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PRESIDENTIAL ELECTIONS ACT 1991

PRESIDENTIAL ELECTIONS
(OVERSEAS VOTING) REGULATIONS 2023

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In exercise of the powers conferred by sections 36F and 81 of the Presidential Elections Act 1991, the Prime Minister makes the following Regulations:

PART 1
PRELIMINARY

Citation and commencement

1. These Regulations are the Presidential Elections (Overseas Voting) Regulations 2023 and come into operation on 1 July 2023.

Definitions

2. In these Regulations —

“certified register of electors” means a register of electors certified under section 20 of the Parliamentary Elections Act 1954 and in operation at the time of the election;

“counting place for overseas votes” means the place or places directed by the Returning Officer under section 36D(1) of the Act;

“list of overseas electors”, in relation to an overseas polling station, means a list prepared under regulation 10 for that overseas polling station;

“notice of contested election” means the notice published under section 16(5) of the Act;

“overseas correspondence address”, in relation to a postal elector, means the overseas correspondence address of the postal elector provided to the Registration Officer under regulation 5(1) or 8 of the Parliamentary Elections (Registration of Overseas Electors) Regulations 2023 (G.N. No. S 319/2023);

“overseas election officer”, in relation to an overseas polling station, means —

(a) an Assistant Returning Officer assigned to that overseas polling station under regulation 4;

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- (b) a presiding officer assigned to that overseas polling station under regulation 5;
 - (c) a clerk, interpreter, information officer or other officer authorised by the Returning Officer or Assistant Returning Officer to perform duties in connection with the conduct of a poll at that overseas polling station; or
 - (d) any person appointed by an Assistant Returning Officer or a presiding officer under regulation 4(2)(b) or 5(3)(b) (as the case may be) to act for that Assistant Returning Officer or presiding officer at that overseas polling station,

but does not include any candidate or any election agent or polling agent of a candidate;

“postal elector” means an overseas elector who is designated under section 13A(3A) of the Parliamentary Elections Act 1954 as a postal voter for an election;

“presiding officer” includes a senior presiding officer and an Assistant Returning Officer who presides at an overseas polling station;

“Singpass” means the identity authentication service known as Singapore Personal Access, by which an individual authenticates his or her identity in order to carry out an online transaction with the Government or a public authority;

“Singpass credential” means any username, password or 2-factor authentication detail required to authenticate, using Singpass, the identity of an individual.

PART 2

OVERSEAS POLLING STATIONS

Division 1 — Overseas election officers

Application

3. Section 19 of the Act does not apply in relation to an overseas polling station.

Assignment of Assistant Returning Officer

4.—(1) Subject to regulation 6, the Returning Officer must assign an Assistant Returning Officer to each overseas polling station.

(2) If at any time the Assistant Returning Officer assigned to an overseas polling station becomes unable to act, he or she must —

(a) notify the Returning Officer without delay; and

(b) appoint a presiding officer for that overseas polling station to act for him or her until an assignment is made under paragraph (3) or until he or she is again able to act.

(3) After being notified under paragraph (2)(a), the Returning Officer must assign another Assistant Returning Officer to that overseas polling station.

(4) A reference to an Assistant Returning Officer in this Part includes a reference to a presiding officer appointed under paragraph (2)(b) to act for an Assistant Returning Officer.

Assignment of presiding officers, etc.

5.—(1) Subject to regulation 6, the Returning Officer must assign to each overseas polling station —

(a) one or more presiding officers; and

(b) one or more persons to be responsible for maintaining order within the overseas polling station.

(2) If more than one presiding officer is assigned to an overseas polling station, the Returning Officer must appoint a senior presiding officer from among the presiding officers assigned to that overseas polling station.

(3) If at any time a presiding officer for an overseas polling station becomes unable to act, he or she must —

- (a) notify the Assistant Returning Officer for that overseas polling station without delay; and
- (b) appoint another person to act for him or her until an assignment is made under paragraph (4) or until he or she is again able to act.

(4) After being notified under paragraph (3)(a), the Assistant Returning Officer for that overseas polling station must assign another presiding officer to that overseas polling station.

(5) Without affecting paragraph (3) or (4), if at any time a senior presiding officer for an overseas polling station becomes unable to act —

- (a) the senior presiding officer must also appoint a senior presiding officer from among the presiding officers assigned to that overseas polling station until an appointment is made under sub-paragraph (b) or until he or she is again able to act; and
- (b) the Assistant Returning Officer must also appoint a senior presiding officer from among the presiding officers assigned to that overseas polling station.

(6) A reference to a presiding officer in this Part includes a reference to a person appointed under paragraph (3)(b) to act for a presiding officer.

Persons who cannot be overseas election officers

6. The following persons must not be appointed as, assigned as or authorised to be, an overseas election officer:

- (a) an Ambassador, High Commissioner, Consul-General or Consul, who is not a public officer;
- (b) a person who has served in Parliament in the session immediately before the election or in the session in progress at the time of the election;
- (c) a person who is not a citizen of Singapore.

Duties of Assistant Returning Officer

7. An Assistant Returning Officer for an overseas polling station —
- (a) is responsible, under the general direction of the Returning Officer, for the preparation for and conduct of a poll at the overseas polling station; and
 - (b) may preside at the overseas polling station.

Duties of presiding officers

8.—(1) A senior presiding officer for an overseas polling station must exercise general supervision over —

- (a) all other presiding officers appointed or assigned to that overseas polling station; and
- (b) all arrangements for the conduct of the poll at that overseas polling station.

(2) A presiding officer for an overseas polling station under regulation 5(1)(a) must —

- (a) keep order in the overseas polling station;
- (b) regulate the number of voters to be admitted to that overseas polling station at a time;
- (c) ensure that a person is excluded from that overseas polling station if the person is not authorised by the Act or these Regulations to be present during a poll at that overseas polling station;
- (d) supervise the conduct of the poll at that overseas polling station; and
- (e) keep the Assistant Returning Officer for that overseas polling station informed of any matter that adversely affects, or is likely to adversely affect, the orderly conduct of the poll at that overseas polling station.

(3) A presiding officer for an overseas polling station must perform his or her duties in accordance with the general direction of the Assistant Returning Officer for that overseas polling station.

Oath of secrecy

9.—(1) An overseas election officer for an overseas polling station must, before assuming duties at that overseas polling station, make an oath of secrecy in accordance with section 36(1) of the Act.

(2) The Assistant Returning Officer for an overseas polling station must, after the notice of contested election is published in the *Gazette*, send his or her oath and the documents containing the oaths of every overseas election officer for that overseas polling station to the Returning Officer in Singapore.

*Division 2 — Election materials***List of overseas electors**

10.—(1) The Returning Officer must cause to be prepared for each overseas polling station a list of overseas electors.

(2) The list of overseas electors for an overseas polling station must set out the names and descriptions of the electors allotted to that overseas polling station, as extracted from the certified registers of electors.

(3) Every list of overseas electors must be certified by the Registration Officer by nomination day.

Delivery and safekeeping of election materials

11.—(1) The Returning Officer must cause to be delivered to each overseas polling station —

- (a) sufficient quantities of election materials; and
- (b) the necessary instructions,

for the overseas election officers for the overseas polling station to perform their duties.

(2) The materials and instructions must be delivered to the Assistant Returning Officer for an overseas polling station —

- (a) at any time after the notice of contested election is published in the *Gazette*; but
- (b) before voting begins at the overseas polling station.

(3) Without limiting paragraph (1)(a), the following election materials must be delivered:

- (a) the list of overseas electors for that overseas polling station;
- (b) enough ballot papers for the overseas electors appearing on that list of overseas electors;
- (c) the necessary materials for the overseas electors to mark their votes on the ballot papers;
- (d) one or more ballot boxes;
- (e) the form of the oaths or declarations to be administered to the overseas electors;
- (f) the necessary envelopes, forms and any other supplies that may be authorised or provided by the Returning Officer in connection with the conduct of a poll at the overseas polling station.

(4) Until the poll opens at an overseas polling station, the Assistant Returning Officer for that overseas polling station —

- (a) is responsible for all election materials in his or her possession; and
- (b) must take every precaution to safekeep those materials and to prevent any person from having unlawful access to those materials.

Division 3 — Conduct of poll and voting

Application of Act subject to this Part

12. Subject to the provisions of this Part, a poll and voting at an overseas polling station must be conducted, as far as practicable —

- (a) in the same manner as that in which a poll and voting at an ordinary polling station on polling day in Singapore is conducted; and
- (b) without limiting paragraph (a), in accordance with sections 20, 21, 23, 23A, 24, 25 (except subsection (3)), 27, 28, 29 and 30 of the Act.

Facilities to be provided at overseas polling station

13. For the purposes of section 20(3) of the Act, the facilities provided at an overseas polling station must include one or more voting compartments designed for each overseas elector to mark his or her ballot paper screened from observation and without interference or interruption.

List of overseas electors to be conclusive of right to vote at overseas polling station

14.—(1) A person must not vote at an overseas polling station unless his or her name appears in the list of overseas electors for that overseas polling station.

(2) However, if an overseas elector is serving as an overseas election officer at an overseas polling station, the Returning Officer may authorise the elector to vote at that overseas polling station.

(3) The authorisation must be in the form of a certificate, which must —

(a) be signed by the Returning Officer; and

(b) state —

(i) the name of the elector and his or her number and description, as stated in the certified register of electors; and

(ii) the fact that the elector is serving as an overseas election officer at that overseas polling station.

(4) Section 22(2) of the Act does not apply in relation to an overseas polling station.

Admission to overseas polling station

15.—(1) Section 22(7) of the Act does not apply in relation to the conduct of polls in overseas polling stations.

(2) Subject to this regulation, the only persons who may be present in an overseas polling station during the hours of the poll at that overseas polling station are —

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- (a) the overseas election officers for that overseas polling station;
 - (b) the candidates;
 - (c) the polling agents of the candidates;
 - (d) an overseas elector allotted to vote at that overseas polling station; and
 - (e) any other person whom the Returning Officer authorises to be present.

(3) A person required by section 36(1) of the Act, read with regulation 9, to make an oath of secrecy before attending at a polling station must not be admitted to an overseas polling station unless he or she has made that oath.

(4) For the purposes of section 22(6) of the Act —

- (a) only one polling agent for each candidate may be admitted to an overseas polling station; and
- (b) regulation 2A of the Presidential Elections (Polling Stations) Regulations 2017 (G.N. No. S 267/2017) does not apply in relation to an overseas polling station.

(5) A polling agent of a candidate must not be admitted to an overseas polling station unless the candidate or the candidate's principal election agent or election agent provides the following information in writing to the Returning Officer no later than 2 clear days before polling day:

- (a) the polling agent's full name (as stated in his or her identity card) and identity card number;
- (b) a statement that the polling agent is appointed for the overseas polling station.

(6) Section 45(1B) of the Act does not apply in relation to the admission of a polling agent of a candidate to an overseas polling station.

(7) A person who arrives at an overseas polling station to vote must —

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- (a) give his or her name to the presiding officer; and
- (b) on request, give his or her name to a polling agent of the candidate.
- (8) A person must not be given a ballot paper, or be admitted to vote, at an overseas polling station if he or she refuses —
- (a) to comply with paragraph (7); or
- (b) to answer a question, asked by an overseas election officer for that overseas polling station, about the person's entitlement to vote at that overseas polling station.
- (9) A presiding officer at an overseas polling station must ensure that a person seeking to enter an overseas polling station to vote is admitted if the person is entitled to vote at that overseas polling station.

Poll to be by ballot and ballot papers

16. A poll at an overseas polling station must not use a DRE voting system.

Ballot boxes

- 17.** The presiding officer at an overseas polling station must, in addition to complying with section 24(2) of the Act, also —
- (a) place the sealed or locked ballot box on a table in full view of all persons present; and
- (b) ensure that the box remains there until that overseas polling station closes.

Manner of voting

18.—(1) Section 25(3) of the Act (procedure before delivering ballot paper) does not apply in relation to the conduct of polls in overseas polling stations.

(2) After a voter gives his or her name to the presiding officer at an overseas polling station under regulation 15(7)(a), the presiding officer must ascertain if the number, name and description of the

voter appear on the list of overseas electors for that overseas polling station.

(3) If the number, name and description of the voter appear on the list of overseas electors for that overseas polling station, the presiding officer must comply with the following procedures before delivering a ballot paper to the voter:

- (a) call out the name and number, and the electoral division and polling district code, of the voter as stated in the list;
- (b) mark the number of the elector as stated in the list on the counterfoil of the ballot paper;
- (c) mark the list to indicate that the elector has received a ballot paper but without indicating the particular ballot paper that was received;
- (d) unless the complete official mark has already been pre-printed or affixed to the ballot paper, either —
 - (i) initial the ballot paper; or
 - (ii) affix, stamp or mark (by writing or otherwise) the ballot paper in the approved manner with the official mark (or the remaining part thereof) for the authentication of the ballot paper.

(4) Despite section 25(4) of the Act, the presiding officer may, if he or she considers it advisable, regulate the number of voters in the room where the voting is held such that the number of voters in that room at any one time does not exceed the number of voting compartments in that room.

(5) For the purposes of section 25(9) of the Act —

- (a) the directions for the guidance of voters —
 - (i) are set out in the First Schedule; and
 - (ii) must be exhibited both immediately before and during the hours of the poll at an overseas polling station; and

- (b) regulation 3 of the Presidential Elections (Polling Stations) Regulations 2017 does not apply in relation to an overseas polling station.

Spoilt ballot papers

19. An overseas elector must not be given more than one other ballot paper under section 28(1) of the Act.

Tendered votes

20. In its application in relation to an overseas polling station, section 29(1) of the Act is to be read as if the reference to “the register” is a reference to the list of overseas electors for that overseas polling station.

Procedure on closing of poll

21.—(1) Section 31 of the Act (procedure on closing of poll) does not apply in relation to the conduct of polls in overseas polling stations.

(2) As soon as practicable after the close of the poll at an overseas polling station, every presiding officer for that overseas polling station must, in the presence of all the candidates and their polling agents who are present —

- (a) make up into separate packets —
- (i) the unused and spoilt ballot papers placed together;
 - (ii) the list of overseas electors;
 - (iii) the counterfoils of the ballot papers; and
 - (iv) the tendered votes list; and
- (b) seal each packet with the presiding officer’s own seal and the seals of the candidates or their polling agents if they desire to affix their seals.

- (3) Each ballot box within the overseas polling station must —
- (a) remain unopened;
 - (b) be secured by the Assistant Returning Officer; and

(c) be sealed with —

- (i) the seal supplied by the Returning Officer; and
- (ii) the seals of any of the candidates or their polling agents who are present and who wish to affix their seals,

in a manner that the box cannot be opened and nothing can be inserted into the box without breaking the seals.

(4) The Assistant Returning Officer in charge of an overseas polling station must without delay despatch every packet mentioned in paragraph (2) and every sealed ballot box in safe custody to the Returning Officer in Singapore by any means approved by the Returning Officer.

(5) Until their despatch to the Returning Officer in Singapore, the Assistant Returning Officer in charge of the overseas polling station —

- (a) is responsible for all the sealed packets mentioned in paragraph (2) and every sealed ballot box in his or her possession; and
- (b) must take every precaution for the safekeeping of those packets and ballot boxes and to prevent any person from having unlawful access to them.

Supplementary provisions about polling agents

22.—(1) A polling agent of a candidate may, during the hours of the poll at an overseas polling station, examine a copy of the list of overseas electors for the overseas polling station.

(2) A polling agent of a candidate must not use any communications device within an overseas polling station during the hours of the poll at that overseas polling station.

(3) The absence of any polling agent of a candidate at an overseas polling station at any time does not invalidate any act or thing done during the absence of the polling agent if the act or thing is otherwise duly done.

PART 3
POSTAL VOTING METHOD

Forms of postal voting papers

23.—(1) For the purposes of the Act —

- (a) a postal ballot paper must be in Form PV 1 in the Second Schedule;
- (b) a return envelope must be in Form PV 2 in the Second Schedule; and
- (c) the QR code on a return envelope must comply with regulation 24(4).

(2) Section 23(2) and (3) of the Act does not apply to or in relation to a postal ballot paper.

Postal elector number and QR code

24.—(1) The Returning Officer must assign a postal elector number to each postal elector.

(2) A postal elector number for a postal elector —

- (a) must consist of numbers or letters or both; and
- (b) must not include any personal information about the postal elector (such as his or her NRIC number) that could undermine voter secrecy.

(3) The postal elector number of a postal elector must be embedded in the QR code on a return envelope issued to him or her.

(4) The QR code must not contain any other information about the postal elector.

Prescribed website under section 36F(3)(b) of Act

25. For the purposes of section 36F(3)(b) of the Act and regulations 26 and 27, the prescribed website is the Internet website of the Elections Department at <https://www.eld.gov.sg>.

Manner of application for and issue of postal voting papers in electronic form

26.—(1) A postal elector may apply to the Returning Officer for postal voting papers to be issued to him or her in an electronic form, using the electronic system made available on the prescribed website.

(2) An application under paragraph (1) may be made any time during the postal voting period of the election.

(3) To make an application under paragraph (1), a postal elector must authenticate his or her identity on the prescribed website by using his or her Singpass credentials.

(4) The postal elector is responsible for —

- (a) downloading the postal ballot paper and return envelope issued to him or her in electronic form using the electronic system;
- (b) printing the postal ballot paper on one side of a piece of paper; and
- (c) printing the return envelope on one side of another piece of paper.

(5) Subject to section 52 of the Act, a postal elector may make more than one application under paragraph (1).

Manner of application for and issue of printed postal voting papers

27.—(1) Instead of making an application under regulation 26, a postal elector may apply to the Returning Officer for postal voting papers to be issued to him or her by —

- (a) sending an email to the email address of the Elections Department at contact@eld.gov.sg; or
- (b) completing an application form made available on the prescribed website, and submitting the duly completed application form through the prescribed website.

(2) An application under paragraph (1) must be made no later than 2 days after the date of issue of the writ of election.

(3) Upon receiving an application under paragraph (1) and being satisfied that the applicant is a postal elector, the Returning Officer or a person acting under the authority of the Returning Officer must —

- (a) issue printed postal voting papers to the applicant; and
- (b) send the printed postal voting papers to the applicant by registered post or courier to his or her overseas correspondence address as at the date of the application.

(4) An election is not invalid by reason that the postal or courier service of Singapore or any country or territory outside Singapore fails to deliver printed postal voting papers to a postal elector, or delays in delivering printed postal voting papers to a postal elector.

(5) Subject to section 52 of the Act, a postal elector who made an application under paragraph (1) is not precluded from making an application under regulation 26(1).

Procedure for postal voting method

28.—(1) To record his or her vote using the posting voting method, a postal elector must use the postal ballot paper and return envelope issued to him or her (and no other documents) and comply with the following procedure:

- (a) mark his or her vote on the postal ballot paper in the area demarcated on the postal ballot paper for that purpose;
- (b) conceal his or her vote by folding the postal ballot paper in accordance with the instructions printed on the postal ballot paper;
- (c) fold the return envelope in accordance with the instructions printed on it;
- (d) insert the postal ballot paper into the return envelope and seal the return envelope;
- (e) make and sign the declaration on the return envelope in the area demarcated on the return envelope for that purpose, with a signature that is substantially identical to the wet-ink signature that he or she submitted to the Registration

Officer under the Parliamentary Elections (Registration of Overseas Electors) Regulations 2023;

- (f) post or deliver, or cause to be posted or delivered, before the end of the postal voting period, the sealed return envelope to the Returning Officer at the address indicated on the return envelope in accordance with section 36B(3)(d) of the Act.

(2) A declaration under paragraph (1)(e) does not mean that the return envelope was posted or sent for delivery before the end of the postal voting period for the election.

(3) To avoid doubt, section 25 of the Act (manner of voting) does not apply in relation to the postal voting method.

Receipt of delivery of return envelope by Returning Officer

29.—(1) For the purposes of section 36B(3)(d) of the Act, the Returning Officer —

- (a) may appoint one or more places in Singapore to receive deliveries of return envelopes; and
- (b) must not receive any return envelope delivered after the end of the postal voting period.

(2) Subject to paragraph (1), the date on which any return envelope containing, or purporting to contain, a postal ballot paper is delivered to and received by the Returning Officer in Singapore must be indicated on the return envelope.

(3) To avoid doubt, this regulation does not apply in relation to the receipt of return envelopes that are posted.

Safe custody of all return envelopes, etc.

30.—(1) Subject to paragraph (2), all papers that are or purport to be return envelopes containing the postal ballot papers for an election received by the Returning Officer —

- (a) must be kept in safe custody and remain sealed; and

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- (b) must not be opened or tampered with before the pre-count examination of postal voting papers under section 36C of the Act.
- (2) If the Returning Officer has reasonable grounds to believe that a return envelope contains harmful or hazardous substances, the Returning Officer must —
- (a) open the return envelope for the purposes of examining the existence of such harmful or hazardous substances; and
- (b) record the result of the examination and inform the candidates or their principal election agent as soon as possible of the result.
- (3) If a return envelope is opened in accordance with paragraph (2), any postal ballot paper contained in that return envelope must not be accepted for counting, regardless of the result of the examination.
- (4) If the return envelope contains harmful or hazardous substances, the return envelope (and any postal ballot paper inside) must be disposed of in a safe manner and in a manner that does not compromise voter secrecy.
- (5) If the return envelope does not contain harmful or hazardous substances, the return envelope (and any postal ballot paper inside) must be dealt with in the manner set out in section 36E(2) of the Act.

PART 4

COUNTING OVERSEAS VOTES

Application of Act subject to this Part

- 31.**—(1) Subject to the provisions of this Part, the counting of votes cast by overseas electors must be conducted, as far as practicable —
- (a) in the same manner as that in which counting of votes cast at ordinary polling stations is conducted; and
- (b) without limiting sub-paragraph (a), in accordance with sections 32(1), (3), (5), (5A), (6) and (7) and 33 of the Act.
- (2) However, section 33(1)(a) of the Act does not apply to or in relation to a postal ballot paper.

Custody of overseas votes

32. The Returning Officer must ensure that —

- (a) every ballot box arriving in Singapore from an overseas polling station in an election; and
- (b) every return envelope received by the Returning Officer in Singapore that contains, or purports to contain, a postal ballot paper,

is kept in safe custody and delivered unopened to the counting place or places for overseas votes.

Maximum number of counting agents

33.—(1) Section 32(2) of the Act (number of counting agents) does not apply in relation to the counting of votes cast at overseas polling stations and by the postal voting method.

(2) For the purposes of section 36D(5) of the Act, the maximum number of counting agents that may be appointed under section 32(1) of the Act for each candidate to attend at each counting place directed under section 36D(1) of the Act is —

(a) to be calculated as follows:

- (i) take the number of overseas electors;
- (ii) divide the number mentioned in sub-paragraph (i) by 5,000;
- (iii) round up the result of sub-paragraph (ii) to the next whole number; or

(b) 3,

whichever is higher.

Maximum number of counting agents at areas demarcated for pre-count examination of postal voting papers

34.—(1) The Returning Officer may demarcate, within a counting place, one or more areas for conducting pre-count examination of postal voting papers.

(2) If 3 or fewer areas are demarcated, the total number of counting agents for each candidate in those areas must not exceed 3.

(3) If 4 or more areas are demarcated, only one counting agent for each candidate may be present in each of those areas at any one time.

Supplementary provisions for authenticating postal voting papers during pre-count examination

35.—(1) During the pre-count examination of postal voting papers under section 36C of the Act, the Returning Officer may use the information contained in the QR code on an envelope to verify whether or not —

- (a) it is a return envelope issued under regulation 26 or 27; and
- (b) the signature on the envelope in the area demarcated for the purpose mentioned in regulation 28(1)(e) substantially matches the signature of a postal elector.

(2) If the Returning Officer is not satisfied that —

- (a) the return envelope is issued under regulation 26 or 27; or
- (b) the signature on the return envelope is substantially identical to the wet-ink signature of a postal elector submitted to the Registration Officer under the Parliamentary Elections (Registration of Overseas Electors) Regulations 2023,

the Returning Officer —

- (c) must disallow the return envelope (and any postal ballot paper inside) from counting; but
- (d) must not open the return envelope.

Opening of ballot boxes from overseas polling stations

36.—(1) Section 32(4) of the Act (opening of ballot boxes) does not apply in relation to the counting of votes cast at overseas polling stations and by the postal voting method.

(2) Without affecting section 36C(1) of the Act and before starting the counting of any votes cast in overseas polling stations, the Returning Officer or a person authorised by him or her must, at the

counting place for overseas votes and in the presence of such of the candidates and their counting agents as attend, carry out the following:

- (a) arrange all the ballot boxes received according to their overseas polling stations;
- (b) subject to paragraph (3), open every ballot box from each overseas polling station that is received;
- (c) take all the ballot papers out from the opened ballot boxes.

(3) The Returning Officer must not open any ballot box from an overseas polling station that reaches the custody of the Returning Officer in Singapore after the deadline specified in section 36D(3) of the Act.

Counting of votes by overseas electors

37. Subject to section 36D of the Act, the Returning Officer or a person authorised by him or her may, in counting the votes cast at all overseas polling stations or by the postal voting method —

- (a) mix together all ballot papers in the opened ballot boxes from —
 - (i) all overseas polling stations; or
 - (ii) each overseas polling station (without mixing ballot papers from any other overseas polling station); and
- (b) mix together any number of postal ballot papers with any number of ballot papers in the opened ballot boxes from each or all overseas polling stations.

Recounting of overseas votes

38.—(1) This regulation applies if the Returning Officer made a declaration under section 32(8)(b) or (8D)(b) of the Act in an election.

(2) The Returning Officer must conduct a recount of the votes cast by overseas electors at the election if the difference between the following is 2% or less of the total number of votes cast by all electors (excluding rejected votes and tendered votes) at the election:

-
-
- (a) the total number of votes given by all electors to the candidate with the most votes;
 - (b) the total number of votes given by all electors to any other candidate.

PART 5

POST-ELECTION PROCEDURES

Expunging names of non-voters

39. In its application in relation to overseas polling stations, a reference to the registers of electors in section 26(3) of the Act is to be read as a reference to the lists of overseas electors.

FIRST SCHEDULE

Regulation 18(5)

PRESIDENTIAL ELECTIONS ACT 1991

PRESIDENTIAL ELECTIONS (OVERSEAS VOTING) REGULATIONS 2023

DIRECTIONS FOR GUIDANCE OF VOTERS

1. When you are given a ballot paper, go to a voting compartment.
2. Mark on your ballot paper an “X” in the empty box for the candidate 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.

SECOND SCHEDULE

Regulation 23(1)

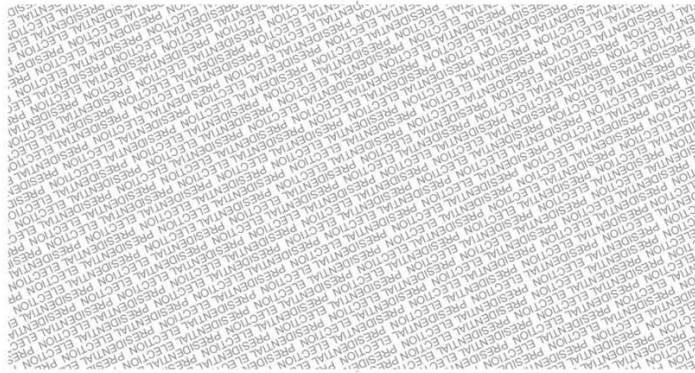
FORMS

FORM PV 1

PRESIDENTIAL ELECTIONS ACT 1991			
Photograph of candidate	Name of candidate	Symbol allotted to candidate	Space for voter's mark of "X"
Photograph of candidate	Name of candidate	Symbol allotted to candidate	Space for voter's mark of "X"
Photograph of candidate	Name of candidate	Symbol allotted to candidate	Space for voter's mark of "X"

Instructions to postal voter on how to fold the postal ballot paper

Instructions to postal voter on how to fold the postal ballot paper



Instructions to postal voter on how to fold the postal ballot paper

Made on 28 June 2023.

LEO YIP
*Permanent Secretary,
Prime Minister's Office,
Singapore.*

[ELD(A)/4-24; AG/LEGIS/SL/240A/2020/9 Vol. 1]

(To be presented to Parliament under section 81B(1) of the
Presidential Elections Act 1991).