

PRESIDENTIAL ELECTIONS ACT
(CHAPTER 240A, SECTION 60)

PRESIDENTIAL ELECTIONS (POSTERS AND BANNERS)
REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

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[14th May 1993]

Citation

1. These Regulations may be cited as the Presidential Elections (Posters and Banners) Regulations.

Definitions

1A. In these Regulations, unless the context otherwise requires —

“banner relating to a candidate” means a banner that can reasonably be regarded as intended —

(a) to promote or procure the electoral success at any election for the identifiable candidate; or

(b) to otherwise enhance the standing of any such candidate with the electorate in connection with any election,

even though it can reasonably be regarded as intended to achieve any other purpose as well and even though it does not expressly mention the name of any candidate;

“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 16(1)(a) 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;

“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 thereof;

“poster relating to a candidate” means any poster that can reasonably be regarded as intended —

(a) to promote or procure the electoral success at any election for the identifiable candidate; or

(b) to otherwise enhance the standing of any such candidate with the electorate in connection with any election,

even though it can reasonably be regarded as intended to achieve any other purpose as well and even though it does not expressly mention the name of any candidate;

“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.

[S 442/2011 wef 02/08/2011]

Display of posters and banners without permit prohibited

2. Subject to these Regulations, no candidate 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 in that election unless the candidate is authorised to do so under a permit issued under regulation 3.

[S 442/2011 wef 02/08/2011]

Permits to display posters and banners

3.—(1) As soon as possible after nomination proceedings have closed on nomination day of an election, the Returning Officer shall issue to every candidate a permit substantially in the form set out in the Schedule authorising the display of posters and banners relating to the candidate in any public place during the campaign period of the election.

[S 442/2011 wef 02/08/2011]

(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;

[S 442/2011 wef 02/08/2011]

(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 442/2011 wef 02/08/2011]

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

(c) the maximum number of posters and banners to be displayed.

Number of posters and banners to be displayed

4.—(1) The Returning Officer shall, for any election and in respect of each candidate at the election, determine the maximum number of posters and banners relating to a candidate which may be displayed in any public place during the campaign period of the election, and shall allot equally among the candidates the number of such posters and banners which may be so displayed.

[S 442/2011 wef 02/08/2011]

(2) In determining the maximum number of posters and banners relating to each candidate which may be so displayed, the Returning Officer may have regard to the number of electors.

[S 442/2011 wef 02/08/2011]

Other forms of display prohibited

5.—(1) Subject to paragraph (2), a person who is not a candidate shall not, during the campaign period, display or cause to be displayed any poster or banner relating to any candidate in that election or the contents of any such poster or banner —

(a) by means of any television broadcast for reception by the public or any section thereof (whether on payment or otherwise);

(b) [*Deleted by S 442/2011 wef 02/08/2011*]

(c) by exhibiting the poster or banner or its contents in, or in a manner so as to be visible from, any place to which the public (or any section thereof) have or are permitted to have access (whether on payment or otherwise); or

(d) by publishing the poster or banner or its contents in any newspaper, magazine or periodical,
unless the person is authorised to do so by and does so in accordance with the directions of the Returning Officer.

[S 442/2011 wef 02/08/2011]

(2) Nothing in paragraph (1) shall prohibit —

- (a) the broadcast or publication of any news or current affairs which contains any reference to a poster or banner relating to a candidate in an election; or
- (b) the publication or causing to be published in any newspaper, magazine or periodical, by any person who is not authorised by a candidate to conduct election activity and who does not receive any payment or other valuable consideration therefor, of any poster or banner that may reasonably be regarded as not expressly encouraging or persuading voters to vote, or not to vote, for an identifiable candidate described or indicated by reference to views or positions that are or are not held or taken at an election (whether or not the name of the candidate is mentioned).

[S 442/2011 wef 02/08/2011]

Size of posters and banners

6.—(1) The size of a poster relating to a candidate shall not exceed 850 millimetres by 600 millimetres.

[S 442/2011 wef 02/08/2011]

(2) No banner relating to a candidate shall exceed 9 metres in length and 1.2 metres in breadth.

[S 442/2011 wef 02/08/2011]

(3) Nothing in this regulation shall apply to the display of banners on the day and at the site of any election rally held by a candidate.

Posters and banners to bear official stamp

7.—(1) Subject to paragraph (2), no person shall, during the campaign period, display or cause to be displayed in any public place any poster or banner relating to any candidate unless there is

affixed to the poster or banner a stamp issued by the Returning Officer bearing his official mark.

[S 442/2011 wef 02/08/2011]

- (2) Paragraph (1) shall not apply to 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; and
 - (b) any poster or banner or its contents by means of —
 - (i) television broadcasting;
 - (ii) *[Deleted by S 442/2011 wef 02/08/2011]*
 - (iii) exhibiting a film or photograph of the poster or banner or its contents; or
 - (iv) publication in any newspaper, magazine or periodical.

Copy of poster or banner to be lodged with Returning Officer

8. No person shall, during the campaign period, display or cause to be displayed in any public place or by any means any poster or banner relating to a candidate unless —

- (a) a copy of the poster or a detailed diagram or drawing of the banner has previously been lodged with the Returning Officer by a candidate or any of his election agents; and
- (b) the person is in possession of a written authority to conduct election activity signed by a candidate or any of his election agents in accordance with section 65(2) of the Act.

[S 442/2011 wef 02/08/2011]

Posters and banners not to be displayed at unauthorised places, etc.

9.—(1) No person shall, during the campaign period, display or cause to be displayed in any public place —

- (a) *[Deleted by S 442/2011 wef 02/08/2011]*
- (b) any poster or banner relating to a candidate at any place the Returning Officer proscribes; or

[S 442/2011 wef 02/08/2011]

- (c) any poster or banner (whether or not relating to a candidate) in respect of an election bearing a symbol which denotes or implies an affiliation with any political party.

[S 442/2011 wef 02/08/2011]

(2) Subject to paragraph (3), no candidate shall, at any time during the campaign period of the election, display or cause to be displayed in any public place any poster or banner relating to the candidate that is in excess of the maximum number of posters and banners determined under regulation 4(1) for that candidate.

[S 442/2011 wef 02/08/2011]

(3) Nothing in paragraph (1)(b) or (2) shall prohibit the display of any poster or banner on the day and at the site of any election rally held by a candidate, or any poster or banner at the office or committee room of a candidate that specifies the name of the candidate concerned.

[S 442/2011 wef 02/08/2011]

Posters and banners not to be displayed or pasted on certain objects or buildings

10. No person shall, during the campaign period, display or cause to be displayed any poster or banner relating to a candidate by pasting or nailing it on —

- (a) any lamp post or traffic bollard;
- (b) any postal box or on any property belonging to the Public Utilities Board, the Info-communications Development Authority of Singapore, the Postal Authority, any public electricity licensee, any public gas licensee, any public postal licensee or any public telecommunication licensee;
- (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
- (e) any tree or structure on or along any road.

[S 442/2011 wef 02/08/2011]

Posters not to be obscured

11. No person shall, during the campaign period of an election, display or cause to be displayed any poster or banner relating to a candidate so as to obscure the view of any such poster or banner already displayed.

[S 442/2011 wef 02/08/2011]

Prohibition of display of posters near polling stations

12. No person shall, during the campaign period of an election, display or cause to be displayed any poster or banner relating to a candidate within 200 metres, or such shorter distance as the Returning Officer may determine, of any polling station.

[S 442/2011 wef 02/08/2011]

Prohibition of inscriptions on road and buildings

13. No person shall for the purpose of any election activity display or cause to be displayed any poster by way of inscribing or causing any inscription to be made on any road or building.

Consent of owner

14. Nothing in these Regulations shall be deemed to authorise the display of any posters or banners on or in any building, premises or property without the express consent of the owner or the occupier thereof.

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

14A.—(1) A person to whom a permit is issued under these Regulations in respect of an election 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 any poster or banner relating to a candidate 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 relating to a candidate that is, at the end of the campaign period of the election, already lawfully displayed in any public place; 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 relating to a candidate that is, at the end of the campaign period of the election, already lawfully displayed in any public place.
- (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.

[S 442/2011 wef 02/08/2011]

Removal of posters and banners by Returning Officer, etc.

15. The Returning Officer or any other 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 provision of these Regulations or of any term or condition specified in any permit issued by the Returning Officer under regulation 3.

Offences

16. Any person who —

- (a) destroys, obliterates, defaces or removes any poster or banner displayed in accordance with these Regulations;
- (b) displays or causes to be displayed any poster or banner in respect of an election otherwise than in accordance with these Regulations or any term or condition specified in any permit issued by the Returning Officer under regulation 3;
- (c) obstructs the Returning Officer, or any person authorised by him or any police officer in uniform, in carrying out his duties under these Regulations; 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 these Regulations, shall be guilty of an offence.

Presumption relating to any poster or banner

17. If any poster or banner relating to any candidate is found to be displayed in contravention of any of these Regulations, it shall be presumed, until the contrary is proved, that the poster or banner was displayed or caused to be displayed by the candidate.

Other written law not affected

18. The provisions of these Regulations are in addition to, and not in derogation of, any written law for the time being in force relating to the display of posters, banners or advertisements.

THE SCHEDULE

Regulation 3

PRESIDENTIAL ELECTIONS ACT (CHAPTER 240A)

PRESIDENTIAL ELECTIONS (POSTERS AND BANNERS) REGULATIONS

PERMIT TO DISPLAY POSTERS AND BANNERS

Permit No. _____

CANDIDATE

(Specify name)

To: *(name of permit holder)*

1. You are hereby authorised to display, during the period starting with the close of nomination proceedings on nomination day and ending before the eve of polling day, posters and banners relating to the said candidate in public places in accordance with the Presidential Elections (Posters and Banners) Regulations (Rg 3) and in accordance with the following conditions:

(a) you are not to display in excess of *(specify maximum number)*;

THE SCHEDULE — *continued*

- (b) you are not to display any such poster or banner without affixing the stamp bearing the official mark of the Returning Officer conspicuously at the bottom right hand corner of the poster or banner;
- (c) you are to remove every poster and banner that you have pursuant to this permit displayed in public places within __ days after polling day; and
- (d) _____.

Conditions (a) and (b) do not apply to the display of such posters and banners during an election rally.

2. If you display or cause to be displayed any such poster or banner otherwise than in accordance with any of the provisions of the Presidential Elections (Posters and Banners) Regulations (Rg 3), a copy of which is attached, or any term or condition contained in this permit or written direction issued under those Regulations, you commit an offence and are liable under section 60(4) of the Presidential Elections Act (Cap. 240A) on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months.

Dated this ____ day of _____ 20__.

*Returning Officer,
Singapore.*

[S 442/2011 wef 02/08/2011]

LEGISLATIVE HISTORY
PRESIDENTIAL ELECTIONS (POSTERS AND BANNERS)
REGULATIONS
(CHAPTER 240A, RG 3)

This Legislative History is provided for the convenience of users of the Presidential Elections (Posters and Banners) Regulations. It is not part of these Regulations.

1. G. N. No. S 182/1993 — Presidential Elections (Posters and Banners) Regulations 1993

Date of commencement : 14 May 1993

2. 1994 Revised Edition — Presidential Elections (Posters and Banners) Regulations

Date of operation : 30 March 1994

3. G. N. No. S 328/1999 — Presidential Elections (Posters and Banners) (Amendment) Regulations 1999

Date of commencement : 16 July 1999

4. 2000 Revised Edition — Presidential Elections (Posters and Banners) Regulations

Date of operation : 31 January 2000

5. G.N. No. S 442/2011 — Presidential Elections (Posters and Banners) (Amendment) Regulations 2011

Date of commencement : 2 August 2011