstances beyond the person’s control; and

[Act 8 of 2023 wef 14/06/2024]

- (b) that the person took all reasonable steps, and exercised all due diligence, to ensure that that contravention would not arise.

[Act 8 of 2023 wef 14/06/2024]

(2) Nothing in subsection (1) limits the operation of section 26 of the Electronic Transactions Act 2010 in relation to network service providers.

[Act 8 of 2023 wef 14/06/2024]

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 the restricted zone of any polling station on polling day; or
[Act 8 of 2023 wef 14/06/2024]
- (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 the restricted zone of any polling station.

[Act 8 of 2023 wef 14/06/2024]

(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.

(4) In this section, “restricted zone”, for a polling station, means all of the following, unless otherwise provided in subsection (5):

- (a) the building, or part of the building, in which the following are, or are to be, located:
 - (i) any polling place of the polling station;
 - (ii) any polling booth or other facility for electors allotted to that polling station are to vote in accordance with this Act;
- (b) the area within 200 metres of the external edges of a building or part of a building mentioned in paragraph (a);
- (c) if a building or part of a building mentioned in paragraph (a) is located in any grounds —
 - (i) the area in the grounds;
 - (ii) the area within 200 metres of any outer wall, fence or other structure or feature that marks the boundary of those grounds; and
 - (iii) if the Returning Officer or a presiding officer of that polling station has designated entrances to the grounds under section 36A(4) — the area within 200 metres of each designated entrance to those grounds.

[Act 8 of 2023 wef 14/06/2024]

(5) However, “restricted zone” for a polling station does not include premises in the zone mentioned in subsection (4)(b) or (c) that are outside Singapore.

[Act 8 of 2023 wef 14/06/2024]

Persons prohibited from conducting election activity

83.—(1) A person —

(a) who is below 16 years of age;

[Act 8 of 2023 wef 14/06/2024]

(b) against whom an order of supervision has been made under section 30(1)(b) of the Criminal Law (Temporary Provisions) Act 1955; or

[Act 8 of 2023 wef 14/06/2024]

(c) who is a foreigner or a foreign entity,

[Act 8 of 2023 wef 14/06/2024]

(d) [Deleted by Act 8 of 2023 wef 14/06/2024]

must not take part in any election activity.

[12/2018]

(1A) [Deleted by Act 8 of 2023 wef 14/06/2024]

(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 below 16 years of age or is a foreigner or a foreign entity, 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]

[Act 8 of 2023 wef 14/06/2024]

(7) Every offence under this section for contravening subsection (1) 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]

[Act 8 of 2023 wef 14/06/2024]

(8A) However, “election activity” excludes a third party publishing, or causing to be published, any content in any way that renders the content accessible from the Internet, where all or part of the production of the content or its publication is not paid for, in money or money’s worth, by the third party or by another person who may or may not be a third party.

[Act 8 of 2023 wef 14/06/2024]

(9) Nothing in this section prohibits the taking part in or conduct of election activity by any prescribed individual, or individual in a prescribed class of individuals, or 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.

[Act 8 of 2023 wef 14/06/2024]

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 ordered to attend court or ordered to produce documents, 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 —
 - (i) whose name was not on the register of electors for the electoral division to which the application relates;
 - (ii) who is not allotted under section 13A(3A)(a)(i) or (ba)(i) to the overseas polling station at which the vote was recorded or who is designated under section 13A(3A) as a postal voter for that election, in the case of a vote recorded at an overseas polling station;
 - (iii) who is not allotted under section 36A(1)(c) to the ordinary polling station at which the vote was recorded;
 - (iv) who is not allotted under section 47B(1) to the special polling station at which the vote was recorded, in the case of a vote recorded at a special polling station; or
 - (v) who has not been authorised to vote at the ordinary polling station or special polling station under section 39(1A);
- [Act 8 of 2023 wef 14/06/2024]*
- (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.

Regulations relating to crisis management at election

102A.—(1) Subject to this section and section 102B, the Minister may make regulations to enable contingency arrangements to be put in place, should they be required, to enable a Returning Officer to conduct safe, orderly, efficient and timely elections in one or more electoral divisions and support the resilience of Singapore's democracy, because of a disruptive event which —

- (a) has occurred or is likely to occur, before or during any stage of an election, in Singapore or in a country where there is established one or more overseas polling stations; and
- (b) prevents or seriously interrupts, or is likely to prevent or seriously interrupt, the conduct of the election according to the provisions of this Act.

(2) Regulations made under subsection (1) may modify (so far as relevant) the application of any provision of this Act, or any regulations made under section 47C or 56F, to the conduct of nomination proceedings or a poll, or the counting at any counting place or principal counting place of votes cast, for an election in an electoral division because of a disruptive event.

(3) Regulations made under subsection (1) may include providing for, or providing for the determination personally by the Returning Officer of —

- (a) a change in —
 - (i) the hours of those nomination proceedings, or of the conduct of the poll or the counting of votes cast, for an election in an electoral division; or

- (ii) the address of a place of nomination, polling station, counting place or principal counting place;
- (b) any of the following in relation to those nomination proceedings:
 - (i) a temporary suspension (not exceeding 2 hours);
 - (ii) a postponement or an adjournment and postponement of the day of nomination to a date no later than one month after the date of the writ;
- (c) any of the following in relation to voting at the poll at one or more polling stations:
 - (i) a temporary suspension (not exceeding 2 hours);
 - (ii) an adjournment and postponement of voting at the poll to a date no later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 34(6)(d) or 34A(6)(d), as the case may be;
 - (iii) abandoning the poll and restarting it on a date no later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 34(6)(d) or 34A(6)(d), as the case may be;
 - (iv) ending voting early;
- (d) any of the following in relation to the counting at one or more counting places or a principal counting place of votes cast:
 - (i) a temporary suspension (not exceeding 2 hours);
 - (ii) an adjournment and postponement of counting of votes cast to a date no later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 34(6)(d) or 34A(6)(d), as the case may be;
 - (iii) abandoning the counting and restarting voting at the poll and counting of votes cast no later than the 56th day after the date of publication of the notice of

- contested election in the *Gazette* under section 34(6)(d) or 34A(6)(d), as the case may be;
- (e) abandoning the counting of votes cast at any polling station —
- (i) if any sealed ballot box containing votes cast at a polling station in the election is, because of a disruptive event, lost or destroyed at any time —
 - (A) after the close of the poll at a 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 polling station; or
 - (ii) for any other reason,
- but only if the number of votes likely to have been cast at the polling station will not affect the result of the election;
- (f) wholly abandoning the poll at an overseas polling station in a foreign country or a special polling station in a nursing home because voting in person thereat cannot start or be resumed or completed due to special circumstances in the foreign country or nursing home, as the case may be;
- (g) any alternate method of voting by electors at the poll except that any alternate method of voting must be such that an elector casting his or her vote using that method for an election —
- (i) receives the same information (in the same order), and has the same voting options, as would appear in the ballot paper for the election that the person would be given if he or she were instead voting in person under sections 39 and 42; and
 - (ii) is able to indicate his or her vote in a way that, if he or she were instead marking a ballot paper in person, would satisfy the requirements of section 42;

(h) the giving of public notice of —

- (i) any change, suspension, adjournment and postponement, abandonment, new start or resumption mentioned in paragraph (a), (b), (c) or (d), as the case may be;
 - (ii) any abandoning of voting or the counting of votes mentioned in paragraph (e) or (f); and
 - (iii) any alternate method of voting mentioned in paragraph (g); and
- (i) the witnessing or attesting to any thing (but not voting) through the use of remote communication technology, such as by video conferencing, tele-conferencing or other electronic means.

(4) Regulations made under subsection (1) —

(a) must not authorise any person to vote —

- (i) 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;
 - (ii) in or in respect of an electoral division other than the electoral division in which he or she is registered as an elector; and
 - (iii) in or in respect of more than one electoral division at any general election;
- (b) must provide for a record of every vote cast at a polling station but the vote record must not contain any means of identifying the person who cast the vote;
- (c) must make provision for, or in relation to, how this Act applies in relation to votes cast using an alternate method of voting; and
- (d) must be consistent with the principles laid down in any provision of the Act that is modified by those regulations.

(5) Regulations made under subsection (1) may make different provisions in relation to different classes of voters affected differently

by the same disruptive event occurring or about to occur at an election.

(6) However, nothing in this section limits or affects, or authorises the making of regulations that limit or affect, the operation of section 26.

(7) In this section —

“counting”, of votes cast at an election, includes recounting and adding votes cast at the election;

“disruptive event” means —

- (a) riot or open violence;
- (b) the threat of riot or open violence;
- (c) a storm, flood, eruption, earthquake, landslip or an occurrence (natural or otherwise) of a similar kind;
- (d) a health hazard;
- (e) a fire or a poor air quality episode involving smoke, or the activation of fire safety equipment (such as sprinklers or alarms);
- (f) the releasing into the environment or any part of the environment or otherwise exposing the public to any toxic chemical or any dangerous, hazardous, radioactive or harmful substance;
- (g) an accident associated with the operation of an aircraft, vessel, train or public passenger transport motor vehicle where the aircraft, vessel, train or public passenger transport motor vehicle is destroyed or damaged, or missing or completely inaccessible;
- (h) an unplanned and prolonged outage of any telecommunication or electricity service, or an information and communications system, which is essential for the proper conduct of an election according to the provisions of this Act; and

(i) anything else related —

- (i) to the safety of persons authorised to be present at a place of nomination, polling station, counting place or principal counting place; or
- (ii) to difficulties in the physical conduct of nomination proceedings, a poll, or the counting or recounting of votes at any counting place or principal counting place, for an electoral division at the election;

“nomination proceedings” includes —

- (a) proceedings for the Returning Officer to receive nomination papers;
- (b) proceedings for the making of objections to any nomination paper;
- (c) proceedings where 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; and
- (d) proceedings by which a candidate may make his or her indication (regarding his or her name) to the Returning Officer under section 105(1).

[Act 8 of 2023 wef 14/06/2024]

Presentation to Parliament, etc.

102B.—(1) All regulations made under this Act must be presented to Parliament as soon as possible after publication in the *Gazette*.

(2) Where a writ of election has been issued under section 24 for an election in any electoral division, no regulations may be made under this Act until after the day of nomination or, if a poll is to be taken, until after polling day of that election.

[Act 8 of 2023 wef 14/06/2024]

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.

Service of documents

110.—(1) A document that is permitted or required by this Act to be served on a person may be served as described in this section.

(2) A document permitted or required by this Act to be served on an individual may be served —

- (a) by giving it to the individual personally;
- (b) by sending it by prepaid registered post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address;
- (c) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;
- (d) by affixing a copy of the document in a conspicuous place at the individual's residential address or business address;

- (e) by sending it by fax to the fax number last known to the person giving or serving the document as the fax number for the service of documents on the individual; or
- (f) by sending it by email to the individual's last email address.

(3) A document permitted or required by this Act to be served on a partnership (other than a limited liability partnership) may be served —

- (a) by giving it to any partner or other similar officer of the partnership;
- (b) by leaving it at, or by sending it by prepaid registered post to, the partnership's business address;
- (c) by sending it by fax to the fax number used at the partnership's business address; or
- (d) by sending it by email to the partnership's last email address.

(4) A document permitted or required by this Act to be served on a body corporate (including a limited liability partnership) or an unincorporated association may be served —

- (a) by giving it to the secretary or other similar officer of the body corporate or unincorporated association, or the limited liability partnership's manager;
- (b) by leaving it at, or by sending it by prepaid registered post to, the body corporate's or unincorporated association's registered office or principal office in Singapore;
- (c) by sending it by fax to the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore; or
- (d) by sending it by email to the body corporate's or unincorporated association's last email address.

(5) In addition, a document permitted or required by this Act to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

- (a) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents;
 - (b) where by the exercise of reasonable diligence, the name of any individual or a body of persons to whom the document is to be served, or the business address, residential address or last email address of the individual or body, cannot be ascertained — by posting it on a website that is maintained by the Government and prescribed by the Minister by notification in the *Gazette* for this purpose; or
 - (c) by any other method authorised by the regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way.
- (6) Service of a document under this section takes effect —
- (a) if the document is sent by fax and a notification of successful transmission is received — on the day of transmission;
 - (b) if the document is sent by email — at the time that the email becomes capable of being retrieved by the person to whom it is sent;
 - (c) if the document is sent by prepaid registered post — 2 days after the day the document was posted (even if it is returned undelivered); or
 - (d) if the document is posted on a website mentioned in subsection (5)(b) — at the beginning of the day after the date on which subsection (5)(b) has been complied with.
- (7) However, service of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification, may be effected only with the person's prior consent (express or implied) to service in that way.

(8) This section does not apply to documents to be served in proceedings in court.

(9) In this section —

“Act” includes any subsidiary legislation made under this Act;

“business address” means —

(a) in the case of an individual, the individual’s usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership’s principal or last known place of business in Singapore;

“chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document’s contents;

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

“document” includes a notice permitted or required by this Act to be served;

“last email address” means the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under this Act;

“residential address” means an individual’s usual or last known place of residence in Singapore.

[Act 8 of 2023 wef 14/06/2024]

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 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.

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.

FIRST SCHEDULE — continued

†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

<i>Place of nomination</i> <i>(Nomination centre)</i>	<i>Electoral Division</i>
<i>(Set out address or addresses of</i> <i>nomination centre or centres)</i>	<i>(Set out Electoral Division or</i> <i>Divisions)</i>

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.
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

FIRST SCHEDULE — continued

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)

<input type="checkbox"/>	Name omitted from Register of Electors
<input type="checkbox"/>	Change of address
<input type="checkbox"/>	Change of name
<input type="checkbox"/>	Other ground

..... Date Name (in block letters) Signature
---------------	----------------------------------	--------------------

III ACTION BY ELECTIONS DEPARTMENT

ARO'S COMMENTS	TYPE OF DECISIONS		ARO'S DECISION	
			INITIAL	DATE
	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

FIRST SCHEDULE — *continued*

FORM OF OBJECTION

To: THE REGISTRATION OFFICER
Elections Department

Electoral Division of

.....

.....

PARTICULARS OF PERSON MAKING OBJECTION

Name (<i>in block letters</i>)	NRIC No.								
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Address (<i>as shown in NRIC</i>)	Polling District								
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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																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">Polling District</th> <th style="width: 35%;">Name</th> <th style="width: 40%;">Address</th> </tr> <tr> <td style="text-align: center;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%; height: 20px;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table> </td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="text-align: center;">Serial No.</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%; height: 20px;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table> </td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	Polling District	Name	Address	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%; height: 20px;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>									Serial No.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%; height: 20px;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>									
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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.

FIRST SCHEDULE — continued

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							

Dated this day of

.....
Signature or thumb mark of Objector.

Signed or marked by the abovenamed objector in my presence,

FIRST SCHEDULE — *continued*

.....
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.

Date

(Reverse side of Form)

(FORM 6)

(Frank)

TO BE SENT TO ALL PERSONS OBJECTED TO

.....
.....

(Name and address)

FIRST SCHEDULE — *continued*

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/
*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:

FIRST SCHEDULE — *continued*

- (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 in respect of the election;
- (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.*

*Delete whichever is inapplicable.

[Act 28 of 2021 wef 29/12/2023]

FORM 9

Section 27(2)

**PARLIAMENTARY
ELECTIONS ACT 1954
NOMINATION PAPER**

Symbol of candidate to be allotted by Returning Officer

SECTION A: TO BE COMPLETED BY PERSONS NOMINATING

FIRST SCHEDULE — *continued*

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.

.....

Signature of Nominee

Dated 20.....

Before Me

.....

*Name of Commissioner for Oaths/
Justice of the Peace
(as stated in NRIC and
in block letters)*

.....

*Signature of Commissioner for Oaths/
Justice of the Peace*

SECTION C: NAME OF CANDIDATE FOR BALLOT PAPER

Complete this section only if you want your name on the ballot paper to be different from your name as stated in your NRIC. If you leave this section blank, your name as stated in your NRIC will be used for the ballot paper.

NAME (in block letters)

Please be informed that under section 105(2) of the Parliamentary Elections Act 1954, I wish to have my name printed on the ballot paper as given above.

**Delete whichever is inapplicable*

[S 448/2024 wef 14/06/2024]

FORM 9A

Section 27B(2)

**PARLIAMENTARY ELECTIONS
ACT 1954
NOMINATION PAPER**

Symbol of candidate to be allotted by Returning Officer

SECTION A: TO BE COMPLETED BY PERSONS NOMINATING

Parliamentary Elections
Act 1954

2020 Ed.

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FIRST SCHEDULE — *continued*

DETAILS OF NOMINEES				
NAME <i>(as stated in NRIC and in block letters)</i>	NRIC NO.	OCCUPATION		
Nominee 1	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">SEX <i>(Please circle)</i></td> <td style="width: 50%; text-align: center; padding: 5px;">M / F</td> </tr> </table>	SEX <i>(Please circle)</i>	M / F	
SEX <i>(Please circle)</i>	M / F			
Nominee 2	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">SEX <i>(Please circle)</i></td> <td style="width: 50%; text-align: center; padding: 5px;">M / F</td> </tr> </table>	SEX <i>(Please circle)</i>	M / F	
SEX <i>(Please circle)</i>	M / F			
Nominee 3	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">SEX <i>(Please circle)</i></td> <td style="width: 50%; text-align: center; padding: 5px;">M / F</td> </tr> </table>	SEX <i>(Please circle)</i>	M / F	
SEX <i>(Please circle)</i>	M / F			
Nominee 4	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">SEX <i>(Please circle)</i></td> <td style="width: 50%; text-align: center; padding: 5px;">M / F</td> </tr> </table>	SEX <i>(Please circle)</i>	M / F	
SEX <i>(Please circle)</i>	M / F			
Nominee 5	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">SEX <i>(Please circle)</i></td> <td style="width: 50%; text-align: center; padding: 5px;">M / F</td> </tr> </table>	SEX <i>(Please circle)</i>	M / F	
SEX <i>(Please circle)</i>	M / F			
Nominee 6	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">SEX <i>(Please circle)</i></td> <td style="width: 50%; text-align: center; padding: 5px;">M / F</td> </tr> </table>	SEX <i>(Please circle)</i>	M / F	
SEX <i>(Please circle)</i>	M / F			
DETAILS OF PERSONS NOMINATING				
<p>We, the persons specified below, being registered in the register of electors for the electoral division of, nominate the above group of persons as candidates for election as Members of Parliament for that electoral division:</p>				
NAME <i>(as stated in NRIC and in block letters)</i>	NRIC NO.	SIGNATURE		
Proposer				
Seconder				
Assentor 1				

FIRST SCHEDULE — *continued*

Assentor 2		
Assentor 3		
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 that 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.

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.

<i>Signature of Nominee 1</i>	<i>Signature of Nominee 2</i>	<i>Signature of Nominee 3</i>
<i>Signature of Nominee 4</i>	<i>Signature of Nominee 5</i>	<i>Signature of Nominee 6</i>

Dated..... 20.....

Before Me

.....

FIRST SCHEDULE — continued

<i>Name of Commissioner for Oaths/ Justice of the Peace (as stated in NRIC and in block letters)</i>	<i>Signature of Commissioner for Oaths/ Justice of the Peace</i>
SECTION C: NAMES OF CANDIDATES FOR BALLOT PAPER	
<i>Complete this section only if you want your name on the ballot paper to be different from your name as stated in your NRIC. If you leave this section blank, your name as stated in your NRIC will be used for the ballot paper.</i>	
NAME (in block letters)	
1.	
2.	
3.	
4.	
5.	
6.	
Please be informed that under section 105(2) of the Parliamentary Elections Act 1954, we wish to have our names printed on the ballot paper as given above.	

**Delete whichever is inapplicable*

[S 448/2024 wef 14/06/2024]

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 under section *34(6)/*34A(6) of the Parliamentary Elections Act 1954 that a poll will be taken for the election in the above electoral division. The candidates for the election are as follows:

<i>Candidate</i>	<i>Symbol</i>	<i>Proposer</i>	<i>Seconder</i>

FIRST SCHEDULE — *continued*

--	--	--	--

2. The poll in Singapore will be held on _____. *No/*A direct recording electronic voting system will be used at the poll. (*If a direct recording electronic voting system will be used, give a brief description of the system.*) The locations of the ordinary polling stations are as follows:

<i>Ordinary polling stations</i>	<i>Polling districts</i>

3. The poll at the following overseas polling stations will be held on the date and at the times specified opposite the overseas polling station:

<i>Overseas polling station</i>	<i>Date</i>	<i>Time</i>

4. The poll at the following special polling stations will be held on _____. The poll will open and close at the times specified opposite the special polling station:

<i>Special polling station</i>	<i>Time during which votes may be cast at special polling station</i>	
	<i>Opening of poll</i>	<i>Closing of poll</i>

FIRST SCHEDULE — continued

Returning Officer,
Singapore

*Delete as appropriate

[S 448/2024 wef 14/06/2024]

FORM 12

Section 40(3A)

PART 1

FACE OF BALLOT PAPER

Counterfoil

No 0000000

Note: The counterfoil is to have a number that corresponds with the number printed on the back of the ballot paper

NAME OF ELECTORAL DIVISION

Photograph of candidate

Name of candidate

Symbol allotted to candidate

Space for voter's mark of "X"

NAME OF ELECTORAL DIVISION

Photograph of candidate

Name of candidate

Symbol allotted to candidate

Space for voter's mark of "X"

Voter Serial No.
(to be recorded by Election Official)

Photograph of candidate

Name of candidate

Symbol allotted to candidate

Space for voter's mark of "X"

PART 2

FIRST SCHEDULE — continued

FACE OF BALLOT PAPER
FOR GROUP REPRESENTATION CONSTITUENCY

Counterfoil

Nº 0000000

Note: The counterfoil is to have a number that corresponds with the number printed on the back of the ballot paper

NAME OF ELECTORAL DIVISION

Voter Serial No.
(to be recorded by Election Official)

PARLIAMENTARY ELECTIONS ACT 1954

NAME OF ELECTORAL DIVISION

<div>Photographs of candidates in group</div>	<div>Names of candidates in group</div>	<div>Symbol allotted to group</div>	<div>Space for voter's mark of "X"</div>
<div>Photographs of candidates in group</div>	<div>Names of candidates in group</div>	<div>Symbol allotted to group</div>	<div>Space for voter's mark of "X"</div>
<div>Photographs of candidates in group</div>	<div>Names of candidates in group</div>	<div>Symbol allotted to group</div>	<div>Space for voter's mark of "X"</div>

[S 448/2024 wef 14/06/2024]

FORM 13

[Deleted by S 231/2019]

FORM 14

[Deleted by S 231/2019]

FORM 15

Sections 44(1) and 56B(2)

PARLIAMENTARY ELECTIONS ACT 1954
DECLARATION BY VOTER

PARTICULARS OF VOTER		
Name (as stated in NRIC and in block letters)	NRIC No.	
Address (as stated in NRIC)	Polling district and serial number of voter shown in the register of electors	
	Polling district	Voter serial no.

FIRST SCHEDULE — continued

I, the abovenamed person, declare that I am the same person whose name appears as in the register of electors for the electoral division of and that I have not already voted either here or elsewhere, or by the postal voting method, at this election.

.....
Signature or thumb mark of Voter.

Declared before me on

.....
Name of Presiding Officer *Signature of Presiding Officer*
(in block letters)

[S 448/2024 wef 14/06/2024]

FORM 16

Section 46(1)

PARLIAMENTARY ELECTIONS ACT 1954
OATH OF IDENTITY

PARTICULARS OF VOTER		
Address (as stated in NRIC)	Name (as stated in NRIC and in block letters)	
	NRIC No.	
	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 for the electoral division of

FIRST SCHEDULE — continued

and that I have not already voted either here or elsewhere, or by the postal voting method, at this election.

.....

Signature or thumb mark of Voter.

Sworn/Affirmed before me on

.....

*Name of Presiding Officer
(in block letters)*

.....

Signature of Presiding Officer

[S 448/2024 wef 14/06/2024]

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)			

FIRST SCHEDULE — continued

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)
Date: Time:	Date: Time:
I certify that the above record of counting of votes is correct.	I certify that the above record of recounting of votes is correct.
..... Name of Assistant Returning Officer Name of Assistant Returning Officer
..... Signature of Assistant Returning Officer Signature of Assistant Returning Officer
Date:	Date:

FORM 17

Section 51

PARLIAMENTARY ELECTIONS ACT 1954
STATEMENT OF POLL

ELECTORAL DIVISION OF	
1. Total number of electors in the register of electors for electoral division used at the Poll	
2. Ballot papers for electoral division	
a. Number of ballot papers issued	
b. Number of ballot papers found in the ballot boxes	
c. Number of unused ballot papers undetached from the books	
d. Number of spoilt ballot papers ¹	
3. Postal ballot papers for electoral division	
a. Number of persons to whom postal ballot papers were issued	

FIRST SCHEDULE — *continued*

b. Number of return envelopes received by the Returning Officer within the time prescribed by or under the Act			
c. Number of postal ballot papers accepted for counting			
4. Votes cast in electoral division			
a. Number of votes cast ²			
b. Number of votes cast for			
<i>Name of candidate</i>	<i>Party</i>	<i>No. of votes</i>	
c. Total number of votes cast for the above candidates			
d. Number of rejected ballot papers and postal ballot papers			
<p>¹ <i>A spoilt ballot paper means a ballot paper that —</i></p> <p style="margin-left: 20px;">(a) <i>is found by the presiding officer to be spoilt or improperly printed and has not been handed by the presiding officer to an elector; or</i></p> <p style="margin-left: 20px;">(b) <i>has been handed by the presiding officer to an elector to cast his or her vote and has been delivered to and cancelled by the presiding officer in accordance with section 45 of the Parliamentary Elections Act 1954.</i></p> <p>² <i>This number accounts for the votes cast in all polling stations and via the postal voting method for the election in the electoral division.</i></p>			

I certify that the above statement is correct.

Dated 20.....

Returning Officer,
Singapore.

[S 448/2024 wef 14/06/2024]

FORM 18

Section 56(1)

PARLIAMENTARY ELECTIONS ACT 1954

FIRST SCHEDULE — continued

OATH OF SECRECY

RETURNING OFFICER Elections Department	Electoral division of
PARTICULARS OF PERSON TAKING THE OATH	
Name (as stated in NRIC and in block letters)	NRIC No.
Address (as stated in NRIC)	

I, the abovenamed person, am aware of and understand section 56 of the Parliamentary Elections Act 1954 (printed in this form) and swear/affirm that I will not at this election do anything forbidden by that section.

.....

*Signature of Person
taking the Oath*

Sworn/Affirmed before me on

.....

*Signature of Justice of the Peace/
Commissioner for Oaths.*

.....

Name (in block letters).

For reference

Section 56 of Parliamentary Elections Act 1954

Maintenance of secrecy at elections

56.—(1) Every officer, clerk, interpreter, candidate and agent authorised to attend at a polling station under section 39(4) or every other person so authorised under regulations made under section 47C(1)(d), or at the counting of the votes, must, before so attending, make an oath of secrecy, substantially in Form 18 in the First Schedule.

FIRST SCHEDULE — *continued*

(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 authorised under section 39(4) and every person authorised under regulations made under section 47C(1)(d) 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

FIRST SCHEDULE — *continued*

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.

For reference

[S 448/2024 wef 14/06/2024]

FORM 18A

Section 73A

PARLIAMENTARY ELECTIONS ACT 1954

POST-ELECTION DECLARATION

I, (NRIC No.),
declare that, to the best of my knowledge and belief —

- (a) no foreigner has been authorised by me or my election agent under section 83(2) of the Parliamentary Elections Act 1954 to conduct any election activity for the purpose of procuring *my electoral success / *the electoral success of the group of candidates to which I belong, at the election;
- (b) the conduct of any election activity by me or my election agent for the purpose of procuring *my electoral success / *the electoral success of the group of candidates to which I belong, at the election, was not undertaken by me or my election agent pursuant to any impermissible arrangement as defined by section 73A(7) of the Parliamentary Elections Act 1954; and
- (c) the conduct of any election activity for the purpose of procuring *my electoral success / *the electoral success of the group of candidates to which I belong, at the election, was not authorised by me or my election agent pursuant to any impermissible arrangement as defined by section 73A(7) of the Parliamentary Elections Act 1954.

.....

Date

.....

Signature of Candidate

FIRST SCHEDULE — continued

**Delete as appropriate*

[S 448/2024 wef 14/06/2024]

FORM 19

Sections 74(1) and (2) and 74A(1)

PARLIAMENTARY ELECTIONS ACT 1954
**RETURN RESPECTING ELECTION
EXPENSES AND DECLARATIONS
BY CANDIDATE AND ELECTION AGENT**

ELECTORAL DIVISION	
NAME (<i>in block letters</i>)	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.

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 (including the provision otherwise than on commercial terms, of any services by any person) accepted by the election agent or the candidate for the purpose of expenses

FIRST SCHEDULE — *continued*

incurred or to be incurred on account 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 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 in respect of my candidature at that election and I declare to the best of my knowledge and belief that —

- (a) this return is complete and correct as required by law;
- (b) except for the expenses set out in this return, no other election expenses have been incurred in respect of my candidature at that election; and
- (c) the election expenses in respect of my candidature at that election have not been paid using any donation from a person who is not a permissible donor as defined by section 3(1) of the Foreign Interference (Countermeasures) Act 2021.

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.)

Description	\$
-------------	----

FIRST SCHEDULE — *continued*

(a) Election advertising expenses:	
(i) Online election advertising	
(ii) Non-online election advertising	
(b) Election meeting expenses:	
(i) For rallies	
(ii) For assembly centres	
(c) Transport expenses	
(d) Office rental, office equipment and 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 (<i>in block letters</i>) 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 (in block letters) and description of claimant	Subject matter of claim	\$
TOTAL		

SECTION C: NON-RECORDABLE DONATIONS¹

(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 name² (in block letters) and unique identification number³	Donor's address⁴	Date of receipt of donation⁵ and recipient's name (in block letters) (e.g. "01/01/24 by (NAME)")	Value of donation⁵ (in Singapore dollars, rounded up to the nearest dollar)	Description of donation⁵
TOTAL				

¹ Donations that need not be recorded in a donation report under the Foreign Interference (Countermeasures) Act 2021 where a candidate is concerned.

FIRST SCHEDULE — continued

- ² Donor’s name means (a) where the donor is an individual, the donor’s name as stated 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 stated 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 expression “donation” has the meaning given by the definition of “political donation” in section 51 of the Foreign Interference (Countermeasures) Act 2021, and “value” in relation to a donation has the meaning given by sections 15 and 51 of that Act where a candidate is concerned.

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 Foreign Interference (Countermeasures) Act 2021. A single recordable donation means a single donation of \$10,000 or more.)				
Donor’s name ¹ (in block letters) and unique identification number ²	Donor’s address ³	Date of receipt of donation ⁴ and recipient’s name (in block letters) (e.g. “01/01/24 by (NAME)”))	Value of donation ⁴ (in Singapore dollars, rounded up to the nearest dollar)	Description of donation ⁴
TOTAL				

FIRST SCHEDULE — continued

- ¹ Donor's name means (a) where the donor is an individual, the donor's name as stated 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 stated 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 expression "donation" has the meaning given by the definition of "political donation" in section 51 of the Foreign Interference (Countermeasures) Act 2021, and "value" in relation to a donation has the meaning given by sections 15 and 51 of that Act where a candidate is concerned.

(2) MULTIPLE RECORDABLE DONATIONS

(Recordable donation means a donation required to be recorded in a donation report under the Foreign Interference (Countermeasures) Act 2021. 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 Foreign Interference (Countermeasures) Act 2021, amounts to an aggregate of \$10,000 or more.)

Donor's name ¹ (<i>in block letters</i>) and unique identification number ²	Donor's address ³	Date of receipt of donation ⁴ and recipient's name (<i>in block letters</i>) (e.g. "01/01/24 by (NAME)")	Value of donation ⁴ (<i>in Singapore dollars, rounded up to the nearest dollar</i>)	Description of donation ⁴
Sub-total				

FIRST SCHEDULE — *continued*

			Sub-total		
			Sub-total		
			TOTAL		

¹ Donor's name means (a) where the donor is an individual, the donor's name as stated 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 stated 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 expression "donation" has the meaning given by the definition of "political donation" in section 51 of the Foreign Interference (Countermeasures) Act 2021, and "value" in relation to a donation has the meaning given by sections 15 and 51 of that Act where a candidate is concerned.

[S 448/2024 wef 14/06/2024]

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

Sections 61K(3), 61L(3) and 83(2)

PARLIAMENTARY ELECTIONS ACT 1954

FIRST SCHEDULE — continued

AUTHORISATION BY CANDIDATE

To:	From:
RETURNING OFFICER
Elections Department	(Name of candidate in block letters)

	(Political party)

	(Contesting electoral division)

	(Mobile no. of candidate)

Part A: Authorisation

I, the abovenamed candidate for election in the abovementioned electoral division, authorise the person specified in Part B to do the following (*tick (✓) all boxes that apply*):

- | | |
|--------------------------|--|
| <input type="checkbox"/> | publish, or cause to be published, on my behalf at any time during the election period of the election, online election advertising, the production or publication of which is paid for in money or money's worth, under section 61K(3) of the Parliamentary Elections Act 1954; |
| <input type="checkbox"/> | publish or cause to be published, or publicly display or cause to be publicly displayed, any non-online election advertising on my behalf at any time during the election period of the election, under section 61L(3) of the Parliamentary Elections Act 1954; |
| <input type="checkbox"/> | conduct election activities on my behalf, under section 83(2) of the Parliamentary Elections Act 1954. |

FIRST SCHEDULE — continued

2. To the best of my knowledge and belief, the undermentioned person is not prohibited under the Parliamentary Elections Act 1954 from conducting any activity authorised above.

Part B: Details of authorised person

Name (as stated in NRIC and in block letters)	NRIC No.
Address (as stated in NRIC)	
Email	Mobile No.

.....
Date.

.....
Signature of candidate.

[S 448/2024 wef 14/06/2024]

FORM 23

Sections 61K(3), 61L(3) and 83(2)

PARLIAMENTARY ELECTIONS ACT 1954

**AUTHORISATION BY ELECTION
AGENT OF CANDIDATE**

To: RETURNING OFFICER Elections Department	From: (Name of candidate in block letters) (Political party)
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FIRST SCHEDULE — continued

	(Contesting electoral division)
 (Name of election agent in block letters)
 (Mobile no. of election agent)

Part A: Authorisation

I, the election agent of the abovenamed candidate for election in the abovementioned electoral division, authorise the person specified in Part B to do the following (*tick (✓) all boxes that apply*):

- ☐ publish, or cause to be published, on the candidate’s behalf at any time during the election period of the election, online election advertising, the production or publication of which is paid for in money or money’s worth, under section 61K(3) of the Parliamentary Elections Act 1954;
- ☐ publish or cause to be published, or publicly display or cause to be publicly displayed, any non-online election advertising on the candidate’s behalf at any time during the election period of the election, under section 61L(3) of the Parliamentary Elections Act 1954;
- ☐ conduct election activities on behalf of the candidate, under section 83(2) of the Parliamentary Elections Act 1954.

2. To the best of my knowledge and belief, the person specified in Part B is not prohibited under the Parliamentary Elections Act 1954 from conducting any activity authorised above.

Part B: Details of authorised person

Name (<i>as stated in NRIC and in block letters</i>)	NRIC No.
--	----------

FIRST SCHEDULE — *continued*

Address (*as stated in NRIC*)

Email	Mobile No.

.....
Date.

.....
Signature of election agent.

[S 448/2024 wef 14/06/2024]

[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.
 - (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 permission to withdraw an application under section 90, and
“applicant for withdrawal” is to be construed accordingly;

[Act 31 of 2022 wef 01/11/2022]

“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;

FOURTH SCHEDULE — *continued*

“claimant” means a person making an application under section 90;

[Act 31 of 2022 wef 01/11/2022]

“defendant” means a person in respect of whose election an application under section 90 has been made;

“Judge” means the Election Judge;

[Deleted by Act 31 of 2022 wef 01/11/2022]

“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 application supported by an affidavit.

[Act 31 of 2022 wef 01/11/2022]

(2) In such an application —

(a) the applicant is the claimant; and

[Act 31 of 2022 wef 01/11/2022]

(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 claimant*).

.....,

Registrar
(or as the case may be).”.

[Act 31 of 2022 wef 01/11/2022]

FOURTH SCHEDULE — *continued*

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 claimant or, where there is more than one claimant, by each such claimant, and must state —

- (a) the right of the claimant or claimants 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.

[Act 31 of 2022 wef 01/11/2022]

(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 claimant or claimants 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.

[Act 31 of 2022 wef 01/11/2022]

(4) The following form, or one to the like effect, is sufficient:

“AFFIDAVIT

I of, Singapore (make oath) (affirm) and say as follows:

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,

FOURTH SCHEDULE — *continued*

.....
A Commissioner for Oaths.”.

Evidence not to be stated in originating application

6. Evidence need not be stated in the originating application 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.

[Act 31 of 2022 wef 01/11/2022]

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 claimant claims the seat for an unsuccessful candidate, alleging that he or she had a majority of lawful votes, every claimant 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 claimants 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.

[Act 31 of 2022 wef 01/11/2022]

(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 with permission of the Judge, upon such terms as to amendment of the list, postponement of the inquiry, and payment of costs, as may be ordered.

[Act 31 of 2022 wef 01/11/2022]

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 claimant, a list of the objections to the election upon which he or she intends to rely.

[Act 31 of 2022 wef 01/11/2022]

FOURTH SCHEDULE — *continued*

(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 with permission of the Judge, upon such terms as to amendments of the list, postponement of the inquiry, and payments of costs, as may be ordered.

[Act 31 of 2022 wef 01/11/2022]

Appointment of solicitor by claimant

10.—(1) The claimant or claimants in an application under section 90 must file at the office of the Registrar together with the application a written notice, signed by the claimant or claimants, giving the name of an advocate and solicitor of the Supreme Court whom the claimant or claimants authorise to act as his, her or their solicitor or stating that the claimant or claimants 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).

[Act 31 of 2022 wef 01/11/2022]

(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.

[Act 31 of 2022 wef 01/11/2022]

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,

FOURTH SCHEDULE — *continued*

which book must be open to inspection by any person during the office hours of the Registrar.

Security by claimant 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 claimant must be given on behalf of the claimant.

[Act 31 of 2022 wef 01/11/2022]

(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 claimant, 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.

[Act 31 of 2022 wef 01/11/2022]

(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.

[Act 31 of 2022 wef 01/11/2022]

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.

FOURTH SCHEDULE — *continued*

(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 claimant on the defendant.

[Act 31 of 2022 wef 01/11/2022]

(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 claimants and defendants appointed under rules 10 and 11, respectively; and

[Act 31 of 2022 wef 01/11/2022]

- (b) the addresses for service of the claimants and defendants.

[Act 31 of 2022 wef 01/11/2022]

(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”.

FOURTH SCHEDULE — *continued***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 claimant and defendant by letter directed to the addresses of service of the claimant 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.

[Act 31 of 2022 wef 01/11/2022]

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.

[Act 31 of 2022 wef 01/11/2022]

(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 claimant to amend his or her application on such terms as to costs or otherwise as the Judge thinks fit.

[Act 31 of 2022 wef 01/11/2022]

Withdrawal of application under section 90

22.—(1) An application under section 90 must not be withdrawn without the permission of the Judge; and such permission may be given upon such terms as to the payment of costs and otherwise as the Judge may think fit.

[Act 31 of 2022 wef 01/11/2022]

(2) An application for withdrawal must be made by summons supported by an affidavit.

FOURTH SCHEDULE — *continued*

(3) Where there are more claimants than one, no application for withdrawal may be made except with the consent of all the claimants.

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 claimant on the defendant, and a notice in the following terms signed by the claimant must be published immediately in the *Gazette* or in at least one local newspaper circulating in Singapore by the claimant 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 claimant and defendant.

Notice is hereby given that the above claimant did on the day of file at the office of the Registrar of the Supreme Court an application for permission to withdraw the application under section 90, and set out below is a copy of the application for permission to withdraw:

(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 claimant 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 claimant in the application under section 90.

FOURTH SCHEDULE — *continued*

(Signed)

.....”.

*[Act 31 of 2022 wef 01/11/2022]***Application to be substituted as claimant on withdrawal**

25. Any person who might have been a claimant 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 claimant 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 claimant, but the want of that notice does not defeat the application for substitution, if in fact made at the hearing.

*[Act 31 of 2022 wef 01/11/2022]***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 claimant in the application under section 90, and otherwise in such manner and at such time as the Judge directs.

*[Act 31 of 2022 wef 01/11/2022]***Substitution of another claimant**

27.—(1) On the hearing of the application for withdrawal, any person who might have been a claimant in respect of the election to which the application under section 90 relates, may apply to the Judge to be substituted as a claimant for the original claimant so desirous of withdrawing the application under section 90.

[Act 31 of 2022 wef 01/11/2022]

(2) The Judge may substitute for the original claimant any such person applying under paragraph (1) to be so substituted (called the substituted claimant); 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 claimant remains as security for any costs that may be incurred by the substituted claimant; and

FOURTH SCHEDULE — *continued*

- (b) to the extent of the sum named in the security the original claimant is liable to pay the costs of the substituted claimant.

[Act 31 of 2022 wef 01/11/2022]

(3) If no such order is made with respect to the security given on behalf of the original claimant, 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 claimant 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.

[Act 31 of 2022 wef 01/11/2022]

(4) Subject to paragraphs (1), (2) and (3), a substituted claimant stands in the same position as nearly as may be, and is subject to the same liabilities as the original claimant.

[Act 31 of 2022 wef 01/11/2022]

(5) If an application under section 90 is withdrawn, the claimant is liable to pay the costs of the defendant.

[Act 31 of 2022 wef 01/11/2022]

Abatement of application under section 90 by death

28.—(1) An application under section 90 is abated by the death of a sole claimant or of the survivor of several claimants.

[Act 31 of 2022 wef 01/11/2022]

(2) The abatement of an application under section 90 does not affect the liability of the claimant or of any other person to the payment of costs previously incurred.

[Act 31 of 2022 wef 01/11/2022]

Application to be substituted as claimant, on abatement

29.—(1) Notice of abatement of an application under section 90, by death of the claimant or surviving claimant, 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 claimant 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.

[Act 31 of 2022 wef 01/11/2022]

(2) Any person who might have been a claimant in respect of the election to which the application under section 90 relates may apply to the Judge to be substituted as a claimant in the application.

[Act 31 of 2022 wef 01/11/2022]

(3) The Judge may substitute as a claimant in the application under section 90 any such applicant who is desirous of being substituted and on whose behalf

FOURTH SCHEDULE — *continued*

security to the same amount is given as is required in the case of a new application under section 90.

[Act 31 of 2022 wef 01/11/2022]

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 claimant 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.

[Act 31 of 2022 wef 01/11/2022]

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 claimant'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.

[Act 31 of 2022 wef 01/11/2022]

FOURTH SCHEDULE — *continued*

(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 claimant, and must file a copy of the served documents at the office of the Registrar.

[Act 31 of 2022 wef 01/11/2022]

(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 claimant or the defendant; and

[Act 31 of 2022 wef 01/11/2022]

(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.

FOURTH SCHEDULE — *continued***Assessment and recovery of costs**

34.—(1) Costs are to be assessed by the Registrar upon the order by which the costs are payable in the same manner as costs are assessed 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 assessed may be recovered in the same manner as the costs of an action at law.

[Act 31 of 2022 wef 01/11/2022]

(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 assessed costs.

[Act 31 of 2022 wef 01/11/2022]

(3) Order 25 of the Rules of Court 2021 (court fees) applies to an application under section 90 and the proceedings on the application under these Rules as if the application were an originating process.

[Act 31 of 2022 wef 01/11/2022]

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.

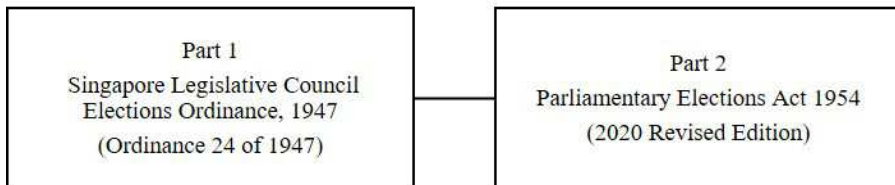
[42/2005; 40/2019; S 444/2020]

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
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First, Second and Third : 16 February 1951
Readings

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 : 18 November 1952
Readings

Commencement : 22 November 1952

PART 2

PARLIAMENTARY ELECTIONS ACT 1954
(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
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**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
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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
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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
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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
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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
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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

Date of commencement : 1 April 2019

80. G.N. No. S 232/2019 — Parliamentary Elections Act (Amendment of Second Schedule) Order 2019

Date of commencement : 1 April 2019

81. G. N. No. S 443/2020 — Parliamentary Elections Act (Amendment of First Schedule) Rules 2020

Date of commencement : 8 June 2020

82. G. N. No. S 444/2020 — Parliamentary Elections Act (Amendment of Fourth Schedule) Rules 2020

Date of 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

87. Act 31 of 2022 — Statutes (Miscellaneous Amendments) Act 2022

Date of First Reading	:	12 September 2022 (Bill No. 24/2022)
Date of Second and Third Readings	:	3 October 2022
Date of commencement	:	1 November 2022 (section 22(8))

88. Act 28 of 2021 — Foreign Interference (Countermeasures) Act 2021

Date of First Reading	:	13 September 2021 (Bill No. 24/2021)
Date of Second and Third Readings	:	4 October 2021
Date of commencement	:	29 December 2023

89. Act 8 of 2023 — Parliamentary Elections (Amendment) Act 2023

Date of First Reading	:	6 February 2023 (Bill No. 2/2023)
Date of Second and Third Readings	:	6 March 2023
Date of commencement	:	1 June 2023 14 June 2024

90. G.N. No. S 448/2024 — Parliamentary Elections Act 1954 (Amendment of First Schedule) Regulations 2024

Commencement	:	14 June 2024
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**91. Act 34 of 2024 — Elections (Integrity of Online Advertising)
(Amendment) Act 2024**

(Amendments made by the above Act)

Bill	:	29/2024
First Reading	:	9 September 2024
Second and Third Readings	:	15 October 2024
Commencement	:	22 January 2025

Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)

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) [<i>Deleted by Act 18 of 2005</i>]
—	12 —(6)[<i>Deleted by Act 18 of 2005</i>]
—	29 —(4) [<i>Deleted by Act 41 of 2018</i>]
—	68 —(5) [<i>Deleted by Act 41 of 2018</i>]
—	71 —(7) [<i>Deleted by Act 10 of 20210</i>]
—	(8) [<i>Deleted by Act 10 of 2010</i>]