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PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

PARLIAMENTARY ELECTIONS (OVERSEAS VOTING)
REGULATIONS 2006

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In exercise of the powers conferred by sections 39A and 102 of the Parliamentary Elections Act, the Prime Minister hereby makes the following Regulations:

PART I
PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Parliamentary Elections (Overseas Voting) Regulations 2006 and shall come into operation on 19th April 2006.

Definitions

2. In these Regulations, unless the context otherwise requires —
- “certified register of electors”, in relation to any electoral division, means the register of electors certified under section 20 of the Act and in operation at the time of the election of a Member to represent the electoral division and includes any composite register prepared under section 20A of the Act for that electoral division;
- “counting place for overseas votes” means the place in Singapore that the Returning Officer specifies in a direction under section 48A(2) of the Act as the place for the counting of votes cast at overseas polling stations at an election;
- “independent candidate” means a candidate who is not a candidate for a political party;
- “list of overseas electors”, in relation to any overseas polling station, means the list referred to in regulation 8(2)(d)

showing the overseas electors allotted to vote at that overseas polling station;

“notice of contested election”, in relation to any electoral division, means the notice issued under section 34(6) or 34A(6), as the case may be, of the Act in relation to that electoral division;

“official languages” means Malay, Mandarin, Tamil and English;

“overseas election officer” means —

- (a) any Assistant Returning Officer assigned to an overseas polling station;
- (b) any presiding officer, 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 an overseas polling station; or
- (c) any person appointed by an Assistant Returning Officer or presiding officer under regulation 4(4) or 5(5), as the case may be, to act for that Assistant Returning Officer or presiding officer, as the case may be, at any overseas polling station,

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

“polling day”, in relation to any election in an electoral division or any general election, means the day specified in a notice of contested election as the date on which the poll for that election or general election, as the case may be, is to be taken in Singapore;

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

“responsible officer”, in relation to a political party, means —

- (a) in the case of a political party that is a body corporate, the secretary or other similar officer of the body corporate; and

(b) in the case of a political party that is an unincorporated association, the secretary of the committee of the unincorporated association or the person holding a position analogous to that of the secretary,

and includes any person purporting to act in any such capacity or who is carrying out the duties of any such office referred to in paragraph (a) or (b) where the office is vacant.

Inconsistency between Act and these Regulations

3.—(1) Any poll (including an advance poll) at an overseas polling station shall be conducted in the manner prescribed in these Regulations and where not so prescribed, in the same manner as that in which voting at a polling station within Singapore on polling day is conducted.

(2) Nothing in these Regulations shall apply to an overseas elector voting at a polling station in Singapore.

PART II

ELECTION STAFF FOR OVERSEAS POLLING STATIONS

Assistant Returning Officer at overseas polling stations

4.—(1) Subject to regulation 6, the Returning Officer shall assign one or more Assistant Returning Officers for each overseas polling station.

(2) An Assistant Returning Officer assigned under paragraph (1) shall, subject to the general direction of the Returning Officer, be responsible for the preparation for and conduct of a poll at the overseas polling station assigned to him and may, if he thinks fit, preside at that overseas polling station.

(3) It is the duty of an Assistant Returning Officer assigned under paragraph (1) to any overseas polling station to notify the Returning Officer without delay if he at any time becomes unable to perform any of his duties at that overseas polling station, in which case the Returning Officer shall assign another Assistant Returning Officer to that overseas polling station.

(4) If there is insufficient time for another Assistant Returning Officer to be assigned by the Returning Officer to that overseas polling station, the Assistant Returning Officer who is unable to perform his duties at that overseas polling station may appoint any presiding officer at that overseas polling station to act for him until the assignment of a new Assistant Returning Officer or until he becomes able to act.

Presiding officers at overseas polling stations

5.—(1) Subject to regulation 6, after the issue of the writ, the Returning Officer shall appoint the following officers for each overseas polling station:

- (a) one or more presiding officers whom the Assistant Returning Officer assigned to that overseas polling station considers necessary, provided that the Returning Officer approves of their number and the presiding officer is not disqualified under regulation 6;
- (b) if more than one presiding officer is so appointed, a senior presiding officer from one of them to exercise general supervision over all other presiding officers and over all arrangements for the conduct of the poll at that overseas polling station; and
- (c) one or more persons responsible for maintaining order within the overseas polling station, provided that the Returning Officer approves of their number and the person is not disqualified under regulation 6.

(2) Every presiding officer appointed under paragraph (1) for an overseas polling station shall perform his duties in connection with the conduct of a poll at the overseas polling station under the general direction of the Assistant Returning Officer assigned to that overseas polling station.

(3) The duties of every presiding officer appointed under paragraph (1) in connection with the conduct of a poll at an overseas polling station are —

- (a) to keep order in his overseas polling station;

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- (b) to regulate the number of voters to be admitted at a time;
 - (c) to exclude all persons not authorised by the Act or these Regulations to be present at the overseas polling station during the poll;
 - (d) to supervise proceedings at the poll; and
 - (e) to keep the Assistant Returning Officer informed of any matter that adversely affects, or is likely to adversely affect, the orderly conduct of those proceedings at the poll.

(4) It is the duty of a presiding officer appointed under paragraph (1) to any overseas polling station to notify the Assistant Returning Officer without delay if he at any time becomes unable to perform any of his duties at that overseas polling station, in which case the Assistant Returning Officer shall then appoint another person not disqualified under regulation 6 as a presiding officer at that overseas polling station.

(5) If there is insufficient time for another presiding officer to be appointed by the Assistant Returning Officer under paragraph (4), the presiding officer who is unable to perform his duties at that overseas polling station may appoint a substitute (who is also not disqualified under regulation 6) to act for him until the appointment of a new presiding officer or until he becomes able to act.

Who cannot be overseas election officers

6. The following persons shall not be assigned or appointed as an overseas election officer under any provision in these Regulations:

- (a) an Ambassador, a High Commissioner, Consul-General or Consul, who is not an officer in the public service of Singapore;
- (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; and
- (c) a person who is not a citizen of Singapore.

Oath of secrecy

7.—(1) Before assuming duties at any overseas polling station, every overseas election officer shall make an oath of secrecy in accordance with section 56 of the Act.

(2) The Assistant Returning Officer assigned to an overseas polling station shall, without delay after the notice of contested election is published in the *Gazette*, send his oath, and the oaths of every election officer appointed to that overseas polling station, to the Returning Officer in Singapore.

PART III**ELECTION MATERIALS AND FACILITIES****Delivery and safekeeping of election materials**

8.—(1) At any time after the notice of contested election is published in the *Gazette* but before voting begins at any overseas polling station, the Returning Officer shall deliver to the Assistant Returning Officer assigned to the overseas polling station sufficient quantities of election materials and the necessary instructions for the overseas election officers appointed to that overseas polling station to perform their duties under the Act and these Regulations.

(2) Without prejudice to the generality of paragraph (1), the Returning Officer shall deliver to the Assistant Returning Officer assigned to an overseas polling station —

- (a) enough ballot papers for the number of overseas electors allotted to vote at that overseas polling station;
- (b) the necessary materials for electors to mark their votes on the ballot papers;
- (c) all certified registers of electors;
- (d) a list (certified by the Registration Officer as to its correctness) showing the overseas electors allotted to vote at that overseas polling station, which shall be extracted from the certified registers of electors for all electoral divisions in respect of which a notice of contested election is published;

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- (e) one or more ballot boxes;
 - (f) the form of the oaths or declarations to be administered to electors;
 - (g) the necessary envelopes, forms and other supplies that may be authorised or provided by the Returning Officer in connection with the conduct of a poll at that overseas polling station; and
 - (h) all names and particulars of persons received by the Returning Officer under regulation 15(2) as the persons appointed to act as polling agents at that overseas polling station.

(3) Until the opening of the poll at his overseas polling station, the Assistant Returning Officer in charge of the overseas polling station shall be responsible for all election materials in his possession and must take every precaution for the safekeeping of those materials and to prevent any person from having unlawful access to them.

Ballot papers

9.—(1) The votes at a poll held at any overseas polling station shall not be given using a DRE voting system but shall be given by ballot consisting of a ballot paper in the same form as that prescribed in the Act.

(2) Every such ballot paper shall —

- (a) contain the names of candidates in English, arranged in the same manner as prescribed in section 40(2) or (3), as the case may be, of the Act;
- (b) be numbered on its back, with the same serial number printed on the face of its counterfoil; and
- (c) be capable of being folded.

(3) The official mark for the authentication of ballot papers to be used at a poll in an overseas polling station shall be such mark as the Returning Officer may approve under the Act for ballot papers to be used at an overseas poll at the same election.

Voting compartments

10.—(1) Each overseas polling station shall contain one or more polling places with voting compartments arranged and such other reasonable facilities so that each elector may mark his ballot paper screened from observation and without interference or interruption.

(2) Each voting compartment shall have in it a suitable black lead pencil or a pen using indelible ink for the use of electors in marking their ballot papers.

Directions to voters

11.—(1) Before the start of the poll at an overseas polling station, a presiding officer appointed under regulation 5 for the overseas polling station shall affix in a conspicuous place outside the overseas polling station a notice giving directions for the guidance of voters in voting.

(2) The notice giving directions for the guidance of voters in voting shall be in all 4 official languages substantially in the form set out in the Schedule.

Other facilities for overseas polling stations

12.—(1) Before the start of the poll at an overseas polling station, a presiding officer appointed under regulation 5 for the overseas polling station shall affix in a conspicuous place outside the overseas polling station a notice showing —

- (a) the names of the candidates in the official languages, arranged in the same manner as that prescribed in section 37(2) of the Act; and
- (b) the symbol allotted to each candidate.

(2) Every ballot box to be used at a poll at an overseas polling station shall 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.

(3) The Assistant Returning Officer assigned to the overseas polling station shall determine, or may authorise any presiding officer at that overseas polling station to determine, in what manner the facilities for the electors allotted to that overseas polling station to enable them to

mark their votes shall be distributed among the overseas electors entitled to vote at that overseas polling station.

PART IV

VOTING

Division 1 — General

Voting in person

13. An overseas elector shall record his vote at an election in person.

Hours of voting

14. Subject to section 39A(2) of the Act, the Returning Officer may set the voting hours for any overseas polling station.

Division 2 — Authorised persons

Who may be present at overseas polling station

15.—(1) Subject to paragraph (2) and the taking of an oath of secrecy under section 56(1) of the Act, the only persons who may be present at an overseas polling station during the voting hours of the poll for any election or elections are —

- (a) the Assistant Returning Officer;
- (b) the presiding officers, clerks, interpreters and information officers;
- (c) the candidates;
- (d) not more than the following polling agents at any time, regardless of the number of polling places within the overseas polling station:
 - (i) one polling agent for each political party contesting the election or, where the poll is at a general election, the general election; or
 - (ii) one polling agent for each independent candidate or group of independent candidates, as the case may be,

contesting the election or, where the poll is at a general election, the general election,

provided that the polling agent's name has been notified in accordance with paragraph (2) and regulation 16(4) is complied with;

- (e) an overseas elector allotted to vote at that overseas polling station; and
- (f) any other person whom the Returning Officer or Assistant Returning Officer authorises to be present.

(2) Before any polling agent of a candidate or group of candidates may be admitted to an overseas polling station, his name and appointment to act as such a polling agent in the overseas polling station must be given in writing to the Returning Officer by either —

- (a) the election agent of the relevant independent candidate, or the principal election agent of the relevant group of independent candidates, as the case may be, contesting the election or, where the poll is at a general election, the general election; or
- (b) the responsible officer of the relevant political party contesting the election or, where the poll is at a general election, the general election,

no later than 2 clear days before the start of the poll at that overseas polling station.

(3) Any polling agent who is appointed by the responsible officer of a political party shall, for the purposes of these Regulations, be deemed to be the polling agent of each candidate and each group of candidates standing for that political party.

Polling agents

16.—(1) A polling agent of a candidate or group of candidates may during the voting hours at an overseas polling station examine the list of overseas electors allotted to vote at that overseas polling station, provided that the polling agent does not delay a voter in casting his vote.

(2) A polling agent of a candidate or group of candidates shall not use any communications device at an overseas polling station during voting hours of the poll at that overseas polling station.

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

(4) Before a polling agent of a candidate or group of candidates can be admitted to an overseas polling station, the polling agent must deliver to a presiding officer at the overseas polling station his oath of secrecy made under section 56(1) of the Act together with his written appointment from —

- (a) the election agent of the relevant independent candidate, or the principal election agent of the relevant group of independent candidates, as the case may be; or
- (b) the responsible officer of the relevant political party.

Division 3 — Commencement of poll

Examining and sealing ballot boxes

17.—(1) The presiding officer at an overseas polling station shall, immediately before the commencement of the poll at that overseas polling station, and in full view of the candidates or their polling agents who are present in the overseas polling station —

- (a) show that each ballot box to be used at the commencement of the poll is empty;
- (b) close the ballot box;
- (c) ensure that the ballot box is sealed with the seals provided by the Returning Officer or locked in such a manner as to prevent it being opened without breaking the seal or lock; and
- (d) place the sealed or locked ballot box on a table in full view of all present and ensure that the box remains there until the overseas polling station closes.

(2) The ballot boxes, after being sealed or locked in accordance with paragraph (1), shall be kept in the view of the presiding officer of the overseas polling station for the receipt of ballot papers and shall not be opened again until after the close of the poll and in accordance with Part V.

(3) Paragraphs (1) and (2) shall apply to every ballot box used during a poll at an overseas polling station and it shall be sufficient compliance with those paragraphs 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 paragraph (1) before it is used.

(4) Immediately after the ballot box is sealed or locked in accordance with paragraph (1), the Assistant Returning Officer shall call on the electors to vote.

Division 4 — Admitting voters

Modification of section 38: conclusive evidence to vote

18.—(1) Where a poll is to be conducted at any overseas polling station in respect of any electoral division in which the election for a Member to represent the electoral division is contested, the list referred to in regulation 8(2)(d) extracted from the certified register of electors for that electoral division and containing the overseas electors allotted to vote at that particular overseas polling station (referred to in these Regulations as the list of overseas electors) shall be conclusive evidence for the purpose of determining whether a person is or is not entitled to vote at that overseas polling station at the election.

(2) Without prejudice to the provisions of the Act, a person who, by reason of circumstances existing on the day of the election, is not, by virtue of the provisions of the Act, entitled to have his name entered or retained in any certified register of electors shall not be entitled to vote at any overseas polling station at the election.

Modification of section 39(1A): certificate authorising certain persons to vote at overseas polling station

19.—(1) Notwithstanding regulation 18, where an elector for any electoral division is employed as an overseas election officer, the Returning Officer may authorise the elector, by a certificate under his

hand, to vote at the overseas polling station at which the elector so employed instead of the polling station in the electoral division allotted to him under section 36A(1) of the Act.

(2) The certificate referred to in paragraph (1) shall be given under the hand of the Returning Officer and shall state the name of the elector and his number, description in the register of electors, and the fact that he is so employed as an overseas election officer.

Overseas elector not allowed to vote at another overseas polling station

20. An overseas elector whose name appears on any list of overseas electors showing him to be allotted to vote at a particular overseas polling station shall be entitled and allowed to vote at that overseas polling station only and not at any other overseas polling station.

Electors not to be impeded

21.—(1) The presiding officers at an overseas polling station shall ensure that every overseas elector entitled to vote at that overseas polling station is admitted to that overseas polling station.

(2) A presiding officer may, if he considers it advisable, direct that not more than one voter for each voting compartment may at any time enter the room where the voting is held.

Elector to declare name, etc.

22.—(1) On arriving at any overseas polling station intending to vote at an election, every voter who is an overseas elector —

(a) shall give his name to the presiding officer; and

(b) shall, on request, give his name to a polling agent of the candidate.

(2) An Assistant Returning Officer, a presiding officer, candidate or candidate's polling agent who has doubts concerning the identity of any person intending to vote may request that the person show satisfactory proof of his identity and if the Assistant Returning Officer or a presiding officer considers necessary, require the person to make

and subscribe to all or any of the declarations referred to in section 44(1) of the Act.

- (3) A person who refuses —
- (a) to show satisfactory proof of identity;
 - (b) to make any declaration required by the Act or these Regulations; or
 - (c) to reply to a question regarding his entitlement to vote at any particular overseas polling station,

shall not receive a ballot paper or be admitted to vote or be again admitted to an overseas polling station.

Division 5 — Voting procedure

Delivery of ballot paper

23.—(1) Each overseas voter entitled to vote shall have only one vote.

(2) Upon a voter arriving at an overseas polling station giving his name to the presiding officer at that overseas polling station, the presiding officer shall 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 following procedures shall be observed before delivering any ballot paper to him:

- (a) the presiding officer must call out the name, number and the electoral division and polling district code of the voter as stated in the list of overseas electors for that overseas polling station;
- (b) the number of the elector as stated in the list of overseas electors for that overseas polling station shall be marked on the counterfoil of the ballot paper;
- (c) a mark shall be placed by the presiding officer in that list of overseas electors for that overseas polling station against the

number of the elector to denote that he has received a ballot paper but without showing the particular ballot paper which he has received; and

- (d) unless the complete official mark has already been pre-printed or affixed to the ballot paper, the presiding officer must either initial the ballot paper or 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) Subject to regulation 26, every elector who is admitted to vote at an overseas polling station shall be given not more than one ballot paper, which shall be given by a presiding officer or an overseas election officer acting under his authority at that overseas polling station, and no other.

Manner of voting

24.—(1) An overseas elector shall, after receiving a ballot paper —

- (a) subject to regulation 27, proceed alone directly to such voting compartment as may be indicated by the presiding officer or by any person acting under that officer's authority;
- (b) secretly mark the ballot paper in the space opposite the name of the candidate or (as the case may be) group of candidates of his choice in a manner as near as may be in accordance with the directions given for the guidance of voters under regulation 11;
- (c) fold the ballot paper so as to conceal his vote; and
- (d) put the ballot paper into the ballot box.

(2) Every overseas elector shall vote without delay and leave the overseas polling station as soon as he has put his ballot paper into the ballot box.

(3) A presiding officer may, at any time while a poll at an overseas polling station is proceeding, take such steps as may be necessary to ensure that no voter delays unduly in any voting compartment reserved for the marking of ballot papers.

Elector in whose name another has voted

25.—(1) If a person asks for a ballot paper at an overseas polling station after someone else has voted under that person's name, and the name of the person appears on the list of overseas elector for that overseas polling station, that person shall be entitled to receive a tendered ballot paper and to vote in the same manner as other voters, after he takes the oath of identity in Form 16 in the First Schedule to the Act and satisfies a presiding officer as to his identity and entitlement to vote at that overseas polling station.

(2) A tendered ballot paper shall be of a colour different from the other ballot papers used at a poll at overseas polling stations.

(3) A tendered ballot paper shall, before being placed in a ballot box, be endorsed by a presiding officer with the name of the voter and his number in the list of overseas electors, and that number shall be entered on a separate list (referred to in these Regulations as the tendered votes list).

(4) The tendered ballot papers referred to in this regulation shall be dealt with in the same manner as prescribed in regulation 32(4) and the Act for tendered ballot papers.

Spoilt ballot papers, etc.

26.—(1) If an overseas elector has inadvertently handled a ballot paper in such a manner that it cannot be used, the overseas elector shall return it to the Assistant Returning Officer or presiding officer who shall, on being satisfied that the ballot paper has been so inadvertently handled —

- (a) mark the ballot paper as a spoilt ballot paper and cancel it;
- (b) place it in the envelope supplied for the purpose; and
- (c) subject to paragraph (2), give the overseas elector another ballot paper.

(2) An overseas elector shall not be given more than one other ballot paper under paragraph (1)(c).

Assistance for blind, etc., voters

27.—(1) The presiding officer or any person authorised by him may ask any overseas voter if the voter understands the method of voting in accordance with the Act and these Regulations and may, if he 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 the Act and these Regulations; but in so doing he shall carefully abstain from any action which might be construed by the voter as advice or a direction to vote for any candidate.

(2) A presiding officer shall, on request by an overseas elector who is unable to vote in the manner prescribed by the Act or these Regulations because he is incapacitated by blindness or other physical cause, assist the overseas elector —

- (a) by marking his choice on the ballot paper in accordance with the directions of the elector;
- (b) by folding the ballot paper so as to conceal his vote; and
- (c) by putting the ballot paper into the ballot box.

Division 6 — Closing of poll

Electors present at close of voting hours allowed to vote

28. No ballot paper shall be delivered to a voter at an overseas polling station after the hour fixed for the closing of the poll at that overseas polling station, except that if at that hour there is in the overseas polling station any voter to whom a ballot paper has been delivered, the voter shall be allowed to record his vote.

Modification of section 48: procedure on closing of poll

29.—(1) As soon as practicable after the close of the poll, every presiding officer of each overseas polling station shall, in the presence of such of the candidates and their polling agents as are present, 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;

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- (b) the marked list of overseas electors for that overseas polling station;
 - (c) the counterfoils of the ballot papers; and
 - (d) the tendered votes list.

(2) All ballot box or boxes within the overseas polling station shall remain unopened and shall be secured by the Assistant Returning Officer and sealed with —

- (a) the seal supplied by the Returning Officer; and
- (b) the seals of such of the candidates or their polling agents as are present and who wish 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) The Assistant Returning Officer in charge of an overseas polling station shall without delay despatch every packet referred to in paragraph (1) and the sealed ballot box or boxes in safe custody to the Returning Officer in Singapore by such means approved by the Returning Officer.

(4) Until their despatch to the Returning Officer in Singapore, the Assistant Returning Officer in charge of the overseas polling station shall be responsible for all the sealed packets referred to in paragraph (1) and the sealed ballot box or boxes in his possession, and he must take every precaution for the safekeeping of those packets and ballot boxes and to prevent any person from having unlawful access to them.

PART V

COUNTING OVERSEAS VOTES

Arrival in Singapore of ballot boxes with overseas votes

30. All ballot boxes from all overseas polling stations shall remain unopened on arrival in Singapore and kept in safe custody until the counting of votes at the counting place for overseas votes.

Opening of ballot boxes

31.—(1) Before the Returning Officer proceeds to count the votes, he or a person authorised by him shall carry out the following in the presence of such of the candidates and their counting agents as attend at the counting place for overseas votes:

(a) open every ballot box from each overseas polling station that is received unless prohibited by paragraph (2); and

(b) take all the ballot papers out from the opened ballot boxes.

(2) The Returning Officer shall not open any ballot box from any overseas polling station that is received after the dateline prescribed in section 49A(1) of the Act.

Sorting and counting of ballot papers

32.—(1) The Returning Officer or a person authorised by him shall mix together all ballot papers from the opened ballot boxes and sort the ballot papers according to electoral divisions.

(2) The Returning Officer or a person authorised by him shall then unfold the ballot papers and count the ballot papers (except tendered ballot papers), keeping the ballot papers with their faces upwards, and taking all proper precautions for preventing any person from seeing the serial numbers printed on the back of the ballot papers.

(3) The Returning Officer and all persons authorised by him shall so far as practicable proceed continuously with counting the votes and shall endorse “rejected” on any ballot paper which he may reject as invalid in accordance with the provisions of the Act.

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

Recounting of overseas votes

33.—(1) Subject to paragraphs (3) and (4), any candidate or group of candidates at an election in an electoral division or any candidate’s

counting agent may, if present at the counting place for overseas votes cast at the election in that electoral division, apply to the Returning Officer to have the overseas votes given at that election recounted, after the counting at that counting place of all the overseas votes cast at that election is completed.

(2) Subject to paragraphs (3) and (4), the Returning Officer shall allow and conduct the recounting of overseas votes if an application for a recount is made in accordance with this regulation.

(3) Not more than one application to recount the overseas votes given at any election in an electoral division shall be made or allowed under this regulation.

(4) Without prejudice to paragraph (3), no application for a recount of overseas votes given at any election in an electoral division shall be made, and no such recount shall be allowed under this regulation where —

- (a) the Returning Officer has made a declaration under section 49(7)(a) or (7E)(a) of the Act as to the candidate elected as a Member or the group of candidates elected as the Members of Parliament for that electoral division, as the case may be; or
- (b) the Returning Officer has made a declaration under section 49(7)(b) or (7E)(b) of the Act as to the number of votes cast in Singapore (referred to in this regulation as local votes) in favour of each candidate or (as the case may be) group of candidates at the election in that electoral division, and the difference between —
 - (i) the total number of overseas votes and local votes given to the candidate or group of candidates, as the case may be, with the most votes; and
 - (ii) the total number of overseas votes and local votes cast for any other candidate or group of candidates, as the case may be,

is more than 2% of the total number of overseas votes and local votes cast (excluding rejected votes and tendered votes) at that same election in that electoral division.

(5) Except as otherwise provided in section 49(7)(a) or (7E)(a) of the Act, no step shall be taken under the Act to declare any candidate or (as the case may be) group of candidates elected at an election in an electoral division until the candidate or group of candidates, as the case may be, at the election or their counting agents present at the counting place for overseas votes cast at that election, have been given a reasonable opportunity to exercise the right conferred by this regulation.

(6) Where an application for a recounting of overseas votes is allowed by the Returning Officer under this regulation, the overseas votes at the counting place (but not any local votes) shall be recounted following the same procedure as in counting those overseas votes.

PART VI

POST-ELECTION PROCEDURES

Expunging names of non-voters

34. For the purpose of preparing the list of non-voters under section 43(2) of the Act, the marked lists of overseas electors and sealed under regulation 29(1) shall be treated under section 43(3) of the Act as the marked copies of the registers of electors.

THE SCHEDULE

Regulation 11(2)

PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

PARLIAMENTARY ELECTIONS (OVERSEAS VOTING) REGULATIONS 2006

DIRECTIONS FOR GUIDANCE OF OVERSEAS ELECTORS VOTING AT AN OVERSEAS POLLING STATION

1. The voter may vote for one candidate or, if the electoral division is a group representation constituency, one group of candidates.
2. The voter has one vote.

THE SCHEDULE — *continued*

3. The voter will go into the voting compartment reserved for the marking of ballot papers and mark a cross in the space provided for the purpose on the right hand side of the ballot paper opposite the name of the candidate or, if the electoral division is a group representation constituency, the names of the group of candidates, for which he votes, thus, X.

4. Once the voter has marked the ballot paper, he should fold it into 2, so as to conceal his vote and put it into the ballot box provided. Once he has completed voting, he must leave this polling station expeditiously.

5. If the voter inadvertently spoils a ballot paper, he can return it to the presiding officer who will, if satisfied of such inadvertence, give him another ballot paper.

6. If the voter votes for more than one candidate or, if the electoral division is a group representation constituency, more than one group of candidates, on any ballot paper delivered to him, his ballot paper will be void and will not be counted.

7. If the voter places any mark on the ballot paper by which he may afterwards be identified, his ballot paper will be void and will not be counted.

Made this 19th day of April 2006.

CHIANG CHIE FOO
*Permanent Secretary,
Prime Minister's Office,
Singapore.*

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