

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218, SECTIONS 78, 78A AND 102)

PARLIAMENTARY ELECTIONS
(ELECTION ADVERTISING)
REGULATIONS

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[17th October 2001]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Parliamentary Elections (Election Advertising) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“authorised third-party campaigner”, in relation to a candidate or group of candidates, means a person who is acting within the authorisation issued to the person under section 83(2) of the Act by the candidate (or the candidate’s election agent) or the group of candidates (or those candidates’ election agents) to conduct election activity;

[S 445/2020 wef 08/06/2020]

“banner” means any election advertising that is a flag, bunting, ensign or standard;

“campaign period”, in relation to an election, means the period —

(a) beginning with the closure of the place of nomination on nomination day after the election is adjourned under section 34(1)(a) or 34A(1)(a), as the case may be, of the Act to enable a poll to be taken in accordance with the Act; and

(b) ending with the start of the eve of polling day of that election;

“chat room” or “discussion forum” means a website or similar online facility (including a facility made available by or through a social networking service or web log) through which users can communicate with other users or a designated segment of users by means of messages;

[S 445/2020 wef 08/06/2020]

“display”, in relation to a public place, includes display on the exterior or otherwise of a vehicle (whether or not mechanically propelled) in a public place so as to be visible to the public or any section of the public;

[S 445/2020 wef 08/06/2020]

“election meeting” means an assembly in a public place organised by or on behalf of a candidate or group of candidates nominated for election in an electoral division —

- (a) to promote or procure the electoral success at the election for one or more identifiable political parties, candidates or groups of candidates or to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with the election (referred to in these Regulations as an election rally); or
- (b) to show support for the candidate at or about the time the results of the election may be declared under section 49(7) or (7E) or 49A(5) of the Act;

“election period”, in relation to an election, means the period beginning on the day the writ is issued for the election under section 24 of the Act and ending with the start of polling day at that election;

“electronic mail address” means a destination (commonly expressed as a string of characters) to which electronic mail can be sent or delivered;

[S 445/2020 wef 08/06/2020]

“electronic media application” includes —

- (a) any banner, logo or icon that is capable of being posted on any social networking service, micro-blog, website or other form of electronic media; or

[S 445/2020 wef 08/06/2020]

- (b) any other software or programme used in connection with a computer or other electronic device and which may be used for communicating or transmitting election advertising among users in any format,

such as but not limited to digital banners, RSS feed readers, widgets, mobile applications and other instant messaging software or programmes;

“electronic media application message” means a message that is sent using an electronic media application;

[S 445/2020 wef 08/06/2020]

“electronic message” means a micro-blog post, a social networking service message, an electronic media application message, an SMS message or an MMS message;

[S 445/2020 wef 08/06/2020]

“electronic user name” means a unique sequence of characters that identifies a person as a user or the proprietor of an online account, facility, network, service or system;

[S 445/2020 wef 08/06/2020]

“functioning electronic mail address”, “functioning digital mobile telephone number” or “functioning electronic user name”, in relation to any electronic mail or electronic message, means an electronic mail address, a digital mobile telephone number or an electronic user name, respectively, that —

- (a) remains capable of receiving electronic mail or electronic messages for not less than 14 days after the transmission of the firstmentioned electronic mail or electronic message; and
- (b) has capacity, reasonably calculated in the light of the number of recipients of the firstmentioned electronic mail or electronic message, to enable it to receive the full expected quantity of reply electronic mail or electronic messages from such recipients,

and an electronic mail address, a digital mobile telephone number or an electronic user name does not stop being a functioning electronic mail address, functioning digital mobile telephone number or functioning electronic user name, respectively, just because of a temporary inability to receive electronic mail or electronic messages due to technical problems, provided steps are taken to correct these technical problems within a reasonable time and without delay;

[S 445/2020 wef 08/06/2020]

“initiating”, in relation to publishing or sending paid Internet election advertising, includes instigating the publishing or

sending of the election advertising to recipients not voluntarily accessing the election advertising, without the need for anyone to operate or permit the operation of systems that cause the election advertising to be so published or sent;

[S 445/2020 wef 08/06/2020]

“Internet platform” means —

- (a) a website or similar online facility;
- (b) an electronic media application;
- (c) a social networking service; or
- (d) a network or like service available on the Internet that —
 - (i) supports the integration of different electronic media applications or different software or programmes for the provision of goods or services (including accessing information); and
 - (ii) facilitates communication and exchanges of information between multiple subscribers to the service;

[S 445/2020 wef 08/06/2020]

“message”, in relation to a chat room, a discussion forum, a micro-blog post, a social networking service message or an electronic media application message, means a message that is in the form of (but not limited to) any text, still or moving picture, sign, symbol or other visual image, or any speech, music, sound or other audible message;

[S 445/2020 wef 08/06/2020]

“micro-blog” means a web service that allows a user to post and send a micro-blog post that can be viewed by a selected group of persons or by anyone who uses the web service;

“micro-blog post” means a short message that is posted on or sent through a micro-blog;

[S 445/2020 wef 08/06/2020]

“MMS message” means a message (whether or not accompanied by any sound) sent using an MMS service;

“MMS service” means a system that enables the transmission of visual communication, voice communication or electronic mail from a digital mobile telephone —

(a) to another digital mobile telephone; or

(b) to an electronic mail address,

but does not include a micro-blog post;

“mobile device” includes a digital mobile telephone or other device that is designed to run a mobile operating system;

[S 445/2020 wef 08/06/2020]

“nomination day”, in relation to an election, means the date specified as the day of nomination in the writ issued under section 24 of the Act for that election;

“online account” includes any of the following:

(a) a free account;

(b) a prepaid account;

(c) anything that may reasonably be regarded as the equivalent of an account;

[S 445/2020 wef 08/06/2020]

“paid Internet election advertising”, in relation to an election, means an election advertising —

(a) that contains material relating to the election;

(b) that is published on or using any Internet platform;
and

(c) in respect of which the proprietor or operator of the Internet platform (including a person initiating the publishing or sending of the advertising) has received or is to receive, directly or indirectly, any money or other consideration for the placement of the election advertising on or using the Internet platform;

[S 445/2020 wef 08/06/2020]

“permit” means a permit issued under Part IV for the display of any poster or banner;

“polling day”, in relation to an election, means the date specified in a notice under section 34(6) or 34A(6) of the Act as the date on which the poll for that election will be taken;

“poster” means any election advertising that —

(a) is a label, set of colours, drawing, painting, handbill or placard;

(b) is a replica of a voting paper, a political party’s symbol or the symbol allotted to a candidate or group of candidates under section 34 or 34A of the Act; or

[S 445/2020 wef 08/06/2020]

(c) is written, printed, drawn or depicted on any material, and where any election advertising is written, printed, drawn or depicted in sections, such sections, both severally and collectively, shall be deemed to be a poster;

“public place” means —

(a) any place (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 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;

“recipient”, in relation to an electronic mail or electronic message, means the person to whom such mail or message is addressed, and if the person has more than one digital mobile telephone number, electronic mail address or electronic user name, the person is to be regarded as a separate recipient with respect to each such digital mobile telephone number, electronic mail address or electronic user name;

[S 445/2020 wef 08/06/2020]

“relevant communication service” means an electronic service that —

- (a) allows end-users to access information or material on the Internet;
- (b) delivers information or material from the Internet to persons having a mobile device capable or appropriate for receiving that information or material; or
- (c) enables end-users to communicate with other end-users by electronic mail, instant messaging service, an MMS service or SMS service, through a mobile device capable or appropriate for receiving information or material from the Internet,

using a broadcasting or telecommunication service for carrying messages or other information or material (whether between persons and persons, things and things or persons and things);

[S 445/2020 wef 08/06/2020]

“SMS message” means a text message sent using an SMS service;

“SMS service” means a system that enables the transmission of text messages from a digital mobile telephone to another digital mobile telephone;

[S 445/2020 wef 08/06/2020]

“social networking service” means any online website or web service —

- (a) that allows users to create webpages or profiles providing information that can be viewed in whole or in part by other users; and
- (b) that enables or supports multiple-user digital communication, connection, social interaction or related activities;

[Deleted by S 445/2020 wef 08/06/2020]

“social networking service message” means a message that is posted or sent through a social networking service;

[S 445/2020 wef 08/06/2020]

“web log” means a website or part of a website maintained by one or more persons that —

(a) allows the person or persons to upload entries that include (but are not limited to) texts, still or moving pictures, signs, symbols or other visual images, or speeches, music, sounds or other audible messages (collectively called in this definition the uploaded content); and

(b) may allow visitors to the website (or any part of it) to post their comments on the uploaded content.

[S 445/2020 wef 08/06/2020]

PART II

ELECTION ADVERTISING PARTICULARS

Non-print election advertising particulars

3.—(1) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of any election advertising in any website must be displayed conspicuously —

(a) on the first opening page of the website containing any election advertising; and

(b) on the page first displayed for every sub-directory of the website if the relevant particulars of the election advertising in the sub-directory are not the same as those on the first opening page of that website.

[S 445/2020 wef 08/06/2020]

(2) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars must be displayed conspicuously on every election advertising sent —

(a) by electronic transmission (including facsimile transmission);

- (b) by or through a micro-blog, a social networking service, an electronic media application, an SMS service or an MMS service;
- (c) by an electronic mail;
- (d) as a web log entry; or
- (e) as a message in a chat room, in a discussion forum or on any other Internet platform.

[S 445/2020 wef 08/06/2020]

(2A) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of every election advertising sent by any means in paragraph (2) must —

- (a) if the election advertising is published in a visual form, be clearly displayed in the advertising;
- (b) if the election advertising is paid Internet election advertising and is published in a visual form which is too small to include the relevant particulars in a legible manner (such as but not limited to a micro-bar, a button ad, a graphic or picture link or a static or dynamic digital banner advertisement), be shown as follows:
 - (i) for an election advertising that allows the viewer to click on it, the viewer must be taken to a landing or home page that prominently displays the relevant particulars;
 - (ii) for an election advertising that does not allow the viewer to click on it, the relevant particulars must be prominently displayed on a clearly identifiable website that the election advertising was drawn from; or
- (c) if the election advertising is published only in an audible form, be no less audible than the other content of the election advertising.

[S 445/2020 wef 08/06/2020]

(2B) [*Deleted by S 445/2020 wef 08/06/2020*]

(2C) [*Deleted by S 445/2020 wef 08/06/2020*]

(2D) [*Deleted by S 445/2020 wef 08/06/2020*]

(3) In this regulation, “relevant particulars”, in relation to any election advertising, means —

(a) the name of the publisher of the election advertising;

[S 445/2020 wef 08/06/2020]

(b) the name of every person for whom or at whose direction the election advertising is published; and

[S 445/2020 wef 08/06/2020]

(c) in the case of paid Internet election advertising, a message or statement to the effect as follows if the person for whom or at whose direction the election advertising is published or sent is a candidate, or the political party of one or more candidates, at the election to which the election advertising relates, or an authorised third-party campaigner of the candidate:

(i) that the placement of the election advertising which is to be or has been published or sent, is or was so sponsored by a person or persons, such as by words like “sponsored by” or “paid for by”;

(ii) the name of that person or those persons in sub-paragraph (i), indicating whether or that the person is a candidate or political party of any candidate, or one or more of the persons is or are candidates, at the election, or an authorised third-party campaigner of such a candidate.

[S 445/2020 wef 08/06/2020]

(4) Where the publisher of any election advertising or the person for whom or at whose direction any election advertising is published is an unincorporated association or society, it shall be sufficient for the purposes of this regulation to state the name of the association or society, as the case may be.

[S 445/2020 wef 08/06/2020]

PART III

INTERNET ELECTION ADVERTISING

Division 1 — Candidates and political parties

Permitted forms of election advertising

4.—(1) [*Deleted by S 445/2020 wef 08/06/2020*]

(2) For the purposes of section 78A(1)(b) of the Act, a political party or a candidate or his election agent may publish on the Internet during the election period the following election advertising (in the form of, but not limited to, any text, still or moving picture, sign, symbol or other visual image, or any speech, music, sound or audible message), and no others:

- (a) any photograph of any candidate or group of candidates or any drawing or illustration which purports to depict any such candidate or group of candidates or to be a likeness or representation of any candidate or group of candidates;
- (b) any photograph or film of any person or persons lawfully taking part in or conducting any election rally or other election activity, or any drawing or illustration which purports to depict any such person or persons or to be a likeness or representation of any person or persons;
- (c) the manifesto or declaration of policies or ideology of the political party or the candidate or group of candidates;
- (d) any historical or biographical information about the political party or the candidate or group of candidates;
- (e) any newsletter, journal or other periodical publication of the political party;
- (f) any message, article or comment that promotes or opposes any political party or the election of any candidate or group of candidates, including one that takes a position on an issue with which a political party or candidate or group of candidates, as the case may be, is associated;
- (g) the whole or part of the logo, symbol or mark of a political party, or the whole or part of the approved symbol allotted

to a candidate or a group of candidates under section 34(1)(b) or 34A(1)(b) of the Act;

- (h) any advertisement or material for the recruitment of members or subscribers of a political party or for acquiring the services of volunteers or canvassers for a candidate or group of candidates;
- (i) any announcement of any election meeting or other meeting, or of any constituency visit, held or to be held by or on behalf of a candidate or group of candidates or the political party.

[S 445/2020 wef 08/06/2020]

(3) Any election advertising that —

- (a) is sent by an electronic mail must contain a clearly and conspicuously displayed functioning electronic mail address to which the recipient of the electronic mail may send a reply to the sender of the electronic mail to indicate a desire not to receive any further electronic mail containing election advertising from that sender at the electronic mail address at which the firstmentioned electronic mail was received; or
- (b) is in an electronic message must contain a clearly and conspicuously displayed —
 - (i) functioning digital mobile telephone number;
 - (ii) functioning electronic mail address; or
 - (iii) functioning electronic user name,

to which the recipient of the electronic message may send a reply to the sender of the electronic message to indicate a desire not to receive any further electronic message containing election advertising from that sender at the digital mobile telephone number, electronic mail address or electronic user name at which the firstmentioned electronic message was received.

[S 445/2020 wef 08/06/2020]

(3A) If the recipient of any electronic mail or electronic message containing any election advertising makes a request to the sender of the electronic mail or electronic message —

- (a) in the case of an electronic mail — through an electronic mail sent to a functioning electronic mail address provided under paragraph (3)(a); or
- (b) in the case of an electronic message — through an electronic mail or electronic message sent to a functioning digital mobile telephone number, a functioning electronic mail address or a functioning electronic user name provided under paragraph (3)(b),

not to receive any further electronic mail or electronic message (as the case may be) containing election advertising from the sender, the sender must not send or cause to be sent any further electronic mail or electronic message containing election advertising during the election period to the recipient's electronic mail address, digital mobile telephone number or electronic user name at which the firstmentioned electronic mail or electronic message was received, without the prior express consent of the recipient.

[S 445/2020 wef 08/06/2020]

(4) For the avoidance of doubt, nothing in this regulation shall permit any of the following to be published by any political party, or any candidate or group of candidates or their election agents, on the Internet during the election period:

- (a) any election survey within the meaning of section 78C of the Act;
- (b) any appeal to the general public or a section of the general public to give donations —
 - (i) which is made in association with a representation that the whole or any part of the donation is to be applied for the objects or activities of any political party at an election; or
 - (ii) for the promotion of any candidate or group of candidates at an election,

being donations the acceptance of which by or on behalf of the political party or any candidate is unlawful under the Political Donations Act (Cap. 236);

[S 445/2020 wef 08/06/2020]

- (c) any facility enabling any member of the public or any class thereof to search for election advertising the publication of which contravenes these Regulations or is proscribed by the Returning Officer; and
- (d) any party political film within the meaning of the Films Act (Cap. 107) or any film the exhibition or distribution of which is contrary to the provisions of that Act.

[S 445/2020 wef 08/06/2020]

(5) Every political party, and every candidate or group of candidates and his or their election agents shall use its or their best efforts to ensure that any election advertising they publish or cause to be published is published in conformity with this Part and any other written law.

(6) *[Deleted by S 445/2020 wef 08/06/2020]*

[S 445/2020 wef 08/06/2020]

Chat rooms and discussion forum

5.—(1) Where a chat room or discussion forum is to be maintained by or on behalf of a political party or a candidate or group of candidates during the election period, the political party or (as the case may be) the candidate or group of candidates or his or their election agents shall, before the start of the election period, appoint as moderator —

- (a) one or more officers of the political party; or
- (b) in the case of a chat room or discussion forum maintained by or on behalf of a candidate or group of candidates, any one or more persons,

to directly manage the chat room or discussion forum during that period and notify the Returning Officer of such appointment accordingly.

[S 445/2020 wef 08/06/2020]

(2) The moderator of a chat room or discussion forum has the following duties:

- (a) the moderator must maintain a record of all messages, including their contents, sent to the chat room or discussion forum during the election period;
- (b) the moderator must without delay remove any message in the chat room or discussion forum as and when directed by and in accordance with the written directions of the Returning Officer or any person acting under the Returning Officer's authority.

[S 445/2020 wef 08/06/2020]

(3) The political party or candidate or group of candidates who or which or on whose behalf a chat room or discussion forum is maintained shall —

- (a) use its or his best efforts to ensure that the chat room or discussion forum is maintained in conformity with this regulation and any other written law;
- (b) keep and furnish to the Returning Officer all information, records, documents, data or other materials concerning or relating to the provision of the chat room or discussion forum as the Returning Officer may, from time to time, require during the election period; and
- (c) remove, or prohibit the inclusion of, the whole or any part of any message in the chat room or discussion forum if the Returning Officer informs the moderator of the chat room or discussion forum that the message (or any part of it) is against public interest, public order or national harmony, or offends good taste or decency, and directs its removal or prohibition.

[S 445/2020 wef 08/06/2020]

(4) To avoid doubt, in this regulation, a reference to anything that is or is to be maintained by or on behalf of a political party, candidate or group of candidates includes a reference to anything that is or is to be

maintained by the political party, candidate or group of candidates solely or together with any other person.

[S 445/2020 wef 08/06/2020]

*Division 2 — Declaration of election advertising by
candidates during campaign period*

Declaration of election advertising by candidates or election agents

6.—(1) Election advertising may be published on the Internet by or on behalf of a candidate or group of candidates during the campaign period of an election —

- (a) on an Internet platform;
- (b) using an online account on an Internet platform; or
- (c) using a relevant communication service,

if, and only if, a declaration in accordance with paragraphs (2), (3) and (4) and in the form and manner that the Returning Officer requires, is given by the candidate (or the candidate's election agent) or group of candidates (or those candidates' election agents) in respect of that Internet platform, online account or relevant communication service, as the case may be.

(2) A declaration under paragraph (1) must be given to the Returning Officer as follows:

- (a) within 12 hours after the start of the campaign period in respect of every election advertising published on the Internet within those 12 hours by or on behalf of a candidate or group of candidates —
 - (i) on any Internet platform;
 - (ii) using an online account on any Internet platform; or
 - (iii) using any relevant communication service;
- (b) before any election advertising is published on the Internet during the campaign period by or on behalf of a candidate or group of candidates —
 - (i) on any Internet platform;

- (ii) using an online account on any Internet platform; or
 - (iii) using any relevant communication service,
unless otherwise allowed under sub-paragraph (a).
- (3) A declaration under paragraph (1) must contain the following:
- (a) for election advertising published by or on behalf of a candidate or group of candidates on an Internet platform or using an online account on an Internet platform —
 - (i) where the Internet platform or the online account from which the election advertising is published is accessible by the general public, sufficient particulars about the Internet platform or online account (as the case may be) to enable the Returning Officer to access that platform or online account; or
 - (ii) where access to the Internet platform or the online account from which the election advertising is published is subject to a precondition (like a password) or is otherwise restricted, the name and other sufficient particulars to enable the Returning Officer to identify the person who is the proprietor of or who operates the Internet platform or online account, as the case may be;
 - (b) for election advertising published by or on behalf of a candidate or group of candidates using a relevant communication service — all or any of the following (whichever being applicable) together with the name and other sufficient particulars to enable the Returning Officer to identify and contact the publisher of the election advertising:
 - (i) a functioning digital mobile telephone number;
 - (ii) a functioning electronic mail address;
 - (iii) a functioning electronic user name.
- (4) In addition, where paid Internet election advertising relating to an election is published or to be published on an Internet platform or using an online account on an Internet platform, a declaration under

paragraph (1) in respect of the Internet platform or the online account must also state —

- (a) the name and other sufficient particulars to identify the person or persons who published or sent or is to publish or send (including a person initiating the publishing or sending) the paid Internet election advertising relating to that election;
- (b) the period that the paid Internet election advertising started appearing (if applicable) and will appear on the Internet; and
- (c) that the person or persons mentioned in sub-paragraph (a) received or is to receive, directly or indirectly, any money or other consideration for the placement of (including initiating the publishing or sending) the paid Internet election advertising relating to that election, from —
 - (i) the candidate (or the candidate's election agent) or group of candidates (or those candidates' election agents) making the declaration, whether or not by way of expenditure for the purposes of the candidate's or group's election;
 - (ii) the political party of one or more candidates at that election; or
 - (iii) any other person, whether or not a donor to such a candidate, group or political party.

(5) When any declaration under paragraph (1) is received by the Returning Officer, he must without delay ensure that the declaration is open for inspection (without charge) at all reasonable hours of the day until the close of the poll in Singapore.

(6) To avoid doubt, in this regulation and regulation 7 —

- (a) more than one declaration may be given under this regulation by a candidate (or the candidate's election agent) or group of candidates (or those candidates' election agents) in respect of the same Internet platform, online account or relevant communication service;

- (b) a reference to anything that is or is to be published —
- (i) by a candidate or group of candidates includes a reference to anything that is or is to be published by the candidate, or the group of candidates, solely or together with any other person; or
 - (ii) on behalf of a candidate or group of candidates includes a reference to anything that is or is to be maintained or published by an authorised third-party campaigner of the candidate or group of candidates;
- (c) a reference to the publishing of an election advertising includes a reference to the publishing of anything that contains the election advertising; and
- (d) a declaration that is required to be given to the Returning Officer under paragraph (1) is not to be regarded as given until when it is actually received by the Returning Officer.

(7) In this regulation —

“candidate” does not include a candidate who has been declared elected under section 33(1) of the Act;

“election advertising” means election advertising in any form, such as but not limited to any text, still or moving picture, sign, symbol or other visual image, or any speech, music, sound or other audible message.

[S 445/2020 wef 08/06/2020]

Division 3 — Enforcement

Returning Officer’s directions

7.—(1) The Returning Officer or any person so authorised by him may issue a written direction to any political party, or to any candidate or group of candidates or his or their election agents —

- (a) to remove or prohibit any election advertising that has been published by or on behalf of the political party, candidate or group of candidates, as the case may be, which is published in contravention of any provision in Division 1;

[S 445/2020 wef 08/06/2020]

- (b) to remove or prohibit any election advertising that —
- (i) is published without any authorisation under section 83(2) of the Act; or
 - (ii) is published purportedly on behalf of the political party, candidate or group of candidates (as the case may be), being in contravention of an authorisation by the candidate (or the candidate's election agent) or group of candidates (or those candidates' election agents) under section 83(2) of the Act;

[S 445/2020 wef 08/06/2020]

- (c) to remove any election advertising that has been published by or on behalf of the candidate or group of candidates in contravention of regulation 6(1); or

[S 445/2020 wef 08/06/2020]

- (d) to give to the Returning Officer, in such form and manner as the Returning Officer may require, a declaration containing the particulars (as required by regulation 6(1)) of every Internet platform, online account on an Internet platform, or relevant communication service (as the case may be) that has been used to publish the election advertising by or on behalf of the candidate or group of candidates in contravention of regulation 6(1).

[S 445/2020 wef 08/06/2020]

(2) On receipt of any written directions under paragraph (1) concerning any election advertising, the political party, candidate or group of candidates, or his or their election agents, shall immediately comply with the written directions.

(3) To avoid doubt, in this regulation, a declaration that is required to be given to the Returning Officer under paragraph (1)(d) is to be regarded as so given only when it is actually received by the Returning Officer.

[S 445/2020 wef 08/06/2020]

Use of best efforts

8. If any doubt arises as to whether a political party, candidate, group of candidates or election agent has used its or his best efforts to comply with the provisions of this Part, the party, candidate or agent, as the case may be, shall be treated as having used its or his best efforts if the political party, candidates or group of candidates or election agent, as the case may be, satisfies the Returning Officer that it or he took all reasonable steps in the circumstances.

PART IV

POSTERS AND BANNERS

Display of posters and banners without permit prohibited

9. Subject to these Regulations, no person shall during the campaign period of an election display or cause to be displayed in any public place any poster or banner relating to any candidate or group of candidates in that election unless the person is authorised to do so under a permit issued under this Part.

Permits for display of posters and banners

10.—(1) As soon as possible after nomination proceedings have closed on nomination day of an election in an electoral division, the Returning Officer must issue, in such form and manner as the Returning Officer determines, a permit to every candidate (or his election agent), or every group of candidates (or an election agent of any of those candidates), in the election, authorising the display of posters and banners relating to the candidate or group of candidates (as the case may be) in any public place in the electoral division during the campaign period of the election.

[S 445/2020 wef 08/06/2020]

(2) The Returning Officer may, in issuing a permit, impose such terms and conditions as he may think fit, including conditions as to —

- (a) the public places where posters and banners must not be displayed;

(aa) the removal, within such period after polling day of an election as is specified in the permit, of every poster and banner authorised to be displayed by the permit;

[S 445/2020 wef 08/06/2020]

(ab) the type of posters and banners authorised to be displayed under the permit;

[S 445/2020 wef 08/06/2020]

(b) the manner in which posters and banners may or must not be displayed; and

(c) the maximum number and size of posters and banners authorised to be displayed in the electoral division.

[S 445/2020 wef 08/06/2020]

(3) Any condition imposed under paragraph (2)(c) for posters and banners relating to a candidate or group of candidates does not apply to the display of any poster or banner on the day and at the site of an election rally held by the candidate or group of candidates.

[S 445/2020 wef 08/06/2020]

Maximum number of posters and banners to be displayed

11.—(1) The Returning Officer shall, for any election, determine the maximum number of posters and banners which may be displayed during the campaign period of an election in respect of each candidate or group of candidates in the electoral division in which the candidate or (as the case may be) group of candidates seeks election.

(2) In carrying out his duty under paragraph (1), the Returning Officer shall allot equally among the candidates or (as the case may be) groups of candidates seeking election in an electoral division the maximum number of posters and banners which may be displayed in that electoral division.

(3) In determining the maximum number of posters and banners which may be displayed in any electoral division, the Returning Officer may have regard to the area of the electoral division and the number of electors therein.

Official stamp for posters and banners

12.—(1) Subject to paragraph (2), no person shall display or cause to be displayed in any public place during the campaign period of an election any poster or banner relating to any candidate or group of candidates unless there is affixed to the poster or banner a stamp issued by the Returning Officer bearing his official mark.

[S 445/2020 wef 08/06/2020]

(2) Paragraph (1) shall not apply to the display of —

(a) any poster or banner relating to any candidate or group of candidates on the day and at the site of any election rally held by the candidate or group of candidates; and

[S 445/2020 wef 08/06/2020]

(b) any poster or banner or its contents by means of —

(i) television broadcasting;

(ii) electronic transmission on the Internet;

[S 445/2020 wef 08/06/2020]

(iii) exhibiting a film or photograph of the poster or banner or its contents; or

[S 445/2020 wef 08/06/2020]

(iv) publication in any newspaper, magazine or periodical.

[S 445/2020 wef 08/06/2020]

Posters and banners to display allotted symbol

12A.—(1) Subject to paragraph (2), a person must not, during the campaign period of an election in an electoral division, display or cause to be displayed in any public place in the electoral division any poster or banner relating to a candidate or group of candidates in the election if the symbol allotted to the candidate or group of candidates under section 34 or 34A of the Act is not displayed on the poster or banner.

- (2) Paragraph (1) does not apply to the display of —
- (a) any poster or banner relating to a candidate or group of candidates on the day and at the site of an election rally held by the candidate or group of candidates; or
 - (b) any poster or banner or its contents by means of —
 - (i) television broadcasting;
 - (ii) exhibiting a film or photograph of the poster or banner or its contents; or
 - (iii) publication in any newspaper, magazine or periodical.

[S 445/2020 wef 08/06/2020]

Copy of poster or banner to be lodged with Returning Officer, etc.

13.—(1) During the campaign period of an election in an electoral division, a person must not display or cause to be displayed, by any means, in any public place in the electoral division any poster or banner relating to a candidate or group of candidates in the election unless —

- (a) a copy of that poster, or a detailed diagram or drawing of that banner, has been earlier lodged with the Returning Officer —
 - (i) by the candidate (or the candidate's election agent) or the group of candidates (or an election agent of any of those candidates), as the case may be; or
 - (ii) where the candidate or group of candidates is standing for election for a political party and the poster or banner is a party-wide poster or banner, by the political party; and
- (b) the person is in possession of a written authority to conduct election activity issued in accordance with section 83(2) of the Act.

(2) Paragraph (1)(b) does not apply when the person who displays, or causes to be displayed, a poster or banner is the candidate to whom,

or a member of a group of candidates to which, the poster or banner relates, or that candidate's election agent.

(3) In this regulation, "party-wide poster or banner", in relation to a political party, means a poster or banner —

- (a) which can reasonably be regarded as procuring or promoting the political party's electoral success in, or otherwise enhancing the political party's standing with the electorate in connection with, 2 or more elections held at the same time; and
- (b) which the political party intends for display in 2 or more electoral divisions contested by its candidates in such elections.

[S 445/2020 wef 08/06/2020]

14. [*Deleted by S 445/2020 wef 08/06/2020*]

Posters and banners not to exceed authorised number

15.—(1) Subject to paragraph (2), no candidate or (as the case may be) group of candidates seeking election in an electoral division, and no election agent of any such candidate, shall display or cause to be displayed at any time during the campaign period of the election in any public place within the electoral division any poster or banner relating to the candidate or (as the case may be) group of candidates that is in excess of the maximum number of posters and banners determined under regulation 11(1) for that candidate or (as the case may be) group of candidates.

(2) Nothing in paragraph (1) shall prohibit the display of —

- (a) any poster or banner on the day and at the site of any election rally held by a candidate or group of candidates; or
- (b) any poster or banner at the office or committee room of a candidate or group of candidates or his or their political party, only that the office or room must be the office or committee room of the candidate, group of candidates or political party, as the case may be, and specifies the name of the candidate or candidates in the group or the name of the political party concerned.

Posters and banners not to be displayed on certain objects, structure or things

16.—(1) No person shall, during the campaign period, display or cause to be displayed any poster or banner by pasting, nailing or otherwise affixing it on —

- (a) any lamp post or traffic bollard;
- (b) any property of the Public Utilities Board, the Info-communications Media Development Authority, the Government Technology Agency, any electricity licensee, any gas licensee, any public telecommunication licensee or any public postal licensee;

[S 445/2020 wef 08/06/2020]

- (c) any area, space or building owned or occupied by the Land Transport Authority of Singapore for or in connection with any rapid transit system;
- (d) any painted wall or painted part of a building adjoining a road; or

[S 445/2020 wef 08/06/2020]

- (e) any tree or structure on or along any road.

[S 445/2020 wef 08/06/2020]

(2) For the avoidance of doubt, nothing in paragraph (1) prohibits the hanging or causing to be hanged any poster or banner on anything specified in that paragraph.

(3) In this regulation —

“electricity licensee” means the holder of an electricity licence under section 9 of the Electricity Act (Cap. 89A);

“gas licensee” has the meaning given by section 2 of the Gas Act (Cap. 116A);

“public postal licensee” has the meaning given by section 2(1) of the Postal Services Act (Cap. 237A);

“public telecommunication licensee” has the meaning given by section 2 of the Telecommunications Act (Cap. 323).

[S 445/2020 wef 08/06/2020]

Posters and banners not to be obscured

17. No person shall display or cause to be displayed any poster or banner during the campaign period of an election so as to obscure the view of any poster or banner already displayed.

Ban on displays near polling stations

18.—(1) No person shall display or cause to be displayed during the campaign period of an election any poster or banner within 50 metres, or such shorter distance under paragraph (2), of any polling station.

[S 500/2015 wef 20/08/2015]

(2) The Returning Officer may specify a shorter distance for the purposes of paragraph (1) having regard to the area of the electoral division in which any polling station is situated.

Consent of owner

19. Nothing in this Part shall be deemed to authorise the display of any poster or banner on or in any building, premises or property without the express consent of the owner or occupier thereof.

No new display of posters and banners on polling day and eve of polling day

19A.—(1) A person to whom a permit is issued under this Part in respect of an election in an electoral division shall be guilty of an offence if he, on polling day and the eve of polling day at that election —

- (a) displays, or causes to be displayed, in any public place within the electoral division any poster or banner that is, at the end of the campaign period of the election, not already so displayed in compliance with these Regulations and the conditions of the permit;
- (b) alters or otherwise changes, or causes to be altered or otherwise changed, any poster or banner that is, at the end of the campaign period of the election, already lawfully displayed in any public place within that electoral division;
or

(c) alters or otherwise changes, or causes to be altered or otherwise changed, the manner of display of, or the place at which is displayed, any poster or banner that is, at the end of the campaign period of the election, already lawfully displayed in any public place within that electoral division.

(2) In this regulation, any reference to a poster or banner that is lawfully displayed shall be a reference to a poster or banner that is displayed in compliance with these Regulations and the conditions of a permit issued.

Removal, etc., of posters and banners by Returning Officer

20.—(1) The Returning Officer or any person so authorised by him or any police officer in uniform may obliterate, destroy or remove any poster or banner which is displayed in contravention of any of the provisions of this Part or of any term or condition contained in the permit issued under this Part.

[S 445/2020 wef 08/06/2020]

(2) The expenses reasonably incurred by or on behalf of the Returning Officer, or a police officer, under paragraph (1) are recoverable as a debt due to the Government from the candidate who, or the members (jointly and severally) of the group of candidates which, had displayed, or caused to be displayed, the contravening poster or banner mentioned in that paragraph.

[S 445/2020 wef 08/06/2020]

No inscriptions on roads, buildings, etc.

21. No person shall write, draw, inscribe or depict any election advertising directly on any road, footpath, building, vehicle, vessel or hoarding.

Other forms of election advertising displays

22.—(1) Subject to paragraph (2), no person shall, during the campaign period of an election display or cause to be displayed any election advertising —

- (a) by means of any television broadcast for reception by the public or any class thereof (whether on payment or otherwise);
- (b) by exhibiting it in, or in a manner so as to be visible from, any place to which the public (or any class thereof) have or are permitted to have access (whether on payment or otherwise); or
- (c) by publishing it in any newspaper, magazine or periodical, unless the person is authorised to do so by and does so in accordance with the written directions of the Returning Officer.

(2) Nothing in paragraph (1) shall prohibit the broadcast or publication of any item of news or current affairs which contains any reference to any election advertising.

Offences

23. For the purposes of section 78 of the Act, any person who —

- (a) alters, removes, destroys, obliterates or defaces, any poster or banner displayed in accordance with any of the provisions of this Part;
- (b) displays or causes to be displayed any poster or banner in respect of an election otherwise than in accordance with any of the provisions of this Part or any term or condition contained in any permit or written direction issued under this Part;

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- (c) obstructs the Returning Officer, or any member of his staff or any police officer in uniform, in carrying out his duties under any of the provisions of this Part; or
- (d) obstructs any candidate or his election agent or any person lawfully conducting any election activity from doing any act which he is authorised to do under any of the provisions of this Part,

shall be guilty of an offence.

Presumption

24. If any poster or banner is found to be displayed in contravention of any provision in this Part and the poster or banner —

- (a) relates to any candidate or group of candidates; or
- (b) relates to the political party which a candidate or group of candidates is standing for,

it shall be presumed, until the contrary is proved, that the poster or banner was displayed or caused to be displayed by the candidate or group of candidates, as the case may be.

PART V

MISCELLANEOUS

Other written laws not affected

25. These Regulations are in addition to and are not in derogation of any other written law for the time being in force relating to the display of posters, banners and advertisements whether or not these contain election advertising.

THE SCHEDULE

[Deleted by S 445/2020 wef 08/06/2020]

[G.N. Nos. S 524/2001; S 129/2011]

LEGISLATIVE HISTORY
PARLIAMENTARY ELECTIONS
(ELECTION ADVERTISING)
REGULATIONS
(CHAPTER 218, RG 3)

This Legislative History is provided for the convenience of users of the Parliamentary Elections (Election Advertising) Regulations. It is not part of these Regulations.

1. G. N. No. S 524/2001 — Parliamentary Elections (Election Advertising) Regulations 2001

Date of commencement : 17 October 2001

2. 2003 Revised Edition — Parliamentary Elections (Election Advertising) Regulations

Date of operation : 31 January 2003

3. G. N. No. S 129/2011 — Parliamentary Elections (Election Advertising) (Amendment) Regulations 2011

Date of commencement : 14 March 2011

4. 2011 Revised Edition — Parliamentary Elections (Election Advertising) Regulations (Rg 3)

Date of operation : 15 April 2011

5. G.N. No. S 500/2015 — Parliamentary Elections (Election Advertising) (Amendment) Regulations 2015

Date of commencement : 20 August 2015

6. G.N. No. S 445/2020 — Parliamentary Elections (Election Advertising) (Amendment) Regulations 2020

Date of commencement : 8 June 2020