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PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

PARLIAMENTARY ELECTIONS ACT (AMENDMENT OF FOURTH SCHEDULE) RULES 2020

In exercise of the powers conferred by section 100 of the Parliamentary Elections Act, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Parliamentary Elections Act (Amendment of Fourth Schedule) Rules 2020 and come into operation on 8 June 2020.

Amendment of Fourth Schedule

2. The Fourth Schedule to the Parliamentary Elections Act is amended —

- (a) by inserting, immediately after the word “concerned” in rule 7, the words “, unless the Judge otherwise directs”;
- (b) by deleting the words “the party complaining of or defending the election or return” in rule 8(1) and substituting the words “every plaintiff and defendant”;
- (c) by deleting the words “6 days” in rules 8(1) and 9(1) and substituting in each case the words “not less than 7 days”;
- (d) by inserting, immediately after paragraph (2) of rule 13, the following paragraph:

“(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.”;

(e) by deleting paragraphs (1) and (2) of rule 14 and substituting the following paragraph:

“(1) The deposit of money as security under rule 13 must be lodged in Court.”;

(f) by deleting the words “file the receipt and” in rule 14(3);

(g) by deleting the words “Chief Justice” in rules 15(1) and 34(2) and substituting in each case the word “Judge”;

(h) by deleting paragraph (2) of rule 15 and substituting the following paragraph:

“(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.”;

(i) by inserting, immediately after the word “affidavit” in rule 16(2)(a), the words “to the defendant personally, or”;

(j) by inserting, immediately after the words “the *Gazette*” in rules 16(2)(c) and 24, the words “or in at least one local newspaper circulating in Singapore”;

(k) by inserting, immediately after the words “the *Gazette*” in rules 19 and 20, the words “and in at least one local newspaper circulating in Singapore”;

(l) by deleting paragraph (2) of rule 21 and substituting the following paragraphs:

“(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.”;

(m) by inserting, immediately after rule 21, the following rule:

“Amendment of application under section 90

21A. Subject to section 97, the Judge may, at any time before or at the hearing of an application under section 90, allow the plaintiff to amend his application on such terms as to costs or otherwise as the Judge thinks fit.”;

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- (n) by inserting, immediately after the words “own expense” in rule 24, the words “, not less than 7 days before the hearing of the application”;
 - (o) by deleting the words “original a plaintiff” in rule 25 and substituting the words “original plaintiff”;
 - (p) by deleting the words “6 days” in rule 30(2) and substituting the words “7 days”;
 - (q) by deleting the words “in the *Gazette* by the Registrar” in rule 30(3) and substituting the words “by the Registrar in the *Gazette* or in at least one local newspaper circulating in Singapore”;
 - (r) by inserting, immediately after the words “the *Gazette*” in rule 30(4), the words “or a local newspaper”;
 - (s) by inserting, immediately after rule 32, the following rule:

“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 his application under paragraph (1), serve a copy of the application and its supporting affidavit on every plaintiff, and must file a copy of the served documents at the office of the Registrar.

(3) The Judge may, at any stage of the proceedings, order an application under section 90 —

(a) to be stayed or dismissed; or

(b) to be struck out or amended on the ground that —

(i) it is scandalous, frivolous or vexatious;

(ii) it may prejudice, embarrass or delay the fair hearing of the application; or

(iii) it is otherwise an abuse of the process of the Court.”; and

- (t) by deleting paragraph (3) of rule 34 and substituting the following paragraph:

“(3) Order 91 of the Rules of Court (Cap. 322, R 5) applies to an application under section 90 and the proceedings on the application under these Rules as if the application were an originating process.”.

Made on 5 June 2020.

SUNDARESH MENON
Chief Justice.

LUCIEN WONG
Attorney-General.

TAY YONG KWANG
Judge of Appeal.

STEVEN CHONG
Judge of Appeal.

BELINDA ANG SAW EAN
Judge.

QUENTIN LOH
Judge.

VINODH COOMARASWAMY
Judge.

VINCENT HOONG SENG LEI
Presiding Judge of the State Courts.

JAMES LEONG
District Judge.

FRANCIS XAVIER, SC
Advocate and Solicitor.

KUAH BOON THENG, SC
Advocate and Solicitor.

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