# THE STATUTES OF THE REPUBLIC OF SINGAPORE

# PARLIAMENTARY ELECTIONS ACT

# (CHAPTER 218)

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CHAPTER 218

# Parliamentary Elections Act

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An Act to make provision for Parliamentary elections.

[12th November 1954]

## PART I

## PRELIMINARY

### Short title

**1.** This Act may be cited as the Parliamentary Elections Act.

### Interpretation

**2.**—(1) In this Act, unless the context otherwise requires —

"ballot box" includes a ballot container;

"ballot display" means an electronic video display, image or representation of a ballot paper on a screen;

"candidate" means a person who is nominated as a candidate for election to any seat in Parliament;

"Commissioner of National Registration" means the Commissioner of National Registration appointed under the National Registration Act (Cap. 201);

"contact address", in relation to any person, means the person's contact address under section 8(2) of the National Registration Act;

"direct recording electronic voting machine" or "DRE voting machine" means any mechanical, electronic or electro-optical machine that can —

(*a*) be activated by a voter to mark or record his vote for any candidate or group of candidates on a ballot display on the machine;

(*b*) process the vote by means of a computer program;

(*c*) instantaneously record and store that vote in a memory device within the machine; and

(*d*) sort and count votes marked or recorded on all ballot displays on that machine,

and includes any computer program that is used in the operation of the machine;

"direct recording electronic voting system" or "DRE voting system" means any voting system using DRE voting machines;

"election" means an election for the purpose of electing a Member of Parliament;

"election advertising" means any poster, banner, notice, circular, handbill, illustration, article, advertisement or other material that can reasonably be regarded as intended —

(*a*) to promote or procure the electoral success at any election for one or more identifiable political parties, candidates or groups of candidates; or

(*b*) to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with any election,

and such material shall be election advertising 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 political party or candidate, but excludes any button, badge, pen, pencil, balloon and any other thing prescribed by the Minister by notification in the *Gazette*;

"elector" means a person whose name is entered in a register as an elector to vote at an election;

"electoral division" means an electoral division specified in the notification for the time being in force under section 8;

"general election" means a general election of Members after a dissolution of Parliament;

"group" means a group of not less than 3 but not more than 6 candidates nominated for any election in any group representation constituency in accordance with section 27B;

"group representation constituency" means any electoral division declared to be a group representation constituency under section 8A(1)(*a*);

"Member" means a Member of Parliament;

"overseas elector" means an elector who is registered under this Act as an overseas elector;

*[Act 6 of 2017 wef 01/04/2017]*

"overseas polling station" means such of the following premises situated outside Singapore as the Returning Officer may approve under section 36A(2) to be an overseas polling station:

(*a*) an embassy, a High Commission, diplomatic mission, permanent mission or consulate of Singapore (or any part thereof) in a country or territory outside Singapore;

(*b*) the official residence (or any part thereof) of any person who is appointed to hold or act in any of the following offices in a country or territory outside Singapore:

(i) an ambassador, a High Commissioner, Consulate-General or head of a diplomatic mission or consulate;

(ii) the Permanent Representative; or

(iii) such other senior diplomatic or consular office as the Minister may, from time to time, prescribe;

"overseas registration centre" means an overseas registration centre established under section 10(4);

"Parliament" means the Parliament of Singapore established by the Constitution;

"political party" means a political party which is registered under the Societies Act (Cap. 311);

"polling district" means a part of an electoral division subdivided under section 9;

"polling station" means any polling station established by or under the authority of the Returning Officer under section 36A for voters to cast their votes at an election, and includes any overseas polling station;

"presidential election" means an election under the Presidential Elections Act (Cap. 240A);

"principal election agent" means an election agent of a candidate in a group who has been appointed under section 62(5) as the principal election agent for that group;

"public authority" means any body corporate, board or authority established by or under any written law for the performance of any public function, but excludes any Town Council constituted under the Town Councils Act (Cap. 329A);

"publish" means make available to the general public, or any section thereof, in whatever form and by whatever means, including broadcasting (by wireless telegraphy or otherwise) and transmitting on what is commonly known as the Internet;

"register" or "register of electors" means the register of electors for any particular electoral division comprising sections, each of which shall relate to a polling district of that electoral division;

"Registration Officer" and "Assistant Registration Officer" mean respectively the Registration Officer and an Assistant Registration Officer appointed under section 3;

"Returning Officer" means the Returning Officer appointed under section 3;

"Revising Officer" means a Revising Officer appointed under section 12;

"voter" means a person who, whether his name does or does not appear in a register of electors, applies to vote or votes at an election.

*[10/88; 9/91; 42/96; 18/99; 19/2001; 31/2001; 14/2008]*

(2) For the purposes of this Act —

(*a*) the reference to electoral success at any election shall be a reference —

(i) in relation to any political party, to the return at any such election of candidates or groups of candidates standing in the name of the party; and

(ii) in relation to candidates or groups of candidates, to their return at any such election;

(*b*) the reference to the doing of anything mentioned in paragraph (*a*) or (*b*) of the definition of "election advertising" shall include doing so by prejudicing the electoral prospects at the election of other political parties, candidates or groups of candidates or (as the case may be) by prejudicing the standing with the electorate of other political parties, candidates or groups of candidates; and

(*c*) the reference to candidates or groups of candidates shall include a reference to any person or group of persons (whether or not a member of any political party) who, on or after the date of the issue of a writ for the election is declared, by himself or others, as seeking nomination as a candidate at that election.

*[31/2001; 18/2005; 2/2007]*

### Appointment of officers

**3.**—(1) The Minister may appoint a Registration Officer and a Returning Officer and such Assistant Registration Officers as he may from time to time think fit.

(2) An Assistant Registration Officer shall have all the powers and may perform all the duties of the Registration Officer.

(3) Any reference in this Act to the Registration Officer shall, unless the context otherwise requires, be deemed to include a reference to an Assistant Registration Officer.

(4) An appointment made by the Minister under this section may be revoked by him at any time.

### Appointment of clerks and interpreters

**4.**—(1) The Registration Officer and the Returning Officer may, from time to time, appoint such numbers of clerks and interpreters as may be necessary for the purposes of this Act.

(2) The appointments made under subsection (1) may be revoked at any time.

### Qualification of electors

**5.**—(1) Subject to sections 6 and 7, any person who on the prescribed date in any year —

(*a*) is a citizen of Singapore;

(*b*) is ordinarily resident in Singapore; and

(*c*) is not less than 21 years of age,

shall be entitled to have his name entered or retained in a register of electors in that year.

*[42/96]*

(1A) For the purposes of subsection (1)(*b*), a person shall be deemed to be ordinarily resident in Singapore on the prescribed date in a year if the person has resided in Singapore for an aggregate of 30 days during the period of 3 years immediately preceding the

prescribed date, even though the person is not resident in Singapore on that date.

*[14/2008]*

(2) For the purposes of the preparation or revision of any register of electors a person who is a citizen of Singapore and to whom an identity card has been issued or deemed to have been issued on or before the prescribed date in any year under the provisions of the National Registration Act (Cap. 201) and has not been withdrawn shall, until the contrary be shown, be presumed —

(*a*) to be ordinarily resident in Singapore on the prescribed date in that year;

(*b*) to be not less than 21 years of age on the prescribed date in that year, if from the particulars recorded in the register maintained by the Commissioner of National Registration he appears to be not less than that age on that date; and

(*c*) to reside in the electoral division and polling district of the electoral division in which is situated the latest address shown on the prescribed date in the register maintained by the Commissioner of National Registration.

*[42/96; 19/2001]*

(3) Notwithstanding subsection (2), the Registration Officer may, in preparing or revising any register of electors, omit therefrom the name of any person where he has reason to believe that the latest address of the person shown on the prescribed date in the register maintained by the Commissioner of National Registration has ceased to exist or to be used as a place of residence or is an address situated outside Singapore.

*[19/2001]*

(4) For the purposes of subsections (1), (1A) and (2), the prescribed date shall be 1st July or such other date as the Minister may, by order published in the *Gazette*, specify.

*[42/96; 19/2001]*

(5) No order shall be made under subsection (4) between the date of commencement of any preparation or revision of any register of electors for any year and the date of certification of that register under this Act (both dates inclusive).

*[42/96]*

(6) For the purposes of this section, the contact address of the holder of an identity card shall be regarded as his latest address in the register maintained by the Commissioner of National Registration.

*[19/2001; 14/2008]*

**Disqualification of electors**

**6.**—(1) No person shall be entitled to have his name entered or retained in any register of electors if he —

(*a*) has done any of the following:

(i) acquired or applied to acquire by registration, naturalisation or other voluntary and formal act (other than marriage) the citizenship of any country outside Singapore;

(ii) voluntarily claimed and exercised any rights (other than any rights in connection with the use of a passport) available to him under the law of any country outside Singapore being rights accorded exclusively to the citizens or nationals of that country;

(iii) taken any oath or made any declaration or acknowledgment of allegiance, obedience or adherence to any foreign power or state; or

(iv) applied to the authorities of a place outside Singapore for the issue or renewal of a passport or used a passport issued by such authorities as a travel document;

(*b*) is serving a sentence of imprisonment (by whatever name called) imposed by any court in or outside Singapore for an offence punishable with imprisonment for a term exceeding 12 months, or is under sentence of death imposed by any such court or is serving a sentence of imprisonment awarded in lieu of execution of any such sentence;

(*c*) is under any written law found or declared to be of unsound mind;

(*d*) is incapable of being registered by reason of his conviction of a corrupt or illegal practice under this Act or the Presidential Elections Act (Cap. 240A) or by reason of the report of an Election Judge in accordance with the provisions of this Act or the Presidential Elections Act or by reason of his conviction under section 55 of this Act or section 37 of the Presidential Elections Act;

(*e*) is a serving member on full pay of any naval, military or air force not maintained out of moneys provided by Parliament unless he possesses a domicile in Singapore;

(*f*) [*Deleted by Act 14 of 2008 wef 17/02/2008*]

(*g*) is a person whose name has been expunged from the register under sections 13(3) and 43(5) and whose name has not been restored to the register under section 43(8) or (8A), as the case may be; or

(*h*) is a person whose name has been expunged from the register of electors under section 26(5) of the Presidential Elections Act and whose name has not been restored to the register under section 26(8) of that Act.

*[27/91; 18/94; 19/2001; 14/2008]*

(1A) Without prejudice to subsection (1), no person who is deemed to be ordinarily resident in Singapore under section 5(1A) shall be entitled to have his name entered or retained in any register of electors if he is —

(*a*) serving a sentence of imprisonment (by whatever name called) in any prison, jail or other place of detention outside Singapore;

(*b*) accused of an offence against any written law punishable with imprisonment for a term exceeding 12 months and a warrant of arrest by a court in Singapore authorising his apprehension in relation to that offence remains in force; or

(*c*) convicted by any court in Singapore of any offence punishable with imprisonment for a term exceeding 12 months and a warrant of arrest by a court in Singapore

authorising his apprehension in relation to that offence remains in force.

*[19/2001]*

(2) For the purposes of subsection (1)(*b*), where the conviction is by a court of law outside Singapore, the person shall not be so disqualified unless the offence is also one which, had it been committed in Singapore, would have been punishable by a court of law in Singapore.

*[19/2001]*

(3) For the purposes of subsection (1)(*a*)(ii), the exercise of a vote in —

(*a*) any national, state or provincial election; or

(*b*) any election for the local government of any metropolitan or urban area,

in a country outside Singapore (but not an election under this Act or a presidential election) shall be deemed to be the voluntary claim and exercise of a right available under the law of that country.

*[14/2008]*

**Plural voting**

**7.**—(1) Subject to the provisions of this Act, a person shall be entitled to have his name entered in the register of one electoral division only.

(2) Any person who votes as an elector —

(*a*) in or in respect of an electoral division other than the electoral division in which he is registered as an elector;

(*b*) more than once at any election in or in respect of the same electoral division in which he is registered as an elector; or

(*c*) in or in respect of more than one electoral division at any general election,

shall be guilty of an illegal practice.

*[19/2001]*

(3) The court before which a person is convicted under subsection (2) may, in its discretion in the circumstances of any

particular case, mitigate or remit any penalty or incapacity which may be imposed in respect thereof under section 79.

### Electoral divisions

**8.**—(1) The Minister may, from time to time, by notification in the *Gazette*, specify the names and boundaries of the electoral divisions of Singapore for purposes of elections under this Act.

*[22/84]*

(2) The number of electoral divisions of Singapore shall be the total number of the electoral divisions specified in the notification made under subsection (1).

*[22/84]*

### Group representation constituencies

**8A.**—(1) For the purposes of electing Members of Parliament on a group basis to ensure the representation in Parliament of Members from the Malay, Indian and other minority communities under this Act, the President shall, subject to this section, by order published in the *Gazette* —

(*a*) declare any electoral division, having regard to the number of electors in that division, to be a group representation constituency and designate that constituency as a constituency in which any election is to be held on the basis of a group of such number of candidates, being not less than 3 but not more than 6; and

(*b*) designate every group representation constituency as —

(i) a constituency where at least one of the candidates in every group shall be a person belonging to the Malay community; or

(ii) a constituency where at least one of the candidates in every group shall be a person belonging to the Indian or other minority communities.

*[10/88; 9/91; 42/96]*

(1A) There shall at all times be at least 8 electoral divisions which are not group representation constituencies.

*[42/96]*

(2) The number of Members to be returned by all group representation constituencies shall not be less than one-quarter of the total number of Members to be returned at a general election.

*[10/88; 9/91; 42/96]*

(3) The number of group representation constituencies to be designated under subsection (1)(*b*)(i) shall be three-fifths of the total number of group representation constituencies; and where that number is not a whole number, it shall be rounded to the next higher whole number.

*[10/88]*

## Polling districts

**9.**—(1) Whenever any electoral division of Singapore is altered or a new division is created, the Registration Officer shall —

(*a*) subdivide that division into polling districts;

(*b*) assign to each such polling district a distinguishing letter or letters;

*[Act 41 of 2018 wef 02/01/2019]*

(*c*) prepare or cause to be prepared maps or other images in such detail and with such markings as sufficient to delineate the polling districts into which that electoral division has been subdivided; and

*[Act 41 of 2018 wef 02/01/2019]*

(*d*) publish in the *Gazette* a notice containing —

(i) particulars of the website at which the maps or other images of the polling districts mentioned in paragraph (*c*) may be accessed online, and the place at which such maps or other images may be inspected, by the public; and

(ii) the distinguishing letter or letters assigned to each such polling district.

*[Act 41 of 2018 wef 02/01/2019]*

(2) The subdivision of an electoral division into polling districts may be altered by the Registration Officer as occasion may require; and upon any such alteration being made he shall take the steps mentioned in subsection (1)(*c*) and (*d*) for that electoral division.

*[Act 41 of 2018 wef 02/01/2019]*

(3) Any alteration under subsection (1) shall come into effect on the date of the publication of the notice under section 20(1) relating to the next certification of the register of electors for that electoral division, but the revision of the register before such certification shall be made on the basis of that alteration.

## PART II

## REGISTRATION OF ELECTORS AND REVISION OF REGISTERS

### Registration of electors

**10.**—(1) As soon as may be after the publication of any notification under section 8, the Registration Officer, with such assistance as he may require from the Commissioner of National Registration, shall prepare for that year a separate register of electors for each electoral division and shall enter in the register the names of all persons who are qualified as electors under section 5 and are not disqualified by any of the provisions of section 6.

(1A) The Minister may, before a general election, require the Registration Officer to bring up-to-date any register prepared under subsection (1) in such manner and by reference to such year as the Minister may direct.

(2) For the purpose of satisfying himself as to the qualification of any elector, the Registration Officer may make such enquiry as he may consider necessary.

(3) On the completion of the register for any electoral division, the Registration Officer shall give notice in the *Gazette* that the register is completed and that the register, or a copy thereof, is open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places in or near the electoral division and at such overseas registration centres as may be specified in the notice.

*[19/2001]*

(4) The Registration Officer may, for the purpose of registering persons as overseas electors, establish such number of overseas registration centres as he considers practicable in any embassy, High

Commission, diplomatic mission, permanent mission or consulate of Singapore situated in any country or any territory outside Singapore.

*[19/2001; 14/2008]*

## Claims and objections

**11.**—(1) Any person who considers that he is entitled to have his name entered in a register of electors and whose name has been omitted from the register (referred to in this section as the claimant) may apply to the Registration Officer to have his name entered therein.

(2) Every claim under subsection (1) shall be in writing and shall be in Form 3 in the First Schedule and shall reach the Registration Officer within 2 weeks from the date of publication in the *Gazette* of the notice of completion of the register.

(2A) Within 21 days from the expiry of the period of 2 weeks referred to in subsection (2), the Registration Officer shall exhibit notices containing the names and addresses of the claimants (if any) at the place or places in or near the electoral division in which those claimants reside and at the overseas registration centres specified in the notice mentioned in section 10(3).

*[19/2001]*

(2B) A claim under subsection (1) may be made at an overseas registration centre and be accompanied by the claimant's application to be registered as an overseas elector made in accordance with section 13A.

*[19/2001]*

(3) Any person whose name appears in the register for any electoral division may object to the inclusion in the register of his own name or the name of any other person appearing therein or may object to the insertion in the register of the name of any claimant.

(4) In this section and section 12, every person objecting to the inclusion or insertion of any name in the register is referred to as the objector.

(5) Every objection to the inclusion of any name in the register shall be made in writing and shall be in Form 4 in the First Schedule and

shall reach the Registration Officer within 2 weeks from the date of publication in the *Gazette* of the notice of completion of the register.
*[14/2008]*

(6) Every objection to the insertion of the name of any claimant in the register shall be made in writing and shall be in Form 5 in the First Schedule and shall reach the Registration Officer within 6 days from the date on which the notice containing the names of claimants is exhibited under subsection (2A).
*[14/2008]*

(7) [*Deleted by Act 18 of 2005 wef 06/06/2005*]

(8) Subject to subsection (9C), the Registration Officer shall, as soon as practicable after receiving an objection to the inclusion or insertion of any name in any register, send a notice of the objection to the person in regard to whom objection has been made.
*[Act 41 of 2018 wef 02/01/2019]*

(8A) The notice of objection shall be in Form 6 in the First Schedule.

(9) The Registration Officer shall as soon as practicable hold a public inquiry into all claims and objections which have been duly made, giving not less than 6 clear days' written notice of the date on which and the time and place at which the inquiry will commence to each claimant, objector and person in regard to whom objection has been made.

(9A) At any such public inquiry, any person appearing to the Registration Officer to be interested in or affected by the subject-matter of the inquiry may appear and be heard either by himself or by any other person duly authorised by him in writing in that behalf.

(9B) Despite subsection (9), the Registration Officer may, without holding any public inquiry —

(*a*) allow any claim in respect of which no objection is made if the Registration Officer is satisfied that the claim should be allowed, and insert the claimant's name in the register and, where applicable, register the claimant as an overseas elector; or

(*b*) reject any claim if the Registration Officer is satisfied that —

(i) the claimant was not a citizen of Singapore on the prescribed date mentioned in section 5(4);

(ii) the claimant was below 21 years of age on the prescribed date mentioned in section 5(4); or

(iii) where the claimant claims to be entitled to have the claimant's name entered in the register for an electoral division on the ground of a change in the claimant's residential address, the new address specified in the claimant's claim is not the address of any premises in that electoral division.

*[Act 41 of 2018 wef 02/01/2019]*

(9C) Subsections (8) and (10) do not apply to a claim rejected by the Registration Officer under subsection (9B)(*b*).

*[Act 41 of 2018 wef 02/01/2019]*

(10) Subject to subsection (9C), where an objection is made to the inclusion or insertion of any name in the register, the Registration Officer shall call upon the objector, or some person authorised in writing in that behalf by the objector, to give prima facie proof of the ground of the objection.

*[Act 41 of 2018 wef 02/01/2019]*

(11) If such prima facie proof is given, the Registration Officer shall require proof of the entitlement of the person in regard to whom objection has been made, and —

(*a*) if the person's entitlement is not proved to the Registration Officer's satisfaction, he shall expunge that person's name from or, as the case may be, refuse to insert that person's name in the register; or

(*b*) if the person's entitlement is so proved, he shall retain that person's name or, as the case may be, insert that person's name in the register and, where applicable, register that person as an overseas elector.

*[19/2001]*

(12) If, on the date fixed for inquiry into any objection, the objector or a person authorised in writing in that behalf by the objector fails to appear, or appears but fails to give such prima facie proof, then —

(*a*) if the objection is to the inclusion in the register of the name of a person appearing therein, the Registration Officer shall retain the person's name in the register without calling upon the person to prove his entitlement; or

(*b*) if the objection is to the insertion in the register of the name of any claimant, the Registration Officer shall require proof of the entitlement of the claimant; and —

(i) if the claimant's entitlement is not proved to the Registration Officer's satisfaction, he shall refuse to insert the claimant's name in the register; or

(ii) if the claimant's entitlement is so proved, he shall insert the claimant's name in the register and, where applicable, register the person as an overseas elector.

*[19/2001]*

(13) If an objection is made and is overruled by the Registration Officer and, in his opinion, the objection was made without reasonable cause, the Registration Officer may, if he thinks fit, order in writing the objector to pay to the person in regard to whom objection has been made such sum not exceeding $50 as the Registration Officer considers reasonable compensation for any loss of time incurred by the person in consequence of the objection.

(14) If, upon an objection being overruled, the objector appeals under section 12 to the Revising Officer and the appeal is dismissed, and in the opinion of the Revising Officer the appeal was made without reasonable cause, the Revising Officer may, if he thinks fit, order in writing the objector to pay to the person in regard to whom objection has been made such sum not exceeding $50 as the Revising Officer considers reasonable compensation for any loss of time incurred by the person in consequence of the appeal.

(14A) If any appeal is allowed by the Revising Officer, he shall have power to revise or cancel any order made by the Registration Officer for the payment of compensation by the objector.

(15) Any sum awarded as compensation under this section shall be recoverable as though the order of the Registration Officer or Revising Officer were an order of a District Court for the recovery of money by that Officer.

(16) [*Deleted by Act 18 of 2005 wef 06/06/2005*]

### Appeals to Revising Officer

**12.**—(1) For the purpose of hearing appeals against any decision of the Registration Officer, the Minister may appoint such Revising Officers as he may from time to time think fit.

(2) If any claimant, objector or person in regard to whom objection has been made is dissatisfied with the decision of the Registration Officer, he may, within 10 days from the date of the decision, appeal to the Revising Officer.

(3) Every appeal under this section shall be in writing and shall state shortly the ground of appeal.

*[18/2005]*

(4) The Revising Officer shall hear such appeals in public giving notice of the dates of the hearing of the appeal to the parties concerned.

(4A) It shall be at the discretion of the Revising Officer whether or not to hear any evidence.

(4B) The Revising Officer's determination of the appeal shall be final and conclusive and shall not be called in question in any court.

(5) When the Revising Officer has determined the appeals which have been lodged with respect to any register, he shall forward to the Registration Officer a statement under his hand containing the names which he has decided shall be included or inserted in the register and those which he has decided shall be expunged from the register, and the Registration Officer shall amend the register accordingly.

(6) [*Deleted by Act 18 of 2005 wef 06/06/2005*]

### Certification of registers

**13.**—(1) The Registration Officer shall, as soon as conveniently may be after the claims and objections have been adjudicated upon,

certify the register of electors for each electoral division in Form 7 in the First Schedule.

(1A) The Registration Officer may certify any register in accordance with this section during the pendency of any appeal under section 12 but shall thereafter insert in or expunge from the certified register the name of any person in accordance with the decision of the Revising Officer on the determination of the appeal.

(2) Nothing in this Act shall be deemed to prohibit the Registration Officer, within 7 days after certifying any register, from correcting any clerical or other error therein.

(2A) Any correction under subsection (2) does not affect the entitlement of any person to have his name included or retained therein.

(3) Notwithstanding subsections (1), (1A) and (2), the Registration Officer shall, from time to time, on being informed by the Registrar of Citizens that any person has ceased to be a citizen of Singapore under the provisions of the Constitution, or on being informed by the Registrar-General of Births and Deaths that any person is dead, expunge the name of the person from any register of electors.

*[10/2010]*

(4) Notwithstanding anything to the contrary in this Act, the Registration Officer may, at any time after certifying any register of electors for any electoral division, except between the issue of a writ of election under section 24 and polling day appointed for election in that division, remove from the register the name of any person where the Registration Officer has reason to believe that the address of that person as shown in the register has ceased to exist or to be used as his place of residence or his contact address.

*[14/2008]*

(4A) Where the person whose name has been removed under subsection (4) has notified the Commissioner of National Registration in writing of his change of address or contact address at the time of the removal of his name, the Registration Officer shall transfer the name of that person to the appropriate register.

*[18/99; 14/2008]*

(5) The Registration Officer shall not remove or transfer any name under subsection (4) or (4A) unless at least 2 weeks before making the removal or transfer, a notice has been given in the *Gazette* that he proposes to make the removal or transfer and that a list of the names of persons affected is available for inspection at such time and place or places as may be specified in the notice.

(5A) A notice for the purpose of subsection (5) may contain such particulars as the Registration Officer thinks sufficient and appropriate without specifying the names of persons who will be affected by the proposed removal or transfer.

(6) Subject to subsection (7), the Registration Officer shall have power where any name from any register has been removed by him under subsection (4) —

(*a*) to restore the name to the register if the removal has been made by mistake or through inadvertence; or

(*b*) to enter the name in the appropriate register on the application of the person whose name has been removed and has not been transferred to the appropriate register at the time of the removal.

(7) Where a writ of election has been issued under section 24 for an election in any electoral division, the Registration Officer shall not enter any name in the register of that division under subsection (6)(*b*) until after nomination day or, if a poll is to be taken, until after polling day.

### Registration as overseas elector

**13A.**—(1) Any person who is not resident in Singapore but whose name is entered in the register of electors for an electoral division and who is entitled to have his name so entered or retained in that register of electors may, at any time and in such form or manner as may be prescribed, apply to the Registration Officer to be registered as an overseas elector for that electoral division.

*[Act 6 of 2017 wef 01/04/2017]*

(2) An application under subsection (1) by any person to be registered as an overseas elector shall contain or be accompanied by —

(*a*) satisfactory proof of his identity;

(*b*) particulars of his current mailing address outside Singapore;

*[Act 6 of 2017 wef 01/04/2017]*

(*c*) a declaration that he is a citizen of Singapore and is not less than 21 years of age;

(*ca*) a declaration that he —

(i) has not acquired or applied to acquire by registration, naturalisation or other voluntary and formal act (other than marriage) the citizenship of any country outside Singapore;

(ii) has not voluntarily claimed and exercised any rights (other than any rights in connection with the use of a passport) available to him under the law of any country outside Singapore being rights accorded exclusively to the citizens or nationals of that country;

(iii) has not taken any oath or made any declaration or acknowledgment of allegiance, obedience or adherence to any foreign power or state; and

(iv) has not applied to the authorities of a place outside Singapore for the issue or renewal of a passport or used a passport issued by such authorities as a travel document;

(*d*) a statement specifying the overseas polling station he desires to vote at in an election; and

(*e*) any other information as the Registration Officer considers necessary to determine the person's entitlement to have his name entered or retained in a register or the electoral division in or in respect of which he may vote.

*[19/2001; 14/2008]*

*[Act 6 of 2017 wef 01/04/2017]*

*[Act 6 of 2017 wef 01/04/2017]*

(3) An overseas elector may, at any time and in such form or manner as may be prescribed, apply to the Registration Officer —

(*a*) to change the overseas polling station allotted to him under subsection (3A)(*a*); or

(*b*) to cancel his registration.

*[Act 6 of 2017 wef 01/04/2017]*

(3A) Despite section 13, the Registration Officer may —

(*a*) in the case of an application made under subsection (1), register the applicant as an overseas elector and allot to the applicant an overseas polling station;

(*b*) in the case of an application made under subsection (3)(*a*), allot to the applicant another overseas polling station;

(*c*) in the case of an application made under subsection (3)(*b*), cancel the applicant's registration as an overseas elector; or

(*d*) reject any application made under subsection (1) or (3).

*[Act 6 of 2017 wef 01/04/2017]*

(3AA) If the Registration Officer receives an application under subsection (1) or (3) during the specified period of an election, the Registration Officer is not required to take any action on the application under subsection (3A) until after that specified period.

*[Act 6 of 2017 wef 01/04/2017]*

(3B) Only one overseas polling station may be allotted to a person who is registered as an overseas elector.

*[14/2008]*

(4) The registration of any person under this section as an overseas elector in any register of electors shall continue in operation until superseded by the coming into operation of the next certified register relating to any area within that electoral division following any preparation of registers under section 10 or any revision of registers under section 14.

*[19/2001]*

(5) For the purposes of subsection (2)(*ca*)(ii), the exercise of a vote in —

(*a*) any national, state or provincial election; or

(*b*) any election for the local government of any metropolitan or urban area,

in a country outside Singapore (but not an election under this Act or a presidential election) shall be deemed to be the voluntary claim and exercise of a right available under the law of that country.

*[14/2008]*

(6) In this section, "specified period" means —

(*a*) in the case of an election for an electoral division under this Act, the period starting on the third day (including a Sunday or public holiday) after the issue of the writ of election under section 24 for that election and ending on the nomination day for that election or, if a poll is to be taken, the polling day (or if there is more than one polling day, the last polling day) for that election; and

(*b*) in the case of an election under the Presidential Elections Act (Cap. 240A), the period starting on the third day (including a Sunday or public holiday) after the issue of the writ of election under section 6 of that Act and ending on the nomination day or, if a poll is to be taken, the polling day (or if there is more than one polling day, the last polling day) under that Act for that election.

*[Act 6 of 2017 wef 01/04/2017]*

**Revision of registers**

**14.**—(1) The Minister may from time to time, but in any case not later than 3 years after the last general election, require the Registration Officer to revise the registers of electors and complete the revision before such date as the Minister may, by notification in the *Gazette*, appoint.

(2) For the purpose of revising a register and of satisfying himself as to the entitlement of any person to registration or determining whether the name of any person should be inserted or retained in the register or expunged therefrom, the Registration Officer may make such inquiry as he may consider necessary either by himself or through a person appointed by him.

(2A) Any notice requiring information for the purposes of subsection (2) may be sent by ordinary post to the person from

whom the information is required or may be delivered to him or to an adult member of his household.

(3) All officers in the service of the Government (other than officers of any Government department who are prohibited by law from furnishing information) and all local authorities are hereby authorised and required to furnish to the Registration Officer, or any person appointed by the Registration Officer for the purpose, all such information as he may require to enable him to revise the register.

(4) Every person who, being in possession of any information required under subsection (2A), fails to give such information to the Registration Officer or to any person appointed by the Registration Officer for the purpose, or wilfully gives any false information, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 6 months or to both.

*[10/2010]*

(5) Without prejudice to subsection (4), if any person being a registered elector fails to give such information with regard to his entitlement to registration to the Registration Officer or to any person appointed by the Registration Officer for the purpose within 14 days after the service upon him by the Registration Officer of a notice under subsection (2A), his name shall immediately be expunged from the register by the Registration Officer and he shall not be entitled to have his name retained or inserted in the register for the ensuing year.

(6) Every person who is appointed by the Registration Officer and who wilfully suppresses any information relating to the entitlement of any person for registration or relevant for determining whether the name of any person should or should not be retained or inserted in a register, after such information has been furnished to or collected by him, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

*[10/2010]*

## Method of revising register

**15.**—(1) In revising a register of electors, the Registration Officer shall enter the names of all persons who are qualified as electors

under section 5 and are not disqualified by any of the provisions of section 6.

(2) Upon the completion of the revised register of electors referred to in subsection (1), the Registration Officer shall give notice in the *Gazette* that the register of electors has been completed and that the register, or a copy thereof, is open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places as may be specified in the notice.

### Claims and objections at revision of register

**16.** Sections 11 and 12 shall apply to a revision of a register of electors as they apply to the preparation of the register.

### Application of section 13 to revised register

**17.**—(1) Section 13(1) and (1A) shall apply to the certification of a revised register of electors as they apply to the certification of a register of electors.

(2) Section 13(2) to (7) shall apply to a revised register of electors as they apply to a register of electors.

*[19/2001]*

### Notices and adjournments

**18.**—(1) Subject to section 14, all notices required to be given by the Registration Officer or a Revising Officer shall be sufficiently given if sent by registered post to the address (if any) given in the claim or objection, or in default of that address, to the address given in the register of electors.

(2) The Registration Officer or a Revising Officer may from time to time adjourn any proceedings before him under this Act to any convenient time and place.

### Persons residing in building located on common boundary

**19.**—(1) In preparing or revising a register of electors, the Registration Officer may, in his discretion, enter the name of any person in the register of electors for such electoral division as he considers appropriate if that person is residing in a building which is

located on a common boundary between 2 or more electoral divisions.

(2) The decision of the Registration Officer under subsection (1) shall be final and conclusive and shall not be called in question in any court.

### Notice of certification of register and commencement and period of operation

**20.**—(1) On the certification of a register under this Act, the Registration Officer shall give notice in the *Gazette* that the register has been certified and that the register, or a copy thereof, is open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places in the division to which the register relates as may be specified in the notice.

(2) The certified register shall —

(*a*) in the case of a register prepared under section 10(1) or (1A), come into operation at the next general election and not earlier; and

(*b*) in the case of a revised register, come into operation on the date of publication of the notice of the certification of the register in the *Gazette*.

*[42/96]*

(2A) Subject to such alterations as may subsequently be made therein in accordance with section 13, 17 or 43, or with section 26 of the Presidential Elections Act (Cap. 240A), the register shall continue in operation until superseded by the coming into operation of the next certified register.

*[42/96]*

(3) Where a new electoral division is created under section 8 by the amalgamation of the whole of 2 or more existing electoral divisions, or where there is no change in the boundary of any electoral division specified in a notification under section 8(1), section 10 shall not apply to that electoral division unless the Minister otherwise directs; and the certified registers of electors in operation for those existing electoral divisions which have been amalgamated to form any new

electoral division shall be deemed to be the register of electors in operation for that new electoral division at the next general election.

*[9/91]*

**Redistribution of polling districts, etc.**

**20A.**—(1) Where any new electoral division is created or the boundaries of any existing electoral division are altered by —

(*a*) redistributing the whole of one or more contiguous polling districts of any existing electoral division or divisions to form a polling district or districts of the new or altered electoral division without any change in the boundaries of those polling districts; or

(*b*) transferring the whole of one or more contiguous polling districts of any existing electoral division or divisions to any other existing division or divisions without any change in the boundaries of those polling districts,

the Minister may, in lieu of specifying the boundaries of the electoral divisions in a notification under section 8, specify —

(i) the polling districts which have been retained, redistributed or transferred to form subdivisions of the respective electoral divisions; and

(ii) the new distinguishing letter or letters (if any) assigned to each such polling district,

and each electoral division shall be deemed to have been subdivided under section 9(1) into the polling districts so retained, redistributed or transferred as its subdivisions.

*[42/96]*

(2) Unless the Minister otherwise directs, whenever any new electoral division is created or any electoral division is altered in the manner referred to in subsection (1)(*a*) or (*b*), section 10 shall not apply to that new or altered electoral division and the Registration Officer shall, before the next general election, prepare in accordance with subsection (3) a composite register for each new or altered division and certify it in Form 7 in the First Schedule.

*[42/96]*

(3) A composite register for any new or altered electoral division shall be prepared by using the certified registers in operation and combining the sections of those certified registers relating to the polling districts which have been redistributed or transferred to form the polling districts of the new or altered electoral division.

*[42/96]*

(4) Any composite register prepared in accordance with subsection (3) for a new or altered electoral division shall —

(*a*) be deemed to be the certified register in operation for that electoral division at the next general election following its certification but not earlier; and

(*b*) subject to such alterations as may be made therein in accordance with section 13, 17 or 43 or with section 26 of the Presidential Elections Act (Cap. 240A), continue in operation until superseded by the coming into operation of the next certified register for that electoral division.

*[42/96]*

**Penalty for false statements and wrongful claims**

**21.**—(1) Every person who wilfully makes a false statement or declaration in any claim or objection or at any inquiry held in connection therewith or in any appeal shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 6 months or to both.

*[10/2010]*

(2) The Registration Officer or a Revising Officer may, on the consideration or hearing of any claim, objection or appeal, require that the evidence tendered by any person shall be given on oath and may administer the oath for that purpose.

(3) Every person who in the course of that consideration or hearing knowingly swears anything material to the validity of the claim, objection or appeal which is false shall be guilty of the offence of giving false evidence and shall be liable on conviction to the punishment provided therefor in the Penal Code (Cap. 224).

(4) Any person who, in making any application under section 13A(1) to be registered as an overseas elector for an

electoral division, or any application under section 13A(3A)(*b*) to change the overseas polling station allotted to him to another overseas polling station —

(*a*) makes, in or outside Singapore, in any declaration under section 13A(2) any statement which is false, and which he knows or has reason to believe is false or does not believe to be true;

(*b*) furnishes, in or outside Singapore, any document which he knows or has reason to believe is false or does not believe to be true; or

(*c*) by the intentional suppression of any material fact, furnishes, in or outside Singapore, information which is misleading,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both.

*[14/2008; 10/2010]*

**Use of registers of electors**

**21A.**—(1) Any candidate or his election agent who or any political party which, on payment of any fee, acquires from the Registration Officer any copy (whether in printed or electronic form) of any register of electors —

(*a*) shall use any information recorded in the register only for communicating with electors;

(*b*) shall not use any information recorded in the register for commercial purposes; and

(*c*) may disclose any information recorded in the register to others only after obtaining their written acknowledgment that they are bound by the restrictions in this subsection.

*[19/2001]*

(2) Subject to subsection (3), no person who obtains any information recorded in any register of electors shall reproduce, store or transmit any part of the information by electronic or any other means for any purpose.

*[19/2001]*

(3) Subsection (2) shall not apply to —

(*a*) a candidate or his election agent who or any political party which, on payment of any fee, acquires a copy of a register of electors from the Registration Officer; or

(*b*) a person who obtains information in any register of electors from a candidate, an election agent or a political party after giving a written acknowledgment described in subsection (1)(*c*).

*[19/2001]*

(4) Any person who knowingly contravenes subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

*[19/2001; 10/2010]*

(5) In this section, "candidate" includes a candidate at any presidential election.

*[19/2001]*

## PART III

## ELECTIONS

### Number of Members to be returned for each electoral division and group representation constituency

**22.**—(1) Subject to subsection (2), each electoral division shall return one Member to serve in Parliament.

*[10/88]*

(2) Each group representation constituency shall return such number of Members to serve in Parliament as designated for that constituency by the President under section 8A(1)(*a*).

*[10/88; 9/91; 42/96]*

### Assistant Returning Officers

**23.**—(1) The Minister may, in addition to appointing the Returning Officer under section 3, from time to time appoint by name or by office one or more persons to assist the Returning Officer in the performance of his duties.

(1A) A person appointed to assist the Returning Officer shall have all the powers and may perform all the duties of the Returning Officer and any reference in this Act to the Returning Officer shall, unless the context otherwise requires, be deemed to include a reference to an Assistant Returning Officer.

(1B) An appointment made by the Minister under subsection (1) may be revoked by him at any time.

(2) If the Returning Officer is, by sickness or other cause, prevented or disabled from performing any of his duties under this Act and there is insufficient time for any other person to be appointed by the Minister, the Returning Officer may appoint, by name or office, a deputy to act for him.

(3) Every appointment made under subsection (2) shall as soon as possible be reported to the Minister and may be revoked by the Minister, but without prejudice to the validity of anything already done by the deputy.

**Writ of election**

**24.**—(1) For the purposes of every general election of Members of Parliament, and for the purposes of the election of Members to supply vacancies caused by death, resignation or otherwise, the President shall issue writs under the public seal, addressed to the Returning Officer.

(2) Every such writ shall be in Form 1 in the First Schedule and shall specify the date or dates (referred to in this Act as the day of nomination) not being less than 5 days nor more than one month after the date of the writ and the place or places of nomination (referred to in this Act as the place of nomination).

(2A) In respect of any group representation constituency, no writ shall be issued under subsection (1) for an election to fill any vacancy unless all the Members for that constituency have vacated their seats in Parliament.

*[10/88]*

(3) Upon receipt of the writ, the Returning Officer shall proceed to hold the election in the manner hereinafter provided.

### Notice of time and place of election

**25.** On the President issuing a writ, the Returning Officer shall give notice of the issue of the writ and of the day, time and place of the nomination of candidates by causing a notice in Form 8 in the First Schedule to be published in the *Gazette* at least 4 clear days before the day fixed for the nomination.

### Failure of election

**26.**—(1) Whenever an election in any electoral division wholly fails, a fresh writ may be issued by the President at any time for the holding of an election in that electoral division, except that where the election in an electoral division has failed because of the death of a candidate after the election has been reported as contested but before polling day, then section 34(8) and (9) or 34A(8) and (8A), as the case may be, shall apply.

*[10/2010]*

(2) The original writ for an election in any electoral division that has wholly failed and everything done in connection with the election for the electoral division because of that writ shall be of no effect.

*[10/2010]*

(3) Where a fresh writ is issued under subsection (1), sections 24 and 25 shall apply to that writ.

*[10/2010]*

(4) For the purposes of this Act, an election shall have wholly failed if —

(*a*) in the case of an election in a group representation constituency, no group of candidates is nominated or returned as elected for that constituency; or

(*b*) in the case of any other electoral division, no candidate is nominated or returned as elected for that electoral division.

*[10/2010]*

### Nomination papers

**27.**—(1) Any person eligible for election as a Member of Parliament in accordance with the provisions of the Constitution may be nominated as a candidate for election.

(2) A person may be nominated to be a candidate for election only by means of a nomination paper in Form 9 in the First Schedule, which shall —

(*a*) set out the name, identity card number and occupation of the person;

(*b*) be signed by a proposer and a seconder, and 4 or more persons as assentors, each of whom must be a person whose name appears in the register of electors for the electoral division in which the person seeks election;

(*c*) contain a statement, signed by that person, to the effect that he consents to the nomination; and

(*d*) contain a statutory declaration by the person seeking nomination stating that he is qualified to be elected.

*[18/2005]*

(3) Every candidate shall, at the time of his nomination, deliver to the Returning Officer —

(*a*) [*Deleted by Act 18 of 2005 wef 06/06/2005*]

(*b*) a political donation certificate issued to him by the Registrar of Political Donations under section 18(4) of the Political Donations Act (Cap. 236).

*[20/2000; 18/2005]*

(3A) If the statutory declaration which is required by subsection (2)(*d*) to be made is not so made, or the political donation certificate which is required by subsection (3)(*b*) to be delivered is not so delivered, the nomination of the candidate shall be deemed to be void.

*[20/2000; 18/2005]*

(4) The Returning Officer may, at any time between the date of the notice of the writ referred to in section 25 and 12 noon of the day of nomination, supply a form of nomination paper to any registered elector requiring it.

*[18/2005]*

**Election of Members on a group basis in group representation constituencies**

**27A.**—(1) In every general election of Members and the election of Members to supply vacancies caused by death, resignation or otherwise, the Members for any group representation constituency shall be elected in accordance with this Act subject to the modifications in this section.

*[10/88]*

(2) All elections in any group representation constituency shall be held on a basis of a group of such number of candidates as designated for that constituency by the President under section 8A(1)(*a*).

*[10/88; 9/91; 42/96]*

(3) Subject to subsection (4), any group that desires to contest in any election in any group representation constituency shall consist of such number of candidates as designated for that constituency by the President under section 8A(1)(*a*), all of whom shall either be —

(*a*) members of the same political party standing for such election for that political party; or

(*b*) independent candidates standing as a group.

*[10/88; 9/91; 42/96]*

(4) Where any group representation constituency is —

(*a*) a constituency designated under section 8A(1)(*b*)(i), at least one of the candidates in every group shall be a person belonging to the Malay community; or

(*b*) a constituency designated under section 8A(1)(*b*)(ii), at least one of the candidates in every group shall be a person belonging to the Indian or other minority communities.

*[10/88; 9/91]*

(5) At any time after the date of the notice of the writ referred to in section 25 and at least 2 clear days before the day of nomination, any person —

(*a*) belonging to the Malay community who desires to contest as such a person in any election in any constituency designated under section 8A(1)(*b*)(i); or

(*b*) belonging to the Indian or other minority communities who desires to contest as such a person in any election in any constituency designated under section 8A(1)(*b*)(ii),

shall apply in the prescribed manner to the appropriate Committee for a certificate in the prescribed form which shall certify whether the applicant is a person belonging to the Malay community or a person belonging to the Indian or other minority communities, as the case may be, for the purposes of any such election.

*[10/88]*

(6) Upon receipt of any application under subsection (5), the appropriate Committee shall —

(*a*) determine whether the applicant is a person belonging to the Malay community or a person belonging to the Indian or other minority communities; and

(*b*) if the appropriate Committee considers that he is a person belonging to the Malay community or a person belonging to the Indian or other minority communities, issue to him not later than the day before the day of nomination a certificate certifying that to be the fact.

(7) Any such certificate shall, for the purposes of this Act, be conclusive as to the fact which it certifies.

*[10/88]*

(8) In this section and section 27C —

"Committee" means the Malay Community Committee or Indian and Other Minority Communities Committee established under section 27C;

"person belonging to the Malay community" means any person, whether of the Malay race or otherwise, who considers himself to be a member of the Malay community and who is generally accepted as a member of the Malay community by that community;

"person belonging to the Indian or other minority communities" means —

(*a*) any person of Indian origin who considers himself to be a member of the Indian community and who is

generally accepted as a member of the Indian community by that community; or

(*b*) any person who belongs to any minority community other than the Malay or Indian community.

*[10/88]*

**Nomination papers for elections in group representation constituencies**

**27B.**—(1) Any person eligible for election as a Member of Parliament in accordance with the provisions of the Constitution may, subject to section 27A, be nominated as a candidate with the other candidates in a group for any election in any group representation constituency.

*[10/88; 9/91]*

(2) A group of persons may be nominated to be a group of candidates for election in a group representation constituency only by means of a nomination paper in Form 9A in the First Schedule, which shall —

(*a*) set out the name, identity card number and occupation of each of those persons;

(*b*) be signed by a proposer and a seconder, and 4 or more persons as assentors, each of whom must be a person whose name appears in the register of electors for the group representation constituency in which the group seeks election;

(*c*) contain a statement, signed by each of the persons, to the effect that he consents to the nomination; and

(*d*) contain a statutory declaration by each of the persons seeking nomination stating that he is qualified to be elected, and the political party for which the group stands (if any).

*[18/2005]*

(3) Every candidate in a group shall, at the time of the nomination of the group, deliver to the Returning Officer —

(*a*) [*Deleted by Act 18 of 2005 wef 06/06/2005*]

(*b*) a political donation certificate issued to him by the Registrar of Political Donations under section 18(4) of the Political Donations Act (Cap. 236); and

(*c*) if he is a person belonging to —

(i) the Malay community and is nominated as such a person for election in any constituency designated under section 8A(1)(*b*)(i); or

(ii) the Indian or other minority communities and is nominated as such a person for election in any constituency designated under section 8A(1)(*b*)(ii),

a certificate issued to him under section 27A(6) certifying that he is a person belonging to the Malay community or a person belonging to the Indian or other minority communities, as the case may be.

*[20/2000; 18/2005]*

(3A) If any statutory declaration which is required by subsection (2)(*d*) to be made is not so made, or any certificate which is required by subsection (3) to be delivered by any candidate in a group is not so delivered, the nomination of that group shall be deemed to be void.

*[10/88; 18/2005]*

(4) The Returning Officer may, at any time between the date of the notice of the writ referred to in section 25 and 12 noon of the day of nomination, supply a form of nomination paper to any registered elector requiring the same.

*[10/88; 18/2005]*

(5) Where the nomination paper of any group does not comply with this section or section 27A, or where any candidate in a group withdraws or is deemed to have withdrawn his candidature under section 32, the nomination of that group shall be deemed to be void.

*[10/88; 31/2001]*

(6) Section 27 shall not apply to any election in any group representation constituency.

*[10/88]*

**Committee to determine whether prospective candidate is Malay or other racial minority**

**27C.**—(1) For the purposes of section 27A, there shall be established —

(*a*) a Malay Community Committee whose function shall be to determine whether a person desiring to be a candidate for any election in any constituency designated under section 8A(1)(*b*)(i) belongs to the Malay community; and

(*b*) an Indian and Other Minority Communities Committee whose function shall be to determine whether a person desiring to be a candidate for any election in any constituency designated under section 8A(1)(*b*)(ii) belongs to the Indian or other minority communities.

*[10/88]*

(2) The Malay Community Committee shall consist of a chairman and 4 other members, all of whom shall be persons belonging to the Malay community and shall be appointed by the President on the nomination of the Presidential Council for Minority Rights established under Article 69 of the Constitution after consulting such organisation of the Malay community as the Council thinks fit.

*[10/88]*

(3) The Indian and Other Minority Communities Committee shall consist of a chairman and 4 other members, who shall be persons belonging to the Indian or other minority communities and shall be appointed by the President on the nomination of the Presidential Council for Minority Rights established under Article 69 of the Constitution after consulting such organisations of the Indian and other minority communities as the Council thinks fit.

*[10/88]*

(4) A decision of any such Committee shall require a simple majority of the members present and voting, except that in the case of an equality of votes, the chairman or the member presiding shall have a casting vote in addition to his original vote.

*[10/88]*

(4A) The Committee may act notwithstanding the absence of any member.

*[10/88]*

(5) Subject to this section, any such Committee may regulate its own procedure.

*[10/88]*

(6) The validity of any proceedings of any such Committee shall not be affected by any defect in the appointment of any member of the Committee.

*[10/88]*

(7) Any Committee established under this section shall be guided by the merits of each case without regard to legal forms and technicalities, or to whether the evidence before it is in accordance with the law of evidence or not.

*[10/88]*

(8) Any decision of a Committee established under this section shall be final and conclusive and shall not be appealed against or called in question in any court.

*[10/88]*

(9) Regulations may be made to provide for regulating and facilitating the performance by any Committee of its function under this Act.

*[10/88]*

**Deposits by candidates**

**28.**—(1) A candidate, or some person on his behalf, shall, in accordance with subsection (2), deposit or cause to be deposited with the Returning Officer or with some person authorised by the Returning Officer in that behalf, between the date of the issue of the writ referred to in section 24 and 12 noon of the day of nomination, a sum equal to the applicable amount specified in subsection (1AA).

*[Act 41 of 2018 wef 02/01/2019]*

(1AA) For the purpose of subsection (1), the applicable amount is —

(*a*) in the case of a general election, the amount of the fixed monthly allowance payable to an elected Member of Parliament for the month immediately before the date of dissolution of Parliament, rounded to the nearest $500; and

(*b*) in the case of a by-election, the amount of the fixed monthly allowance payable to an elected Member of Parliament for the month immediately before the date of issue of the writ for the by-election, rounded to the nearest $500.

*[Act 41 of 2018 wef 02/01/2019]*

(1A) In default of the sum being so deposited under subsection (1), the candidate shall be deemed to have withdrawn his candidature under section 32.

(1B) The Returning Officer shall immediately give a receipt for that sum, and that sum shall be dealt with in accordance with the provisions of this Act.

*[11/88]*

*[Act 41 of 2018 wef 02/01/2019]*

(2) The deposit of the sum required under subsection (1) must be made through an electronic funds transfer system designated by the Returning Officer for that purpose, or by a bank draft or a certified cheque, or in such other form or manner as the Returning Officer allows.

*[Act 41 of 2018 wef 02/01/2019]*

(3) If a candidate is not nominated as a candidate for election, if an election in an electoral division has wholly failed or if, after the deposit is made, the candidate withdraws his candidature under section 32, the deposit shall be returned to the person by whom the deposit was made.

*[10/2010]*

(3A) If the candidate dies after the deposit is made and before the poll is commenced, the deposit, if made by him, shall be returned to his legal personal representative or, if not made by him, shall be returned to the person by whom the deposit was made.

(4) Subject to subsection (4A), the sum deposited by any candidate under subsection (1) shall be returned to the candidate, where the candidate is elected, as soon as he has taken the oath or made affirmation as a Member, and, where the candidate is not elected, as soon as practicable after the result of the election is declared.

*[10/88]*

(4A) If a candidate who has made the required deposit is not elected and —

(*a*) the number of votes polled by him does not exceed one-eighth of the total number of votes polled in the electoral division for which he contested; or

(*b*) where he is a candidate for a group representation constituency, the number of votes polled in that constituency by the group to which he belongs does not exceed one-eighth of the total number of votes polled in that constituency,

the sum deposited shall be forfeited and paid into the Consolidated Fund.

*[10/88]*

(5) [*Deleted by Act 31 of 2001 wef 12/09/2001*]

(5A) [*Deleted by Act 31 of 2001 wef 12/09/2001*]

(6) For the purposes of this section —

(*a*) the number of votes polled shall be deemed to be the number of votes counted other than rejected votes; and

(*b*) "certified cheque" means a cheque which is certified by the drawee bank as good for payment of the sum stated in the cheque.

(7) The Returning Officer shall, on giving notice under section 25 of the issue of a writ, specify in the notice the amount to be deposited under subsection (1).

*[11/88]*

**Proceedings on nomination day**

**29.**—(1) The Returning Officer shall, on the day of nomination, attend at the place of nomination from 11 a.m. until 12 noon to receive nomination papers and political donation certificates issued by the Registrar of Political Donations and certificates (if any) issued under section 27A(6) (referred to in this Act as nomination papers).

*[10/88; 20/2000; 18/2005]*

(2) Every such nomination paper and certificate shall be delivered to the Returning Officer, in duplicate and in person, by the person

seeking nomination accompanied by his proposer, seconder and at least 4 assentors, at the place of nomination between 11 a.m. and 12 noon (both times inclusive) on the day of nomination, and if not so delivered, shall be rejected.

*[18/2005]*

(3) The Returning Officer shall immediately cause a copy of the nomination paper to be posted in a conspicuous position outside the place of nomination.

(4) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

**Amendment of nomination papers**

**29A.**—(1) Subject to subsection (3), where the Returning Officer detects in any nomination paper —

(*a*) an error or omission, or what appears to be an error or omission, which may amount to a ground for rejecting the nomination paper or allowing an objection to the nomination paper; or

(*b*) anything which may affect the validity of the nomination paper and the Returning Officer considers that it can be corrected before 12 noon on the day of nomination,

the Returning Officer may, before making his decision under section 29 or 30, give the candidate or person seeking nomination, as the case may be, a reasonable opportunity to correct the error or omission before 12 noon on the day of nomination.

*[18/2005]*

(2) Subject to subsection (3), where any error or omission in a person's nomination paper is brought to the attention of the candidate or person seeking nomination (whether by the Returning Officer under subsection (1) or following an objection made under section 30), the candidate or person seeking nomination, as the case may be, may, at any time before 12 noon on the day of nomination but no later, take such action as may be necessary to correct any such error or omission in his nomination paper.

*[18/2005]*

(3) Nothing in subsection (1) or (2) shall authorise any candidate or person seeking nomination to substitute a different person —

(*a*) as a candidate for election for an electoral division; or

(*b*) as proposer, seconder or assentor.

*[18/2005]*

(4) In this section, "error" has the same meaning as in section 103.

*[18/2005]*

**Objections to nomination papers**

**30.**—(1) Objection may be made to a nomination paper on all or any of the following grounds but on no other ground:

(*a*) that the description of the candidate is insufficient to identify the candidate;

(*b*) that the nomination paper does not comply with or was not delivered in accordance with the provisions of this Act;

(*c*) that it is apparent from the contents of the nomination paper that the candidate is not capable of being elected a Member of Parliament;

(*d*) that the provisions of section 27A or 28 have not been observed.

*[10/88]*

(1A) Without prejudice to subsection (4), an objection to the nomination paper of a candidate or a group of candidates for election for an electoral division may only be made by —

(*a*) another candidate for election for that same electoral division;

(*b*) that other candidate's proposer, seconder or any of his assentors; or

(*c*) the one other person (if any) appointed in writing by that other candidate to be present on the day and at the place of nomination.

*[18/2005]*

(2) No objection to a nomination paper shall be allowed —

(*a*) unless it is made in person to the Returning Officer, in the manner specified in subsection (3), at the place of

nomination between 11 a.m. and 12.30 p.m. on the day of nomination; or

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) on the ground that a group seeking election in any constituency designated under section 8A(1)(*b*) does not consist of at least a person belonging to the Malay community or a person belonging to the Indian or other minority communities as required under section 27A(4), if any candidate in that group has delivered to the Returning Officer under section 27B(3)(*c*) a certificate issued to the candidate under section 27A(6).

*[10/88]*

(3) Every objection shall be in writing signed by the objector and shall specify the ground of objection.

(4) The Returning Officer may himself lodge an objection on any of the grounds set out in subsection (1).

(5) The Returning Officer shall, with the least possible delay, decide on the validity of every objection and inform the candidate concerned of his decision, and, if the objection is allowed, of the grounds of his decision.

(6) If the Returning Officer disallows any objection, his decision shall be final and conclusive and shall not be called in question in any court; but if he allows the objection, his decision shall be subject to reversal on an application under section 90.

*[42/2005]*

**Persons entitled to be present during nomination proceedings**

**31.**—(1) Subject to subsection (2), the following persons, and no others, shall be entitled to be present at the proceedings specified in sections 29, 29A, 30 and 32:

(*a*) the candidates;

(*b*) each candidate's proposer, seconder and assentors;

(*c*) one other person (if any) appointed in writing by each candidate;

(*d*) the Returning Officer and such other persons authorised by the Returning Officer to assist him at such proceedings; and

(*e*) any other person with the written permission of the Returning Officer to be present at those proceedings.

*[Act 41 of 2018 wef 02/01/2019]*

(2) A person seeking to be a candidate for election in an electoral division may be refused entry to the place of nomination unless —

(*a*) the person is issued a political donation certificate under section 18(4) of the Political Donations Act (Cap. 236);

(*b*) the person is accompanied by at least 6 others as his proposer, seconder and assentors; and

(*c*) where that electoral division is a group representation constituency —

(i) the person is a member of a group of persons which satisfies the requirements of section 27A(3);

(ii) the person is accompanied by all of the other members of that group; and

(iii) at least one of the members of that group is certified under section 27A(6)(*b*) as belonging to the community designated for that constituency under section 8A(1)(*b*).

*[Act 41 of 2018 wef 02/01/2019]*

(3) Subsection (2) only applies to the initial entry of a person seeking to be a candidate for an election to a place of nomination for that election.

*[Act 41 of 2018 wef 02/01/2019]*

## Withdrawal of candidature

**32.**—(1) A candidate may before 12 noon on the day of nomination, but not afterwards, withdraw his candidature by giving, in person, a notice to that effect signed by him to the Returning Officer.

*[18/2005]*

(2) The Returning Officer shall immediately cause notice of the withdrawal to be posted in a conspicuous position outside the place of nomination.

### Multiple nominations

**32A.**—(1) If at 12 noon on the day of nomination in relation to an election —

(*a*) a person is nominated to be a candidate for election in more than one electoral division at a general election; or

(*b*) a person is nominated more than once to be a candidate for election in the same electoral division,

each such nomination shall be deemed to be void.

*[18/2005]*

(2) Subsection (1) shall also apply where 2 or more by-elections are held at the same time.

*[31/2001]*

## UNCONTESTED ELECTIONS

### Uncontested elections

**33.**—(1) If, on the day of nomination in any electoral division, after the decision by the Returning Officer on any objection which may have been lodged, only one candidate or a group of candidates stands nominated for that division, the Returning Officer shall immediately —

(*a*) declare the nominated candidate or the group of candidates to be elected; and

(*b*) cause the name or names of the Member or Members so elected to be published in the *Gazette*.

*[10/88; 18/2005]*

(2) Nothing in sections 29 and 30 shall prevent the Returning Officer from exercising any of his powers under subsection (1) before 12.30 p.m. if, at 12 noon on the day of nomination for an election in any electoral division, only one candidate or one group of candidates stands nominated for that electoral division.

*[18/2005]*

CONTESTED ELECTIONS

**Contested elections**

**34.**—(1) If, on the day of nomination in any electoral division, after the decision by the Returning Officer on any objections which may have been lodged, more candidates than one stand nominated for that division, the Returning Officer shall —

(*a*) immediately adjourn the election to enable a poll to be taken in accordance with the provisions of this Act; and

(*b*) allot to each candidate an approved symbol which shall be printed on the ballot paper opposite that candidate's name.

(1A) The Returning Officer may, in his discretion, allot to any candidate some other symbol selected by the candidate or by the political association to which he belongs.

(2) In subsection (1), "approved symbol" means any symbol approved by the Returning Officer for the purposes of this Act by notification published in the *Gazette*.

(3) Subject to subsection (1A), the determination of the approved symbol to be allotted to each candidate shall be made by lot by the Returning Officer.

(4) No candidate shall be allotted any symbol which is of any racial or religious significance.

(5) In the event of any dispute arising regarding the allocation of any symbol under this section, the decision of the Returning Officer shall be final and shall not be questioned.

(6) The Returning Officer shall cause to be published in the *Gazette* a notice in Form 11 in the First Schedule specifying —

(*a*) the electoral division in which the election is contested;

(*b*) whether a direct recording electronic voting system will be used at the poll and if so, a brief description of the system;

(*c*) the day and hours of the poll at every overseas polling station;

(*d*) the date on which the poll will be taken, the date being not earlier than the 10th day, and not later than the 56th day, after the date of publication of the notice in the *Gazette* (referred to in this Act as polling day);

(*e*) the names of the candidates in the order in which they will be printed on the ballot papers, the symbol allotted to each candidate and the names of their proposers and seconders; and

(*f*) the situation of the polling stations for that electoral division and the particular polling stations, if any, reserved for female voters.

*[19/2001; 10/2010]*

(7) In computing time for the purposes of subsection (6)(*d*), the last day of the period shall not be excluded only by reason of the fact that it is a Sunday or that it is a public holiday under the provisions of this Act or of any other written law.

(8) If, after an election has been reported as contested, one of the candidates nominated dies before the poll has commenced, the Returning Officer shall, upon being satisfied of the fact of the death —

(*a*) countermand the notice for the poll; and

(*b*) appoint, by notice published in the *Gazette*, a fresh date, time and place for the nomination of candidates for election, at least 4 clear days before the fresh date fixed for such nomination.

*[10/2010]*

(9) Where the Returning Officer has countermanded the poll under subsection (8), all proceedings with reference to the election shall be commenced afresh, except that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

### Contested elections in group representation constituencies

**34A.**—(1) If, on the day of nomination, in any group representation constituency, after the decision by the Returning Officer on any

objection which may have been lodged, more groups than one stand nominated for that constituency, the Returning Officer shall —

(*a*) immediately adjourn the election to enable a poll to be taken in accordance with the provisions of this Act; and

(*b*) allot to each group of candidates an approved symbol which shall be printed on the ballot paper opposite the names of each group.

(1A) The Returning Officer may, in his discretion, allot to any group of candidates some other symbol selected by the group or the political party to which it belongs.

*[10/88]*

(2) In subsection (1), "approved symbol" means any symbol approved by the Returning Officer for the purposes of this Act by notification published in the *Gazette*.

*[10/88]*

(3) Subject to subsection (1A), the determination of the approved symbol to be allotted to each group of candidates shall be made by lot by the Returning Officer.

(4) No group of candidates shall be allotted any symbol which is of any racial or religious significance.

*[10/88]*

(5) In the event of any dispute arising regarding the allocation of any symbol under this section, the decision of the Returning Officer shall be final and shall not be questioned.

*[10/88]*

(6) The Returning Officer shall cause to be published in the *Gazette* a notice in Form 11 in the First Schedule specifying —

(*a*) the group representation constituency in which the election is contested;

(*b*) whether a direct recording electronic voting system will be used at the poll and if so, a brief description of the system;

(*c*) the day and hours of the poll at every overseas polling station;

(*d*) the date on which the poll will be taken, the date being not earlier than the 10th day, and not later than the 56th day,

after the date of publication of the notice in the *Gazette* (referred to in this Act as polling day);

(*e*) the names of the candidates in each group in the order in which they will be printed on the ballot papers, the symbol allotted to each group of candidates and the names of their proposers and seconders; and

(*f*) the situation of the polling stations for that group representation constituency and the particular polling stations, if any, reserved for female voters.

*[10/88; 19/2001; 10/2010]*

(7) In computing time for the purposes of subsection (6)(*d*), the last day of the period shall not be excluded only by reason of the fact that it is a Sunday or that it is a public holiday under the provisions of this Act or of any other written law.

*[10/88]*

(8) If, after the election in a group representation constituency has been reported as contested, one of the candidates nominated for that constituency dies before the poll has commenced, the Returning Officer shall, upon being satisfied of the fact of the death —

(*a*) countermand the notice for the poll; and

(*b*) appoint, by notice published in the *Gazette*, a fresh date, time and place for the nomination of candidates for election in that constituency, at least 4 clear days before the fresh date fixed for the nomination.

*[10/2010]*

(8A) Where the Returning Officer has countermanded the poll under subsection (8), all proceedings with reference to the election shall be commenced afresh, except that no fresh nomination shall be necessary in the case of any group which stood nominated at the time of the countermand of the poll.

*[10/88]*

(9) Section 34 shall not apply to any election in any group representation constituency.

*[10/88]*

**Polling day at general election to be public holiday**

**35.** Polling day at any general election shall be a public holiday as though it had been so expressly appointed in addition to the days mentioned in any written law for the time being in force relating to holidays.

**Presiding officers**

**36.**—(1) The Returning Officer shall appoint, and may revoke the appointment of, one or more persons (referred to in this Act as presiding officers) to preside at each polling station.

(1A) If more than one presiding officer is appointed for any polling station, the Returning Officer may appoint one of the presiding officers to be the senior presiding officer who shall exercise general supervision over the other presiding officers, and over all arrangements for the conduct of the poll in that station.

(1B) Each presiding officer shall be supplied with a copy of that part of the register of electors containing the names of electors in the register assigned to his polling place.

(2) If any presiding officer is, by sickness or other cause, prevented from acting at any election and there is insufficient time for another person to be appointed by the Returning Officer, the presiding officer may appoint a deputy to act for him.

(2A) Every such appointment shall as soon as possible be reported to the Returning Officer and may be revoked by the Returning Officer, but without prejudice to the validity of anything already done by the deputy.

(3) The Returning Officer may, if he thinks fit, preside at any polling station, and the provisions of this Act relating to a presiding officer shall apply to the Returning Officer.

**Polling places and polling stations**

**36A.**—(1) The Returning Officer shall, for the purposes of the poll in any electoral division —

(*a*) establish a sufficient number of polling stations within each polling district of the electoral division for the conduct of the poll;

(*b*) provide as many polling places within each polling station as he considers necessary; and

(*c*) allot the electors (including overseas electors) to the polling stations in the electoral division in such manner as he thinks convenient.

*[19/2001]*

(2) The Returning Officer may, for the purposes of the poll at any election, approve the use of such of the following premises outside Singapore that are within —

(*a*) an embassy, a High Commission, diplomatic mission, permanent mission or consulate of Singapore in a country or territory outside Singapore; or

(*b*) the official residence of any person who is appointed to hold or act in any of the following offices in a country or territory outside Singapore:

(i) an ambassador, a High Commissioner, Consulate-General or head of a diplomatic mission or consulate;

(ii) the Permanent Representative; or

(iii) such other senior diplomatic or consular office as the Minister may, from time to time, prescribe for the purposes of the definition of an "overseas polling station" in section 2(1),

as the Returning Officer thinks practicable or suitable as an overseas polling station for overseas electors to cast their votes thereat.

*[14/2008]*

(3) A polling station shall comprise such premises or such area within any premises as are demarcated by or under the authority of the Returning Officer to be a polling station.

*[19/2001]*

**Facilities to be provided at polling stations**

**37.**—(1) Before the poll in any electoral division opens at a polling station, the presiding officer or the senior presiding officer at that station must cause a notice of the poll to be displayed on or at a conspicuous place outside that station.

*[Act 41 of 2018 wef 02/01/2019]*

(2) The notice mentioned in subsection (1) —

(*a*) must contain such information, presented in such form or manner, as may be prescribed; and

(*b*) must remain displayed on or at a conspicuous place outside the polling station until the poll closes at that station.

*[Act 41 of 2018 wef 02/01/2019]*

(3) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(4) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(5) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(6) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(7) It shall be the duty of the Returning Officer to provide at each polling station reasonable facilities for the electors allotted to that station to enable them to mark their votes screened from observation and to vote in accordance with the provisions of this Act.

(8) The Returning Officer shall determine, or may authorise the presiding officer or senior presiding officer to determine, in what manner those facilities shall be distributed among the electors entitled to vote at that station.

(9) An election shall not be questioned by reason of non-compliance with subsection (7) or (8) or any informality relative to polling stations.

**Registers of electors to be conclusive evidence of right to vote**

**38.**—(1) Without prejudice to subsection (2), the register of electors in operation in accordance with this Act at the time of any election of a Member to represent the electoral division to which the register relates shall be conclusive evidence for the purpose of

determining whether a person is or is not entitled to vote at the election.

(2) The right and duty of voting of any person whose name is for the time being contained in the register shall not be prejudiced by any appeal pending before a Revising Officer in respect of the inclusion of that person's name in the register.

(3) Any vote given by the person mentioned in subsection (2) during the pendency of that appeal shall be as good as though no such appeal were pending and shall not be affected by the subsequent decision of the appeal.

(4) A person who, by reason of circumstances existing on the day of the election, is not, by virtue of section 5 or 6, entitled to have his name entered or retained in any register of electors shall not be entitled to vote at the election.

(5) If the person mentioned in subsection (4) votes at the election, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both, and shall, on conviction, become incapable for a period of 3 years from the date of his conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he has been elected a Member, his election shall be vacated from the date of the conviction.

*[10/2010]*

(6) Nothing in this section shall affect the liability of any person to any penalty for an infringement of section 7 relating to plural voting.

### Admittance to polling station

**39.**—(1) Subject to subsections (1A) and (2A), no person shall be admitted to vote at any polling station except the polling station allotted to him.

*[19/2001]*

(1A) Where an elector for any electoral division is employed as a presiding officer, police officer, or in any other official capacity at a polling station within that division, and it is inconvenient for him to vote at the polling station in the division which has been allotted to

him, the Returning Officer may authorise the elector, by a certificate under his hand, to vote at any other polling station in the division, and that polling station shall, for the purposes of this section, be deemed to be the polling station allotted to that elector.

(2) The certificate referred to in subsection (1A) 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 aforesaid.

(2A) Subject to section 7, an overseas elector shall also be entitled to be admitted to vote at the overseas polling station allotted to him under section 13A.

*[19/2001; 14/2008]*

(3) Unless the Returning Officer, by notification in the *Gazette* under this section, or under section 50C(3)(*b*), 56C or 56DA, appoints any other hour, the poll in any electoral division shall open at 8 a.m. on the day appointed under section 34 or 34A, as the case may be, and shall close at 8 p.m. on that day.

*[19/2001; 10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(4) The presiding officer shall —

(*a*) keep order in his station;

(*b*) regulate the number of voters to be admitted at a time; and

(*c*) exclude all other persons except the candidates, the polling agents admitted to the station under this section, the Returning Officer and persons authorised in writing by the Returning Officer, the police officers on duty and other persons officially employed at the polling station.

*[Act 41 of 2018 wef 02/01/2019]*

(5) The number of polling agents that may be admitted to a polling station for an electoral division must not exceed —

(*a*) where the electoral division is a group representation constituency, the number calculated in the prescribed manner for the group of candidates contesting the election in the electoral division; and

(*b*) in any other case, the number calculated in the prescribed manner for the candidate contesting the election in the electoral division.

*[Act 41 of 2018 wef 02/01/2019]*

(5A) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(6) No polling agent whose name has not been notified to the presiding officer as required by section 64(1) shall be admitted to a polling station.

(7) If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any police officer in or near that station or by any other person authorised in writing by the presiding officer or by the Returning Officer to remove him.

(7A) The person removed under subsection (7) shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station.

(7B) Any person removed under subsection (7), if charged with the commission in that station of any offence, may be kept in custody until he can be brought before a Magistrate.

(8) The powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at that station.

**Voting by overseas electors**

**39A.**—(1) Subject to section 7, any overseas elector who intends to cast his vote at the poll for a contested election in an electoral division may vote at —

(*a*) the overseas polling station allotted to him under section 13A by the Registration Officer; or

(*b*) the polling station in the electoral division allotted to him under section 36A(1),

but not at both in respect of the same election.

*[19/2001; 14/2008]*

(2) The hours of any poll for any contested election at an overseas polling station shall be not less than 4 hours and may be carried out in advance of the poll on polling day in Singapore, except that every such poll at an overseas polling station shall close not later than the close of the poll on polling day in Singapore.

*[19/2001; 14/2008]*

(3) Except as otherwise provided in this section and any regulations made thereunder, any poll (including an advance poll) at an overseas polling station shall be conducted in the same manner as that in which voting at a polling station within Singapore on polling day is conducted, and shall be regarded as such for the purposes of this Act.

*[19/2001]*

(4) The Minister may make regulations modifying the application of any provision of this Act to the conduct of polls in overseas polling stations, including in particular, the appointment of presiding officers for overseas polling stations, the procedures on closing of the poll and for the safe despatch of the sealed ballot boxes containing the votes cast to the Returning Officer in Singapore.

*[19/2001]*

(5) Unless the contrary intention appears therefrom, the regulations made under subsection (4) shall extend to acts done or omitted to be done outside Singapore by —

(*a*) any Assistant Returning Officer or presiding officer;

(*b*) any polling agent or election agent; or

(*c*) any citizen of Singapore (whether or not a voter or an elector),

in relation to a poll conducted or to be conducted at an overseas polling station.

*[14/2008]*

### Poll by ballot and ballot papers

**40.**—(1) In the case of a poll at an election not using a DRE voting system, the votes shall be given by ballot, and the ballot of each voter shall consist of a paper (referred to in this Act as a ballot paper).

*[19/2001]*

(2) Every ballot paper shall contain —

(*a*) a list of the candidates in English, described, subject to section 105, as in their respective nomination papers, and arranged alphabetically in English in the order of their surnames, and, if there are 2 or more candidates with the same surname, of their other names;

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) the symbol allotted to each candidate; and

*[Act 41 of 2018 wef 02/01/2019]*

(*c*) a clearly demarcated area within which a voter must mark his vote for a candidate.

*[Act 41 of 2018 wef 02/01/2019]*

(2A) Subsection (2) shall not apply to any election in any group representation constituency.

*[10/88]*

(3) In respect of any group representation constituency, every ballot paper shall contain —

(*a*) a list of the candidates in each group in English, described, subject to section 105, as in their respective nomination papers, and arranged alphabetically in English in the order of their surnames and, if there are 2 or more candidates with the same surname, of their other names;

*[Act 41 of 2018 wef 02/01/2019]*

(*aa*) a list of the groups of candidates, arranged alphabetically in English in the order of the surname of the first candidate in each group and, if 2 or more of such candidates have the same surname, of their other names;

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) the symbol allotted to each group; and

*[Act 41 of 2018 wef 02/01/2019]*

(*c*) a clearly demarcated area within which a voter must mark his vote for a group of candidates.

*[Act 41 of 2018 wef 02/01/2019]*

(3A) Every ballot paper shall be in the appropriate Form 12 in the First Schedule and shall be capable of being folded.

*[10/88]*

(4) Each ballot paper shall have a number printed on the back and shall have attached a counterfoil with the same number printed on the face.

(5) The official mark for the authentication of ballot papers shall comprise a pattern, design, watermark or logo approved by the Returning Officer which shall be affixed, stamped, overprinted or marked (by writing or otherwise), or any combination thereof, on the ballot paper in a particular manner approved by the Returning Officer.
*[18/99]*

### Candidates' photographs on ballot papers

**40A.**—(1) The Returning Officer must include on every ballot paper in an election a photograph of a candidate at the election if —

(*a*) the candidate delivers the photograph to the Returning Officer at such place, within such time, and in such form and manner, as the Returning Officer specifies; and

(*b*) the photograph is in accordance with the Returning Officer's specifications and requirements to ensure accuracy and consistency.

(2) In the case of an election in a group representation constituency, the photographs of the candidates in each group of candidates at the election must be arranged from left to right in the order in which the candidates' names appear on the ballot paper in the election.

(3) If subsection (1)(*a*) or (*b*) is not complied with for any candidate at an election, the Returning Officer must indicate in the area designated for that candidate's photograph on the ballot paper in the election that there is no photograph for that candidate.

(4) The Returning Officer must cause to be published, as soon as practicable after the issue of the writ for an election and in such manner as will secure adequate publicity to the candidates at the election, the Returning Officer's specifications and requirements under subsection (1)(*a*) and (*b*) for the election.
*[Act 41 of 2018 wef 02/01/2019]*

## Ballot boxes

**41.**—(1) Every ballot box 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.

*[42/96]*

(2) The presiding officer at a polling station shall, immediately before the commencement of the poll, and in the sight of such person as may be present in the polling station —

(*a*) show that each ballot box to be used at the commencement of the poll is empty;

(*b*) close the ballot box; and

(*c*) ensure that the ballot box is sealed or locked in such a manner as to prevent it being opened without breaking the seal or lock.

*[42/96]*

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

*[42/96]*

(4) Subsections (2) and (3) shall apply to every ballot box used during a poll and it shall be sufficient compliance with those subsections 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 subsection (2) before it is used.

*[42/96]*

## Manner of voting

**42.**—(1) Each voter entitled to vote shall be given one ballot paper and shall have one vote.

(1A) Each voter entitled to vote in any group representation constituency shall have one vote and may vote for any one group of candidates in the manner prescribed by this section.

*[10/88]*

(2) The ballot paper shall be delivered to the voter by the presiding officer or a person acting under his authority.

(2A) Immediately before the ballot paper is delivered to the voter —

(*a*) the paper shall, unless it already bears the complete official mark for the authentication of ballot papers, be affixed, stamped or marked (by writing or otherwise) by the presiding officer in the approved manner with that official mark or the remaining part thereof, or initialled by the presiding officer;

(*b*) the number and name of the voter, as stated in the copy of the register of electors, shall be called out;

*[Act 41 of 2018 wef 02/01/2019]*

(*c*) the number of the elector shall be marked on the counterfoil; and

(*d*) a mark shall be placed in the register 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.

*[18/99]*

(3) Subject to subsection (3AA), the voter, on receiving the ballot paper, shall immediately proceed to such place in the station as may be indicated by the presiding officer or by any person acting under that officer's authority, and shall there secretly mark the paper as near as may be in accordance with the directions given for the guidance of voters under this Act.

*[Act 41 of 2018 wef 02/01/2019]*

(3AA) The voter's mark on the ballot paper must be made in the area demarcated on the ballot paper for that purpose, and not elsewhere.

*[Act 41 of 2018 wef 02/01/2019]*

(3A) The voter shall then fold the paper so as to conceal his vote, and shall put the paper so folded up into the ballot box.

(3B) The voter shall vote without undue delay and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

(4) The presiding officer or any person authorised by him may ask any voter if the voter understands the method of voting in accordance with this Act 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 this Act; 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 particular candidate or group of candidates.

*[10/88]*

(5) The presiding officer, on the application of a voter who is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall mark the ballot paper of the voter in the manner directed by the voter, and shall cause the ballot paper to be placed in the ballot box.

(6) The 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 place reserved for the marking of ballot papers.

(7) During the taking of the poll, the presiding officer shall cause to be exhibited outside his polling station a notice in English, Malay, Chinese and Tamil, substantially in the form set out in the Second Schedule, giving directions for the guidance of voters in voting.

(8) The Minister may, by order in the *Gazette*, amend the Second Schedule.

*[Act 41 of 2018 wef 02/01/2019]*

## Compulsory voting

**43.**—(1) Every elector shall record his vote at each election in the division for which he is registered.

(2) The Returning Officer shall, at the close of each election, prepare a list of the numbers, names and descriptions as stated in the register of electors of such electors as have failed to vote at the election and certify the list under his hand.

(3) Notwithstanding section 49(9) to (12), it shall be lawful for the Returning Officer to break the seals of packets containing the marked copies of the registers of electors and to inspect and retain those

copies for the purpose of preparing the list referred to in subsection (2) and of any inquiries connected therewith.

(4) The list prepared by the Returning Officer under subsection (2) shall be forwarded by the Returning Officer to the Registration Officer.

(5) Notwithstanding any other provisions of this Act, the Registration Officer shall on receipt of such list cause the names of all persons appearing in the list to be expunged from the register.

(6) The Registration Officer shall give notice in the *Gazette* that such list has been received by him from the Returning Officer and that that list or copies thereof are open for inspection at all reasonable hours of the day at the office of the Registration Officer and at such other place or places in or near each electoral division and at such overseas registration centres as may be specified in the notice.

*[19/2001]*

(7) Every person whose name appears on the list of which notice has been given by the Registration Officer under subsection (6) may make a written application for the restoration of his name to the register of electors.

(8) If any applicant under subsection (7) satisfies the Registration Officer that he has a good and sufficient reason for not having recorded his vote, his name shall be restored to the register without penalty.

(8A) Where the applicant does not satisfy the Registration Officer under subsection (8), his name shall be restored to the register on payment of the sum of $50 to the Registration Officer.

*[10/2010]*

(9) Any name to be restored to the register under subsection (8) or (8A) shall, except as otherwise provided in subsection (11), be restored the day after the Registration Officer has satisfied himself that the applicant has a good and sufficient reason for not recording his vote or the day after the payment of the sum of $50 to the Registration Officer, as the case may be.

*[10/2010]*

(10) Where any person whose name is to be restored to the register under subsection (8) or (8A) has notified the Commissioner of

National Registration of any change in his address and it appears from such change of address that he is no longer residing in the same electoral division, his name shall be restored to the appropriate register of the electoral division in which he is residing.

(11) Where a writ of election has been issued under section 24 for an election in any electoral division, no name shall be restored to the register of that division until after nomination day or, if a poll is to be taken, until after polling day.

### Declarations by voters

**44.**—(1) The presiding officer at any polling station may, in his discretion, require any voter, before he is given a ballot paper, to furnish such evidence of his identity as the presiding officer may consider necessary and to make and subscribe to the declaration set out in Form 15 in the First Schedule.

*[Act 41 of 2018 wef 02/01/2019]*

(2) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(3) If any person fails to furnish such evidence of his identity or refuses to make the declaration required under subsection (1), the presiding officer may refuse to give him a ballot paper.

*[Act 41 of 2018 wef 02/01/2019]*

(4) If any person wilfully makes a false statement in the declaration required under subsection (1), he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

### Spoilt ballot papers

**45.**—(1) A voter who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in place of the ballot paper so delivered up (referred to in this Act as a spoilt ballot paper).

(2) The spoilt ballot paper shall be immediately cancelled by the presiding officer.

**Tendered votes**

**46.**—(1) If a person representing himself to be a particular elector named in the register applies for a ballot paper after another person has voted as such elector, the applicant shall, on taking an oath of identity, which may be administered by the presiding officer and which shall be in Form 16 in the First Schedule, be entitled to receive a ballot paper and to vote in the same manner as any other voter.

(2) The ballot paper (referred to in this Act as a tendered ballot paper) shall be of a colour different from the other ballot papers, and, before being placed in a ballot box, shall be endorsed by the presiding officer with the name of the voter and his number in the register, and that number shall be entered in a list (referred to in this Act as the tendered votes list).

(3) Tendered ballot papers shall be dealt with in the manner hereinafter provided.

**Closing of poll**

**47.**—(1) No ballot paper shall be delivered to a voter after the hour fixed for the closing of the poll.

(2) Notwithstanding subsection (1), if at the hour fixed for the closing of the poll there is in the polling station any voter to whom a ballot paper has been delivered, the voter shall be allowed to record his vote.

**Procedure on closing of poll**

**48.**—(1) As soon as practicable after the close of the poll, the presiding officer of each polling station shall, in the presence of such of the candidates and their polling agents as attend, make up into separate packets, sealed with his 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 copies of the register of electors;

(*c*) the counterfoils of the ballot papers; and

(*d*) the tendered votes list.

(2) The ballot box or boxes unopened shall be secured by the presiding officer and sealed with his seal and with the seals of such of the candidates or their agents as attend and desire 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) Every presiding officer of a polling station shall despatch each such packet and the ballot box or boxes in safe custody to the Returning Officer or an Assistant Returning Officer at the counting place where the votes cast at the polling station are to be counted in accordance with the provisions of this Act.

(4) Where the Returning Officer has specified a polling station to be a counting place under this Act, the presiding officer of the polling station shall keep at that station every such packet and the ballot box or boxes in safe custody pending counting of the votes at that polling station.

*[42/96]*

*[Act 41 of 2018 wef 02/01/2019]*

## Counting places

**48A.**—(1) The Returning Officer may —

(*a*) direct that the votes cast at any polling station or stations in Singapore for an electoral division be counted at such counting place for that electoral division (which may or may not be a polling station) and time as he may specify; and

(*b*) where more than one counting place is specified for an electoral division under paragraph (*a*), direct that the total number of votes given to each candidate or group of candidates at the poll be ascertained at a principal counting place for that electoral division (which may or may not be a counting place for that division) and time as he may specify.

*[42/96; 19/2001]*

(2) The votes cast at all overseas polling stations shall be counted at such place or places in Singapore as the Returning Officer directs.

*[19/2001]*

(3) The Returning Officer must cause notice of every direction made under subsections (1) and (2) to be published in the *Gazette* at least 2 clear days before polling day.

*[Act 41 of 2018 wef 02/01/2019]*

(4) Where polling at all polling stations established for the purposes of a poll in an electoral division is postponed under section 56C, the conduct of the counting of votes cast for the electoral division shall stand postponed until such other time as the Returning Officer, by notice in the *Gazette*, shall specify.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(5) Where polling at any polling station established for the purposes of a poll in an electoral division is temporarily suspended, adjourned and postponed or abandoned and re-started under section 56C, the conduct of the count in respect of votes cast at the other polling stations for that electoral division at which the poll has closed, shall stand postponed until such other time as the Returning Officer, by notice in the *Gazette*, shall specify.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

## Counting votes

**49.**—(1) Subject to subsection (2) —

(*a*) counting agents for any candidate nominated for an electoral division other than a group representation constituency may be appointed either by the candidate or his election agent only; and

(*b*) counting agents for any group of candidates nominated for a group representation constituency may be appointed either by the election agent of any candidate in the group or the principal election agent for that group only.

*[18/99]*

(2) Not more than one counting agent may be appointed for a candidate or group of candidates to attend the counting of votes at each counting place specified under this Act.

*[18/99]*

*[Act 41 of 2018 wef 02/01/2019]*

(2A) The Returning Officer shall make arrangements for the counting of votes in the presence of such of the candidates and their counting agents as attend as soon as practicable —

(*a*) where only one counting place is specified for an electoral division under this Act — after he has received at that counting place all the ballot boxes used during the poll conducted in Singapore; or

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) where more than one counting place is specified for an electoral division under this Act, after —

(i) the procedure in section 48 has been complied with at the close of the poll if the counting place is also a polling station; and

(ii) the Assistant Returning Officer in charge of each counting place has received at his counting place all the ballot boxes containing the votes cast at the polling station or stations in Singapore which are specified in the direction to be counted at that counting place, subject to any directions from the Returning Officer to delay or postpone the counting.

*[42/96; 19/2001]*

*[Act 41 of 2018 wef 02/01/2019]*

(3) The Returning Officer, his assistants and clerks, and the candidates and their counting agents, but no other persons except with the sanction of the Returning Officer, may be present at the counting of the votes.

(4) Before the Returning Officer proceeds to count the votes, he or a person authorised by him shall, in the presence of such of the candidates and their counting agents as attend, open each ballot box and, taking out the papers therein, mix together the whole of the ballot papers contained in the ballot boxes.

(4A) The Returning Officer, while counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.

(5) 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.

(6) The Returning Officer 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.

*[10/88; 42/2005]*

(7) Where only one counting place is specified for an electoral division under this Act, the Returning Officer shall, when the counting of votes cast at all polling stations in Singapore is completed at that sole counting place or, if a recount thereof is conducted under section 49B, after that recount is completed, immediately act as follows:

(*a*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is less than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes, the Returning Officer shall declare the candidate or (as the case may be) group of candidates to whom the greatest number of votes is given to be elected; or

(*b*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is equal to or more than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes, the Returning Officer shall declare the number of votes cast in Singapore in favour of each candidate or (as the case may be) group of candidates at the election, and the date and

premises at which the votes cast by the overseas electors will be counted.

*[19/2001]*

*[Act 41 of 2018 wef 02/01/2019]*

(7A) Where more than one counting place is specified for an electoral division under this Act, an Assistant Returning Officer shall, immediately after the counting of votes cast in Singapore is completed at the counting place under his charge and, if a recount thereof is conducted under section 49B, after the recount is completed, at each counting place for the electoral division —

(*a*) announce to the candidates or their counting agents as attend the number of votes given to each candidate or group of candidates;

(*b*) prepare a record (referred to in this Act as the record of counting) in a prescribed form containing the number of votes given to each candidate or group of candidates and other results of the counting of votes at his counting place, and certify that record;

(*c*) transmit to the principal counting place for that electoral division, by any means available, the results of the counting of votes at his counting place; and

(*d*) seal up in an envelope the record of counting and despatch or deliver the envelope in safe custody to the principal counting place for that electoral division.

*[42/96; 19/2001]*

*[Act 41 of 2018 wef 02/01/2019]*

(7B) Except with the sanction of the Returning Officer, no person other than the following persons may be present at a principal counting place during the addition of votes:

(*a*) the Returning Officer and such other officers and staff appointed by him to assist him in adding the votes cast for each candidate or group of candidates at the counting places and ascertaining the total number of votes given to each candidate or group of candidates at the poll; and

(*b*) the candidates and their election agents or, where the votes to be added relate to a group of candidates, the groups of candidates and their principal election agents.

*[42/96]*

(7C) Notwithstanding subsection (7B), where a principal counting place is also a counting place, such counting agents as were present during the counting of votes may continue to be present during the addition of votes.

*[42/96]*

(7D) At a principal counting place for an electoral division, the Returning Officer shall, upon receipt of the results of the counting of votes at all counting places for that electoral division, ascertain the total number of votes given to each candidate or group of candidates at the poll by adding up the number of votes recorded for each candidate or group of candidates in those results.

*[42/96]*

(7E) When the total number of votes cast at polling stations in Singapore for each candidate or (as the case may be) group of candidates at an election in an electoral division is ascertained under subsection (7D), or if a recount thereof is conducted under section 49B, after that recount is completed, the Returning Officer shall immediately act as follows:

(*a*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is less than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes, the Returning Officer shall declare the candidate or (as the case may be) group of candidates to whom the greatest number of votes is given to be elected; or

(*b*) where the total number of overseas electors lawfully entitled to vote at the election in that electoral division is equal to or more than the difference between the number of votes given to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes, the Returning Officer shall declare the number of votes cast in Singapore in favour of each candidate or (as the case may

be) group of candidates at the election, and the date and premises at which the votes cast by the overseas electors will be counted.

*[19/2001]*

*[Act 41 of 2018 wef 02/01/2019]*

(8) When, after the counting of votes (including any recount conducted under section 49B) is completed, an equality of votes is found to exist between any candidates or groups of candidates, and the addition of a vote would entitle any of the candidates or groups of candidates to be declared elected, the determination of the candidate or group of candidates to whom the one additional vote shall be deemed to have been given shall be made by lot in the presence of the Returning Officer in such manner as he may determine.

*[10/88; 19/2001]*

*[Act 41 of 2018 wef 02/01/2019]*

(9) After the Returning Officer has made any declaration under subsection (7) or (7E), he shall ensure that the following procedures are complied with at every counting place and principal counting place:

(*a*) all ballot papers and all other documents relating to the election at every counting place and principal counting place shall be sealed up in separate packets and placed in any ballot box or boxes;

(*b*) the ballot box or boxes shall then be sealed with the seal of the Returning Officer and the seals of such of the candidates or their counting agents as attend and desire to affix their seals;

(*c*) the sealed ballot box or boxes shall be despatched and delivered in safe custody to the Returning Officer;

(*d*) subject to subsection (10), the ballot papers and other documents in the sealed ballot box or boxes shall be retained in safe custody for a period of 6 months; and

(*e*) the ballot papers and other documents shall be destroyed at the end of the period of 6 months unless otherwise directed by order of the President.

*[19/2001]*

(10) A Judge sitting in the General Division of the High Court may make an order that any ballot paper or other document relating to an election which has been sealed as required by this Act be inspected, copied or produced at such time and place and subject to such conditions as the Judge may consider expedient.

*[Act 40 of 2019 wef 02/01/2021]*

(11) A Judge sitting in the General Division of the High Court shall not make an order under subsection (10) unless he is satisfied that the inspection, copy or production is required for the purpose of instituting or maintaining a prosecution or an application under section 90 in connection with the election.

*[42/2005]*

*[Act 40 of 2019 wef 02/01/2021]*

(12) Except as provided in this section, no person shall be allowed to inspect any such ballot paper or document after it has been sealed up in pursuance of subsection (9).

*[16/93]*

## Counting of votes by overseas electors

**49A.**—(1) Subject to section 56DB, every sealed ballot box containing votes cast at an overseas polling station at an election in an electoral division (called in this section the affected electoral division) must, in order for those votes to be counted in the election, reach the custody of the Returning Officer in Singapore —

(*a*) within 10 days after polling day in Singapore for the election; or

(*b*) where the Returning Officer extends time under subsection (2), within the extended time.

*[Act 41 of 2018 wef 02/01/2019]*

(2) The Returning Officer may extend time by another 7 days if the Returning Officer —

(*a*) has made a declaration under section 49(7)(*b*) or (7E)(*b*) in the election; and

(*b*) is satisfied, for any reason, that any sealed ballot box containing votes cast at an overseas polling station in the election is not likely to reach the custody of the Returning

Officer in Singapore within the time specified in subsection (1)(*a*).

*[Act 41 of 2018 wef 02/01/2019]*

(2A) If the Returning Officer extends time under subsection (2) —

(*a*) the counting of the votes cast at the overseas polling stations for the affected electoral division, and for every related electoral division specified in subsection (2B), stands postponed to the date specified by the Returning Officer under paragraph (*b*)(ii); and

(*b*) the Returning Officer must, as soon as practicable, publish a notice in the *Gazette* —

(i) stating that the Returning Officer has extended the time; and

(ii) specifying the date on, the time at and the counting place in Singapore at which the votes cast at the overseas polling stations will be counted.

*[Act 41 of 2018 wef 02/01/2019]*

(2B) For the purposes of subsection (2A)(*a*), a related electoral division is —

(*a*) in the case of a general election, an electoral division (other than the affected electoral division) in the general election; or

(*b*) in the case of a by-election, an electoral division for which a by-election is held at the same time as the by-election for the affected electoral division.

*[Act 41 of 2018 wef 02/01/2019]*

(3) Subject to subsection (1), the Returning Officer must arrange for the counting of votes cast by overseas electors in the presence of the candidates and their counting agents as attend as soon as practicable after all the sealed ballot boxes used at overseas polling stations during the poll have been received by the Returning Officer in Singapore.

*[19/2001]*

*[Act 41 of 2018 wef 02/01/2019]*

(4) Section 49 applies to the counting of votes cast by overseas electors, with the necessary modifications.

*[Act 41 of 2018 wef 02/01/2019]*

(5) Where the Returning Officer has made a declaration under section 49(7)(*b*) or (7E)(*b*), the number of votes given by overseas electors to each candidate or group of candidates shall be added to the number declared by the Returning Officer as the number of votes cast in Singapore, respectively, for each candidate or (as the case may be) group of candidates, and the Returning Officer shall immediately declare the candidate or (as the case may be) group of candidates to whom the greatest total number of votes is given to be elected.

*[19/2001]*

(6) After the Returning Officer has made any declaration under subsection (5), he shall ensure that the following procedures are complied with:

(*a*) all ballot papers and all other documents relating to the election at every place where the votes of overseas electors are counted shall be sealed up in separate packets and placed in any ballot box or boxes;

(*b*) the ballot box or boxes shall then be sealed with the seal of the Returning Officer and the seals of such of the candidates or their counting agents as attend and desire to affix their seals;

(*c*) the sealed ballot box or boxes shall be despatched and delivered in safe custody to the Returning Officer;

(*d*) subject to section 49(10), the ballot papers and other documents in the sealed ballot box or boxes shall be retained in safe custody for a period of 6 months; and

(*e*) the ballot papers and other documents shall be destroyed at the end of the period of 6 months unless otherwise directed by order of the President.

*[19/2001]*

**Recounting of votes**

**49B.**—(1) The Returning Officer must conduct a recount of the votes cast in Singapore at an election in an electoral division if the

difference between the number of votes given to the candidate or (as the case may be) group of candidates with the most votes and the number of votes given to any other candidate or (as the case may be) group of candidates at the election is 2% or less of the total number of votes cast in Singapore (excluding rejected votes and tendered votes) at the election.

(2) The recount of the votes under subsection (1) may be conducted only once, and must take place as soon as practicable —

(*a*) where a sole counting place is specified under this Act for the election, after the counting of the votes at the sole counting place is completed; or

(*b*) where more than one counting place is specified under this Act for the election, after the Returning Officer has ascertained the total number of votes given to each candidate or (as the case may be) group of candidates in the election under section 49(7D).

(3) Where a recount of the votes is to be conducted, the votes at the sole counting place or, if there is more than one counting place, at every counting place must be recounted and added following as far as practicable the same procedure set out in sections 49 and 50.

(4) Where the Returning Officer has made a declaration under section 49(7)(*b*) or (7E)(*b*) in an election, this section applies, with the necessary modifications, to the counting of votes cast by overseas electors at that election.

*[Act 41 of 2018 wef 02/01/2019]*

### Votes to be rejected

**50.**—(1) The Returning Officer shall reject as invalid the following ballot papers only, namely, any ballot paper —

(*a*) which does not bear the complete official mark for the authentication of ballot papers or is not initialled by the presiding officer;

(*b*) on which votes are given for more than one candidate or group of candidates;

(*c*) on which anything is written or marked by which the voter can be identified except the printed number on the back;

(*d*) which is unmarked; or

(*e*) which is void for uncertainty.

*[10/88; 18/99]*

(2) Subject to subsection (2A), where the Returning Officer is satisfied that any mark made on a ballot paper clearly indicates the intention of the voter and the candidate or group of candidates for whom he gives his vote, the Returning Officer shall not reject the ballot paper on the ground solely that it has not been marked in all respects in accordance with the directions given for the guidance of voters under this Act.

*[10/88]*

*[Act 41 of 2018 wef 02/01/2019]*

(2A) When determining whether a mark made on a ballot paper clearly indicates the voter's intention and the candidate or group of candidates for whom the voter gives his vote, the Returning Officer must disregard any mark on the ballot paper that is not made within the area demarcated on the ballot paper for the voter to mark his vote for a candidate or group of candidates.

*[Act 41 of 2018 wef 02/01/2019]*

(3) Before rejecting a ballot paper, the Returning Officer shall show it to each candidate or his counting agent if present and hear his views thereon, taking all proper precautions to prevent any person from seeing the number printed on the back of the paper.

(4) The decision of the Returning Officer whether or not any ballot paper shall be rejected shall be final and shall not be questioned on an application under section 90.

*[42/2005]*

## Approval of DRE voting systems

**50A.**—(1) No DRE voting system shall be used at any poll in any electoral division unless the DRE voting system is approved before the date of the writ of the election under section 24 by —

(*a*) the Auditor-General; or

(*b*) any person appointed by the Minister in consultation with the Auditor-General.

*[19/2001]*

(2) The Auditor-General or person appointed under subsection (1) shall not approve any DRE voting system for use at any election in any electoral division unless, after conducting such tests as he considers necessary in the presence of the Returning Officer and such representatives of any political party as are present, he is satisfied that the DRE voting system —

(*a*) permits voting in secrecy;

(*b*) permits each voter to vote from all the candidates or groups of candidates as are nominated for the election;

(*c*) operates safely and efficiently and accurately counts all votes cast for each candidate or group of candidates;

(*d*) is set to detect voting errors and to reject all votes for any candidate or group of candidates when the number of votes recorded exceeds the number of votes that may lawfully be cast;

(*e*) permits each voter to clearly see the ballot display;

(*f*) is safe from fraudulent or unauthorised manipulation or operation;

(*g*) ensures that all voting data stored in the DRE voting machines used shall be maintained regardless of electrical power surges or outages; and

(*h*) is capable of providing records from which the operation of the DRE voting system may be audited and for verification of the accuracy of the recording and counting of votes, but that shall not allow for identification of any voter.

*[19/2001]*

(3) Subject to subsection (1), no DRE voting system shall be used at a poll in any electoral division unless the Returning Officer specifies, by notice under section 34(6) or (as the case may be) 34A(6), that a DRE voting system will be used at the poll in that electoral division.

*[19/2001]*

(4) Where a DRE voting system is to be used at any forthcoming poll in any electoral division in accordance with this section, the Returning Officer may, for the purpose of instructing electors, provide one or more demonstrations as to the use of the DRE voting system in one or more public places within that electoral division.

*[19/2001]*

**Approval of DRE voting machines and equipment**

**50B.**—(1) It shall be the duty of the Returning Officer to provide at each polling station within every electoral division specified in his notice under section 34(6) or (as the case may be) 34A(6) —

(*a*) a sufficient number of DRE voting machines and other direct recording electronic voting equipment approved under subsection (2) for electors allotted to the polling station to cast their votes;

(*b*) booths or other reasonable facilities within which approved DRE voting machines are to be placed to enable electors allotted to the polling station to record their votes screened from observation and to vote in accordance with the provisions of this Act; and

(*c*) a sufficient number of other approved DRE voting machines, direct recording electronic voting equipment and other voting equipment in the event of any malfunction of all or any approved DRE voting machines at that polling station.

*[19/2001]*

(2) Not earlier than 4 clear days before polling day, the Auditor-General or person appointed by the Minister under section 50A(1) shall inspect and conduct or cause to be inspected and conducted such tests on every DRE voting machine and direct recording electronic voting equipment to be used at a poll, and if he is satisfied that any such DRE voting machine and equipment are in the proper order for use at a poll, he shall not later than on the eve of polling day —

(*a*) approve the DRE voting machine and equipment so tested for use at the poll;

(*b*) number the approved DRE voting machine;

(*c*) seal with his seal and secure the approved DRE voting machine and direct recording electronic voting equipment against use until polling day and despatch it in safe custody to the Returning Officer who shall store it in safe custody until polling day;

(*d*) make a record containing the identification numbers of every such approved DRE voting machine and the respective polling stations to which each has been allocated; and

(*e*) furnish a copy of the record to such candidate or his election agent who requests such a copy before polling day.

*[19/2001]*

(3) Any inspection and test of DRE voting machines and direct recording electronic voting equipment under subsection (2) shall be carried out —

(*a*) on such date and at such time and premises as the Returning Officer may specify by public notice not less than 5 clear days before polling day; and

(*b*) in the presence of such candidate or his election agent or polling agent as may be present at those premises on that date and time.

*[19/2001]*

**Pre-poll testing of DRE voting system, etc.**

**50C.**—(1) Immediately before the commencement of the poll in any electoral division specified in a notice under section 34(6) or (as the case may be) 34A(6), the presiding officer at every polling station within the electoral division shall, and in the sight of such person as may be present at the polling station —

(*a*) ensure that every DRE voting machine and direct recording electronic voting equipment delivered to the polling station for use at the poll is approved under section 50B(2) and still sealed and secured against use;

(*b*) install the approved DRE voting machine and direct recording electronic voting equipment for use at the poll at the polling station;

(*c*) inspect and test each DRE voting machine and direct recording electronic voting equipment so installed in the prescribed manner to ensure that it is functioning properly and take such corrective action (including replacement or repair) as is necessary to ensure that it is functioning properly; and

(*d*) unsecure the DRE voting machine for use at the poll.

*[19/2001]*

(2) The presiding officer at a polling station using DRE voting machines and direct recording electronic voting equipment at the poll shall periodically inspect or cause to be inspected the machines and equipment for any tampering and damage or any malfunction while voting is in progress.

*[19/2001]*

(3) If at any time before or after the commencement of a poll using a DRE voting system, the presiding officer at a polling station determines that the approved DRE voting machines or direct recording electronic voting equipment delivered to the polling station cannot be replaced or repaired promptly and that voting cannot be continued using the remaining approved DRE voting machines and approved direct recording electronic voting equipment without interfering substantially with the orderly conduct of the poll, the presiding officer shall, with the approval of the Returning Officer —

(*a*) immediately halt voting at that polling station if the poll has already commenced; and

(*b*) make such necessary arrangements for voting at the polling station —

(i) to commence or resume, as the case may be, on the same day and close at such other hours as the Returning Officer may appoint, using either the same DRE voting system or ballot papers in accordance with the provisions of this Act; or

(ii) to be adjourned and conducted afresh on such other date as the Returning Officer may declare by notification in the *Gazette*, being a date not more

than one week later, using either the same DRE voting system or ballot papers in accordance with the provisions of this Act.

*[19/2001]*

### DRE voting system procedures generally

**50D.**—(1) Except as otherwise provided in sections 50B and 50C and any regulations made under this section, any poll using any DRE voting system shall be conducted in the same manner as that in which voting is conducted under sections 35 to 51, and shall be regarded as a poll for the purposes of this Act.

*[19/2001]*

(2) The ballot image displayed on any approved DRE voting machine at any poll shall be an identical representation in electronic form of the ballot paper used at the poll.

*[19/2001]*

(3) The Minister may make regulations modifying the application of any provision of this Act to the conduct of polls using a DRE voting system, including in particular, prescribing the training of presiding officers in operating DRE voting systems, the procedures on opening and closing of such a poll, the manner of voting, the counting of votes and for the safe despatch or transmission of records of voting using DRE voting machines for counting, including recounting, if any.

*[19/2001]*

### Publication of result and statement of poll in *Gazette*

**51.** The Returning Officer shall immediately after the result has been declared by him under section 49(7)(*a*) or (7E)(*a*) and all the votes cast by overseas electors have been counted or after the result has been declared by him under section 49A(5), as the case may be, compile a statement of the poll in Form 17 in the First Schedule and shall cause the name or names of the Members so elected and also the statement to be published in the *Gazette*.

*[19/2001]*

**Election of non-constituency Members in certain circumstances**

**52.**—(1) At any general election, the number of non-constituency Members to be declared elected shall be the whole number (ignoring any less than 0) ascertained in accordance with the formula

$$12 - B,$$

*[Act 41 of 2018 wef 02/01/2019]*

where B is the total number of Opposition Members elected to Parliament in accordance with section 49(7) or (7E) or 49A(5), as the case may be.

*[10/2010]*

(1A) [*Deleted by Act 10 of 2010 wef 02/07/2010*]

(2) Subject to subsection (3A), the non-constituency Member or Members to be declared elected under subsection (1) shall be determined from among the candidates of those political parties (other than the party or parties that will form the Government) contesting the general election on the basis of the percentage of the votes polled at the same general election by such candidates in the following order of priority — the candidate receiving the highest percentage of votes being placed first and the other candidates being placed in descending order in accordance with the percentages of votes polled by them.

*[10/2010]*

(3) Subject to subsection (3A), where any non-constituency Member is to be declared elected under this section, the Returning Officer shall, as soon as he determines the candidate who stands first in accordance with the order of priority under subsection (2), declare that candidate to be so elected; and if more than one non-constituency Member are to be declared elected, the Returning Officer shall declare as so elected the next succeeding candidate or candidates, as the case may be, in the order of priority under subsection (2).

(3A) A candidate shall not be declared as so elected under subsection (3) if —

(*a*) he has polled less than 15% of the total number of votes (other than rejected votes) polled at the election in the electoral division contested by him;

(*b*) 2 other candidates at the election in the same group representation constituency have been declared to be elected under subsection (3); or

(*c*) one other candidate at the election in the same electoral division that is not a group representation constituency has been declared to be elected under subsection (3).

*[10/2010]*

(3B) Where there is an equality of the percentage of the votes between any candidates and the number of such candidates who are eligible to be declared elected under this section exceeds the number of non-constituency Members to be declared elected, the determination of the candidate or candidates to be declared elected shall be as follows:

(*a*) if all such candidates are from the same group, the Returning Officer shall inform that group of the number of candidate or candidates in that group to be declared elected and the group shall within 7 days determine among themselves who shall be declared elected and shall immediately notify the Returning Officer of such determination; or

(*b*) in any other case, or where the group referred to in paragraph (*a*) fails to notify the Returning Officer, the determination shall be made by lot in the presence of the Returning Officer in such manner and at such time as he may determine.

*[10/88]*

(3C) Upon receipt of a notification under subsection (3B)(*a*), the Returning Officer shall as soon as possible declare the candidate or candidates determined under that subsection to be elected as a non-constituency Member or Members, as the case may be.

*[10/88]*

(3D) For the purposes of this section and section 53, each candidate in a group for any group representation constituency shall be deemed

to have received in respect of that constituency the percentage of the votes polled by that group in that constituency.

*[10/88]*

(4) In this section, "Opposition Member" means a Member of Parliament who is not a member of the political party or parties forming the Government.

### Failure to take Oath of Allegiance by non-constituency Member

**53.**—(1) Subject to subsection (3), if any non-constituency Member declared to be elected under section 52 fails to take and subscribe before Parliament the Oath of Allegiance under Article 61 of the Constitution at the first or second sitting of Parliament during its first session after the general election, Parliament may by resolution declare that his seat has become vacant and that it be filled by the next succeeding candidate at the general election in the order of priority as determined in accordance with section 52(2) from among those candidates who are eligible to be elected as non-constituency Members and have not been so elected.

(2) The candidate last-mentioned in subsection (1) shall upon such resolution be deemed to be elected as a non-constituency Member under section 52 in place of the non-constituency Member whose seat was declared vacant.

*[22/84]*

(3) Parliament shall not move any resolution under subsection (1) unless the next succeeding candidate has polled not less than 15% of the total number of votes (other than rejected votes) polled at the election in the electoral division contested by him.

*[22/84]*

### Failure to comply with provisions of this Act

**54.**—(1) No election shall be invalid by reason of any failure to comply with any provision of this Act relating to elections if it appears that the election was conducted in accordance with the principles laid down in that provision, and that the failure did not affect the result of the election.

(2) Where in this Act any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any candidate or agent at the time and place appointed for the purpose shall not, if that act or thing is otherwise duly done, invalidate that act or thing.

**Offences**

**55.**—(1) Every person who —

(*a*) forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the Returning Officer any nomination paper knowing it to be forged;

(*b*) forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper;

(*c*) without due authority supplies any ballot paper to any person;

(*d*) sells or offers to sell any ballot paper to any person or purchases or offers to purchase any ballot paper from any person;

(*e*) not being a person entitled under this Act to be in possession of any ballot paper which has been marked with the official mark in accordance with this Act, has any such ballot paper in his possession;

(*f*) puts into any ballot box anything other than the ballot paper which he is authorised by law to put in;

(*g*) without due authority takes out of the polling station any ballot paper or is found in possession of any ballot paper outside a polling station;

(*h*) without due authority destroys, takes, opens, or otherwise interferes with any ballot box, packet of ballot papers or any DRE voting machine or direct recording electronic voting equipment approved under section 50B(2) in use or intended to be used for the purposes of an election;

(*i*) without due authority prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election; or

(*j*) manufactures, constructs, imports into Singapore, has in his possession, supplies or uses for the purpose of an election, or causes to be manufactured, constructed, imported into Singapore, supplied or used for the purpose of any election, any appliance, device or mechanism by which a ballot paper may be extracted, affected or manipulated after having been deposited in a ballot box during the polling at any election,

shall be guilty of an offence and shall be liable on conviction by a District Court to a fine and to imprisonment for a term not exceeding 5 years and shall, on conviction, become incapable for a period of 7 years from the date of his conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he has been elected a Member, his election shall be vacated from the date of the conviction.

*[21/91; 19/2001; 10/2010]*

(2) Every person who attempts to commit an offence specified in this section shall be liable to the punishment prescribed for that offence.

(3) Every offence under this section shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

(4) In a prosecution for an offence in relation to a nomination paper, ballot box, ballot paper, DRE voting machine, direct recording electronic voting equipment or marking instrument at an election, the property in the nomination paper, ballot box, ballot paper, DRE voting machine, direct recording electronic voting equipment or marking instrument, as well as the property in the counterfoil of any ballot paper, may be stated to be in the Returning Officer at that election.

*[19/2001]*

(5) A prosecution for an offence under this section shall not be instituted without the consent of the Public Prosecutor.

*[15/2010]*

**Maintenance of secrecy at elections**

**56.**—(1) Every officer, clerk, interpreter, candidate and agent authorised to attend at a polling station, or at the counting of the votes, shall, before so attending, make an oath of secrecy, substantially in Form 18 in the First Schedule.

(2) The Returning Officer shall have power to administer any oaths required to be taken under subsection (1).

(3) Subject to subsection (3A), every officer, clerk, interpreter, candidate and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in the station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(3A) The total number of voters who have voted at any station at any time before the poll is closed may, in the discretion of the presiding officer, be divulged to the candidate or his agent authorised to attend at the polling station.

(4) No such officer, clerk, interpreter, candidate or agent, and no person shall —

(*a*) attempt to obtain in the polling station information as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted; or

(*b*) communicate at any time to any person any information obtained in a polling station as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at the station.

*[10/88]*

(5) Every officer, clerk, interpreter, candidate and agent in attendance at the counting of the votes shall maintain, and aid in maintaining, the secrecy of the voting, and shall not —

(*a*) attempt to ascertain at the counting the number on the back of any ballot paper; or

(*b*) communicate any information obtained at the counting as to the candidate or group of candidates, for whom any vote is given by any particular ballot paper.

*[10/88]*

(6) No person, except a presiding officer acting for a purpose authorised by this Act or a person authorised by the presiding officer and acting for that purpose, shall communicate or attempt to communicate with any voter after the voter has received a ballot paper and before he has placed it in a ballot box, or after the voter has been authorised to use an approved DRE voting machine to mark or record his vote and before he marks or records his vote at the machine, as the case may be.

*[19/2001]*

(7) Every person who acts in contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

*[10/2010]*

## POSTPONEMENT AND ADJOURNMENT OF ELECTIONS

### Postponement of nomination day, etc., before nomination day

**56A.**—(1) Notwithstanding any other provision of this Act, at any time before the day of nomination appointed for any election in any electoral division, the President may postpone the date for the nomination of candidates to another day, or change the place of nomination, because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks, candidates and other persons authorised under

section 31(1) to be present at the place of nomination, or to difficulties in the physical conduct of nomination proceedings.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(2) Any postponement of the date for the nomination of candidates to another day, or any change in the place of nomination, under subsection (1) shall be —

(*a*) by notice published in the *Gazette* describing the postponement of the day of nomination or the change in the place of nomination, as the case may be; or

(*b*) if publication under paragraph (*a*) is not practicable, by notice published in such manner as will secure adequate publicity in the electoral division for which the election is to be held describing the postponement of the day of nomination or the change in the place of nomination, as the case may be,

and any postponement or change so made shall be valid and sufficient and any date or place provided for in lieu of a date or place fixed by the writ shall be deemed to be the day of nomination or place of nomination so fixed, as the case may be.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

### Change in hours for nomination of candidates, etc., before nomination day

**56B.**—(1) Notwithstanding any other provision of this Act but subject to subsection (3), at any time before the day of nomination appointed for any election in any electoral division, the Returning Officer may change the hours for nomination proceedings to another time, because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks, candidates and other persons authorised under section 31(1) to be present at the place of nomination, or to difficulties in the physical conduct of nomination proceedings.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(2) Any change in the hours for nomination proceedings to another time under subsection (1) shall be —

(*a*) by notice published in the *Gazette* describing the change in the hours for nomination proceedings; or

(*b*) if publication under paragraph (*a*) is not practicable, by notice published in such manner as will secure adequate publicity in the electoral division for which the election is to be held describing the change in the hours for nomination proceedings,

and any change so made shall be valid and sufficient.

*[10/2010]*

(3) In changing the hours for nomination proceedings under subsection (1), the Returning Officer may specify such other times in the day but —

(*a*) shall specify a period of one hour for the Returning Officer to receive nomination papers;

(*b*) shall specify a period of 90 minutes for the making of objections to any nomination paper;

(*c*) shall specify the latest time by which a candidate must make his deposit for the purposes of section 28, may correct errors in the nomination papers and may withdraw his candidature;

*[Act 41 of 2018 wef 02/01/2019]*

(*d*) shall specify the time by which the nomination of a candidate who is the subject of multiple nominations described in section 32A shall be void; and

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(*e*) must specify the latest time by which a candidate may make his indication (regarding his name) to the Returning Officer under section 105(1).

*[Act 41 of 2018 wef 02/01/2019]*

(4) Any changes in time under subsection (1) in lieu of the hours fixed by the notice of the issue of the writ under section 25 for an election in an electoral division shall be deemed to be the hours for nomination proceedings so fixed, and sections 27, 27A, 27B, 28, 29, 29A, 30, 32, 32A and 33 shall apply with such modifications as are necessary.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

**Changes to nomination proceedings, etc., on nomination day**

**56BA.**—(1) Despite any other provision of this Act, the Returning Officer may, on the day of nomination appointed for an election in an electoral division, exercise the powers conferred on him in this section if it appears to the Returning Officer on that day that the nomination proceedings for the election are, or are likely to be, obstructed, disrupted, undermined or seriously affected because of a disruptive event which arises before or during the nomination proceedings.

(2) If the disruptive event arises before the start of the nomination proceedings on the day of nomination, the Returning Officer may —

(*a*) do either or both of the following:

(i) change the hours of the nomination proceedings;

(ii) change the location of the place of nomination; or

(*b*) wholly abandon the nomination proceedings.

(3) If the disruptive event arises during the nomination proceedings on the day of nomination, the Returning Officer may —

(*a*) change the hours of the nomination proceedings by temporarily suspending the nomination proceedings for such period or, where the nomination proceedings are temporarily suspended under subsection (4), such further period as the Returning Officer determines, with or without changing the location of the place of nomination; or

(*b*) wholly abandon the nomination proceedings.

(4) Before making a decision under subsection (3), the Returning Officer may temporarily suspend the nomination proceedings for a period not exceeding 2 hours for the purpose of determining the decision to be made under that subsection.

(5) Any decision of the Returning Officer to change the hours of the nomination proceedings under this section is subject to the following:

(*a*) where subsection (2)(*a*)(i) applies, the nomination proceedings must start and conclude within the same day of nomination;

(*b*) where subsection (3)(*a*) applies —

(i) the nomination proceedings must resume and conclude within the same day of nomination;

(ii) the aggregate of the period of time before the suspension, and the period of time upon the resumption, of the nomination proceedings for the delivery of nomination papers to the Returning Officer must not be less than one hour; and

(iii) the aggregate of the period of time before the suspension, and the period of time upon the resumption, of the nomination proceedings for the making of objections to a nomination paper must not be less than 90 minutes.

(6) Where a decision is made under subsection (2), (3) or (4), the Returning Officer must, as soon as practicable and in the manner specified in subsection (8), publish a notice containing the following information:

(*a*) the temporary suspension (including the period of the suspension), the new start or the resumption (including the time of the new start or the resumption), or the abandonment (as the case may be) of the nomination proceedings;

(*b*) the change (if any) in the location of the place of nomination.

(7) Where there is a change in the hours of the nomination proceedings under this section, the Returning Officer must specify in the notice mentioned in subsection (6) —

(*a*) a period of one hour (where subsection (2)(*a*)(i) applies) or the latest time (where subsection (3)(*a*) applies) for the delivery of nomination papers to the Returning Officer;

(*b*) a period of 90 minutes (where subsection (2)(*a*)(i) applies) or the latest time (where subsection (3)(*a*) applies) for the making of objections to a nomination paper;

(*c*) the latest time for depositing the sum required under section 28(1), correcting errors in nomination papers and withdrawal of candidature;

(*d*) the time at which the nomination of a candidate who is the subject of multiple nominations described in section 32A is deemed to be void; and

(*e*) the latest time by which a candidate may make his indication (regarding his name) to the Returning Officer under section 105(1).

(8) The notice mentioned in subsection (6) must be published —

(*a*) in the *Gazette*; or

(*b*) if publication in the *Gazette* is not practicable, in such manner as will secure adequate publicity in the electoral division to which the nomination proceedings relate.

(9) Where there is a change in the hours of the nomination proceedings or the location of the place of nomination under this section —

(*a*) that change is valid and sufficient;

(*b*) any time or place provided under this section in lieu of the time or place specified in the notice of the issue of the writ under section 25 for the election is deemed to be the time or place so specified for the nomination proceedings; and

(*c*) sections 27, 27B, 28, 29, 29A, 30, 32, 32A and 33 apply with such modifications as are necessary.

(10) The Minister may prescribe the manner in which any suspension, new start, resumption or abandonment of nomination proceedings under this section is to be carried out.

(11) In this section, "disruptive event" means any of the following:

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms);

(*f*) any other thing which endangers the safety of assistants, clerks, candidates or other persons authorised under section 31(1) to be present at the place of nomination, or causes difficulties in the physical conduct of the nomination proceedings.

*[Act 41 of 2018 wef 02/01/2019]*

**Adjournment, etc., of polling**

**56C.**—(1) Notwithstanding any other provision of this Act, if at any time before the polling day appointed in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the polling at all polling stations established for the purposes of the poll in the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of presiding officers, clerks, interpreters, polling agents or voters within the polling station, or to difficulties in the physical conduct of voting,

which has arisen or is likely to arise before or during the polling at all of those polling stations, the Returning Officer may postpone the polling day for that election to another day, except that the postponed poll for an election that is a general election must be within 3 months after the dissolution of Parliament.

*[10/2010]*

(2) Notwithstanding any other provision of this Act, if at any time before or during the conduct of polling in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the polling at any polling station established for the purposes of the poll in the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of presiding officers, clerks, interpreters, polling agents or voters within the polling station, or to difficulties in the physical conduct of voting,

which has arisen or is likely to arise before or during the polling at that polling station, the Returning Officer may, subject to subsection (3), do one of the following:

(i) temporarily suspend the polling at that polling station for a period or, where polling at that polling station is temporarily suspended under subsection (2A), a further period not exceeding 2 hours, with or without changing the location of that polling station;

*[Act 41 of 2018 wef 02/01/2019]*

(ii) adjourn and postpone the polling at that polling station to another day, with or without changing the location of that polling station;

(iii) wholly abandon and re-start the polling at that polling station on another day, with or without changing the location of that polling station;

(iv) terminate the polling at that polling station early; or

(v) in the case of polling at an overseas polling station, abandon the poll at the polling station if he is satisfied that polling thereat cannot start or be resumed or completed.

*[10/2010]*

(2A) Before making a decision under paragraphs (i) to (v) of subsection (2), the Returning Officer may temporarily suspend the polling at the polling station mentioned in that subsection for a period not exceeding 2 hours for the purpose of determining the decision to be made under those paragraphs.

*[Act 41 of 2018 wef 02/01/2019]*

(3) Any poll at an overseas polling station, if resumed or held in place of a postponed poll thereat, must close not later than the close of the poll on polling day in Singapore, and any poll held in place of a postponed poll at any polling station for an election that is part of a general election must be held within 3 months after the dissolution of Parliament.

*[10/2010]*

(4) In exercising any power under subsection (1) or (2), the Returning Officer shall —

(*a*) by notification published in the *Gazette* declare the temporary suspension, adjournment, postponement, abandonment, re-start, or early termination (as the case may be) of polling at the polling station concerned and, where applicable, specify the date and time on and at which polling at that polling station is to resume, re-start or be held in place of the suspended, adjourned, postponed or abandoned poll, as the case may be; or

(*b*) if publication under paragraph (*a*) is not practicable, by notice published in such manner as will secure adequate publicity in the electoral division for which the election is to be held for the temporary suspension, adjournment, postponement, abandonment, re-start or early termination (as the case may be) of the polling and, where applicable, the date and time on and at which polling at that polling station is to resume, re-start or be held in place of the suspended, adjourned, postponed or abandoned poll, as the case may be,

and any postponement, resumption, re-start or other change so made shall be valid and sufficient and any date or place provided for in lieu of a date or place fixed by the notice of contested election shall be deemed to be the polling day or polling place so fixed, as the case may be.

*[10/2010]*

(5) If, in exercising any power under subsection (2), the Returning Officer changes the location of any polling station, the notice given under subsection (4) shall also contain the address of the re-located polling station.

*[10/2010]*

(6) Any temporary suspension, adjournment, postponement, abandonment, re-start, or early termination (as the case may be) of polling at a polling station pursuant to the exercise of any power under subsection (1) or (2) shall be carried out in the prescribed manner.

*[10/2010]*

(7) Nothing in this section shall restrict the exercise of any power under section 50C(3).

*[10/2010]*

**Voting at adjourned polling**

**56D.** Where for any reason the polling at any polling station established for the purposes of the poll in any electoral division is so suspended or postponed under section 50C(3) or 56C, only those electors —

(*a*) who are registered electors for that electoral division for which the polling station is established;

(*b*) who are entitled to vote as electors for that electoral division at that polling station; and

(*c*) who have not already voted,

shall be entitled to vote on the date and time on and at which polling at that polling station is to resume or to be held in place of the postponed poll, as the case may be.

*[10/2010]*

**Ballot box lost or destroyed after close of poll in Singapore**

**56DA.**—(1) The Returning Officer must wholly abandon the counting of all the votes cast at a polling station in Singapore (called in this section the affected polling station) at an election in an electoral division (called in this section the affected electoral division) if any sealed ballot box containing votes cast at the affected polling station in the election is lost or destroyed at any time —

(*a*) after the close of the poll at the affected polling station; and

(*b*) before the ballot box could reach the counting place specified under this Act for the counting of the votes cast at the affected polling station.

(2) The Returning Officer must re-start (within 3 months after the dissolution of Parliament in the case of a general election) the polling at the affected polling station if the Returning Officer is satisfied that the aggregate of the following is equal to or more than the difference

between the number of votes given in Singapore at the election in the affected electoral division to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes:

(*a*) the total number of affected electors lawfully entitled to vote at the election in the affected electoral division;

(*b*) the total number of overseas electors lawfully entitled to vote at the election in the affected electoral division.

(3) The Returning Officer must, as soon as practicable, inform the candidates or (as the case may be) groups of candidates for the affected electoral division of the abandonment of the counting of the votes cast at the affected polling station and whether the polling at the affected polling station must re-start.

(4) Where the polling at the affected polling station must re-start, the counting of the votes cast at the overseas polling stations for the affected electoral division, and for every related electoral division, stands postponed —

(*a*) in the case where a sealed ballot box containing votes cast at an overseas polling station at the election in the affected electoral division is also lost or destroyed and section 56DB(2) applies in respect of that overseas polling station, to the date specified by the Returning Officer under section 56DB(5)(*b*)(ii); and

(*b*) in any other case, to the date specified by the Returning Officer under subsection (5)(*b*)(iii).

(5) The Returning Officer must, as soon as practicable, publish a notice in the *Gazette* —

(*a*) stating that the Returning Officer has abandoned the counting of all the votes cast at the affected polling station; and

(*b*) where subsection (2) applies, specifying —

(i) the date on which the polling is to re-start, the hours of the poll and the location of the polling station in Singapore (whether or not at the same location as the

affected polling station) where the poll will be conducted;

(ii) the date on, the time at and the counting place in Singapore at which the votes cast at the polling station during the re-started poll will be counted; and

(iii) the date on, the time at and the counting place in Singapore at which the votes cast at the overseas polling stations will be counted.

(6) Any re-start of polling in an election or other change under this section is valid and sufficient, and any polling day or polling station specified by the Returning Officer under this section is deemed to be the polling day or polling station (as the case may be) specified in the notice published under section 34(6) or (as the case may be) 34A(6) for that election.

(7) Nothing in this section restricts the exercise of any power under section 50C(3).

(8) The Minister may prescribe the manner in which any abandonment of the counting of votes, re-start of polling or counting of votes under this section is to be carried out.

(9) In this section —

"affected electors", in relation to an election in an electoral division, means the electors (excluding overseas electors) who are allotted to an affected polling station in the electoral division under section 36A(1)(*c*) for the purposes of the election;

"related electoral division", in relation to an affected electoral division, means —

(*a*) in the case of a general election, an electoral division (other than the affected electoral division) in the general election; or

(*b*) in the case of a by-election, an electoral division for which a by-election is held at the same time as the by-election for the affected electoral division.

*[Act 41 of 2018 wef 02/01/2019]*

**Ballot box lost or destroyed after close of poll at overseas polling station**

**56DB.**—(1) The Returning Officer must wholly abandon the counting of all the votes cast at an overseas polling station (called in this section the affected overseas polling station) at an election in an electoral division (called in this section the affected electoral division) if any sealed ballot box containing votes cast at the affected overseas polling station at the election is lost or destroyed at any time —

(*a*) after the close of the poll at the affected overseas polling station; and

(*b*) before the ballot box could reach the counting place specified under this Act for the counting of the votes cast at the affected overseas polling station.

(2) The Returning Officer must re-start (within 3 months after the dissolution of Parliament in the case of a general election) the polling at the affected overseas polling station for the election in the affected electoral division if the Returning Officer is satisfied that any of the following is equal to or more than the difference between the number of votes given in Singapore at the election in the affected electoral division to the candidates or (as the case may be) groups of candidates with the 2 greatest number of votes:

(*a*) in the case where a sealed ballot box containing votes cast at a polling station in Singapore at the election in the affected electoral division is also lost or destroyed and section 56DA(2) applies in respect of that polling station, the aggregate mentioned in that section;

(*b*) in any other case, the total number of overseas electors lawfully entitled to vote at the election in the affected electoral division.

(3) The Returning Officer must, as soon as practicable, inform the candidates or (as the case may be) groups of candidates for the affected electoral division of the abandonment of the counting of votes cast at the affected overseas polling station and whether the

polling at the affected overseas polling station for the election in the affected electoral division must re-start.

(4) Where the polling at the affected overseas polling station for the affected electoral division must re-start, the counting of the votes cast at all other overseas polling stations for the affected electoral division, and the overseas polling stations for every related electoral division, stands postponed to the date specified by the Returning Officer under subsection (5)(*b*)(ii).

(5) The Returning Officer must, as soon as practicable, publish a notice in the *Gazette* —

(*a*) stating that the Returning Officer has abandoned the counting of all the votes cast at the affected overseas polling station; and

(*b*) where subsection (2) applies, specifying —

(i) the date on which the polling is to re-start, the hours of the poll and the location of the overseas polling station (whether or not at the same location as the affected overseas polling station) where the poll will be conducted; and

(ii) the date on, the time at and the counting place in Singapore at which the votes cast during the re-started poll and the votes mentioned in subsection (4) will be counted.

(6) Any re-start of polling in an election or other change under this section is valid and sufficient, and any polling day, polling hours or overseas polling station specified by the Returning Officer under this section is deemed to be the polling day, polling hours or overseas polling station (as the case may be) specified in the notice published under section 34(6) or (as the case may be) 34A(6) for that election.

(7) Nothing in this section restricts the exercise of any power under section 50C(3).

(8) The Minister may prescribe the manner in which any abandonment of the counting of votes, re-start of polling or counting of votes under this section is to be carried out.

(9) In this section, "related electoral division", in relation to an affected electoral division, means —

(*a*) in the case of a general election, an electoral division (other than the affected electoral division) in the general election; or

(*b*) in the case of a by-election, an electoral division for which a by-election is held at the same time as the by-election for the affected electoral division.

*[Act 41 of 2018 wef 02/01/2019]*

**Adjournment, etc., of counting**

**56E.**—(1) Notwithstanding any other provision of this Act, if at any time before or during the counting of votes in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the counting of votes at any counting place for the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks counting the votes and candidates or their counting agents present in the counting place, or to difficulties in the physical conduct of counting,

which has arisen or is likely to arise before or during the counting of votes at that counting place, the Returning Officer may —

(i) temporarily suspend the counting at that counting place for a period or, where counting at that counting place is temporarily suspended under subsection (1A), a further

period not exceeding 2 hours, with or without changing the location of that counting place;

*[Act 41 of 2018 wef 02/01/2019]*

(ii) adjourn and postpone the counting at that counting place to another day, with or without changing the location of that counting place;

(iii) wholly abandon the counting of votes at that counting place if he is satisfied that counting thereat cannot be resumed or completed and that the number of votes to be counted will not affect the result of the election, and in the case of an abandoned recount of votes at that counting place, declare the election results using the results of the first count; or

(iv) wholly abandon the counting of votes at that counting place and re-start (within 3 months after the dissolution of Parliament in the case of a general election) the polling at all polling stations which are specified under this Act to be counted at that counting place and the counting of the votes cast thereat, if he is satisfied that counting thereat cannot be resumed or completed and that the number of votes to be counted will affect the result of the election.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(1A) Before making a decision under paragraphs (i) to (iv) of subsection (1), the Returning Officer may temporarily suspend the counting of votes at the counting place mentioned in that subsection for a period not exceeding 2 hours for the purpose of determining the decision to be made under those paragraphs.

*[Act 41 of 2018 wef 02/01/2019]*

(2) In exercising any power under subsection (1), the Returning Officer shall —

(*a*) announce to such of the candidates and their counting agents attending the counting of the votes at the counting place concerned, the temporary suspension, adjournment, postponement or abandonment (as the case may be) of counting of votes at the counting place and where applicable, the date and time on and at which counting

of votes at that counting place is to resume or be held in place of the suspended, adjourned, postponed or abandoned count, as the case may be; and

(*b*) by notice published in the *Gazette* declare the temporary suspension, adjournment, postponement or abandonment (as the case may be) of counting of votes at the counting place concerned and where applicable, specify the date and time on and at which counting of votes at that counting place is to resume or be held in place of the suspended, adjourned, postponed or abandoned count, as the case may be.

*[10/2010]*

(3) If, in exercising any power under subsection (1), the Returning Officer changes the location of any counting place, the announcement and notice given under subsection (2) shall also contain the address of the re-located counting place.

*[10/2010]*

(4) Before every temporary suspension or adjournment of the counting of votes at any counting place —

(*a*) all counted ballot papers, uncounted ballot papers and all other documents relating to the counting of votes at the counting place shall be sealed up in separate packets and placed in any ballot box or boxes; and

(*b*) those ballot box or boxes shall then be sealed with the seal of the Returning Officer and the seals of such of the candidates or their counting agents as attend and desire to affix their seals.

*[10/2010]*

(5) Before resuming the counting of votes following any such temporary suspension or adjournment of counting, the Returning Officer or a person authorised by him shall, in the presence of such of the candidates and their counting agents as attend, show each ballot box with such seals unbroken before taking out the uncounted ballot papers therein.

*[10/2010]*

(6) Any temporary suspension, adjournment, postponement or abandonment of the counting of votes at any counting place

pursuant to the exercise of any power under subsection (1), and the resumption of counting of votes or polling in place of the suspended, adjourned, postponed or abandoned count, shall be carried out in the prescribed manner.

*[10/2010]*

(7) In this section, any reference to counting of votes includes a reference to the recounting of votes.

*[10/2010]*

**Adjournment, etc., of adding of counted votes**

**56F.**—(1) Notwithstanding any other provision of this Act, if at any time before or during the adding of all the counted votes in respect of an election in an electoral division, it appears to the Returning Officer that, in relation to the electoral division, the adding of those votes at the principal counting place for the electoral division is likely to be obstructed, disrupted, undermined or seriously affected because of —

(*a*) riot or open violence;

(*b*) the threat of riot or open violence;

(*c*) storm, tempest, flood or an occurrence of a similar kind;

(*d*) a health hazard;

(*e*) a fire or the activation of fire safety equipment (such as sprinklers or alarms); or

(*f*) any other reason related to the safety of assistants, clerks adding the votes and candidates or their election agents present in the principal counting place, or to difficulties in the physical conduct of adding the counted votes,

which has arisen or is likely to arise before or during the addition of votes at the principal counting place for that electoral division, the Returning Officer may —

(i) temporarily suspend the addition of votes at the principal counting place for a period or, where the addition of votes at the principal counting place is temporarily suspended under subsection (1A), a further period not exceeding 2

hours, with or without changing the location of the principal counting place; or

*[Act 41 of 2018 wef 02/01/2019]*

(ii) adjourn and postpone the addition of votes at the principal counting place to another day, with or without changing the location of the principal counting place.

*[10/2010]*

(1A) Before making a decision under paragraph (i) or (ii) of subsection (1), the Returning Officer may temporarily suspend the addition of votes at the principal counting place mentioned in that subsection for a period not exceeding 2 hours for the purpose of determining the decision to be made under either of those paragraphs.

*[Act 41 of 2018 wef 02/01/2019]*

(2) In exercising any power under subsection (1), the Returning Officer shall —

(*a*) announce to such of the candidates and their election agents attending the addition of the votes at the principal counting place concerned, the temporary suspension, adjournment or postponement (as the case may be) of addition of votes at the principal counting place and where applicable, the date and time on and at which addition of votes at the principal counting place is to resume or to be held in place of the suspended, adjourned or postponed addition of votes, as the case may be; and

(*b*) by notice published in the *Gazette* declare the temporary suspension, adjournment or postponement (as the case may be) of the addition of the votes at the principal counting place concerned and where applicable, specify the date and time on and at which addition of votes at that principal counting place is to resume or to be held in place of the suspended, adjourned or postponed addition of votes, as the case may be.

*[10/2010]*

(3) If, in exercising any power under subsection (1), the Returning Officer changes the location of any principal counting place, the

announcement and notice given under subsection (2) shall also contain the address of the re-located principal counting place.

*[10/2010]*

(4) Any temporary suspension, adjournment or postponement (as the case may be) of the addition of votes at any principal counting place pursuant to the exercise of any power under subsection (1), and the resumption of the addition of votes or the addition of votes in place of the suspended, adjourned or postponed addition, shall be carried out in the prescribed manner.

*[10/2010]*

## CORRUPT PRACTICES

### Personation

**57.**—(1) Every person who —

(*a*) at an election applies for a ballot paper or to record his vote at a DRE voting machine in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person; or

(*b*) having voted once at any such election, applies at the same election for a ballot paper or to record his vote at a DRE voting machine in his own name,

shall be guilty of the offence of personation.

*[19/2001]*

(2) The offence of personation under this section shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

### Treating

**58.**—(1) A person shall be guilty of treating if he corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving, any meat, drink, refreshment, cigarette, entertainment or other provision or thing or any money or ticket or other means or device to enable the procuring of any such meat, drink, refreshment, cigarette, entertainment or other provision or thing, to or for any person —

(*a*) for the purpose of corruptly influencing that person or any other person to vote or refrain from voting;

(*b*) for the purpose of inducing that person to attend or remain at any election meeting;

(*c*) on account of any such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at the election; or

(*d*) on account of any such person having attended an election meeting.

(2) A person shall also be guilty of treating if he corruptly accepts or takes any such meat, drink, refreshment, cigarette, entertainment or other provision or thing or any such money or ticket or who adopts any other means or device to enable the procuring of such meat, drink, refreshment, cigarette, entertainment or other provision or thing.

**Undue influence**

**59.** Every person who —

(*a*) directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting at any election; or

(*b*) by abduction, duress or any fraudulent device or contrivance, impedes or prevents the free exercise of the franchise of any elector or voter, or thereby compels, induces or prevails upon any elector or voter either to vote or refrain from voting at any election,

shall be guilty of the offence of undue influence.

**Bribery**

**60.** The following persons shall be deemed guilty of the offence of bribery:

(*a*) every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any elector or voter, or to or for any person on behalf of any elector or voter or to or for any other person, in order to induce any elector or voter to vote or refrain from voting, or corruptly does any such act on account of that elector or voter having voted or refrained from voting at any election under this Act;

(*b*) every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure, any office, place or employment to or for any elector or voter or to or for any person on behalf of any elector or voter, or to or for any other person, in order to induce that elector or voter to vote or refrain from voting, or corruptly does any such act on account of that elector or voter having voted or refrained from voting at any election under this Act;

(*c*) every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement referred to in paragraph (*a*) or (*b*) to or for any person in order to induce that person to procure or endeavour to procure the return of any person as a Member of Parliament, or the vote of any elector or voter at any election under this Act;

(*d*) every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement to or for any person who is assisting or has promised to assist a candidate at an election to induce that person to refrain from assisting that candidate;

(*e*) every person who upon or in consequence of any such gift, loan, offer, promise, procurement or agreement procures or engages, promises or endeavours to procure, the return of any person as a Member of Parliament, or the vote of any elector or voter at an election under this Act;

(*f*) every person who —

(i) advances or pays or causes to be paid any money to or to the use of any other person with the intent that the money or any part thereof shall be expended in bribery at any election under this Act; or

(ii) knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election;

(*g*) every elector or voter who, before or during any election under this Act, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

(*h*) every person who, after any election under this Act, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or to refrain from voting at any such election;

(*i*) every person who, directly or indirectly, by himself or by any other person on his behalf, on account of and as payment for voting or for having voted or for agreeing or having agreed to vote for any candidate or group of candidates, at an election, or on account of and as payment for his having assisted or agreed to assist any candidate or group of candidates, at an election, applies to that candidate or to any candidate in that group, or to his agent or agents, for the gift or loan of any money or

valuable consideration, or for the promise of the gift or loan of any money or valuable consideration or for any office, place or employment or for the promise of any office, place or employment;

(*j*) every person who, directly or indirectly, by himself or by any other person on his behalf, in order to induce any other person to agree to be nominated as a candidate or to refrain from becoming a candidate or to withdraw if he has become a candidate, gives or procures any office, place or employment or agrees to give or procure or offers or promises to procure or to endeavour to procure any office, place or employment to or for that other person, or gives or lends, or agrees to give or lend, or offers, or promises to procure or to endeavour to procure any money or valuable consideration to or for any person or to or for that other person, or to or for any person on behalf of that other person.

*[10/88]*

**Punishment and incapacities for corrupt practice**

**61.**—(1) Every person who —

(*a*) commits the offence of personation, or aids, abets, counsels or procures the commission of the offence of personation;

(*b*) commits the offence of treating, undue influence or bribery;

(*c*) publishes or causes to be published any election advertising during the period beginning with the day the writ of election is issued for an election and ending with the start of polling day at that election which —

(i) in the case of election advertising that is, or is contained in, a printed document, does not bear on its face or, if there is more than one side of printed matter, on the first or last page of the document, the names of its printer, its publisher and the person for

whom or at whose direction the election advertising is published; or

*[Act 41 of 2018 wef 02/01/2019]*

(ii) in the case of any other election advertising, does not bear in the form and manner prescribed under section 78A the names of its publisher and the person for whom or at whose direction the election advertising is published;

*[Act 41 of 2018 wef 02/01/2019]*

(*d*) makes or publishes, before or during any election, for the purpose of affecting the return of any candidate, any false statement of fact in relation to the personal character or conduct of the candidate;

(*e*) makes or publishes, before or during any election, for the purpose of promoting or procuring the election of any candidate, any false statement of the withdrawal of any other candidate at the election; or

(*f*) being a candidate or an election agent, knowingly makes the declaration as to election expenses required by section 74 falsely,

shall be guilty of a corrupt practice and shall on conviction by a District Court be liable —

(i) in the case referred to in paragraph (*a*), to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 3 years or to both;

(ii) in the case referred to in paragraph (*b*), to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 3 years or to both;

(iii) in the case referred to in paragraph (*c*), to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both;

(iv) in the case referred to in paragraph (*d*) or (*e*), to a fine or to imprisonment for a term not exceeding 12 months or to both; or

(v) in the case referred to in paragraph (*f*), to a fine not exceeding $2,000 or to imprisonment for a term not exceeding 6 months or to both.

*[31/2001; 10/2010]*

(2) Every person who is convicted of a corrupt practice shall become incapable for a period of 7 years from the date of his conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he has been elected a Member, his election shall be vacated from the date of the conviction.

*[21/91]*

(3) A prosecution for a corrupt practice except any corrupt practice as defined in subsection (1)(*d*) and (*e*) shall not be instituted without the consent of the Public Prosecutor.

*[15/2010]*

(4) Without prejudice to section 57, every offence of undue influence or bribery under section 59 or 60, as the case may be, and every other corrupt practice under subsection (1)(*c*), (*d*) or (*e*) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

(5) Where any election advertising is published in contravention of subsection (1)(*c*), the printer of the election advertising as well as the person for whom or at whose direction the election advertising is published shall each also be guilty of a corrupt practice and shall each be liable on conviction to the same punishment and incapacity under this section as the publisher thereof.

*[31/2001]*

(6) Subsection (1)(*c*) shall not apply in respect of —

(*a*) the distribution of a book, or the promotion of the sale of a book, for not less than its commercial value, if the book was planned to be published regardless of whether there was to be an election;

(*b*) the publication of a document directly by a person or a group of persons to their members, employees or shareholders, as the case may be;

(*c*) the publication of any news relating to an election —

(i) in a newspaper in any medium by a person permitted to do so under the Newspaper and Printing Presses Act (Cap. 206); or

(ii) in a radio or television broadcast by a person licensed to do so under the Broadcasting Act (Cap. 28);

(*d*) the telephonic or electronic transmission by an individual to another individual of the first-mentioned individual's own political views, on a non-commercial basis; or

(*e*) such other circumstances or activities as may be prescribed by the Minister by order in the *Gazette*.

*[31/2001; 10/2010]*

## ELECTION AGENT, ELECTION EXPENSES AND ILLEGAL PRACTICES

### Nomination of election agent

**62.**—(1) On or before the day of nomination at an election, a person shall be named in writing by or on behalf of each candidate as his agent for that election and the person is referred to in this Act as the election agent.

(2) A candidate may name himself as election agent, and thereupon shall, so far as circumstances admit, be subject to the provisions of this Act, both as a candidate and as an election agent, and any reference in this Act to an election agent shall be construed to refer to the candidate acting in his capacity of election agent.

(3) On or before the day of nomination, the name and address of the election agent of each candidate shall be declared in writing by the candidate or some other person on his behalf to the Returning Officer.

(3A) The Returning Officer shall then immediately, by affixing a notice in a conspicuous place outside his office, give public notification of the name and address of every election agent so declared.

(4) One election agent only shall be appointed for each candidate, but the appointment, whether the election agent appointed be the candidate himself or not, may be revoked.

(4A) In the event of such revocation or of the death of an election agent, whether the event is before, during or after the election, another election agent shall immediately be appointed, and his name and address declared in writing to the Returning Officer, who shall immediately give public notice of the name and address in the manner specified in subsection (3A).

(5) A principal election agent for a group of candidates shall be appointed by the candidates from amongst their election agents and the provisions of this section relating to the appointment and revocation of appointment of an election agent and public notification thereof shall apply, with the necessary modifications, in respect of a principal election agent.

*[42/96]*

(6) The election agent of a candidate (referred to as candidate A) belonging to a group of candidates may act by the election agent of any other candidate belonging to the same group (referred to as a sub-agent) whom the first-mentioned election agent authorises in writing in respect of such expenses incurred on account of or in respect of the conduct or management of the election for the candidates as is named in the authority, and —

(*a*) anything done by or to the sub-agent shall be deemed to be done by the election agent and sub-agent jointly; and

(*b*) the candidate A shall suffer the like incapacity as if any act or default of the sub-agent had been his election agent's act or default.

*[10/2010]*

(7) For the avoidance of doubt, nothing in subsection (6) prevents an election agent of a candidate belonging to a group from authorising in writing more than one sub-agent from among the respective election agents of the other candidates belonging to the same group.

*[10/2010]*

(8) The authorisation of a sub-agent under subsection (6) —

(*a*) shall not be vacated by the election agent who authorised him ceasing to be an election agent; and

(*b*) may be revoked by whoever is for the time being the election agent.

*[10/2010]*

(9) The references in sections 64, 65(1) and (1A), 66, 68 and 69 to an election agent of a candidate (referred to as candidate A) shall, in relation to an election in a group representation constituency, be taken as references to the election agent —

(*a*) acting by himself; or

(*b*) acting by the election agent of any other candidate belonging to the same group as candidate A whom the first-mentioned election agent has authorised in writing under subsection (6) to act as his sub-agent in respect of such expenses incurred on account of or in respect of the conduct or management of the election for the candidates as are named in that authority.

*[10/2010]*

### Person convicted of corrupt practice not to be appointed election agent

**63.** No person shall be appointed an election agent who has within 7 years prior to such appointment been convicted of any corrupt practice under this Act or the Presidential Elections Act (Cap. 240A).

*[27/91]*

### Making of contracts through election agent

**64.**—(1) Subject to subsection (1A), the election agent of a candidate shall —

(*a*) appoint every polling agent, clerk and messenger employed for payment on behalf of the candidate at an election;

(*b*) hire every committee-room hired on behalf of the candidate; and

(*c*) inform the presiding officer at each polling station in writing of the name of every polling agent appointed to act at that station before the person is admitted to the station.

*[42/96]*

(1A) In the case of a group of candidates, either the principal election agent for the group or the election agent of any candidate in that group shall appoint every polling agent on behalf of the group of candidates at an election and shall inform the presiding officer at each polling station in writing of the name of every polling agent appointed to act at that station before the person is admitted to the station.

*[42/96; 18/99]*

(2) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election shall not be enforceable against a candidate at the election, unless made by the candidate himself or by his election agent.

(3) Any inability under this section to enforce the contract against the candidate shall not relieve the candidate from the consequences of any corrupt or illegal practice committed by his agent.

**Payment of expenses through election agent**

**65.**—(1) Except as permitted by or in pursuance of this Act, no payment and no advance or deposit shall be made by a candidate at an election, or by any agent on behalf of the candidate, or by any other person at any time, whether before, during or after the election, in respect of any expenses incurred on account of or in respect of the conduct or management of the election otherwise than by or through the election agent of the candidate.

(1A) All money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as gift, loan, advance or deposit, shall be paid to the candidate or his election agent and not otherwise.

(2) Subsections (1) and (1A) shall not be deemed to apply to —

(*a*) any payments made by the Returning Officer;

(*b*) any payments which are, in accordance with section 66(8), (9) or (10) or 68(1), made by the candidate;

(*c*) any expenses which are paid in accordance with section 68(4) by a person or political party authorised as mentioned in that section; and

(*d*) any sum disbursed by any person out of his own money for any small expense legally incurred by himself, if the sum is not repaid to him.

*[10/2010]*

(3) A person who makes any payment, advance or deposit in contravention of this section or pays in contravention of this section any money so provided as aforesaid shall be guilty of an illegal practice.

**Period for sending in claims and making payments for election expenses**

**66.**—(1) Every payment made by an election agent in respect of any expenses incurred on account of or in respect of the conduct or management of an election shall, except where less than $10 or where, from the nature of the case, such as travel by rail or postage, a receipt is not obtainable, be vouched for by a bill stating the particulars and by a receipt.

(2) Every claim against a candidate at an election or his election agent in respect of any expenses incurred on account of or in respect of the conduct or management of the election, which is not sent in to the election agent within the time limited by this Act, shall be barred and shall not be paid.

(2A) Subject to such exception as may be allowed in pursuance of this Act, an election agent who pays a claim in contravention of subsection (2) shall be guilty of an illegal practice.

(3) Except as by this Act permitted, the time limited by this Act for sending in claims shall be 14 days after the date of publication of the result of the election in the *Gazette*.

(4) All expenses incurred by or on behalf of a candidate at an election, which are incurred on account of or in respect of the conduct or management of the election, shall be paid within the time limited by this Act and not otherwise.

(4A) Subject to such exception as may be allowed in pursuance of this Act, an election agent who makes a payment in contravention of subsection (4) shall be guilty of an illegal practice.

(5) Except as by this Act permitted, the time limited by this Act for the payment of those expenses shall be 28 days after the date of publication of the result of the election in the *Gazette*.

(6) Where it has been proved to the satisfaction of the Election Judge by a candidate that any payment made by an election agent in contravention of this section was made without the sanction or connivance of the candidate, the election of the candidate shall not be void, nor shall he be subject to any incapacity under this Act by reason only of the payment having been made in contravention of this section.

(7) If the election agent in the case of any claim sent in to him within the time limited by this Act disputes it, or refuses or fails to pay it within the period of 28 days, the claim shall be deemed to be a disputed claim.

(8) The claimant may, if he thinks fit, bring an action for a disputed claim in any competent court; and any sum paid by the candidate or his agent in pursuance of the judgment or order of that court shall be deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act, requiring claims to be paid by the election agent.

(9) On cause shown to the satisfaction of a Judge sitting in the General Division of the High Court, the Judge, on application by the claimant or by the candidate or his election agent, may by order give leave for the payment by a candidate or his election agent of a disputed claim, or of a claim for those expenses, although sent in after the time in this section mentioned for sending in claims, or although the claim was sent in to the candidate and not to the election agent.

*[16/93]*

*[Act 40 of 2019 wef 02/01/2021]*

(10) Any sum specified in the order of leave may be paid by the candidate or his election agent; and when paid in pursuance of that leave shall be deemed to be paid within the time limited by this Act.

**Remuneration of election agent**

**67.**—(1) So far as circumstances admit, this Act shall apply to a claim for his remuneration by an election agent and to the payment thereof in like manner as if he were any other creditor.

(2) If any difference arises respecting the amount of the claim, the claim shall be a disputed claim within the meaning of this Act, and be dealt with accordingly.

**Expenses which may be paid otherwise than by election agents**

**68.**—(1) The candidate at an election may pay any personal expenses incurred by him on account of or in connection with or incidental to the election to an amount not exceeding $1,000, but any further personal expenses so incurred by him shall be paid by his election agent.

*[10/2010]*

(2) The candidate shall send to the election agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid by the candidate.

(3) The personal expenses of a candidate include his reasonable travelling expenses, and the reasonable expenses of his living at hotels or elsewhere for the purposes of the election.

(4) If so authorised in writing by the election agent of a candidate (referred to in this subsection as candidate A) —

(*a*) any person may pay any necessary expense for stationery, postage, telephonic communication (or any other similar means of communication) and other petty expenses; or

(*b*) the political party for whom candidate A is standing for election (or an officer thereof authorised by the party to act on its behalf) may pay any expenses incurred on account of or in respect of the conduct or management of the election of candidate A,

to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the election agent of candidate A.

*[10/2010]*

(5) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

**Expenses in excess of maximum to be illegal practice**

**69.**—(1) Subject to such exception as may be allowed in pursuance of this Act, no sum shall be paid and no expense shall be incurred by a candidate at an election or his election agent, whether before, during, or after an election, on account of or in respect of the conduct or management of the election, in excess of the amount determined in accordance with the Third Schedule.

(1A) There shall not be included in the amount specified in subsection (1) any expenditure incurred by the candidate for his personal expenses, nor the fee, if any, paid to the election agent not exceeding $500.

*[21/91]*

(2) Any candidate or election agent who knowingly acts in contravention of this section shall be guilty of an illegal practice.

(3) The Minister may by order amend the Third Schedule; and every such order shall be presented to Parliament as soon as possible after publication in the *Gazette*.

*[21/91]*

(4) Where a writ of election has been issued under section 24 for an election in any electoral division, no order under subsection (3) shall be made until after the day of nomination or, if a poll is to be taken, until after polling day of that election.

*[21/91]*

**Certain expenditure to be illegal practice**

**70.**—(1) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made —

(*a*) on account of the conveyance of electors or voters to or from the poll, whether for the hiring of vehicles or animals of transport of any kind whatsoever, or for railway or other fares, or otherwise; or

(*b*) to or with an elector or voter on account of the use of any house, land, building or premises for the exhibition of any

address, bill or notice, or on account of the exhibition of any address, bill or notice.

(2) Notwithstanding anything in subsection (1) —

(*a*) where it is the ordinary business of an elector or voter as an advertising agent to exhibit for payment bills and advertisements, a payment to or contract with the elector or voter, if made in the ordinary course of business, shall not be deemed to be an illegal practice within the meaning of this section; and

(*b*) where electors or voters are unable at an election to reach their polling stations from their place of residence without crossing the sea or a branch or arm thereof or a river, means may be provided for conveying those electors or voters by sea to their polling stations, or to enable them to cross the river in order to reach their polling stations, and the amount of payment for such means of conveyance may be in addition to the maximum amount of expenses allowed by this Act.

**Use of motor vehicles at elections**

**71.**—(1) Subject to this section, a person shall not either let, lend, employ, hire, borrow or use any motor vehicle for the purpose of conveyance of electors or voters to or from the poll.

(1A) A person knowingly acting in contravention of subsection (1) shall be guilty of an illegal practice except that a candidate shall not be liable nor shall his election be avoided for an illegal practice under this subsection committed without his consent or connivance by any person other than his election agent.

(1B) The court before whom a person is convicted under subsection (1A) may, if the court thinks it just in the circumstances of the case, mitigate or entirely remit any incapacity imposed by virtue of section 79.

(2) Nothing in this section shall prevent any person from employing a motor vehicle for the purpose of conveying to or from the poll himself or any member of his family.

(3) For the purposes of subsection (2), "member of his family" means a person's spouse, parents and children.

(4) Between 8 a.m. and 8 p.m. on polling day, no person shall park a motor vehicle within 100 metres of any polling station other than a motor vehicle used for the conveyance of any sick, infirm or disabled person for such time as is reasonably necessary to enable the person to cast his vote.

(5) Any person who contravenes subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $500.
*[10/2010]*

(6) The illegal practice and the offence under subsections (1A) and (4), respectively, shall each be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).
*[10/2010]*

(7) [*Deleted by Act 10 of 2010 wef 02/07/2010*]

(8) [*Deleted by Act 10 of 2010 wef 02/07/2010*]

**Certain employment to be illegal**

**72.**—(1) Subject to section 62(6) and (7), no person shall, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for the purpose or in the capacities following:

(*a*) one election agent and no more;

(*b*) the number of polling agents that may be admitted to each polling station under section 39(5);
*[Act 41 of 2018 wef 02/01/2019]*

(*c*) a reasonable number of clerks and messengers having regard to the area of the electoral division and the number of electors on the register of electors for the division.
*[42/96; 10/2010]*

(2) Subject to such exception as may be allowed in pursuance of this Act, if any person is engaged or employed in contravention of this section, either before, during or after an election, the person engaging or employing him shall be guilty of an illegal practice.

### Saving for creditors

**73.** The provisions of this Act prohibiting certain payments and contracts for payments, and the payment of any sum, and the incurring of expenses in excess of a certain maximum, shall not affect the right of any creditor who, when the contract was made or the expense was incurred, was ignorant that they were in contravention of this Act.

### Return and declaration respecting election expenses

**74.**—(1) Within 31 days after the date of publication of the result of an election in the *Gazette*, the election agent of every candidate at that election shall transmit to the Returning Officer a true return (referred to in this Act as the return respecting election expenses), in Form 19 in the First Schedule, containing detailed statements as respects that candidate of —

(*a*) all payments made by the election agent;

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) the amount of personal expenses, if any, paid by the candidate;

(*c*) the disputed claims so far as the election agent is aware;

(*d*) all unpaid claims, if any, of which the election agent is aware in respect of which application has been made or is about to be made to an Election Judge or a Judge sitting in the General Division of the High Court;

*[Act 40 of 2019 wef 02/01/2021]*

(*e*) every donation accepted by the election agent or by the candidate for the purpose of expenses incurred or to be incurred on account of or in respect of the management of the election, naming every person from whom the donation may have been received.

*[16/93; 18/2005; 10/2010]*

(1A) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(2) The return respecting election expenses shall be signed by the election agent and shall be accompanied by a statement made by the

candidate and his election agent which shall be in Form 19 in the First Schedule.

*[18/2005]*

*[Act 41 of 2018 wef 02/01/2019]*

(2A) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(3) If the return and statements are not transmitted before the expiration of the time limited for the purpose, the candidate shall not after the expiration of the time sit or vote in Parliament as a Member until either the return and statements have been transmitted or until the date of the allowance of such authorised excuse for failure to transmit them as in this Act mentioned.

(3A) If a candidate sits or votes in contravention of this Act, he shall be guilty of an offence and shall be liable on conviction to a penalty of $500 for every day on which he so sits or votes.

(3B) Where a candidate or an election agent fails to transmit the return respecting election expenses and the statement referred to in subsection (2) before the expiration of the time limited for the purpose and in the manner required by this Act, the candidate or election agent shall not be qualified to be elected as President.

*[21/91]*

(4) If any candidate or election agent fails to comply with the requirements of subsection (1) or (2), he shall be guilty of an illegal practice and the provisions of this section shall be in addition to and not in derogation of section 61.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(4A) [*Deleted by Act 41 of 2018 wef 02/01/2019*]

(5) In this section, "donation" has the same meaning as in section 3(1) of the Political Donations Act (Cap. 236), and a donation is accepted by a candidate or an election agent if it is accepted within the meaning of that Act.

*[18/2005]*

**Publication of receipt of return, etc.**

**75.**—(1) When any return respecting election expenses and the statements made in respect thereof have been received by the

Returning Officer, he shall, as soon as possible, cause a notice of the date on which the return and statements in question were received by him and of the time and place at which they can be inspected, to be fixed in some conspicuous place in his office and published in the *Gazette*.

(2) The Returning Officer shall —

(*a*) preserve all such returns and statements;

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) at all reasonable times during 6 months after the publication in the *Gazette* of the notice mentioned in this section, permit any person to inspect them and to make extracts therefrom on payment of a fee of $2; and

(*c*) on payment of 30 cents for each page, supply a copy or copies of any part thereof.

(2A) Before permitting the inspection of, or the making of extracts from, any return or statement under subsection (2)(*b*), the Returning Officer must —

(*a*) completely redact the address and contact number of any individual disclosed in the return or statement; and

(*b*) partially redact the identity card number of any individual disclosed in the return or statement.

*[Act 41 of 2018 wef 02/01/2019]*

(3) After the expiration of one year after the date of publication of the notice mentioned in subsection (1), those documents may be destroyed or returned to the candidate if application for their return is made by the candidate before they are destroyed.

*[22/84]*

*[Act 41 of 2018 wef 02/01/2019]*

**Supporting documents, etc., for returns respecting election expenses**

**75A.**—(1) A candidate and his election agent at an election must maintain, for the period specified in subsection (2), the following documents relating to the election (collectively called in this section the supporting documents):

(*a*) every bill and receipt mentioned in section 66(1) relating to the candidate;

(*b*) every written authority mentioned in section 68(4) given by the election agent.

(2) For the purposes of subsection (1), the period is one year after the date of publication of the notice under section 75(1) on the return respecting election expenses for the candidate in the election.

(3) The Returning Officer may, by written notice at any time during the period specified in subsection (2), require the candidate or the election agent, or both of those persons, to furnish, within such time as may be specified in the notice, any supporting document or any other information relating to the return respecting election expenses.

(4) The candidate or the election agent who is given a written notice under subsection (3) must comply with the notice.

(5) The candidate and the election agent are jointly and severally responsible for complying with the requirements of subsections (1) and (where applicable) (4).

(6) Any person who contravenes subsection (1) or (4) shall be guilty of an illegal practice.

(7) This section is in addition to and not in derogation of section 61.

*[Act 41 of 2018 wef 02/01/2019]*

**Employers to allow employees reasonable period for voting**

**76.**—(1) Every employer shall, on polling day, allow every elector in his employ a reasonable period for voting.

(1A) No employer shall make any deduction from the pay or other remuneration of any such elector or impose upon or exact from him any penalty by reason of his absence during that period.

(2) This section shall extend to the employees of the Railway except such as are actually engaged in the running of trains and to whom such time cannot be allowed without interfering with the manning of the trains; and the General Manager of Railways shall be deemed to be the employer of such employees.

(3) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other manner, interferes with the granting to any elector in his employ of a reasonable period for voting shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 6 months or to both.

*[10/2010]*

**Badges, symbols, etc., prohibited on polling day and eve of polling day**

**77.**—(1) No badge, symbol, rosette, favour, set of colours, flag, advertisement, handbill, placard or poster or any replica of a voting paper shall be worn, used, carried or displayed by any person or on any motorcar, truck or other vehicle as political propaganda on polling day or on the eve of polling day at an election.

*[10/2010]*

(2) The prohibition under subsection (1) shall not preclude the wearing on his person by a candidate of a badge indicating his affiliation with a political party or a replica of the symbol allotted to him or to the group of candidates to which he belongs under section 34 or 34A, as the case may be.

*[10/88]*

(3) The offence under subsection (4) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

(4) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months.

**Regulations for display of posters and banners**

**78.**—(1) The Minister may make regulations to regulate the display of posters and banners in respect of an election.

(2) Such regulations may provide for the Returning Officer to determine the number and size of posters and banners which may be displayed in any electoral division and for the determination of the places at which they may be so displayed.

(3) For the purposes of this section and any regulations made thereunder —

"banner" includes a flag, bunting, ensign or standard;

"poster" includes any label, set of colours, drawing, painting, advertisement, handbill or placard or any replica of a voting paper or of the symbol of any political party.

(4) Any person who commits an offence under such regulations shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months.

(5) Every offence under such regulations shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

**Regulations for other election advertising**

**78A.**—(1) The Minister may make regulations —

(*a*) prescribing the form and manner in which the names of the publisher of any election advertising not comprising printed matter and of the person for whom or at whose direction it is published must be included in such election advertising for the purpose of complying with section 61(1)(*c*)(ii); and

*[Act 41 of 2018 wef 02/01/2019]*

(*b*) regulating election advertising and the publication thereof during an election period on what is commonly known as the Internet by political parties, and candidates or their election agents, including prescribing the features that must or must not appear or be used in any such election advertising.

*[31/2001; 10/2010]*

(2) Any person who contravenes any regulations made under subsection (1)(*b*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both.

*[31/2001]*

(2A) Every offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

(3) For the purposes of this section and any regulations made thereunder, "election period" means the period beginning with the day the writ of election is issued for an election and ending with the start of polling day at the election.

*[31/2001; 34/2002; 10/2010]*

**Election advertising ban**

**78B.**—(1) Except as otherwise provided by or under subsection (2), no person shall, at any time on polling day or the eve of polling day at an election in an electoral division —

(*a*) knowingly publish, or knowingly cause or permit to be published, any election advertising in or among any electors in the electoral division; or

(*b*) knowingly display, or knowingly cause or permit to be displayed, any election advertising on any vehicle, thing or structure within the electoral division or adjoining the electoral division.

*[10/2010]*

(2) Subsection (1) shall not apply to —

(*a*) the distribution of a book, or the promotion of the sale of a book, for not less than its commercial value, if the book was planned to be published regardless of whether there was to be an election;

(*b*) the publication of any news relating to an election —

(i) in a newspaper in any medium by a person permitted to do so under the Newspaper and Printing Presses Act (Cap. 206); or

(ii) in a radio or television broadcast by a person licensed to do so under the Broadcasting Act (Cap. 28);

(*c*) the telephonic or electronic transmission by an individual to another individual of the first-mentioned individual's own political views, on a non-commercial basis;

(*d*) any election advertising that was lawfully published or displayed before the start of the eve of polling day at any election on what is commonly known as the Internet and that was not changed after its publication or display;

(*e*) the continued lawful display or posting of posters or banners that have been displayed or posted before the start of the eve of polling day at any election; and

(*f*) such activities or circumstances as may be prescribed by the Minister.

*[10/2010]*

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction by a District Court to a fine not exceeding $1,000 or to imprisonment for a term not exceeding 12 months or to both.

*[10/2010]*

(4) Every offence under this section shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

**Blackout period for election survey results**

**78C.**—(1) No person shall publish or permit or cause to be published the results of any election survey during the period beginning with the day the writ of election is issued for an election and ending with the close of all polling stations on polling day at the election.

*[31/2001]*

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months or to both.

*[31/2001; 10/2010]*

(2A) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010.

*[10/2010]*

(3) In this section, "election survey" means an opinion survey of how electors will vote at an election or of the preferences of electors respecting any candidate or group of candidates or any political party or issue with which an identifiable candidate or group of candidates is associated at an election.

*[31/2001]*

**Exit polls ban on polling day**

**78D.**—(1) No person shall publish or permit or cause to be published on polling day before the close of all polling stations on polling day —

(*a*) any statement relating to the way in which voters have voted at the election where that statement is (or might reasonably be taken to be) based on information given by voters after they have voted; or

(*b*) any forecast as to the result of the election which is (or might reasonably be taken to be) based on information so given.

*[31/2001]*

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months or to both.

*[31/2001; 10/2010]*

(2A) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

(3) In this section —

(*a*) "forecast" includes estimates; and

(*b*) any reference to the result of an election is a reference to the result of an election either as a whole or so far as any

particular candidate or group of candidates at the election are concerned.

*[31/2001]*

**Defence for election advertising offences**

**78E.**—(1) It shall be a defence for a person charged with an offence under section 61(1) or (5), 78A(2), 78B(3), 78C(2) or 78D(2) to prove —

(*a*) that the contravention of section 61(1)(*c*), (*d*) or (*e*), 78B(1), 78C(1), 78D(1) or any regulations made under section 78A(1)(*b*), as the case may be, arose from circumstances beyond his control; and

(*b*) that he took all reasonable steps, and exercised all due diligence, to ensure that that contravention would not arise.

*[31/2001]*

(2) Nothing in subsection (1) shall limit the operation of section 26 of the Electronic Transactions Act 2010 (Act 16 of 2010) in relation to network service providers.

*[31/2001]*

**Punishment for conviction for illegal practice**

**79.**—(1) Every person who commits an illegal practice shall be guilty of an offence and shall be liable on conviction by a District Court to a fine not exceeding $2,000 and become incapable for a period of 3 years from the date of his conviction of being registered as an elector or of voting at any election under this Act or of being elected as the President or a Member, and if at that date he has been elected a Member, his election shall be vacated from the date of the conviction.

*[21/91; 10/2010]*

(2) A prosecution for an illegal practice shall not be instituted without the consent of the Public Prosecutor except that nothing herein shall prevent any police officer from exercising the powers conferred upon him by Division 1 of Part IV (other than section 20) and sections 34, 39, 40, 111, 258, 260, 261 and 280 of the Criminal Procedure Code 2010 (Act 15 of 2010) in the case of non-arrestable

offences or from exercising his powers to prevent a continuance of any illegal practice.

*[15/2010]*

**Prohibition of canvassing on polling day and eve of polling day**

**80.**—(1) No person shall on polling day and the eve of polling day at an election in an electoral division —

(*a*) by word, message, writing or in any other manner endeavour to persuade any person to give or dissuade any person from giving his vote at the election; or

(*b*) visit an elector at his home or place of work for any purpose in connection with the election.

*[10/2010]*

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months or to both.

*[10/2010]*

(3) Notwithstanding the provisions of the Criminal Procedure Code 2010 relating to the powers of search of any police officer, if any police officer has reasonable cause to believe that an offence is being committed under subsection (1), the police officer, by virtue of his office, shall be empowered to enter and search any premises or place for the purpose of ascertaining whether such an offence is being committed.

(4) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

(5) For the purposes of this section, any person who, on polling day or on the eve of polling day, enters or is seen at more than 2 houses or places of work of electors in the same polling district other than his own home or place of work, shall, unless he proves the contrary, be presumed to have committed an offence under subsection (1)(*a*) and (*b*).

*[10/2010]*

**Restrictions on election meetings**

**80A.**—(1) Without prejudice to sections 12 and 13 of the Public Order Act 2009 (Act 15 of 2009), and notwithstanding section 14 of that Act, all election meetings, wherever held, are prohibited —

(*a*) in the case of a general election, on polling day and the eve of polling day at the general election; or

(*b*) in the case of a by-election in any electoral division, on polling day and the eve of polling day at the by-election,

and notwithstanding section 7 of that Act, no permit shall be granted under Part II of that Act for such an election meeting even if a notice under section 6 of that Act is given in respect of that election meeting.

*[10/2010]*

(2) Notwithstanding section 14 of the Public Order Act 2009, an election meeting shall not take place within any public place that is designated as an unrestricted area under that section during any of the following periods:

(*a*) in the case of a general election, between the day of nomination appointed for the general election and the day before the eve of polling day at that general election (both days inclusive); or

(*b*) in the case of a by-election in any electoral division, between the day of nomination appointed for the by-election and the day before the eve of polling day at that by-election (both days inclusive),

unless the Commissioner of Police is notified under section 6 of that Act of the intention to hold the election meeting, and a permit is granted under section 7 of that Act in respect of that election meeting; and Part II of that Act shall apply to such an election meeting as if it does not take place within an unrestricted area.

*[10/2010]*

(3) Any reference in the Public Order Act 2009 (Act 15 of 2009) to an assembly or a procession that is unlawful under Part II of that Act shall include a reference to an election meeting —

(*a*) that is held in contravention of subsection (1) or (2); or

(*b*) in the case of an election meeting that takes place in an unrestricted area within the meaning of section 14 of the Public Order Act 2009 —

(i) that is held on a date or at a time which differs from the date or time specified in relation to the election meeting in the notice given under section 6 of that Act; or

(ii) that is not in compliance with any requirement imposed by section 8(1) of that Act or any condition imposed under section 8(2) of that Act on organisers or persons taking part in that election meeting.

*[10/2010]*

(4) In this section, "election meeting" means a public assembly (within the meaning of the Public Order Act 2009) organised by or on behalf of a candidate nominated for election —

(*a*) to promote or procure the electoral success at the election for one or more identifiable political parties, candidates or groups of candidates; or

(*b*) to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with the election.

*[10/2010]*

**Prohibition of dissuasion from voting**

**81.**—(1) No person shall between the day of nomination and polling day (both days being inclusive) at any election, by word, message, writing or in any other manner dissuade or attempt to dissuade any person from giving his vote at the election.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $2,000 or to imprisonment for a term not exceeding 12 months or to both.

*[10/2010]*

(3) Notwithstanding the provisions of the Criminal Procedure Code 2010 (Act 15 of 2010) relating to the powers of search of any police officer, if any police officer has reasonable cause to believe that an

offence is being committed under subsection (1), the police officer, by virtue of his office, shall be empowered to enter and search any premises or place for the purpose of ascertaining whether such an offence is being committed.

(4) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010.

*[10/2010]*

**Undue influence at or near polling station**

**82.**—(1) No person shall —

(*a*) endeavour to establish the identity of any person entering a polling station;

(*b*) check the name of any person entering a polling station on any list at the approach to a polling station;

(*c*) anywhere place any desk or table or establish any office or booth for the purpose of recording particulars of voters;

(*d*) wait outside any polling station on polling day, except for the purpose of gaining entry to the polling station to cast his vote;

(*e*) loiter in any street or public place within a radius of 200 metres of any polling station on polling day; or

(*f*) open or maintain, for the purpose of any activity directed towards promoting or procuring the election of a candidate at any election, any office in any room, building or any place whatsoever, whether open or enclosed, on polling day.

(1A) Notwithstanding subsection (1), every candidate or his election agent may open or maintain in his electoral division one office for each polling district, which shall not be within a radius of 200 metres of any polling station, and the address of every such office shall be registered by the candidate or his election agent with the Returning Officer before polling day.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding

$2,000 or to imprisonment for a term not exceeding 12 months or to both.

*[10/2010]*

(3) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

**Persons prohibited from conducting election activity**

**83.**—(1) No person —

(*a*) attending a primary or secondary school as a student;

(*b*) against whom an order of supervision has been made under section 30(1)(*b*) of the Criminal Law (Temporary Provisions) Act (Cap. 67);

*[Act 12 of 2018 wef 01/01/2019]*

(*c*) who is an undischarged bankrupt; or

(*d*) who is not a citizen of Singapore,

shall take part in any election activity.

(1A) An individual who is not a citizen of Singapore shall not knowingly publish or display, or knowingly cause or permit to be published or displayed, any election advertising in or among any electors in an electoral division during the period beginning with the day the writ of election is issued for an election and ending with the start of the eve of polling day at the election.

*[10/2010]*

(2) No person shall conduct any election activity unless he is in possession of a written authority signed by a candidate or his election agent in Form 22 or Form 23, as the case may be, in the First Schedule; and such authority shall be issued only on or after the day of nomination.

(3) Every candidate and election agent shall supply particulars in duplicate of all written authorities issued by him under subsection (2) to the Returning Officer, who shall on receipt thereof forward a copy of those particulars to the Commissioner of Police.

(4) A candidate or election agent shall, if so required by the Commissioner of Police, immediately withdraw and deliver to the Returning Officer the written authority given by the candidate or election agent to any person who is stated by the Commissioner of Police to be a person in respect of whom an order has been made under section 30(1)(*b*) of the Criminal Law (Temporary Provisions) Act.

*[Act 12 of 2018 wef 01/01/2019]*

(5) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $2,000 or to imprisonment for a term not exceeding 12 months or to both.

*[10/2010]*

(6) No candidate or election agent shall authorise any person to conduct an election activity, knowing or having reason to believe that the person is attending a primary or secondary school as a student or that an order has been made in respect of the person under section 30(1)(*b*) of the Criminal Law (Temporary Provisions) Act (Cap. 67).

*[Act 12 of 2018 wef 01/01/2019]*

(7) Every offence under this section for contravening subsection (1), (1A) or (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

(8) For the purposes of this section, "election activity" includes any activity (other than clerical work wholly performed within enclosed premises) which is done for the purpose of —

(*a*) promoting or procuring the electoral success at any election for one or more identifiable political parties, candidates or groups of candidates; or

(*b*) prejudicing the electoral prospects of other political parties, candidates or groups of candidates at the election.

*[Act 41 of 2018 wef 02/01/2019]*

(9) Nothing in this section shall prohibit the carrying out by any prescribed person, or person in a prescribed class of persons, of such type of work as is prescribed, being work that is performed solely

pursuant to a contract for service entered into with a person authorised to conduct election activity under this section.

*[10/2010]*

### Unlawful assembly

**84.** Where it is shown that the common object of an assembly of 5 or more persons is —

(*a*) to interrupt or interfere with an election meeting; or

(*b*) to go about in a group on polling day in a manner calculated to cause intimidation, alarm or annoyance to any elector, voter or candidate,

the assembly shall be deemed to be an unlawful assembly as defined in section 141 of the Penal Code (Cap. 224).

### Offence to operate loudspeaker

**85.**—(1) It shall be an offence for a person to operate any loudspeaker or other instrument for the production or reproduction of any speech, sound or music in any street or public place or any premises adjoining any street or public place, so as to interfere with any election meeting or so as to cause annoyance to persons conducting or attending the meeting.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 12 months.

*[10/2010]*

(3) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

## EXCUSE FOR CORRUPT AND ILLEGAL PRACTICE

### Report exonerating candidate in certain cases of corrupt and illegal practice by agents

**86.** Where, upon the hearing of an application under section 90 respecting an election under this Act, the Election Judge reports that a

candidate at the election has been guilty by his agents of the offence of treating or undue influence or of any illegal practice in reference to the election, and the Election Judge further reports, after giving the Public Prosecutor an opportunity of being heard, that the candidate has proved to the court —

(*a*) that no corrupt or illegal practice was committed at the election by the candidate or his election agent and the offences mentioned in the report were committed contrary to the orders and without the sanction or connivance of the candidate or his election agent;

(*b*) that the candidate and his election agent took all reasonable means for preventing the commission of corrupt and illegal practices at the election;

(*c*) that the offences mentioned in the said report were of a trivial, unimportant and limited character; and

(*d*) that in all other respects the election was free from any corrupt or illegal practice on the part of the candidate and of his agents,

then the election of the candidate shall not, by reason of the offences mentioned in the report, be void, nor shall the candidate be subject to any incapacity under this Act.

*[42/2005]*

**Power of election court to except innocent act from being illegal practice, etc.**

**87.**—(1) Where, on application made, it is shown to an Election Judge or to a Judge sitting in the General Division of the High Court by such evidence as seems to the Judge sufficient —

(*a*) that any act or omission of a candidate at any election, or of his election agent or of any other agent or person, would, by reason of being the payment of a sum or the incurring of expense in excess of any maximum amount allowed by this Act, or of being a payment, engagement, employment, or contract in contravention of this Act, or of otherwise being in contravention of any of the provisions of this Act, be but for this section an illegal practice; and

(*b*) that the act or omission arose from inadvertence or from accidental miscalculations or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith,

and in the circumstances it seems to the Judge, after giving the candidates, the Returning Officer, and any elector within the electoral division an opportunity of being heard, to be just that the candidate in question and the election and other agent and person, or any of them, should not be subject to any of the consequences under this Act of that act or omission, the Judge may make an order allowing that act or omission to be an exception from the provisions of this Act which would otherwise make the act or omission an illegal practice, payment, employment or hiring.

*[Act 40 of 2019 wef 02/01/2021]*

(2) Upon the making of an order under subsection (1), the candidate, agent or person shall not be subject to any of the consequences under this Act of the act or omission mentioned in that subsection.

*[16/93]*

**Authorised excuse for non-compliance with provisions as to return and statements respecting election expenses**

**88.**—(1) Where the return and statements respecting election expenses of a candidate at an election have not been transmitted as required by this Act, or being transmitted contain some error or false statement, then —

(*a*) if the candidate applies to an Election Judge or a Judge sitting in the General Division of the High Court and shows that the failure to transmit the return and statements, or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness or misconduct of his election agent, or of any clerk or officer of the agent, or by reason of inadvertence or of any reasonable cause of a like nature,

and not by reason of any want of good faith on the part of the applicant; or

*[Act 41 of 2018 wef 02/01/2019]*

*[Act 40 of 2019 wef 02/01/2021]*

(*b*) if the election agent of the candidate applies to an Election Judge or a Judge sitting in the General Division of the High Court and shows that the failure to transmit the return and statements which he was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness, or of the death, illness or misconduct of any prior election agent of the candidate, or of the absence, death, illness or misconduct of any clerk, or officer of an election agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant,

the Judge may, after such notice of the application, and on production of such evidence of the grounds stated in the application, and of the good faith of the application, and otherwise, as to the Judge seems fit, and after giving the other candidates, the Returning Officer and any elector within the electoral division an opportunity of being heard, make such order for allowing an authorised excuse for the failure to transmit such return and statements, or for an error or false statement in such return and statements as to the Judge seems just.

*[16/93; 10/2010]*

*[Act 40 of 2019 wef 02/01/2021]*

*[Act 41 of 2018 wef 02/01/2019]*

(2) Where it appears to the Judge that any person being or having been an election agent has refused or failed to make such return or supply such particulars as will enable the candidate and his election agent to comply with the provisions of this Act as to the return and statements respecting election expenses, the Judge shall —

(*a*) before making an order allowing the excuse as in this section mentioned order the person to attend before the Judge; and

(*b*) unless the person attends and shows cause to the contrary, order him to make the return and statements, or to deliver a statement of the particulars required to be contained in the return, as to the Judge appears just, and to make or deliver them within such time and to such person and in such manner as the Judge may direct, or may order him to be examined with respect to those particulars, and, in default of compliance with that order, the person shall be guilty of an illegal practice.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(3) The order may make the allowance conditional upon the making of the return and statements in a modified form or within an extended time, and upon the compliance with such other terms as to the Judge seems best calculated for carrying into effect the objects of this Act.

(4) An order allowing an authorised excuse shall relieve the applicant for the order from any liability or consequences under this Act in respect of the matter excused by the order.

(5) Where it is proved by the candidate to the Judge that any act or omission of the election agent in relation to the return and statements respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing the act or omission, the Judge shall relieve the candidate from the consequences of the act or omission on the part of his election agent.

*[10/2010]*

*[Act 41 of 2018 wef 02/01/2019]*

(6) The date of the order or, if conditions and terms are to be complied with, the date at which the applicant fully complies with them is referred to in this Act as the date of the allowance of the excuse.

## GROUNDS FOR AVOIDING ELECTIONS

### Avoidance by conviction of candidate

**89.** The election of a candidate as a Member is avoided by his conviction for any corrupt or illegal practice.

### Application for avoidance of election on certain grounds

**90.** The election of a candidate as a Member shall be declared to be void on an application made to an Election Judge on any of the following grounds which may be proved to the satisfaction of the Election Judge:

(*a*) that by reason of general bribery, general treating, or general intimidation, or other misconduct, or other circumstances, whether similar to those before enumerated or not, the majority of electors were or may have been prevented from electing the candidate or group of candidates whom they preferred;

(*b*) non-compliance with the provisions of this Act relating to elections, if it appears that the election was not conducted in accordance with the principles laid down in those provisions and that the non-compliance affected the result of the election;

(*c*) that a corrupt practice or an illegal practice was committed in connection with the election by the candidate or with his knowledge or consent or by any agent of the candidate;

(*d*) that the candidate personally engaged a person as his election agent, or as a canvasser or an agent, knowing that the person had, within 7 years prior to the engagement, been convicted or found guilty of a corrupt practice by a District Court or by the report of an Election Judge;

(*e*) that the candidate was at the time of his election a person disqualified for election as a Member.

*[10/88; 42/2005]*

**Proceedings in respect of qualification**

**91.**—(1) Proceedings may be instituted in the General Division of the High Court against any person acting or claiming to be entitled to act as an elected Member on the ground of his being disqualified within the meaning of this section for so acting.

*[Act 40 of 2019 wef 02/01/2021]*

(2) Proceedings under subsection (1) on the ground of a person acting as aforesaid shall not be instituted after the expiration of 6 months from the date of the last occasion on which he so acted.

(3) Where in proceedings instituted under this section it is proved that the defendant has acted as an elected Member while disqualified from so acting, then the General Division of the High Court shall have power —

(*a*) to make a declaration to that effect and to declare that the office in which the defendant has acted is vacant;

(*b*) to grant an injunction restraining the defendant from so acting; and

(*c*) to make any order which may seem fit as to the costs of the proceedings.

*[Act 40 of 2019 wef 02/01/2021]*

(4) Where in proceedings instituted under this section it is proved that the defendant claims to act as an elected Member and is disqualified from so acting, the General Division of the High Court shall have power to make a declaration to that effect and to declare that the office in which the defendant claims to be entitled to act is vacant, and to grant an injunction restraining him from so acting.

*[Act 40 of 2019 wef 02/01/2021]*

(5) No proceedings shall be instituted under this section by any person other than a person who pursuant to this Act is an elector for the electoral division for which the person against whom proceedings are to be instituted was elected.

(6) For the purposes of this section, a person shall be deemed to be disqualified for acting as an elected Member —

(*a*) if he is not qualified to be, or is disqualified from being, an elected Member or a holder of that office; or

(*b*) if by reason of resignation or failure to attend meetings of Parliament or for any other reason his seat has become vacant and he has ceased to be an elected Member or to hold that office.

## PART IV

## APPLICATIONS FOR AVOIDANCE OF ELECTION

### Appointment and powers of Election Judge

**92.**—(1) Every application under section 90 shall be heard by the Chief Justice or by a Supreme Court Judge nominated by the Chief Justice for the purpose.

*[42/2005]*

*[Act 40 of 2019 wef 02/01/2021]*

(2) The Chief Justice or the Judge so nominated is referred to in this Act as the Election Judge.

(3) Witnesses shall be subpoenaed and sworn in the same manner as nearly as circumstances admit as in a trial by the General Division of the High Court in the exercise of its original civil jurisdiction and shall be subject to the same penalties for the giving of false evidence.

*[Act 40 of 2019 wef 02/01/2021]*

(4) On the hearing of an application under section 90, the Election Judge may, by order under his hand, compel the attendance of any person as a witness who appears to him to have been concerned in the election to which the application refers.

*[42/2005]*

(5) Any person who wilfully refuses to obey the order of the Election Judge under subsection (4) shall be guilty of contempt of court under section 4(1) of the Administration of Justice (Protection) Act 2016.

*[Act 19 of 2016 wef 01/10/2017]*

(6) The Election Judge may examine any witness so compelled to attend or any person in court, although the witness is not called and examined by any party to the application.

*[42/2005]*

(7) After the examination of a witness by the Election Judge, the witness may be cross-examined by or on behalf of the applicant and the respondent, or either of them.

*[42/2005]*

(8) The Election Judge shall be attended on the hearing of an application under section 90 in the same manner as if he were a Judge sitting in the General Division of the High Court.

*[16/93; 42/2005]*

*[Act 40 of 2019 wef 02/01/2021]*

(9) Unless otherwise ordered by the Chief Justice, all interlocutory matters in connection with an application under section 90 may be dealt with and decided by any Judge sitting in the General Division of the High Court.

*[16/93; 42/2005]*

*[Act 40 of 2019 wef 02/01/2021]*

### Who may make application under section 90

**93.** An application under section 90 may be made to the Supreme Court by any one or more of the following persons:

(*a*) some person who voted or had a right to vote at the election to which the application relates;

(*b*) some person claiming to have had a right to be returned or elected at the election;

(*c*) some person alleging himself to have been a candidate at the election.

*[42/2005]*

### Relief which may be claimed

**94.** All or any of the following reliefs to which the applicant may be entitled may be claimed in an application under section 90:

(*a*) a declaration that the election is void;

(*b*) a declaration that the return of the person elected was undue;

(*c*) a declaration that any candidate was duly elected and ought to have been returned;

(*d*) where the seat is claimed for an unsuccessful candidate on the ground that he or the group of candidates to which he belongs had a majority of lawful votes, a scrutiny.

*[10/88; 42/2005]*

**Certificate of Election Judge as to validity of election**

**95.**—(1) At the conclusion of the hearing of an application under section 90, the Election Judge shall determine whether the Member whose return or election is complained of, or any other and what person, was duly returned or elected, or whether the election was void, and shall certify such determination to the President.

*[42/2005]*

(2) Upon the certificate being given under subsection (1), the determination shall be final; and the return shall be confirmed or altered, or the President shall within one month of the determination, by notice in the *Gazette*, order the holding of an election in the electoral division concerned, as the case may require, in accordance with the certificate.

*[10/88]*

(3) Where the election of any Member for a group representation constituency is determined by the Election Judge under subsection (1) to be void, the election of the other Members for that constituency shall be deemed to be void.

*[10/88; 9/91]*

**Report of Election Judge as to corrupt or illegal practice**

**96.**—(1) At the conclusion of the hearing of an application under section 90, the Election Judge shall also report in writing to the President —

(*a*) whether any corrupt or illegal practice has or has not been proved to have been committed by or with the knowledge and consent of any candidate at the election, or by his agent, and the nature of the corrupt or illegal practice (if any); and

(*b*) the names and descriptions of all persons (if any) who have been proved at the hearing to have been guilty of any corrupt or illegal practice.

*[42/2005]*

(2) Before any person, not being a party to an application under section 90 nor a candidate on behalf of whom the seat is claimed by such an application, is reported by an Election Judge under this section, the Election Judge shall give the person an opportunity of being heard and of giving and calling evidence to show why he should not be so reported.

*[42/2005]*

(3) When the Election Judge reports that a corrupt or illegal practice has been committed by any person, that person shall be subject to the same incapacities as if at the date of the report he had been convicted of that practice.

(4) A person shall be subject to the same incapacities if he was a candidate at the election and the Election Judge reports that the corrupt or illegal practice was committed with his knowledge and consent or by his agent.

(5) The President shall cause a copy of such report to be published in the *Gazette*, and it shall be the duty of the Registration Officer immediately to peruse the report and immediately to delete from the registers of electors the name of every person appearing from the report to be incapable of voting at an election.

### Time for making application

**97.**—(1) Subject to this section, every application under section 90 shall be made within 21 days of the date of publication of the result of the election in the *Gazette*.

*[42/2005]*

(2) An application under section 90 questioning the return or the election upon the ground of a corrupt practice and specifically alleging a payment of money or other act to have been made or done since the date referred to in subsection (1) by the Member whose election is questioned or by an agent of the Member or with the privity of the Member or his election agent in pursuance or in furtherance of the corrupt practice may, so far as respects that corrupt practice, be made at any time within 28 days after the date of the payment or act.

*[42/2005]*

(3) An application under section 90 questioning the return or the election upon an allegation of an illegal practice may, so far as respects that illegal practice, be made within the following time:

(*a*) at any time before the expiration of 14 days after the date of the publication in the *Gazette* of the notice required by section 75 as to the election expenses of the Member whose election is questioned; or

(*b*) if the application specifically alleges a payment of money or other act to have been made or done since that date by the Member whose election is questioned or by an agent of the Member or with the privity of the Member or of his election agent in pursuance or in furtherance of the illegal practice alleged in the application, the application may be made at any time within 28 days after the date of the payment or other act.

*[42/2005]*

(4) An application under section 90 made in due time may, for the purpose of questioning the return or the election upon an allegation of a corrupt or illegal practice, be amended with the leave of a Judge sitting in the General Division of the High Court within the time within which an application questioning the return or the election upon that ground may be made.

*[16/93; 42/2005]*

*[Act 40 of 2019 wef 02/01/2021]*

(5) For the purposes of this section, where there is an authorised excuse for failing to make and transmit the return and statements respecting election expenses, the date of the allowance of the excuse or, if there was a failure in 2 or more particulars and the excuse was allowed at different times, the date of the allowance of the last excuse, shall be substituted for the date of the publication in the *Gazette* of the notice mentioned in subsection (3).

**Prohibition of disclosure of vote**

**98.** No elector who has voted at any election shall, in any proceeding to question the election, be required to state for whom he has voted.

**Votes to be struck off at a scrutiny**

**99.**—(1) On a scrutiny at the hearing of an application under section 90, the following votes only shall be struck off:

(*a*) the vote of any person whose name was not on the register of electors assigned to the polling station at which the vote was recorded or who has not been authorised to vote at the station under section 39;

(*b*) the vote of any person whose vote was procured by bribery, treating or undue influence;

(*c*) the vote of any person who committed or procured the commission of personation at the election;

(*d*) where the election was a general election, the vote of any person proved to have voted at the general election in more than one electoral division;

(*e*) the vote of any person, who, by reason of a conviction of a corrupt or illegal practice or by reason of the report of an Election Judge, or by reason of his conviction of an offence under section 55, was incapable of voting at the election;

(*f*) votes given for a disqualified candidate or group of candidates by a voter knowing that the candidate, or any candidate in that group, as the case may be, was disqualified or the facts causing the disqualification, or after sufficient public notice of the disqualification, or when the disqualification or the facts causing it were notorious.

*[10/88; 42/2005]*

(2) The vote of a registered elector shall not, except in the case specified in subsection (1)(*e*), be struck off at a scrutiny by reason only of the voter not having been or not being qualified to have his name entered in the register of electors.

(3) On a scrutiny, any tendered vote that is proved to be a valid vote shall be added to the poll if any party to the application under section 90 applies for that vote to be so added.

*[42/2005]*

### Procedure and practice on applications under section 90

**100.**—(1) The procedure and practice on applications under section 90 shall be regulated by rules which may be made by the Rules Committee constituted and appointed under section 80 of the Supreme Court of Judicature Act (Cap. 322).

*[42/2005]*

(2) The Rules contained in the Fourth Schedule shall be deemed to have been made under the powers conferred by subsection (1) and shall be amendable by rules made under that subsection.

*[21/91; 42/2005]*

### Rejection of ballot paper by Returning Officer not to be questioned

**101.** On the making of an application under section 90, the decision of a Returning Officer as to whether or not a ballot paper shall be rejected under section 50 shall not be questioned.

*[42/2005]*

## PART V

## GENERAL

### Minister may make regulations

**102.** The Minister may make regulations prescribing anything that is to be prescribed under the provisions of this Act and generally for the purposes of giving effect to the provisions of this Act.

### Inaccurate description of persons and places

**103.**—(1) No omission and no misnomer or inaccurate description of any person or place named or described in any register, notice or other document prepared or issued under or for the purposes of this Act shall in any way affect the operation of this Act as respects that person or place if that person or place is so designated in such register, notice or document as to be identifiable.

*[18/2005]*

(2) Without prejudice to the generality of subsection (1), no nomination paper shall be rejected, and no objection shall be allowed, on account of —

(*a*) any error or omission in a nomination paper in relation to the description of, or any particulars in respect of, the candidate or person seeking nomination, or his proposer or seconder or any of his assentors, if the particulars contained in the nomination paper are sufficient to identify the candidate or person seeking nomination, or his proposer, seconder or assentor, as the case may be;

(*b*) any error or omission with regard to any place specified in the nomination paper, if such place is otherwise sufficiently identifiable from the particulars given in the nomination paper; or

(*c*) any error or omission that is corrected before 12 noon on the day of nomination in accordance with section 29A.

*[18/2005]*

(3) In this section —

(*a*) "error" includes any misnomer, misspelling, misprint, misplacement, mistake, inaccuracy, omission, and any clerical, technical or printing error, and any error of any other description or nature; and

(*b*) "particulars" and "description" each includes anything stated or required to be stated in respect of any person or place in the nomination paper.

*[18/2005]*

**Publication of notices, etc.**

**104.**—(1) Where any notice is required by this Act to be published and, in the opinion of the authority who is required to publish the notice, the prescribed mode of publication does not give sufficient publicity to the notice, he may, in addition to publishing the notice as required by this Act, exhibit copies of the notice in conspicuous places within the electoral division to which the notice relates or take such other steps as he may consider necessary for giving publicity thereto.

(2) Every person who, without lawful authority, destroys, mutilates, defaces or removes any notice which is exhibited by any authority under subsection (1) or any document which is made available for

inspection in accordance with this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000.

*[10/2010]*

(3) The offence under subsection (2) shall be an arrestable offence within the meaning of the Criminal Procedure Code 2010 (Act 15 of 2010).

*[10/2010]*

### Names of candidates

**105.**—(1) Before 12.30 p.m. on the day of nomination, any candidate may, by writing under his hand, indicate to the Returning Officer which of his names mentioned in the nomination paper he desires should be omitted and which should be specified by initial only.

(2) For the purposes of the election, the names which the candidate desires to omit may be omitted and an initial may be used in place of those names which he desires should be specified by initial.

### Use of schools as polling stations

**106.**—(1) The Returning Officer may use, free of charge, as a polling station, any school or portion thereof for the purposes of any election.

(2) The Returning Officer shall make good any damage done to, and defray any expenses incurred by the persons having control over, any school or portion thereof by reason of its being used as a polling station.

### Forms

**107.** The forms in the First Schedule or forms substantially to the like effect, shall be sufficient in law, and may be varied, or other forms prescribed, by the Minister as circumstances require.

### Corporate offenders and unincorporated associations

**108.**—(1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of —

(*a*) any director, manager, secretary or other similar officer of the body corporate; or

(*b*) any person who was purporting to act in any such capacity,

he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*[31/2001]*

(2) Where the affairs of the body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

*[31/2001]*

(3) Proceedings for an offence alleged to have been committed under this Act by an unincorporated association shall be brought against the association in its own name (and not in that of any of its members) and, for the purposes of any such proceedings, any rules of court relating to service of documents shall have effect as if the association were a corporation.

*[31/2001]*

(4) Where a partnership is guilty of an offence under this Act, every partner (other than a partner who is proved to have been ignorant of, or to have attempted to prevent the commission of, the offence) shall also be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*[31/2001]*

(5) Where any other unincorporated association is guilty of an offence under this Act —

(*a*) every officer of the association who is bound to fulfil any duty of which the offence is a breach; or

(*b*) if there is no such officer, every member of the committee or other similar governing body (other than a member who is proved to have been ignorant of, or to have attempted to prevent the commission of, the offence),

shall also be guilty of an offence and shall be liable to be proceeded against and punished accordingly.

*[31/2001]*

**Composition of offences**

**109.**—(1) The Returning Officer, or any officer of the Elections Department who is authorised by the Returning Officer, may, in his discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence —

(*a*) one half of the amount of the maximum fine that is prescribed for the offence; or

(*b*) a sum not exceeding $500,

whichever is the lower.

*[18/2005]*

(2) The Minister may make regulations to prescribe the offences which may be compounded.

*[18/2005]*

(3) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

*[18/2005]*

(4) All sums collected under this section shall be paid to the Consolidated Fund.

*[18/2005]*

## FIRST SCHEDULE

FORM 1

Section 24(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

---

**WRIT OF ELECTION**

By
President of the Republic of Singapore

*To*: RETURNING OFFICER

WHEREAS section 24(1) of the Parliamentary Elections Act provides that for the purposes of every general election of Members of Parliament, and for the purposes of the election of Members to supply vacancies caused by death,

FIRST SCHEDULE — *continued*

resignation or otherwise, the President shall issue writs under the public seal, addressed to the Returning Officer:

*AND WHEREAS I think it is expedient that a writ should now be issued for the election of Members to serve in Parliament:

†AND WHEREAS the seat of the Elected Member/**seats of the Elected Members for the Electoral Division of has/**have become vacant.

NOW, therefore, I, , the President, do hereby require that, after notice of the time and place or places fixed for the nomination of candidates has been given in accordance with the Parliamentary Elections Act, you do on (*date*) at the respective places specified in the Schedule to this Writ, cause election or elections to be made according to the Act for the election of the Member for the Electoral Division/**the Members for the Electoral Division/*the Members for the Electoral Divisions specified opposite that place in the Schedule to this Writ, and that, if necessary, you do cause a poll or polls to be taken on the date required to be notified under section 34(6)(*d*)/**section 34A(6)(*d*) of the Parliamentary Elections Act.

The place/*places of nomination of candidates for the Electoral Division/*respective Electoral Divisions is/*are given in the Schedule to this Writ.

PUBLIC SEAL

Given under my hand and the seal of the Republic of Singapore this day of .

*President.*

*to be retained in a writ for a general election.

†to be retained in a writ for a by-election.

**to be retained in a writ for an election in a Group Representation Constituency.

THE SCHEDULE

| *Place of nomination (Nomination centre)* | *Electoral Division* |
|---|---|
| *(Set out address or addresses of nomination centre or centres)* | *(Set out Electoral Division or Divisions)* |

FIRST SCHEDULE — *continued*

FORM 2

[*Deleted by S 231/2019 wef 01/04/2019*]

FORM 3

Section 11(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

---

FORM OF CLAIM BY PERSON WHOSE NAME HAS BEEN OMITTED OR EXPUNGED FROM THE REGISTER

| | | |
|---|---|---|
| To: THE REGISTRATION OFFICER | Electoral Division of | For Official Use |
| **Elections Department** | ..... | Registration No. |
| **I PARTICULARS OF CLAIMANT AS SHOWN IN IDENTITY CARD** | | Telephone (Home/Work) |
| NRIC No. Sex Date of Birth | | Telephone (Mobile) |
| | | Date Citizenship Acquired (if applicable)* |
| Name (*in block letters and underline surname*) | | Date of Report on Change of Address (if applicable) ** |
| Address | | Postal Code |

I, the abovenamed person, certify that to the best of my knowledge and belief the above information given by me is true and I am applying to have my name inserted/retained in the Register of Electors on the following grounds:

..... .....
*Date* (*Signature or thumb mark of Claimant*)

* *Applicable to a person who makes this application on the ground that he has recently acquired Singapore citizenship.*

** *Applicable to a person who makes this application on the ground that his address has changed.*

**II ACTION BY INSPECTION CENTRE CLERK:**

The ground of claim is (please tick below)

FIRST SCHEDULE — *continued*

Name omitted from Register of Electors

Change of address

Change of name

Other ground

..... ..... .....
*Date* *Name (in block letters)* *Signature*

**III** **ACTION BY ELECTIONS DEPARTMENT**

| ARO'S COMMENTS | TYPE OF DECISIONS | | ARO'S DECISION | |
|---|---|---|---|---|
| | | | INITIAL | DATE |
| | Change of Address | | | |
| | Change of Particulars | Name | | |
| | | Sex | | |
| | Restored Voter | | | |
| | New Voter | | | |
| | No Action | | | |
| | Disallowed | | | |

REMARKS

*[S 3/2019 wef 02/01/2019]*

FORM 4

Section 11(5)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

## FORM OF OBJECTION

To: THE REGISTRATION OFFICER
**Elections Department**

Electoral Division of

.....

.....

PARTICULARS OF PERSON MAKING OBJECTION

FIRST SCHEDULE — *continued*

Name (*in block letters*) NRIC No.

Address (*as shown in NRIC*) Polling District

Serial No.

I, the abovenamed person, hereby declare that my name appears in the Register of Electors and that I wish to object to the name of the person mentioned and described below being included in the Register of Electors for the abovementioned Electoral Division. The grounds of my objection are specified below.

PARTICULARS AS APPEAR IN THE REGISTER OF ELECTORS OF PERSON OBJECTED TO

Grounds of Objection

Polling District Name Address

Serial No.

Dated this ..... day of ..... .....

.....
*Signature or thumb mark of Objector*.

Signed or marked by the abovenamed objector in my presence,

..... ..... .....
*Signature of Witness*. *Name of Witness*. *Address of Witness*.

FORM 5

Section 11(6)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**FORM OF OBJECTION AGAINST CLAIMANT**

To: THE REGISTRATION OFFICER
**Elections Department**

Electoral Division of
.....
.....

FIRST SCHEDULE — *continued*

PARTICULARS OF PERSON MAKING OBJECTION

Name (*in block letters*) NRIC No.

Address (*as shown in NRIC*) Polling District

Serial No.

I, the abovenamed person, hereby declare that my name appears in the Register of Electors and that I wish to object to the name of the claimant mentioned and described below being entered/retained in the Register of Electors for the abovementioned Electoral Division. The grounds of my objection are specified below.

PARTICULARS AS APPEAR IN THE CLAIMANTS LIST OF PERSON OBJECTED TO Grounds of Objection

Name of Claimant Objected to Address

Dated this ..... day of ..... .....

.....
*Signature or thumb mark of Objector*.

Signed or marked by the abovenamed objector in my presence,

..... ..... .....
*Signature of Witness*. *Name of Witness*. *Address of Witness*.

FORM 6

Section 11(8A)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**NOTICE TO PERSONS OBJECTED TO**

TAKE NOTICE that I have received objections to the inclusion of your name and address in the proposed list of electors for Polling District No. ..... of the Electoral Division of ..... and that a public inquiry will take place on

FIRST SCHEDULE — *continued*

the ..... day of ..... ..... between the hours of ..... and .....

AND FURTHER TAKE NOTICE that unless you appear before me and show cause why your name (should not be deleted from) (should be included in) the list of electors, your name (may be deleted therefrom) (may not be included therein).

The grounds of objections are .....

.....
*Registration Officer*.

Date .....

(Reverse side of Form)

(FORM 6) (Frank)

TO BE SENT TO ALL PERSONS OBJECTED TO

.....

.....

(*Name and address*)

FORM 7

Sections 13(1) and 20A(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**CERTIFICATE OF REGISTRATION OFFICER**

I, ....., Registration Officer, certify that this is the Register of Electors for the Electoral Division of ..... ..... .....

Dated this ..... day of ..... .....

FIRST SCHEDULE — *continued*

.....
*Registration Officer.*

FORM 8

Section 25

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

NOTICE OF ELECTION FOR
*THE ELECTORAL DIVISION OF _____
*ALL ELECTORAL DIVISIONS

TAKE NOTICE that the President having issued his Writ *for the election of *a Member/*Members of Parliament for the Electoral Division of _____ _/ *for the general election of Members of Parliament for all Electoral Divisions, the Returning Officer will be holding the election as follows.

Nomination papers of persons seeking election must be delivered to the Returning Officer on (*specify date*), between 11 a.m. and 12 noon (both times inclusive) at the place of nomination specified in the Schedule to the Writ against the Electoral Division concerned.

Every nomination paper must be signed by at least 6 electors qualified to vote in the Electoral Division in which the nominee or group of nominees, as the case may be, is seeking election.

A nomination paper will not be valid or acted upon by the Returning Officer unless it is accompanied by the following:

(*a*) the written consent of the nominee or nominees, as the case may be;

(*b*) for each nominee, an election deposit of $_____;

*[S 231/2019 wef 01/04/2019]*

(*c*) a statutory declaration by each nominee to the effect that he is qualified to be elected;

(*d*) a political donation certificate issued to the nominee from the Registrar of Political Donations under section 18(4) of the Political Donations Act (Cap. 236); and

(*e*) if the Electoral Division is a Group Representation Constituency, the certificate required to be delivered by a nominee in the group under section 27B(3)(*c*) of the Parliamentary Elections Act.

FIRST SCHEDULE — *continued*

Forms of nomination papers may be obtained after the date of this Notice from the office of the Returning Officer between _____ and _____ daily (except Sunday and public holidays), and between _____ and _____ on Saturdays. The office of the Returning Officer is situated at _____ ___.

If the election in an Electoral Division is not contested, the Returning Officer will immediately declare the sole nominated candidate or group of candidates for the Electoral Division to be elected as the Member or Members of Parliament, as the case may be, for that Electoral Division.

If, however, the election in an Electoral Division is contested, a poll will be held.

Dated this day of .

*Returning Officer,*
*Singapore*.

*Delete whichever is inapplicable.

FORM 9

Section 27(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**NOMINATION PAPER**

**SECTION A: TO BE COMPLETED BY PERSONS NOMINATING**

DETAILS OF NOMINEE

| NAME (*in block letters*) | NRIC NO. | SEX (*Please circle*) | OCCUPATION |
|---|---|---|---|
| | | M F | |

DETAILS OF PERSONS NOMINATING

We, the persons specified below, being registered in the register of electors for the Electoral Division of ....., hereby nominate the above person as candidate for election as a Member of Parliament for the said Electoral Division:

| | NAME | NRIC NO. | SIGNATURE |
|---|---|---|---|
| PROPOSER | | | |
| SECONDER | | | |
| ASSENTOR 1 | | | |
| ASSENTOR 2 | | | |

FIRST SCHEDULE — *continued*

ASSENTOR 3

ASSENTOR 4

ASSENTOR 5

ASSENTOR 6

ASSENTOR 7

ASSENTOR 8

**SECTION B: DECLARATION TO BE COMPLETED BY NOMINEE**

I, the person nominated in Section A, do solemnly and sincerely declare that —

(*a*) I am duly qualified to be elected as a Member of Parliament for the Electoral Division of .....;

(*b*) I consent to this nomination as candidate for election as a Member of Parliament for the said Electoral Division; and

*(*c*) I am a member of and am standing for (*state name of political party*) .....

*(*c*) I am an independent candidate.

*Delete whichever is inapplicable

And I make this solemn declaration by virtue of the Oaths and Declarations Act (Cap. 211), and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

.....

*Signature of Nominee*

Dated this ..... day of ..... 20.....

Before Me

..... .....

*Name of Commissioner for Oaths/Justice of the Peace (in block letters)* *Signature of Commissioner for Oaths/Justice of the Peace*

I, the nominee, can be contacted at Address:

Telephone Number:

## FORM 9A

Section 27B(2)

## PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

## NOMINATION PAPER

**SECTION A: TO BE COMPLETED BY PERSONS NOMINATING**

DETAILS OF NOMINEES

FIRST SCHEDULE — *continued*

| NAME (*in block letters*) | NRIC NO. | SEX (*Please circle*) | OCCUPATION |
|---|---|---|---|
| 1 | | M F | |
| 2 | | M F | |
| 3 | | M F | |
| 4 | | M F | |
| 5 | | M F | |
| 6 | | M F | |

DETAILS OF PERSONS NOMINATING

We, the persons specified below, being registered in the register of electors for the Electoral Division of ....., hereby nominate the above group of persons as candidates for election as Members of Parliament for the said Electoral Division:

| NAME | NRIC NO. | SIGNATURE |
|---|---|---|
| PROPOSER | | |
| SECONDER | | |
| ASSENTOR 1 | | |
| ASSENTOR 2 | | |
| ASSENTOR 3 | | |
| ASSENTOR 4 | | |
| ASSENTOR 5 | | |
| ASSENTOR 6 | | |
| ASSENTOR 7 | | |
| ASSENTOR 8 | | |

**SECTION B: DECLARATION TO BE COMPLETED BY NOMINEES**

We, the persons nominated in Section A, do each solemnly and sincerely declare that —

(*a*) We are each duly qualified to be elected as a Member of Parliament for the Electoral Division of ..... .....;

(*b*) We each consent to this nomination as candidate for election as a Member of Parliament for the said Electoral Division; and

*(*c*) We are each a member of and are standing for (*state name of political party*) .....

*(*c*) We are standing as a group of independent candidates.

*Delete whichever is inapplicable

FIRST SCHEDULE — *continued*

And We each make this solemn declaration by virtue of the Oaths and Declarations Act (Cap. 211), and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

.....
*Signature of Nominee 1*

.....
*Signature of Nominee 2*

.....
*Signature of Nominee 3*

.....
*Signature of Nominee 4*

.....
*Signature of Nominee 5*

.....
*Signature of Nominee 6*

Dated this ..... day of ..... 20.....

Before Me

..... .....

*Name of Commissioner for Oaths/Justice of the Peace (in block letters)* *Signature of Commissioner for Oaths/Justice of the Peace*

We, the nominees, can be contacted at Address:

Telephone Number:

## FORM 10

[*Deleted by Act 18 of 2005 wef 06/06/2005*]

## FORM 11

Sections 34(6) and 34A(6)

## PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

## NOTICE OF CONTESTED ELECTION FOR THE ELECTORAL DIVISION OF _____

FIRST SCHEDULE — *continued*

NOTICE is hereby given to the electors of the above Electoral Division that a Poll will be held for the Electoral Division as follows:

POLL IN SINGAPORE

The Poll in Singapore will be held on *(specify date)*. The Poll will open at 8 a.m. and close at 8 p.m. at the Polling Stations in the Electoral Division below:

| *Polling Stations* | *Polling Districts* |
|---|---|

OVERSEAS POLL

The Poll at the following overseas polling stations will be held on the date and at the times specified below opposite the overseas polling station:

| *Overseas Polling Station* | *Date* | *Time* |
|---|---|---|

The candidates for election in the above Electoral Division and their symbols, and their respective proposers and seconders are as follows:

| *Candidate* | *Symbol* | *Proposer* | *Seconder* |
|---|---|---|---|

Dated this day of .

*Returning Officer,*
*Singapore.*

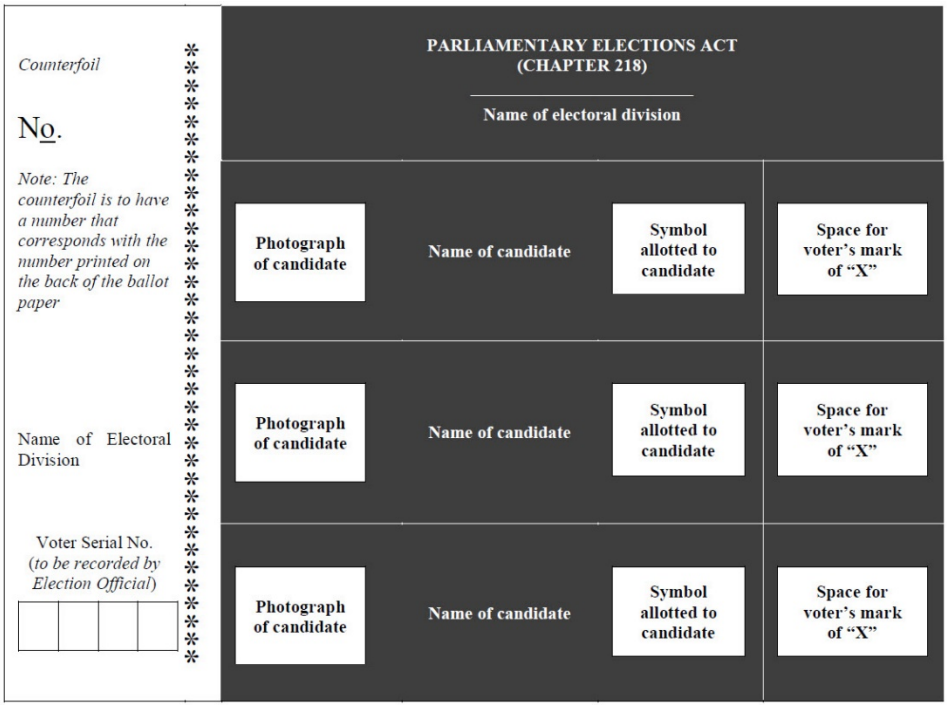
FIRST SCHEDULE — *continued*

FORM 12

Section 40(3A)

FACE OF BALLOT PAPER

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)




*[S 231/2019 wef 01/04/2019]*

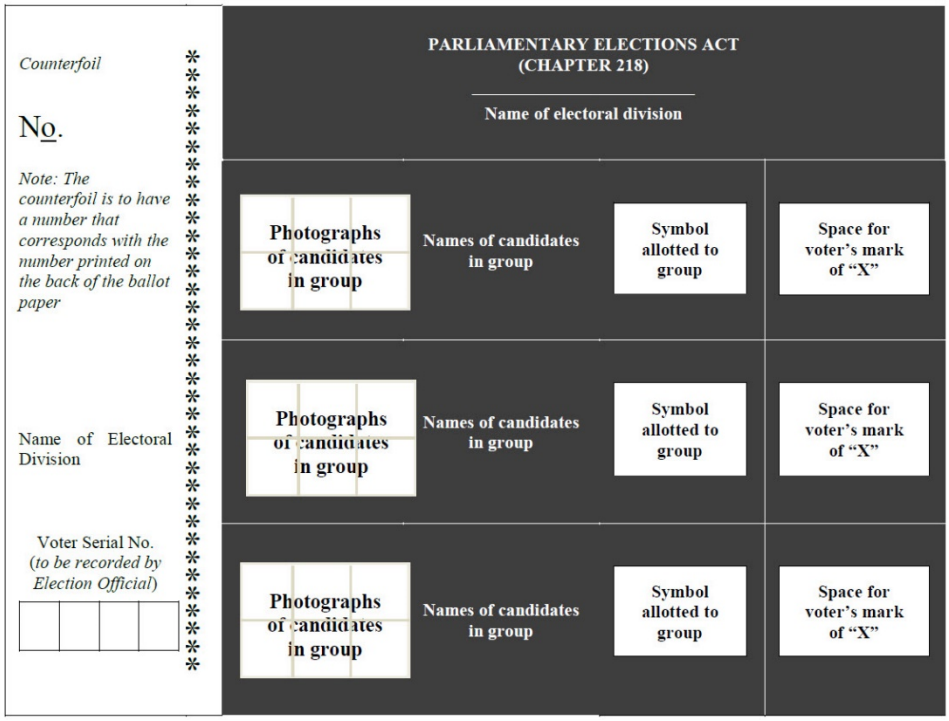
FIRST SCHEDULE — *continued*

FORM 12

Section 40(3A)

FACE OF BALLOT PAPER
FOR GROUP REPRESENTATION CONSTITUENCY

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)




*[S 231/2019 wef 01/04/2019]*

FORM 13

[*Deleted by S 231/2019 wef 01/04/2019*]

FORM 14

[*Deleted by S 231/2019 wef 01/04/2019*]

FIRST SCHEDULE — *continued*

FORM 15

Section 44(1)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

DECLARATION BY VOTER

PARTICULARS OF VOTER

| Name (in block letters) | NRIC No. |
|---|---|
| Address (as shown in NRIC) | Polling District and Serial Number of Voter shown in the Register of Electors<br>Polling District Voter Serial No. |

I, the abovenamed person, declare that I am the same person whose name appears as ..... in the Register of Electors in force for the Electoral Division of ..... and that I have not already voted either here or elsewhere at this election.

.....
*Signature or thumb mark of Voter*

Declared before me on .....

| ..... | ..... |
|---|---|
| *Name of Presiding Officer* | *Signature of Presiding Officer* |

*[S 231/2019 wef 01/04/2019]*

FORM 16

Section 46(1)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

OATH OF IDENTITY

PARTICULARS OF VOTER

FIRST SCHEDULE — *continued*

| Name (in block letters) | NRIC No. |
|---|---|
| Address (as shown in NRIC) | Polling District and Serial Number of Voter shown in the Register of Electors<br>Polling District Voter Serial No. |

I, the abovenamed person, *swear/affirm that I am the same person whose name appears as ..... in the Register of Electors in force for the Electoral Division of ..... and that I have not already voted either here or elsewhere at this election.

.....
*Signature or thumb mark of Voter*

*Sworn/Affirmed before me on .....

..... .....
*Name of Presiding Officer* *Signature of Presiding Officer*

**Delete whichever is inapplicable.*

*[S 231/2019 wef 01/04/2019]*

FORM 16A

Section 49(7A)(*b*)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

RECORD OF COUNTING

Electoral Division :

GARO Centre :

Counting Centre :

Counting Place No. :

For counting of votes cast at the following Polling Station(s):

FIRST SCHEDULE — *continued*

Number of Ballot Papers Issued for the Poll at the above Polling Station(s)

Number of Ballot Papers cast for

| Name(s) of Candidate/ Candidates in Group | Symbol | Count | *Recount (if applicable)* |
|---|---|---|---|
| | | | |

Total Number of Ballot Papers cast for the above Candidates

Number of Rejected Ballot Papers

Total Number of Ballot Papers found in the ballot boxes from the above Polling Station(s)

Total Number of Electors in the Register of Electors used at the Poll at the above Polling Station(s)

Date and time of announcement of results to candidate(s)/counting agent(s) in attendance:

Count

Date: ..... Time: .....

I certify that the above record of counting of votes is correct.

.....
Name of Assistant Returning Officer

.....
Signature of Assistant Returning Officer

Date: .....

*Recount (if applicable)*

Date: ..... Time: .....

I certify that the above record of recounting of votes is correct.

.....
Name of Assistant Returning Officer

.....
Signature of Assistant Returning Officer

Date: .....

*[S 231/2019 wef 01/04/2019]*

FORM 17

Section 51

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

STATEMENT OF THE POLL AFTER COUNTING THE BALLOTS

ELECTORAL DIVISION OF

‡Number of Ballot Papers Issued

Number of Ballot Papers cast for

| Name of Candidate | Party | ‡Number of Ballot Papers |
|---|---|---|

FIRST SCHEDULE — *continued*

‡Total Number of Ballot Papers cast for the above Candidates

Number of *Rejected Ballot Papers

Total Number of Ballot Papers found in the ballot boxes

Number of Unused Ballot Papers undetached from the books

Number of †Spoilt Ballot Papers

‡TOTAL

*A Rejected Ballot Paper means a ballot paper which has been handed by the presiding officer to an elector to cast his vote but which, at the close of the poll, has been found in the ballot box unmarked or so improperly marked it cannot be counted.

†A Spoilt Ballot Paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the presiding officer to be spoilt or improperly printed or which has been handed by the presiding officer to an elector to cast his vote, and (*a*) has been spoilt in marking by the elector, and (*b*) has been handed back to the presiding officer and exchanged for another.

‡The numbers in this statement account for the votes cast in all local and overseas polling stations for the electoral division.

Total Number of Electors in the Register of Electors used at the Poll

I hereby certify that the above statement is correct.

Dated this day of .

*Returning Officer,*
*Singapore.*

FORM 18

Section 56(1)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

FIRST SCHEDULE — *continued*

**FORM OF OATH OF SECRECY**

RETURNING OFFICER
**Elections Department**

Electoral Division of
.....
.....

PARTICULARS OF PERSON TAKING THE OATH

Name (*in block letters*) NRIC No.

Address (*as shown in NRIC*)

I, the abovenamed person, swear that I will not at this election in the abovementioned Electoral Division do anything forbidden by section 56 of the Parliamentary Elections Act which has been read to me.

.....
*Signature of Person taking the Oath.*

Sworn before me, this ..... day of ..... .....

..... .....
*Signature of Justice of the Peace/ Commissioner for Oaths.* *Name (in block letters).*

Note: Section 56 of the Parliamentary Elections Act (printed overleaf) must be read to the person taking the Oath. No stamp fee is required.

**56.**—(1) Every officer, clerk, interpreter, candidate and agent authorised to attend at a polling station, or at the counting of the votes, shall, before so attending, make an oath of secrecy, substantially in Form 18 in the First Schedule.

(2) The Returning Officer shall have power to administer any oaths required to be taken under subsection (1).

(3) Subject to subsection (3A), every officer, clerk, interpreter, candidate and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in the station, and shall not communicate, except for some

purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(3A) The total number of voters who have voted at any station at any time before the poll is closed may, in the discretion of the presiding officer, be divulged to the candidate or his agent authorised to attend at the polling station.

(4) No such officer, clerk, interpreter, candidate or agent, and no person shall —

(*a*) attempt to obtain in the polling station information as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted; or

(*b*) communicate at any time to any person any information obtained in a polling station as to the candidate or group of candidates, for whom any voter in the station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at the station.

(5) Every officer, clerk, interpreter, candidate and agent in attendance at the counting of the votes shall maintain, and aid in maintaining, the secrecy of the voting, and shall not —

(*a*) attempt to ascertain at the counting the number on the back of any ballot paper; or

(*b*) communicate any information obtained at the counting as to the candidate or group of candidates, for whom any vote is given by any particular ballot paper.

(6) No person, except a presiding officer acting for a purpose authorised by this Act or a person authorised by the presiding officer and acting for that purpose, shall communicate or attempt to communicate with any voter after the voter has received a ballot paper and before he has placed it in a ballot box, or after the voter has been authorised to use an approved DRE voting machine to mark or record his vote and before he marks or records his vote at the machine, as the case may be.

(7) Every person who acts in contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,500 or to imprisonment for a term not exceeding 9 months or to both.

FORM 19

Section 74(1) and (2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

RETURN RESPECTING ELECTION EXPENSES AND DECLARATIONS BY CANDIDATE AND ELECTION AGENT

FIRST SCHEDULE — *continued*

ELECTORAL DIVISION

NAME (*in block letters*) NRIC NO.

CANDIDATE

ELECTION AGENT

*I, the above duly appointed election agent of the above candidate for election in the above Electoral Division, make this return respecting election expenses of the candidate at that election.

*I, the above candidate for election in the above Electoral Division and acting as my own election agent, make this return respecting my election expenses at that election.

This return respecting election expenses shows —

(*a*) all payments made by the election agent;

(*b*) the amount of personal expenses, if any, paid by the candidate;

(*c*) the disputed claims so far as the election agent is aware of;

(*d*) all unpaid claims, if any, of which the election agent is aware in respect of which application has been made or is about to be made to an Election Judge or a Judge sitting in the General Division of the High Court; and

(*e*) all donations accepted by the election agent or the candidate for the purpose of expenses incurred or to be incurred on account of or in respect of the management of that election.

I declare to the best of my knowledge and belief that this is a complete and correct return as required by law and that, except for the expenses set out in this return, no other expenses of any nature have been incurred in, or for the purpose of, the candidate's candidature at that election.

_____ _____

*Signature of Election Agent* *Date*

I, the above candidate for election in the above Electoral Division, have examined this return respecting election expenses prepared by my election agent in respect of my candidature at that election. I declare to the best of my knowledge and belief that this return is complete and correct as required by law

and that, except for the expenses set out in this return, no other expenses of any nature have been incurred in, or for the purpose of, my candidature at that election.

_____ _____

*Signature of Candidate* *Date*

**Delete whichever is inapplicable.*

**SECTION A: EXPENSES**

*(Fill in the total amount of expenses for each category, in Singapore dollars, rounded up to the nearest dollar. Write NIL if there is no expense to declare.)*

| **Description** | **$** |
|---|---|
| (*a*) Election advertising expenses: | |
| (i) For print election advertising | |
| (ii) For Internet election advertising | |
| (iii) For other non-print election advertising | |
| (*b*) Election meeting expenses: | |
| (i) For rallies | |
| (ii) For assembly centres | |
| (*c*) Transport expenses | |
| (*d*) Office rental and office supplies expenses | |
| (*e*) Allowances for election agent, polling agent(s) and counting agent(s) | |
| (*f*) Other expenses | |
| (*g*) Personal expenses of candidate | |
| **TOTAL** | |

**SECTION B: DISPUTED AND UNPAID CLAIMS**

FIRST SCHEDULE — *continued*

*(Fill in the total amount of claims for each category, in Singapore dollars, rounded up to the nearest dollar. Write NIL if there is no claim to declare. If there is insufficient space in any section, attach a separate sheet containing the details.)*

**(1) DISPUTED CLAIMS**

| Name and description of claimant | Subject matter of claim | $ |
|---|---|---|
| | | |

**TOTAL**

**(2) UNPAID CLAIMS** (in respect of which application has been made or is about to be made to an Election Judge or a Judge sitting in the General Division of the High Court)

| Name and description of claimant | Subject matter of claim | $ |
|---|---|---|
| | | |

**TOTAL**

## SECTION C: NON-RECORDABLE DONATIONS[1]

*(Provide details of non-recordable donations accepted and particulars of their donors, in chronological order according to the date each donation is received. Write NIL if there is no donation to declare. Include only donations given, spent, lent or provided (whether before or after the candidate became a candidate) for the purposes of the candidate's election. If there is insufficient space in any section, attach a separate sheet containing the details and particulars.)*

| Donor's name[2] and unique identification number[3] | Donor's address[4] | Date of receipt of donation[5] and recipient's name | Value of donation[5] (*in Singapore dollars, rounded up* | Description of donation[5] |
|---|---|---|---|---|
| | | | | |

FIRST SCHEDULE — *continued*

| | |
|---|---|
| **(*e.g. 28/08/00 by (name)*)** | **(*to the nearest dollar*)** |

**TOTAL**

[1] *Donations that need not be recorded in a donation report under the Political Donations Act (Cap. 236).*

[2] *Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act (Cap. 50).*

[3] *Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act.*

[4] *Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.*

[5] *The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.*

## SECTION D: RECORDABLE DONATIONS

*(Provide details of single and multiple recordable donations accepted and particulars of their donors, in chronological order according to the date each donation is received. Write NIL if there is no donation to declare. Include only donations given, spent, lent or provided (whether before or after the candidate became a candidate) for the purposes of the candidate's election. If there is insufficient space in any section, attach a separate sheet containing the details and particulars.)*

### (1) SINGLE RECORDABLE DONATIONS

*(Recordable donation means a donation required to be recorded in a donation report under the Political Donations Act. A single recordable donation means a single donation of $10,000 or more.)*

| Donor's name[1] | Donor's address[3] | Date of receipt | Value of donation[4] | Description of donation[4] |
|---|---|---|---|---|

FIRST SCHEDULE — *continued*

| **and unique identification number[2]** | **of donation[4] and recipient's name (*e.g. 28/08/00 by (name)*)** | **(*in Singapore dollars, rounded up to the nearest dollar*)** |
|---|---|---|
| | | |

**TOTAL**

[1] *Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act.*

[2] *Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act.*

[3] *Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.*

[4] *The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.*

**(2) MULTIPLE RECORDABLE DONATIONS**

*(Recordable donation means a donation required to be recorded in a donation report under the Political Donations Act. A multiple recordable donation means a donation which, when added to any other donation made by the same donor during the same reporting period under the Political Donations Act, amounts to an aggregate of $10,000 or more.)*

| **Donor's name[1] and unique identification number[2]** | **Donor's address[3]** | **Date of receipt of donation[4] and recipient's name (*e.g. 28/08/00 by (name)*)** | **Value of donation[4] (*in Singapore dollars, rounded up to the nearest dollar*)** | **Description of donation[4]** |
|---|---|---|---|---|
| | | | | |

FIRST SCHEDULE — *continued*

**Sub-total**

**Sub-total**

**Sub-total**

**TOTAL**

[1] *Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act.*

[2] *Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act.*

[3] *Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.*

[4] *The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.*

*[S 443/2020 wef 08/06/2020]*

*[Act 40 of 2019 wef 02/01/2021]*

FORM 19A

[*Deleted by S 443/2020 wef 08/06/2020*]

FORM 20

[*Deleted by S 443/2020 wef 08/06/2020*]

FORM 20A

[*Deleted by S 443/2020 wef 08/06/2020*]

FIRST SCHEDULE — *continued*

FORM 21

[*Deleted by Act 18 of 2005 wef 06/06/2005*]

FORM 22

Section 83(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**AUTHORITY TO CONDUCT ELECTION ACTIVITY**

To: RETURNING OFFICER
**Elections Department**

From:

.....
(*Name of Candidate*)

.....
(*Contesting Electoral Division*)

.....

.....
(*Address*)

.....
(*Political Party*)

I, the abovenamed candidate for election in the Electoral Division of ..... ....., do hereby authorise the undermentioned person to conduct election activities on my behalf.

2. To the best of my knowledge and belief the undermentioned person is not prohibited under section 83 of the Parliamentary Elections Act to conduct any election activity.

3. This authorisation extends to publishing online, during the campaign period of the election, any election advertising, but only in accordance with the following conditions:

(*a*) before the election advertising is so published, the particulars of every platform on which the election advertising is to be published by the undermentioned person during the campaign period must be given in writing to myself or my election agent;

(*b*) the period that the election advertising will start appearing or appear online must be specified in writing to myself or my election agent by the undermentioned person, and updated by that person if the period is changed;

FIRST SCHEDULE — *continued*

(*c*) that the undermentioned person must declare, under his hand, to myself or my election agent —

(i) whether any money or money's worth (including sponsorship) is received or paid or to be received or paid (directly or indirectly) for publishing the election advertising, from or by another person except myself or my election agent; and

(ii) the name and other sufficient particulars to identify that other person in sub-paragraph (i) if money or money's worth is received or paid or to be received or paid, and the amount paid or to be paid by the undermentioned person for publishing the election advertising.

Name (*in block letters*) NRIC No.

Address (*as shown in NRIC*)

..... .....
*Date*. *Signature of Candidate*.

*[S 443/2020 wef 08/06/2020]*

FORM 23

Section 83(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**AUTHORITY TO CONDUCT ELECTION ACTIVITY**

To: RETURNING OFFICER From:

**Elections Department**

.....
(*Name of Election Agent*)

.....
(*Contesting Electoral Division*)

.....

FIRST SCHEDULE — *continued*

.....
(*Address*)

.....
(*Political Party*)

I, being the election agent of .....,

(*Name of Candidate*)

a candidate for election in the abovementioned Electoral Division, hereby authorise the undermentioned person to conduct election activities on behalf of the said candidate.

2. To the best of my knowledge and belief the undermentioned person is not prohibited under section 83 of the Parliamentary Elections Act to conduct any election activity.

3. This authorisation extends to publishing online, during the campaign period of the election, any election advertising, but only in accordance with the following conditions:

(*a*) before the election advertising is so published, the particulars of every platform on which the election advertising is to be published by the undermentioned person during the campaign period must be given in writing to myself or the candidate;

(*b*) the period that the election advertising will start appearing or appear online must be specified in writing to myself or the candidate by the undermentioned person, and updated by that person if the period is changed;

(*c*) that the undermentioned person must declare, under his hand, to myself or the candidate —

(i) whether any money or money's worth (including sponsorship) is received or paid or to be received or paid (directly or indirectly) for publishing the election advertising, from or by another person except myself or the candidate; and

(ii) the name and other sufficient particulars to identify that other person in sub-paragraph (i) if money or money's worth is received or paid or to be received or paid, and the amount paid or to be paid by the undermentioned person for publishing the election advertising.

Name (*in block letters*) NRIC No.

FIRST SCHEDULE — *continued*

Address (*as shown in NRIC*)

..... .....
*Date*. *Signature of Election Agent*.

*[18/2005; S 528/96; S 522/2001; S 389/2005; S 232/2006; S 141/2011]*

*[S 443/2020 wef 08/06/2020]*

## SECOND SCHEDULE

Section 42(7)

### PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

### DIRECTIONS FOR GUIDANCE OF VOTERS

1. When you are given a ballot paper, go to a polling booth.
2. Mark on your ballot paper an "X" in the empty box for the candidate, or the group of candidates (in the case of a group representation constituency), you are voting for.
   (*a*) Do not make any other mark on your ballot paper, or your vote may not be counted.
   (*b*) If you make a mistake when marking your ballot paper, return it to the presiding officer and ask for another ballot paper.
3. After marking your ballot paper, fold it in half and drop it into the ballot box. Do not let anyone see your vote.
4. Leave the polling station immediately after dropping your ballot paper into the ballot box.

*[S 232/2019 wef 01/04/2019]*

# THIRD SCHEDULE

Section 69(1) and (3)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

ELECTION EXPENSES

The maximum amount which a candidate at an election or his election agent can pay or incur on account of or in respect of the conduct or management of the election shall be —

(*a*) in relation to a candidate at an election in any group representation constituency — an amount equal to $4.00 for each elector on the register for that constituency divided by the number of candidates in each group nominated for that election; or

*[S 499/2015 wef 20/08/2015]*

(*b*) in relation to any other candidate — an amount equal to $4.00 for each elector on the register.

*[21/91; 42/96; S 523/2001; S 142/2011]*

*[S 499/2015 wef 20/08/2015]*

# FOURTH SCHEDULE

Section 100(2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

PARLIAMENTARY ELECTIONS
(APPLICATION FOR AVOIDANCE OF ELECTION)
RULES

**Citation**

1. These Rules may be cited as the Parliamentary Elections (Application for Avoidance of Election) Rules.

**Interpretation**

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

"application for withdrawal" means an application made to a Judge under rule 22 for leave to withdraw an application under section 90, and "applicant for withdrawal" shall be construed accordingly;

FOURTH SCHEDULE — *continued*

"application under section 90" means an application made to a Judge under section 90 of the Act for the election of a candidate as a Member to be declared to be void on any of the grounds specified in that section;

"defendant" means a person in respect of whose election an application under section 90 has been made;

"Judge" means the Election Judge;

"plaintiff" means a person making an application under section 90;

"Registrar" means the Registrar of the Supreme Court.

**Application of Rules of Court**

3. Subject to the provisions of these Rules and of the Act, the Rules of Court (Cap. 322, R 5) shall apply, with the necessary modifications, to the practice and procedure in any proceedings under the Act to which these Rules relate.

**Manner of making application under section 90**

4.—(1) An application under section 90 shall be made by originating summons supported by an affidavit.

(2) In such an application —

(*a*) the applicant shall be referred to as the plaintiff; and

(*b*) the person in respect of whose election the application is made shall be referred to as the defendant.

(3) The application shall be made by filing it at the office of the Registrar, and the Registrar or the officer of his department with whom the application is filed shall, if required, give a receipt in the following form:

"Received on the ..... day of ..... at the Registry of the Supreme Court, an application touching the election of ....., Member for ..... purporting to be made by ..... (*insert the name of plaintiff*)."

.....,

Registrar
(or as the case may be).".

FOURTH SCHEDULE — *continued*

**Contents and form of supporting affidavit for application under section 90**

5.—(1) The affidavit supporting an application under section 90 shall be deposed to by the plaintiff or, where there is more than one plaintiff, by each such plaintiff, and shall state —

(*a*) the right of the plaintiff or plaintiffs to apply within section 93; and

(*b*) the holding and result of the election, and the facts and grounds relied on to sustain the relief sought.

(2) The affidavit shall be divided into paragraphs, each of which, as nearly as may be, shall be confined to a distinct portion of the subject, and every paragraph shall be numbered consecutively, and no costs shall be allowed for drawing or copying any affidavit not substantially in compliance with this rule, unless otherwise ordered by the Court or a Judge.

(3) The affidavit shall conclude with a statement of the relief sought by the plaintiff or plaintiffs as, for instance, that some specified person should be declared duly returned or elected, or that the election should be declared void, as the case may be.

(4) The following form, or one to the like effect, shall be sufficient:

"AFFIDAVIT

I ..... of ....., Singapore (make oath) (affirm) and say as follows:

1. I am a person who (voted) (had a right to vote) (claims to have had a right to be returned) (was a candidate) at the election held on the ..... day of ....., 20 ....., when ..... was a candidate.

2. On the ..... day of ....., 20....., the Returning Officer returned ..... as being duly elected.

3. (*Here state the facts and grounds relied on in support of the application*).

4. I am therefore seeking a declaration (that the said ..... was not duly elected or returned, and that the election was void) (that the said ..... was duly elected and ought to have been returned, as the case may be).

*Sworn/*Affirmed at Singapore

this ..... day of ..... 20.....

Before me,

.....
A Commissioner for Oaths.".

**Evidence not to be stated in originating summons**

6. Evidence need not be stated in the originating summons by which the application under section 90 is made, but the Judge may, upon the defendant's application by summons, order such particulars as may be necessary to prevent surprise and unnecessary expense, and to ensure a fair and effectual hearing upon such terms as to costs and otherwise as may be ordered.

**Where more than one application is made in relation to same election**

7. Where more applications than one are made under section 90 relating to the same election or return, all the applications shall be dealt with as one application, so far as the inquiry into the same is concerned, unless the Judge otherwise directs.

*[S 444/2020 wef 08/06/2020]*

**List of votes objected to where seat claimed by unsuccessful candidate**

8.—(1) When a plaintiff claims the seat for an unsuccessful candidate, alleging that he had a majority of lawful votes, every plaintiff and defendant shall, not less than 7 days before the day appointed for the hearing, file with the Registrar, and also at the address for service (if any) of the plaintiffs and defendants, as the case may be, a list of the votes intended to be objected to, and of the heads of objection to each such vote.

*[S 444/2020 wef 08/06/2020]*

(2) The Registrar shall allow inspection of office copies of the lists to all parties concerned.

(3) No evidence shall be given against the validity of any vote, nor upon any head of objection not specified in the list, except by leave of the Judge, upon such terms as to amendment of the list, postponement of the inquiry, and payment of costs, as may be ordered.

**List of objections in recriminatory case**

9.—(1) The defendant in an application under section 90 complaining of an undue return and claiming the seat for some person may lead evidence to prove that the election of the person was undue, and in that case the defendant shall, not less than 7 days before the day appointed for the hearing, file with the Registrar, and also at the address for service (if any) of the plaintiff, a list of the objections to the election upon which he intends to rely.

*[S 444/2020 wef 08/06/2020]*

(2) The Registrar shall allow inspection of office copies of the lists to all parties concerned.

(3) No evidence shall be given by a defendant of any objection to the election not specified in the list, except by leave of the Judge, upon such terms as to amendments of the list, postponement of the inquiry, and payments of costs, as may be ordered.

**Appointment of solicitor by plaintiff**

10.—(1) The plaintiff or plaintiffs in an application under section 90 shall file at the office of the Registrar together with the application a written notice, signed by him or them, giving the name of an advocate and solicitor of the Supreme Court whom he or they authorise to act as his or their solicitor or stating that he or they act for himself or themselves, as the case may be, and in either case giving an address within Singapore at which notices may be left (referred to in these Rules as the address for service).

(2) If no such written notice is filed or address for service given, then all notices may be given by leaving them at the office of the Registrar.

(3) Every such written notice shall be stamped with the duty payable thereon under the law for the time being in force.

**Appointment of solicitor by defendant**

11.—(1) Any person returned as a Member may, at any time, after he is returned, file at the office of the Registrar a written notice, signed by him on his behalf, appointing an advocate and solicitor of the Supreme Court to act as his solicitor in case there should be an application under section 90 against him, or stating that he intends to act for himself, and in either case giving an address within Singapore at which notices addressed to him may be left (referred to in these Rules as the address for service).

(2) If no such written notice is filed or address for service given, all notices and proceedings may be given or served by leaving them at the office of the Registrar.

(3) Every such written notice shall be stamped with the duty payable thereon under the law for the time being in force.

**Registrar to keep book with addresses and names of solicitors**

12. The Registrar shall cause a book to be kept at his office in which shall be entered all addresses and the names of solicitors given under rule 10 or 11, which book shall be open to inspection by any person during the office hours of the Registrar.

FOURTH SCHEDULE — *continued*

**Security by plaintiff for cost, etc., of application under section 90**

13.—(1) At the time of the filing of the application under section 90, or within 3 days afterwards, security for the payment of all costs, charges and expenses that may become payable by the plaintiff shall be given on behalf of the plaintiff.

(2) The security shall be to an amount of not less than $5,000. If the number of charges in any application exceeds 3, additional security to an amount of $2,500 shall be given in respect of each charge in excess of the first 3.

(2A) In paragraph (2), "charge" means an allegation of the commission of a corrupt practice, an illegal practice or an offence under the Act at an election.

*[S 444/2020 wef 08/06/2020]*

(3) The security required by this rule shall be given by a deposit of money.

(4) If security required by this rule to be provided is not given by the plaintiff, no further proceedings shall be had on the application under section 90, and the defendant may apply by summons to the Judge for an order directing the dismissal of the application under section 90 and for the payment of the defendant's costs.

(5) The costs of hearing and deciding the defendant's application under paragraph (4) shall be paid as ordered by the Judge, and in default of such order shall form part of the general costs of the application under section 90.

**Security by deposit of money**

14.—(1) The deposit of money as security under rule 13 must be lodged in Court.

*[S 444/2020 wef 08/06/2020]*

(2) [*Deleted by S 444/2020 wef 08/06/2020*]

(3) The Registrar shall keep a book open to the inspection of all parties concerned, in which shall be entered from time to time the amount and the application under section 90 to which it is applicable.

*[S 444/2020 wef 08/06/2020]*

**Return of money so deposited**

15.—(1) Money so deposited shall, if and when the deposit is no longer needed for securing payment of such costs, charges and expenses, be returned or otherwise disposed of as justice may require by order of the Judge.

*[S 444/2020 wef 08/06/2020]*

(2) Such order may on application be made upon proof that all just claims have been satisfied or otherwise sufficiently provided for as the Judge may require.

*[S 444/2020 wef 08/06/2020]*

(3) Such order may direct payment either to the party in whose name the money is deposited or to any person entitled to receive the money.

**Service of notice and copy of application under section 90 on defendant**

16.—(1) Notice of the filing of an application under section 90, accompanied by a copy of that application and its supporting affidavit, shall, within 10 days of the filing of the application, be served by the plaintiff on the defendant.

(2) Such service may be effected —

(*a*) by delivering the notice and a copy each of the application and its supporting affidavit to the defendant personally, or to the solicitor appointed by the defendant under rule 11;

*[S 444/2020 wef 08/06/2020]*

(*b*) by posting the notice and a copy of the application and its supporting affidavit in a registered letter to the address for service given under rule 11 at such time that, in the ordinary course of post, the letter would be delivered within the time mentioned in paragraph (1); or

(*c*) if no solicitor has been appointed, nor any address for service given, by a notice published in the *Gazette* or in at least one local newspaper circulating in Singapore stating that an application under section 90 has been filed and that a copy each of that application and its supporting affidavit may be obtained by the defendant on application at the office of the Registrar.

*[S 444/2020 wef 08/06/2020]*

**When application under section 90 to be deemed at issue**

17. An application under section 90 shall be deemed to be at issue on the expiration of the time limited for the making of such applications.

**List of applications under section 90**

18.—(1) The Registrar shall make out a list of applications under section 90.

(2) The Registrar shall insert in the list —

(*a*) the names of the solicitors of the plaintiffs and defendants appointed under rules 10 and 11, respectively; and

(*b*) the addresses for service of the plaintiffs and defendants.

(3) The list may be inspected at the office of the Registrar at any time during office hours, and shall be affixed for that purpose upon a notice board appropriated to proceedings under the Act, and headed "Parliamentary Elections Act (Chapter 218)".

FOURTH SCHEDULE — *continued*

**Time and place of hearing of application under section 90**

19. The time and place of the hearing of each application under section 90 shall be fixed by the Judge, and not less than 14 days' notice thereof shall be given to the plaintiff and defendant by letter directed to the addresses of service of the plaintiff or defendant or, if no such addresses have been given, by notice in the *Gazette* and in at least one local newspaper circulating in Singapore.

*[S 444/2020 wef 08/06/2020]*

**Postponement of hearing**

20. The Judge may from time to time, by order made on the application of a party to the application under section 90, postpone the beginning of the hearing to such day as he may name; and the order, when made, shall immediately be published by the Registrar in the *Gazette* and in at least one local newspaper circulating in Singapore.

*[S 444/2020 wef 08/06/2020]*

**Adjournment and continuation of hearing**

21.—(1) No formal adjournment of the Court for the hearing of an application under section 90 shall be necessary, but the hearing is to be deemed adjourned, and may be continued from day to day until the inquiry is concluded.

(2) In the event of the Judge who begins the hearing being disabled by illness or otherwise, the Chief Justice or another Judge nominated under section 92(1) may continue the hearing.

*[S 444/2020 wef 08/06/2020]*

(3) This rule does not prevent the Judge who continues the hearing under paragraph (2) from recalling all or any of the witnesses or taking their evidence afresh.

*[S 444/2020 wef 08/06/2020]*

**Amendment of application under section 90**

21A. Subject to section 97, the Judge may, at any time before or at the hearing of an application under section 90, allow the plaintiff to amend his application on such terms as to costs or otherwise as the Judge thinks fit.

*[S 444/2020 wef 08/06/2020]*

**Withdrawal of application under section 90**

22.—(1) An application under section 90 shall not be withdrawn without the leave of the Judge; and such leave may be given upon such terms as to the payment of costs and otherwise as the Judge may think fit.

(2) An application for withdrawal shall be made by summons supported by an affidavit.

(3) Where there are more plaintiffs than one, no application for withdrawal shall be made except with the consent of all the plaintiffs.

**Affidavits supporting application for withdrawal**

23.—(1) An application for withdrawal shall be supported by affidavits filed by all the parties to that application and their solicitors, and by the election agents of all the parties who were candidates at the election, except that the Judge may on cause shown dispense with the affidavit of any particular person if it appears to the Judge on special grounds to be just to do so.

(2) Each affidavit shall state the grounds on which that application for withdrawal is made and —

(*a*) that, to the best of the deponent's knowledge and belief, no agreement or terms of any kind whatsoever has or have been made, and no undertaking has been entered into in relation to the withdrawal of the application under section 90; or

(*b*) if any lawful agreement has been made with respect to the withdrawal of the application under section 90, that agreement.

**Copy of application for withdrawal to be given to defendant**

24. A copy of an application for withdrawal and its supporting affidavits shall be served by the plaintiff on the defendant, and a notice in the following terms signed by the plaintiff shall be published immediately in the *Gazette* or in at least one local newspaper circulating in Singapore by the plaintiff at his own expense, not less than 7 days before the hearing of the application:

"The Parliamentary Elections Act (Chapter 218).

In the application under section 90 for ..... in which ..... is plaintiff and ..... defendant.

Notice is hereby given that the above plaintiff did on the ..... day of ..... file at the office of the Registrar of the Supreme Court an application for leave to withdraw the application under section 90, and set out below is a copy of the application for leave to withdraw:

(*Set out the application here*).

And Take Notice that under the Parliamentary Elections (Application for Avoidance of Election) Rules, any person who

might have been a plaintiff in respect of the said election may, within 5 days after the date of publication of this notice, give notice, in writing to the Registrar of the Supreme Court of his intention on the hearing of the application to be substituted as a plaintiff in the application under section 90.

(Signed)

..... ".

*[S 444/2020 wef 08/06/2020]*

**Application to be substituted as plaintiff on withdrawal**

25. Any person who might have been a plaintiff in respect of the election to which an application under section 90 relates may, within 5 days after the notice is published by the original plaintiff under rule 24, file a notice in writing, signed by him or on his behalf, with the Registrar, of his intention to apply at the hearing of the application for withdrawal to be substituted for the original plaintiff, but the want of that notice shall not defeat the application for substitution, if in fact made at the hearing.

*[S 444/2020 wef 08/06/2020]*

**Time and place of hearing of application for withdrawal**

26.—(1) The time and place of hearing the application for withdrawal shall be fixed by the Judge but shall not be less than one week after the application for withdrawal has been filed at the office of the Registrar as in these Rules provided.

(2) Notice of the time and place appointed for the hearing shall be given to such person (if any) as shall have given notice to the Registrar of an intention to apply to be substituted as plaintiff in the application under section 90, and otherwise in such manner and at such time as the Judge directs.

**Substitution of another plaintiff**

27.—(1) On the hearing of the application for withdrawal, any person who might have been a plaintiff in respect of the election to which the application under section 90 relates, may apply to the Judge to be substituted as a plaintiff for the original plaintiff so desirous of withdrawing the application under section 90.

(2) The Judge may, if he thinks fit, substitute for the original plaintiff any such person applying under paragraph (1) to be so substituted (referred to hereinafter as the substituted plaintiff); and may further, if the proposed withdrawal is in the opinion of the Judge induced by any corrupt bargain or consideration, by order direct that —

(*a*) the security given on behalf of the original plaintiff shall remain as security for any costs that may be incurred by the substituted plaintiff; and

(*b*) to the extent of the sum named in the security the original plaintiff shall be liable to pay the costs of the substituted plaintiff.

(3) If no such order is made with respect to the security given on behalf of the original plaintiff, security to the same amount as would be required in the case of a new application under section 90, and subject to the like conditions, shall be given by or on behalf of the substituted plaintiff within 3 days after the order of substitution, and he shall proceed no further with the application under section 90 until the security is given.

(4) Subject to paragraphs (1), (2) and (3), a substituted plaintiff shall stand in the same position as nearly as may be, and be subject to the same liabilities as the original plaintiff.

(5) If an application under section 90 is withdrawn, the plaintiff shall be liable to pay the costs of the defendant.

**Abatement of application under section 90 by death**

28.—(1) An application under section 90 shall be abated by the death of a sole plaintiff or of the survivor of several plaintiffs.

(2) The abatement of an application under section 90 shall not affect the liability of the plaintiff or of any other person to the payment of costs previously incurred.

**Application to be substituted as plaintiff, on abatement**

29.—(1) Notice of abatement of an application under section 90, by death of the plaintiff or surviving plaintiff, shall be given by the party or person interested in the same manner as notice of an application for withdrawal, and the time within which application may be made to a Judge to be substituted as a plaintiff in the application under section 90 shall be one calendar month, from the day of the publication of the notice of abatement or such further time as upon consideration of any special circumstances the Judge may allow.

(2) Any person who might have been a plaintiff in respect of the election to which the application under section 90 relates may apply to the Judge to be substituted as a plaintiff therein.

(3) The Judge may, if he thinks fit, substitute as a plaintiff in the application under section 90 any such applicant who is desirous of being substituted and on whose behalf security to the same amount is given as is required in the case of a new application under section 90.

FOURTH SCHEDULE — *continued*

**On death, resignation, or notice not to oppose of defendant, application under section 90 to continue**

30.—(1) If before the hearing of an application under section 90 a defendant dies or resigns, or files a notice in writing with the Court that he does not intend to oppose the application, the application shall not be abated but shall continue whether or not any person applies to be admitted as defendant as hereinafter provided.

(2) A defendant who does not intend to oppose the application under section 90 shall, not less than 7 days before the day appointed for hearing (exclusive of the day of filing the notice), file a written notice under his hand to that effect at the office of the Registrar.

*[S 444/2020 wef 08/06/2020]*

(3) Notice of the fact that a defendant has died, or resigned, or that he has filed a notice in writing that he does not intend to oppose the application under section 90, shall be published by the Registrar in the *Gazette* or in at least one local newspaper circulating in Singapore.

*[S 444/2020 wef 08/06/2020]*

(4) Any person who might have been a plaintiff in respect of the election to which the application under section 90 relates may apply to the Judge to be admitted as a defendant to oppose the application under section 90 within 10 days after the notice has been published in the *Gazette* or a local newspaper or such further time as the Judge may allow.

*[S 444/2020 wef 08/06/2020]*

**Defendant not opposing application under section 90 not to appear as party**

31. A defendant who has given notice of his intention not to oppose an application under section 90 shall not be allowed to appear or act as a party against the application under section 90 in any proceedings thereon.

**Countermanding notice of hearing where application under section 90 abated, etc.**

32.—(1) Upon receiving the plaintiff's application for withdrawal, or notice of the defendant's intention not to oppose, or of the abatement of the application under section 90 by death, or of the happening of any of the events mentioned in rule 30, if the application for withdrawal or the notice is received after notice of the hearing has been given, and before the hearing has commenced, the Registrar shall immediately countermand the notice of the hearing.

(2) The countermand shall be given in the same manner, as near as may be, as the notice of the hearing.

FOURTH SCHEDULE — *continued*

**Dismissal, etc., of application under section 90**

32A.—(1) An application by the defendant to stay or dismiss an application under section 90 before the day fixed for the hearing must be made by summons to the Judge.

(2) The defendant must, not less than 7 days before the date of hearing of his application under paragraph (1), serve a copy of the application and its supporting affidavit on every plaintiff, and must file a copy of the served documents at the office of the Registrar.

(3) The Judge may, at any stage of the proceedings, order an application under section 90 —

(*a*) to be stayed or dismissed; or

(*b*) to be struck out or amended on the ground that —

(i) it is scandalous, frivolous or vexatious;

(ii) it may prejudice, embarrass or delay the fair hearing of the application; or

(iii) it is otherwise an abuse of the process of the Court.

*[S 444/2020 wef 08/06/2020]*

**Costs**

33. All costs of and incidental to the making of an application under section 90 and to the proceedings consequent thereon shall be defrayed by the parties to the application in such manner and in such proportions as the Judge may determine, regard being had to —

(*a*) the disallowance of any costs which may, in the opinion of the Judge, have been caused by vexatious conduct, unfounded allegations, or unfounded objections, on the part either of the plaintiff or the defendant; and

(*b*) the discouragement of any needless expense by throwing the burden of defraying the costs of and incidental to the application under section 90 on the parties by whom it has been caused, whether the parties are or are not on the whole successful.

**Taxation and recovery of costs**

34.—(1) Costs shall be taxed by the Registrar upon the order by which the costs are payable in the same manner as costs are taxed in the General Division of the High Court, but subject to such express directions, either general or specific, as the

Judge may give; and costs when taxed may be recovered in the same manner as the costs of an action at law.

*[Act 40 of 2019 wef 02/01/2021]*

(2) The Judge may direct that the whole or any part of any moneys deposited by way of security under rules 13 and 14 may be applied in the payment of taxed costs.

*[S 444/2020 wef 08/06/2020]*

(3) Order 91 of the Rules of Court (Cap. 322, R 5) applies to an application under section 90 and the proceedings on the application under these Rules as if the application were an originating process.

*[S 444/2020 wef 08/06/2020]*

**Notice of appointment of solicitor**

35. A solicitor shall, immediately upon his appointment as such, file written notice thereof at the office of the Registrar.

**Service of notices on solicitors**

36. Service of notices and proceedings upon the solicitors shall be sufficient for all purposes.

*[42/2005]*

# LEGISLATIVE HISTORY

# PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

This Legislative History is provided for the convenience of users of the Parliamentary Elections Act. It is not part of the Act.

**1. Ordinance 26 of 1954 — Singapore Legislative Assembly Elections Ordinance 1954**

| | | |
|---|---|---|
| Date of First, Second and Third Readings | : | 2 November 1954 (Bill published on 28 October 1954) |
| Date of commencement | : | 12 November 1954 |

**2. Ordinance 27 of 1956 — Singapore Legislative Assembly Elections (Amendment) Ordinance 1956**

| | | |
|---|---|---|
| Date of First Reading | : | 5 September 1956 (Bill No. 59/1956 published on 15 September 1956) |
| Date of Second and Third Readings | : | 3 October 1956 |
| Date of commencement | : | 21 October 1955 |

**3. 1955 Revised Edition — Singapore Legislative Assembly Elections Ordinance**

| | | |
|---|---|---|
| Date of operation | : | 1 July 1956 |

**4. Ordinance 20 of 1957 — Singapore Legislative Assembly Elections (Temporary Provisions) Ordinance 1957**

| | | |
|---|---|---|
| Date of First Reading | : | 22 May 1957 (Bill No. 107/1957 published on 25 May 1957) |
| Date of Second and Third Readings | : | 19 June 1957 |
| Date of commencement | : | 5 July 1957 |

**5. Ordinance 39 of 1957 — Singapore Legislative Assembly Elections (Amendment) Ordinance 1957**

| | | |
|---|---|---|
| Date of First, Second and Third Readings | : | 18 November 1957 |
| Date of commencement | : | 10 October 1958 |

**6. G. N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order 1959**

| | | |
|---|---|---|
| Date of commencement | : | 29 May 1959 |

**7. Ordinance 41 of 1959 — Singapore Legislative Assembly Elections (Amendment No. 2) Ordinance 1959**

| | | |
|---|---|---|
| Date of First Reading | : | 15 July 1959 |
| Date of Second and Third Readings | : | 16 July 1959 |
| Date of commencement | : | 8 June 1959 |

**8. S (NS) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order 1959**

| | | |
|---|---|---|
| Date of commencement | : | 20 November 1959 |

**9. Ordinance 71 of 1959 — Transfer of Powers Ordinance 1959**

| | | |
|---|---|---|
| Date of First Reading | : | 22 September 1959<br>(Bill No. 30/1959 published on 30 September 1959) |
| Date of Second and Third Readings | : | 11 November 1959 |
| Date of commencement | : | 20 November 1959 |

**10. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance 1959**

| | | |
|---|---|---|
| Date of First Reading | : | 22 September 1959<br>(Bill No. 31/1959 published on 30 September 1959) |
| Date of Second and Third Readings | : | 11 November 1959 |
| Date of commencement | : | 20 November 1959 |

**11. Ordinance 26 of 1959 — Singapore Legislative Assembly Elections (Amendment) Ordinance 1959**

| | | |
|---|---|---|
| Date of First Reading | : | 21 January 1959<br>(Bill No. 199/1959 published on 26 January 1959) |
| Date of Second and Third Readings | : | 4 March 1959 |
| Date of commencement | : | 18 March 1960 |

**12. Ordinance 23 of 1960 — Singapore Legislative Assembly Elections (Amendment) Ordinance 1960**

| | | |
|---|---|---|
| Date of First Reading | : | 10 February 1960 (Bill No. 65/1960 published on 19 February 1960) |
| Date of Second and Third Readings | : | 6 April 1960 |
| Date of commencement | : | 14 April 1960 |

**13. G. N. No. Sp S 46/1963 — State Laws (Modification) (No. 2) Order 1963**

| | | |
|---|---|---|
| Date of commencement | : | 16 September 1963 |

**14. Ordinance 31 of 1963 — Singapore Legislative Assembly Elections (Amendment) Ordinance 1963**

| | | |
|---|---|---|
| Date of First Reading | : | 9 December 1963 (Bill No. 18/1963 published on 9 December 1963) |
| Date of Second and Third Readings | : | 20 December 1963 |
| Date of commencement | : | 28 December 1963 |

**15. G. N. No. S 38/1966 — Modification of the Laws (Elections) Order 1966**

| | | |
|---|---|---|
| Date of commencement | : | 9 August 1965 |

**16. Reprint 15 of 1966 — Singapore Parliament Elections Ordinance**

| | | |
|---|---|---|
| Date of operation | : | 6 April 1966 |

**17. Act 30 of 1967 — Singapore Parliament Elections (Amendment) Act 1967**

| | | |
|---|---|---|
| Date of First Reading | : | 31 October 1967 (Bill No. 28/1967 published on 4 November 1967) |
| Date of Second and Third Readings | : | 14 November 1967 |
| Date of commencement | : | 15 November 1967 |

**18. Act 14 of 1969 — Statute Law Revision Act 1969**

| | | |
|---|---|---|
| Date of First Reading | : | 15 October 1969 (Bill No. 22/1969 published on 20 October 1969) |
| Date of Second and Third Readings | : | 22 December 1969 |
| Date of commencement | : | 2 January 1970 |

**19. 1970 Revised Edition — Parliamentary Elections Act (Chapter 50)**

| | | |
|---|---|---|
| Date of operation | : | 1 April 1971 |

**20. Act 24 of 1971 — Parliamentary Elections (Amendment) Act 1971**

| | | |
|---|---|---|
| Date of First Reading | : | 19 October 1971<br>(Bill No. 15/1971 published on 22 October 1971) |
| Date of Second and Third Readings | : | 2 December 1971 |
| Date of commencement | : | 20 December 1971 |

**21. Act 17 of 1972 — Parliamentary Elections (Amendment) Act 1972**

| | | |
|---|---|---|
| Date of First Reading | : | 7 March 1972<br>(Bill No. 10/1972 published on 10 March 1972) |
| Date of Second and Third Readings | : | 23 March 1972 |
| Date of commencement | : | 20 December 1971 |

**22. Act 56 of 1973 — Parliamentary Elections (Amendment) Act 1973**

| | | |
|---|---|---|
| Date of First Reading | : | 28 August 1973<br>(Bill No. 48/1973 published on 4 September 1973) |
| Date of Second and Third Readings | : | 30 November 1973 |
| Date of commencement | : | 15 February 1974 |

**23. Act 6 of 1975 — Parliamentary Elections (Amendment) Act 1975**

| | | |
|---|---|---|
| Date of First Reading | : | 25 February 1975<br>(Bill No. 2/1975 published on 28 February 1975) |
| Date of Second and Third Readings | : | 26 March 1975 |
| Date of commencement | : | 2 May 1975 |

**24. G. N. No. S 204/1976 — Metrication (Parliamentary Elections Act) Order 1976**

| | | |
|---|---|---|
| Date of commencement | : | 14 October 1976 |

**25. G. N. No. S 19/1978 — Parliamentary Elections (Variation of Deposits by Candidates) Notification 1978**

| | | |
|---|---|---|
| Date of commencement | : | 3 February 1978 |

**26. Act 2 of 1978 — Parliamentary Elections (Amendment) Act 1978**

| | | |
|---|---|---|
| Date of First Reading | : | 9 November 1977<br>(Bill No. 16/1977 published on 15 November 1977) |
| Date of Second and Third Readings | : | 31 January 1978 |
| Date of commencement | : | 1 April 1978 |

**27. G. N. No. S 229/1978 — Parliamentary Elections (Amendment of First Schedule) Regulations 1978**

| | | |
|---|---|---|
| Date of commencement | : | 22 September 1978 |

**28. G. N. No. S 313/1982 — Parliamentary Elections Petition (Amendment) Rules 1982**

| | | |
|---|---|---|
| Date of commencement | : | 19 November 1982 |

**29. Act 22 of 1984 — Parliamentary Elections (Amendment) Act 1984**

| | | |
|---|---|---|
| Date of First Reading | : | 29 June 1984<br>(Bill No. 9/1984 published on 9 July 1984) |
| Date of Second and Third Readings | : | 25 July 1984 |
| Date of commencement | : | 22 August 1984 |

**30. 1985 Revised Edition — Parliamentary Elections Act (Chapter 218)**

| | | |
|---|---|---|
| Date of operation | : | 30 March 1987 |

**31. Act 10 of 1988 — Parliamentary Elections (Amendment) Act 1988**

| | | |
|---|---|---|
| Date of First Reading | : | 30 November 1987<br>(Bill No. 23/1987 published on 2 December 1987) |
| Date of Second Reading | : | 11 February 1988 and<br>12 February 1988 |
| Date Committed to Select Committee | : | 12 February 1988 |
| Date of Presentation of Select Committee Report | : | 5 May 1988 (Parl. 3 of 1988) |
| Date of Third Reading | : | 18 May 1988 |
| Date of commencement | : | 1 June 1988 |

**32. G. N. No. S 146/1988 — Parliamentary Elections (Substitution of First Schedule) Regulations 1988**

| | | |
|---|---|---|
| Date of commencement | : | 16 June 1988 |

**33. Act 11 of 1988 — Parliamentary Elections (Amendment No. 2) Act 1988**

| | | |
|---|---|---|
| Date of First Reading | : | 25 May 1988<br>(Bill No. 8/1988 published on 27 May 1988) |
| Date of Second and Third Readings | : | 28 June 1988 |
| Date of commencement | : | 30 July 1988 |

**34. G. N. No. S 212/1988 — Parliamentary Elections Act (Variation of Form) Regulations 1988**

| | | |
|---|---|---|
| Date of commencement | : | 16 August 1988 |

**35. 1989 Revised Edition — Parliamentary Elections Act**

| | | |
|---|---|---|
| Date of operation | : | 15 March 1989 |

**36. Act 9 of 1991 — Parliamentary Elections (Amendment) Act 1991**

| | | |
|---|---|---|
| Date of First Reading | : | 3 January 1991<br>(Bill No. 1/1991 published on 4 January 1991) |
| Date of Second and Third Readings | : | 14 January 1991 |
| Date of commencement | : | 5 February 1991 |

**37. Act 21 of 1991 — Parliamentary Elections (Amendment No. 2) Act 1991**

| | | |
|---|---|---|
| Date of First Reading | : | 7 May 1991<br>(Bill No. 18/1991 published on 8 May 1991) |
| Date of Second and Third Readings | : | 28 June 1991 |
| Date of commencement | : | 2 August 1991 (sections 2, 3, 5, 6 and 7) |

**38. Act 27 of 1991 — Presidential Elections Act 1991**

| | | |
|---|---|---|
| Date of First Reading | : | 28 June 1991<br>(Bill No. 21/1991 published on 29 June 1991) |
| Date of Second and Third Readings | : | 29 July 1991 |
| Date of commencement | : | 2 November 1991 |

**39. Act 21 of 1991 — Parliamentary Elections (Amendment No. 2) Act 1991**

| | | |
|---|---|---|
| Date of First Reading | : | 7 May 1991<br>(Bill No. 18/1991 published on 8 May 1991) |

Date of Second and Third Readings : 28 June 1991

Date of commencement : 14 December 1991 (sections 4 and 8)

**40. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993**

Date of First Reading : 26 February 1993 (Bill No. 12/1993 published on 27 February 1993)

Date of Second and Third Readings : 12 April 1993

Date of commencement : 1 July 1993

**41. Act 18 of 1994 — Statutes (Miscellaneous Amendments) Act 1994**

Date of First Reading : 25 July 1994 (Bill No. 25/1994 published on 29 July 1994)

Date of Second and Third Readings : 25 August 1994

Date of commencement : 1 October 1994

**42. 1995 Revised Edition — Parliamentary Elections Act**

Date of operation : 15 March 1995

**43. Act 42 of 1996 — Parliamentary Elections (Amendment) Act 1996**

Date of First Reading : 1 October 1996 (Bill No. 29/1996 published on 2 October 1996)

Date of Second and Third Readings : 28 October 1996

Date of commencement : 12 November 1996

**44. G. N. No. S 528/1996 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 1996**

Date of commencement : 13 December 1996

**45. Act 8 of 1998 — Holidays Act 1998**
(Consequential amendments made to Act by)

Date of First Reading : 14 January 1998 (Bill No. 1/1998 published on 15 January 1998)

Date of Second and Third Readings : 19 February 1998

Date of commencement : 10 April 1998

**46. Act 18 of 1999 — Parliamentary Elections (Amendment) Act 1999**

| | | |
|---|---|---|
| Date of First Reading | : | 18 March 1999<br>(Bill No. 14/1999 published on 19 March 1999) |
| Date of Second and Third Readings | : | 15 April 1999 |
| Date of commencement | : | 14 May 1999 |

**47. 1999 Revised Edition — Parliamentary Elections Act**

| | | |
|---|---|---|
| Date of operation | : | 30 December 1999 |

**48. Act 20 of 2000 — Political Donations Act 2000**
(Related amendments made to Act by)

| | | |
|---|---|---|
| Date of First Reading | : | 9 May 2000<br>(Bill No. 15/2000 published on 10 May 2000) |
| Date of Second and Third Readings | : | 22 May 2000 |
| Date of commencement | : | 15 February 2001 |

**49. Act 19 of 2001 — Parliamentary Elections (Amendment) Act 2001**

| | | |
|---|---|---|
| Date of First Reading | : | 16 March 2001<br>(Bill No. 20/2001 published on 17 March 2001) |
| Date of Second and Third Readings | : | 20 April 2001 |
| Date of commencement | : | 15 May 2001 |

**50. 2001 Revised Edition — Parliamentary Elections Act**

| | | |
|---|---|---|
| Date of operation | : | 31 July 2001 |

**51. Act 31 of 2001 — Parliamentary Elections (Amendment No. 2) Act 2001**

| | | |
|---|---|---|
| Date of First Reading | : | 25 July 2001<br>(Bill No. 29/2001 published on 26 July 2001) |
| Date of Second and Third Readings | : | 13 August 2001 |
| Date of commencement | : | 14 September 2001 |

**52. G. N. No. S 522/2001 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2001**

| | | |
|---|---|---|
| Date of commencement | : | 17 October 2001 |

**53. G. N. No. S 523/2001 — Parliamentary Elections Act (Amendment of Third Schedule) Regulations 2001**

| | | |
|---|---|---|
| Date of commencement | : | 17 October 2001 |

**54. Act 34 of 2002 — Media Development Authority of Singapore Act 2002**
(Consequential and related amendments made to Act by)

| | | |
|---|---|---|
| Date of First Reading | : | 1 October 2002<br>(Bill No. 37/2002 published on 2 October 2002) |
| Date of Second and Third Readings | : | 31 October 2002 |
| Date of commencement | : | 1 January 2003 |

**55. Act 18 of 2005 — Parliamentary Elections (Amendment) Act 2005**

| | | |
|---|---|---|
| Date of First Reading | : | 18 April 2005<br>(Bill No. 9/2005 published on 19 April 2005) |
| Date of Second and Third Readings | : | 16 May 2005 |
| Date of commencement | : | 6 June 2005 |

**56. G. N. No. S 389/2005 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2005**

| | | |
|---|---|---|
| Date of commencement | : | 17 June 2005 |

**57. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005**

| | | |
|---|---|---|
| Date of First Reading | : | 17 October 2005<br>(Bill No. 30/2005 published on 18 October 2005) |
| Date of Second and Third Readings | : | 21 November 2005 |
| Date of commencement | : | 1 January 2006 |

**58. G. N. No. S 232/2006 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2006**

| | | |
|---|---|---|
| Date of commencement | : | 19 April 2006 |

**59. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2007**

| | | |
|---|---|---|
| Date of First Reading | : | 8 November 2006<br>(Bill No. 14/2006 published on 9 November 2006) |
| Date of Second and Third Readings | : | 22 January 2007 |
| Date of commencement | : | 1 March 2007 |

**60. 2007 Revised Edition — Parliamentary Elections Act**

Date of operation : 31 March 2007

**61. Act 14 of 2008 — Parliamentary Elections (Amendment) Act 2008**

Date of First Reading : 21 July 2008
(Bill No. 8/2008 published on 22 July 2008)

Date of Second and Third Readings : 25 August 2008

Date of commencement : 3 March 2009

**62. Act 10 of 2010 — Parliamentary Elections (Amendment) Act 2010**

Date of First Reading : 11 March 2010
(Bill No. 4/2010 published on 11 March 2010)

Date of Second and Third Readings : 27 April 2010

Date of commencement : 1 July 2010

**63. Act 15 of 2010 — Criminal Procedure Code 2010**
(Consequential amendments made to Act by)

Date of First Reading : 26 April 2010
(Bill No. 11/2010 published on 26 April 2010)

Date of Second and Third Readings : 19 May 2010

Date of commencement : 2 January 2011

**64. G. N. No. S 141/2011 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2011**

Date of commencement : 14 March 2011

**65. G. N. No. S 142/2011 — Parliamentary Elections Act (Amendment of Third Schedule) Order 2011**

Date of commencement : 14 March 2011

**66. 2011 Revised Edition — Parliamentary Elections Act**

Date of operation : 15 April 2011

**67. G.N. No. S 499/2015 — Parliamentary Elections Act (Amendment of Third Schedule) Order 2015**

Date of commencement : 20 August 2015

**68. G.N. No. S 498/2015 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2015**

Date of commencement : 20 August 2015

**69. Act 6 of 2017 — Presidential Elections (Amendment) Act 2017**

Date of First Reading : 9 January 2017 (Bill No. 2/2017 published on 9 January 2017)

Date of Second and Third Readings : 6 February 2017

Date of commencement : 1 April 2017

**70. Act 19 of 2016 — Administration of Justice (Protection) Act 2016**

Date of First Reading : 11 July 2016 (Bill No. 23/2016 published on 11 July 2016)

Date of Second and Third Readings : 15 August 2016

Date of commencement : 1 October 2017

**71. Act 12 of 2018 — Criminal Law (Temporary Provisions) (Amendment) Act 2018**

Date of First Reading : 9 January 2018 (Bill No. 5/2018 published on 9 January 2018)

Date of Second and Third Readings : 6 February 2018

Date of commencement : 1 January 2019

**72. G.N. No. S 3/2019 — Parliamentary Elections Act (Amendment of First Schedule) Regulations 2019**

Date of commencement : 2 January 2019

**73. Act 41 of 2018 — Parliamentary Elections (Amendment) Act 2018**

Date of First Reading : 10 September 2018 (Bill No. 34/2018 published on 10 September 2018)

Date of Second and Third Readings : 1 October 2018

Date of commencement : 2 January 2019

**74. G.N. No. S 231/2019 — Parliamentary Elections Act (Amendment of First Schedule) (No. 2) Regulations 2019**

Date of commencement : 1 April 2019

**75. G.N. No. S 232/2019 — Parliamentary Elections Act (Amendment of Second Schedule) Order 2019**

Date of commencement : 1 April 2019

**76. G. N. No. S 443/2020 — Parliamentary Elections Act (Amendment of First Schedule) Rules 2020**

Date of commencement : 8 June 2020

**77. G. N. No. S 444/2020 — Parliamentary Elections Act (Amendment of Fourth Schedule) Rules 2020**

Date of commencement : 8 June 2020

**78. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**

Date of First Reading : 7 October 2019 (Bill No. 32/2019)

Date of Second and Third Readings : 5 November 2019

Date of commencement : 2 January 2021

# COMPARATIVE TABLE

# PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

The following provisions in the 1999 Revised Edition of the Parliamentary Elections Act were renumbered by the Law Revision Commissioners in the 2001 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Parliamentary Elections Act.

| **2001 Ed.** | **1999 Ed.** |
|---|---|
| **9**—(3) | **9**—(2) |
| — | (3) (*Deleted by Act 19/2001*) |
| **27B**—(3)(*a*) | **27B**—(3)(*a*) |
| (*b*) | (*aa*) |
| (*c*) | (*b*) |
| **34**—(6)(*a*) | **34**—(6)(*a*) |
| (*b*) | (*aa*) |
| (*c*) | (*ab*) |
| (*d*), (*e*) and (*f*) | (*b*), (*c*) and (*d*) |
| **34A**—(6)(*a*) | **34A**—(6)(*a*) |
| (*b*) | (*aa*) |
| (*c*) | (*ab*) |
| (*d*), (*e*) and (*f*) | (*b*), (*c*) and (*d*) |
| **48A**—(2) | **48A**—(1A) |
| (3) | (2) |