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PRESIDENTIAL ELECTIONS ACT
(CHAPTER 240A)

PRESIDENTIAL ELECTIONS (OVERSEAS VOTING)
REGULATIONS 2005

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In exercise of the powers conferred by sections 22A and 81 of the Presidential Elections Act, the Prime Minister hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Presidential Elections (Overseas Voting) Regulations 2005 and shall come into operation on 29th July 2005.

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 Parliamentary Elections Act (Cap. 218) and in operation for that electoral division at the time of the election;

“counting place for overseas votes” means —

- (a) in the case where section 32A(2) of the Act applies, the place specified by the Returning Officer under section 32A(2A)(b)(ii) of the Act;
- (b) in the case where section 36DA(2) of the Act applies, the place specified by the Returning Officer under section 36DA(5)(b)(iii) of the Act;

- (c) in the case where section 36DB(2) of the Act applies, the place specified by the Returning Officer under section 36DB(5)(b)(ii); or
- (d) in any other case, the place or places directed by the Returning Officer under section 31A(1A) of the Act;

[S 265/2017 wef 01/06/2017]

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

“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 or 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 at any overseas polling station,

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

“polling day” means the day specified in a notice of contested election as the date on which the poll for the election 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.

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 station

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 be responsible, under the general direction of the Returning Officer, 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 then 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 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) After the issue of the writ, the Returning Officer shall appoint the following officers for each overseas polling station:

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- (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 among 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;
- (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;
- (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 36 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 documents containing 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 immediately after the notice of contested election is published in the *Gazette* but before voting begins at an overseas polling station, the Returning Officer shall deliver to the Assistant Returning Officer assigned to an overseas polling station sufficient quantities of election materials and the necessary instructions for the overseas election officers appointed to that polling station to perform their duties.

(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 (in books of 50 ballot papers each) for the number of overseas electors allotted to vote at that overseas polling station;
- (b) the necessary materials for overseas electors to mark their votes on the ballot papers;
- (c) all certified registers of electors;
- (d) a list showing the overseas electors allotted to vote at that overseas polling station, which shall be extracted from the certified registers of electors and certified by the Registration Officer as to its correctness;
- (e) one or more ballot boxes;
- (f) the form of the oaths or declarations to be administered to electors; and
- (g) the necessary envelopes, forms and any other supplies that may be authorised or provided by the Returning Officer in connection with the conduct of a poll at the overseas polling station.

(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 he

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 under the Act.

[S 265/2017 wef 01/06/2017]

(2) Every such ballot paper shall —

(a) contain the names of candidates in English, arranged in the same manner as prescribed in section 23(2)(a) of the Act;

(aa) comply with section 23A of the Act;

[S 265/2017 wef 01/06/2017]

(ab) clearly demarcate the area within which a voter must mark his vote for a candidate;

[S 265/2017 wef 01/06/2017]

(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 approves under the Act for ballot papers to be used at a poll outside Singapore 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 poll opens at an overseas polling station in an election, the presiding officer appointed under regulation 5 for the overseas polling station must cause a notice giving directions for the guidance of voters in voting to be displayed on or at a conspicuous place outside the overseas polling station.

[S 265/2017 wef 01/06/2017]

(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 poll opens at an overseas polling station in an election, the presiding officer appointed under regulation 5 for the overseas polling station must cause a notice about the poll to be displayed on or at a conspicuous place outside the overseas polling station.

[S 265/2017 wef 01/06/2017]

(1A) The notice mentioned in paragraph (1) must contain the following information in respect of each candidate in the election:

- (a) the name of the candidate in English, Malay, Chinese and Tamil;
- (b) the symbol allotted to the candidate under section 16 of the Act;
- (c) where the photograph of the candidate is included on the ballot papers for the election under section 23A(1) of the Act, that photograph;
- (d) where the photograph of the candidate is not included on the ballot papers for the election (by reason of non-compliance with section 23A(1) of the Act), an indication that there is no photograph for the candidate.

[S 265/2017 wef 01/06/2017]

(1B) The names of the candidates on the notice must be arranged in the same order as they are arranged on the ballot papers for the election under regulation 9(2)(a).

[S 265/2017 wef 01/06/2017]

(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 polling station to determine, in what manner the facilities for the electors allotted to that station to enable them to mark their votes shall be distributed among the overseas electors entitled to vote at that 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 22A(2) of the Act, the Returning Officer may set the voting hours for any overseas polling station.

Division 2 — Authorised presence in overseas polling station

Who may be present in overseas polling station

15.—(1) Subject to paragraph (2) and the making of an oath of secrecy under section 36(1) of the Act, the only persons who may be present in an overseas polling station during the voting hours of the poll at that station are —

(a) the Assistant Returning Officer;

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- (b) the presiding officers, clerks, interpreters and information officers;
 - (c) the candidates;
 - (d) not more than one polling agent at any time for each candidate (regardless of the number of polling places within the overseas polling station), provided that the polling agent's name has been notified to the presiding officer as required by 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) The principal election agent or election agent, as the case may be, shall inform the Assistant Returning Officer in charge of an overseas polling station in writing of the name of the polling agent or agents he has appointed to act at that overseas polling station before the polling agent is admitted to the polling station.

Polling agents

16.—(1) A polling agent of a candidate may during voting hours at an overseas polling station examine the list referred to in regulation 8(2)(d) 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 shall not use any communications device within an overseas polling station during the voting hours of the poll at that station.

(3) The non-attendance of any polling agent of a candidate at an overseas polling station at any time shall 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) A polling agent must deliver his written appointment from the candidate or the candidate's principal election agent or election agent

to a presiding officer at an overseas polling station, before he can be admitted to the overseas polling station.

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 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 21: conclusive evidence to vote**

18.—(1) Where a poll is to be conducted at any overseas polling station, the list referred to in regulation 8(2)(d) containing the overseas electors allotted to vote at any particular overseas polling station 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 any of 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 or the Parliamentary Elections Act (Cap. 218), 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 22 (2): certificate authorising certain persons to vote at overseas polling station

19.—(1) Notwithstanding regulation 18, where an elector 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 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 referred to in regulation 8(2)(d) relating to an overseas polling station showing him to be allotted to vote at that overseas polling station shall be entitled and allowed to vote only at that overseas polling station 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 polling station is admitted into that 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.

(3) A presiding officer may, at any time while a poll 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 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, clerk, 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 27(1) of the Act.

(3) A person who refuses —

(a) to show satisfactory proof of identity;

(b) to make any declaration required under paragraph (2); 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.

(4) Section 27(4) of the Act applies to a declaration required under paragraph (2) and for this purpose, the reference to a declaration in section 27(4) is a reference to a declaration required under that paragraph.

[S 265/2017 wef 01/06/2017]

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 appears on the list referred to in regulation 8(2)(d) of overseas electors allotted to vote at that overseas polling station.

(3) If the number, name and description of the voter appears on the list referred to in regulation 8(2)(d) 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 and number, and the electoral division and polling district code, of the voter as stated in the list referred to in regulation 8(2)(d) for that overseas polling station;
- (b) the number of the elector as stated in that list shall be marked on the counterfoil of the ballot paper;
- (c) a mark shall be placed by the presiding officer in that list 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 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) subject to paragraph (1A), secretly mark the ballot paper as near as may be in accordance with the directions given for the guidance of voters under regulation 11;

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- (c) fold the ballot paper so as to conceal his vote; and
- (d) put the ballot paper into the ballot box.

(1A) The overseas elector's mark on the ballot paper must be made in the area demarcated on the ballot paper for that purpose, and not elsewhere.

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(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 referred to in regulation 8(2)(d) as an overseas elector allotted to vote at 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 oaths referred to in section 29 of 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 relevant certified register of electors, and that number shall be entered on a 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 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 the spoilt ballot paper 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, 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, shall 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 with ballot paper 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 30: 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;
- (b) the marked list referred to in regulation 8(2)(d) 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 from overseas polling stations

30. The Returning Officer must ensure that every ballot box arriving in Singapore from an overseas polling station in an election is kept in safe custody and is not opened until the counting, at the counting place for overseas votes, of the votes cast at overseas polling stations in the election.

[S 265/2017 wef 01/06/2017]

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

- (a) arrange all the ballot boxes received according to their overseas polling stations;
- (b) subject to paragraph (2), open every ballot box from each overseas polling station that is received; and
- (c) take all the ballot papers out from the opened ballot boxes.

[S 265/2017 wef 01/06/2017]

(2) The Returning Officer must not open any ballot box from an overseas polling station that reaches the custody of the Returning Officer in Singapore —

- (a) after the deadline specified in section 32A(1)(a) of the Act; or
- (b) where the Returning Officer extends time under section 32A(2) of the Act, after the extended deadline.

[S 265/2017 wef 01/06/2017]

Sorting and counting of ballot papers

32.—(1) Subject to section 32A of the Act, the Returning Officer or a person authorised by him shall —

- (a) firstly, mix together —
 - (i) all ballot papers in the opened ballot boxes from all overseas polling stations; or
 - (ii) all ballot papers in the opened ballot boxes from each overseas polling station, without mixing ballot papers from any other overseas polling station; and
- (b) secondly, unfold the ballot papers, sort and count the ballot papers, keeping the ballot papers with their faces upwards, taking all proper precautions for preventing any person

from seeing the serial numbers printed on the back of the ballot papers.

(2) Where the Returning Officer or a person authorised by him does not mix together all ballot papers from all overseas polling stations before counting, he shall immediately after the completion of the counting of votes cast at each overseas polling station, ascertain the total number of votes given to each candidate at the poll at all overseas polling stations, by adding up the number of votes counted for each candidate at each overseas polling station.

(3) The Returning Officer 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 section 33 of the Act.

[S 265/2017 wef 01/06/2017]

(4) The Returning Officer shall not count the tendered ballot papers but shall place them in separate packets according to the candidate whom they support and shall mark each packet with the name of the candidate and shall seal the packet and retain it unless it is required for the purposes of an election petition.

Recounting of overseas votes

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

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

- (a) the total number of votes given in Singapore and at the overseas polling stations to the candidate with the most votes;
- (b) the total number of votes given in Singapore and at the overseas polling stations to any other candidate.

(3) The recount of the votes cast by overseas electors under paragraph (2) —

- (a) may be conducted only once;
- (b) must take place as soon as practicable after the counting of those votes under section 32A of the Act is completed; and
- (c) must follow the same procedure as for the counting of those votes under sections 32A and 33 of the Act.

[S 265/2017 wef 01/06/2017]

PART VI

POST-ELECTION PROCEDURES

Expunging names of non-voters

34. For the purpose of preparing the list of non-voters under section 26(2) of the Act, the marked lists referred to in regulation 8(2)(d) and sealed under regulation 29(1) shall be treated under section 26(3) of the Act as the marked copies of the registers of electors.

THE SCHEDULE

Regulation 11(2)

PRESIDENTIAL ELECTIONS ACT (CHAPTER 240A)

PRESIDENTIAL ELECTIONS (OVERSEAS VOTING) REGULATIONS 2005

DIRECTIONS FOR GUIDANCE OF VOTERS

1. When you are given a ballot paper, go to a voting compartment.
2. Mark on your ballot paper an “X” in the empty box for the candidate you are voting for.
 - (a) Do not make any other mark on your ballot paper, or your vote may not be counted.
 - (b) If you make a mistake when marking your ballot paper, return it to the presiding officer and ask for another ballot paper.

THE SCHEDULE — *continued*

3. After marking your ballot paper, fold it in half and drop it into the ballot box. Do not let anyone see your vote.
4. Leave the polling station immediately after dropping your ballot paper into the ballot box.

[S 265/2017 wef 01/06/2017]

Made this 28th day of July 2005.

LIM SOO HOON
Permanent Secretary
(Public Service Division),
Prime Minister's Office,
Singapore.

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