

**Wrap Up Speech by Mr Chan Chun Sing,
Minister for Trade and Industry, for the Prime Minister,
on the Parliamentary Elections (Amendment) Bill 2018
on Monday, 1 October 2018**

Introduction

1. Mr Speaker, Sir, let me first thank Members for speaking on this Bill.

2. I will address the specific points raised. These can be grouped into three broad sets of issues. The first set of issues has to do with the provisions related to election candidates. The second set of issues relates to management of contingencies. The third set of issues are some unrelated issues which I will make a few short remarks, in particular, on the NCMP scheme.

Provisions related to election candidates

3. Let me begin with the provisions related to election candidates.

4. Mr Gan Thiam Poh suggested reducing the election deposit. The purpose of the election deposit is to ensure that only those who are serious in contesting in the elections step forward. I agree with him that we should not set the amount so high that it becomes a barrier to entry. But we will also need to strike a balance. Setting at the current rate of one month of an MP's allowance has worked reasonably well since we first had elections in Singapore. And under the law, candidates who contest and gathered more than one-eighth of the votes will have their election deposits returned to them after the election.

5. Mr Murali suggested that we continue to allow cash payment of election deposits. We agree. The amendments will increase, not decrease the options in the mode of payment. We are encouraging candidates to use electronic funds transfer to make it more convenient for aspiring candidates so that they no longer need to withdraw cash or visit a bank to purchase a bank draft and go to the Accountant-General's Department to make the payment. Elections Department will also return the election deposits using electronic funds transfer. As per current process, the candidate has the choice to which method of refund that they would like to have. As for cash, this is something the Returning Officer may allow when there are technical issues with the electronic funds transfer system. So we have increased the number of choices rather than narrow it.

6. Mr Gan also suggested automating nomination forms. The Elections Department is looking into expanding its range of e-Services to candidates and election agents, and we will consider Mr Gan's suggestion as part of their study.

7. Mr Murali spoke about possible unintended consequences from removing the need for candidates to submit supporting documents such as bills and receipts in their returns on election expenses. As there have not been any issues with these returns in the past, we propose to remove the need to submit these supporting documents to improve administration efficiency. But we are only doing away with supporting documents. The rest of the submissions is still required. This will not dilute accountability. The process for public inspection remains. Candidates are also required to keep these supporting documents for a period of one year and the Returning Officer may require these documents for checks, where needed. So the candidates still need to submit the necessary declaration and it is just that the supporting documents need not come with it, unless there is a public interest.

8. Mr Leon Perera and Mr Dennis Tan asked about why some of the issues are moved out of the Act and that is because, in our review, we made a distinction between operational matters which can be done in the subsidiary legislation, and the legislative matters which are required in the Act. So we are not removing the clauses that you have mentioned, but we are shifting them into the subsidiary legislation, so that we simplify the Act itself.

9. On the issue of the number of polling agents, we have simplified this so that it is according to the number of voters, rather than the number of polling places. There is no intention to decrease or increase the number of polling agents overall, but this would allow us to better match the number of polling agents with the number of voters, and it would be an easier way for everyone to understand the processes.

10. The third issue raised by Mr Leon Perera is the issue of notifications. It will be done simultaneously via the Gazette and also available on the ELD website, so that it is easily available for everyone to check when there is an announcement to be made by ELD.

Management of contingencies:

Ballot Boxes

11. Next, let me touch on the management of contingencies.

12. Mr Gan and Dr Walter Theseira spoke about the proposed procedures should a ballot box be lost or destroyed. Let me state that if ballot boxes go missing or are destroyed, the proposed new Sections 56DA and 56DB spell out the processes to handle such contingencies to maintain the integrity of the election. Fresh polls will be conducted if the number of votes affects the election results for the electoral division. All voters assigned to the affected polling station will then have to re-cast their votes. And now, this is key. This is because when voters drop their ballot papers into the ballot boxes in any polling station, they have a choice. It will not be possible for us to ascertain which voters cast their votes in the affected ballot box. So that is why it goes by the polling station, rather than the individual voter. And this will only be done if, as I have explained, it affects the polling result for that electoral division.

13. And how do we know whether the affected votes might affect the election results? This is when the sum of the *total number of affected voters* and the *total number of overseas voters from the affected electoral division* is equal or more than the difference between the votes already counted for the top two candidates. The procedure we are proposing is not new. This contingency procedure has been in place for Presidential elections. Now, what is new is the proposal to apply the same contingency procedures to Parliamentary elections as well. Dr Theseira suggested to minimise the need for fresh polls by changing the polling procedures in the polling station. There is a downside to that because the current procedure is designed to allow voters to drop their ballot paper into any ballot box, so that the voters can be assured of voting secrecy. So this has served us well, and we will continue this current arrangement.

14. There are also contingency provisions and procedures that we want to put in place. Dr Theseira observed that if there were lost or damaged ballot boxes in a SMC, chances would be higher for a fresh poll to be conducted. Let me assure members that there has been no instance in past several elections of lost or damaged ballot boxes prior to the votes being counted. Consequently, there was no instance of re-polling as a result of loss or destruction of ballot boxes. And, if indeed ballot boxes get lost or damaged, the amendment in today's Bill would lay out clearly in the law the steps to take to deal with such a scenario to ensure the integrity of the election process.

15. There are members who have also asked has there been any event that triggered us to review the current existing procedures. The answer is that this has always been part of the ongoing work in ELD to make sure that our processes are kept afresh, and as Member Walter Theseira said,

we need to think long-term, we need to anticipate what may happen even though it may not have happened yet.

16. Dr Theseira asked if providing the Minister with powers to decide how a re-poll is to be done will be a conflict of interest. Now, let me reassure Members that the new Section 56DA spells out clearly the procedures to be undertaken by the Returning Officer when a ballot box is lost or destroyed after the close of polls in Singapore. This includes informing the candidates of the affected electoral division, publishing a notice in the Gazette that the Returning Officer has abandoned the counting of the votes cast in the affected polling station, and if there is a need for a fresh poll, to specify the date, hours of the poll and location of the polling station. The provisions in Section 56DA(8) are to provide the Minister with the powers to prescribe other operational details in the regulations if required, such as the notice to be placed outside the polling station. So in response to Member Mr Dennis Tan, we are thinking ahead of possible contingencies, rather than being triggered by any recent or past occurrence.

17. And Mr Dennis Tan also asked for the grounds of rejection. The Registration Officers will reply to the claimant, and if the claimant so chooses, he or she may make public the reasons for the rejection. So it won't be the Registration Officer who makes public the reasons for the rejection, but the claimant who can make the necessary public announcement if he or she so chooses.

Other points

18. I will now touch on other points raised by Members.

19. On the design of the ballot paper, we share Mr Png Eng Huat's and Mr Gan Thiam Poh's concern for the elderly. And this is indeed the reason why we have recently refreshed our ballot paper design. The use of black as the base colour was introduced at GE2015 to help focus voters' attention on the box to mark their voting choice. The background for the parts containing the candidate's photograph and symbols remain white, so that these parts are clearly visible to voters and in clear contrast. The Elections Department took in the views of voters of different age groups when coming up with the new ballot paper design.

20. Mr Png Eng Huat asked about the adjudication process. We have very clear adjudication rules and process set up, and the ELD routinely conducts training for all the AROs, the GAROs, so that they can do their job professionally. But we should also view this in context, such as how

many of these votes actually go into adjudication. Actually the answer is very few, but notwithstanding that it is very few that really require adjudication, we constantly make sure that training of our AROs, of the GAROs are all done systematically and done professionally. And they are not partisan to any particular party. They will adjudicate based on their professional judgement and based on whether the voter's choice is clear, according to the law. Now, with the amendment to only consider markings in the demarcated area of the ballot paper, we will remind voters to mark their choices with an 'X' for the candidate, or in the case of a Group Representation Constituency, the group of candidates they are voting for. And Mr Png may like to help us to remind voters to mark the 'X' in the demarcated area, rather than to exercise their artistic talent in the polling station.

21. Mr Gan also asked if there had been previous cases of tampering with ballot boxes during an election. The answer is no. There is a rigorous process to ensure that there is no break in the chain of custody of the ballot boxes from the polling stations to the counting centres, and from the counting centres to the Supreme Court where the ballot papers are retained in safe custody for a period of time before they are subsequently destroyed. For transparency, the process is open to observation by candidates and their agents. When sealed ballot boxes are transported from polling stations to counting centres, candidates and their polling agents may also board the buses to observe the process.

22. For overseas votes, there is similarly a secure chain of custody. Sealed ballot boxes are transported back to Singapore by two election officials and they are kept at the Supreme Court. They are then transported from the Supreme Court to the counting place to be counted. After counting, the ballot boxes are then transported back to the Supreme Court to be kept together with the local ballot boxes for six months before they are destroyed.

23. On Mr Gan's and Mr Png Eng Huat's comments on election officials, let me first emphasise that the elections are administered by public officers who have been trained to do their election duties according to the law, in an impartial and transparent fashion. Election officials are not allowed to influence voters on who to vote for. Each voter decides for himself who to vote for. Where election officials have to communicate with voters, for example in the case of the visually handicapped voters to guide them on using the stencil, they do so in an audible voice so that candidates, agents and other election officials around them can hear the conversations.

24. I thank Mr Gan for welcoming the use of maps to show the boundaries of polling districts. Dr Theseira asked if the move to an online-only publication of polling districts will adversely affect historical records and hence future research. I would like to assure Dr Theseira that Elections Department will maintain a proper archive of the boundaries of polling districts and electoral divisions. Members of the public can also continue to view electoral boundaries interactively using the SLA OneMap. They can also inspect or purchase these maps in hard copy at the offices of SLA and Elections Department. As with other public records, the maps would also be kept with the National Archives in due course.

25. Mr Speaker, Sir, with your indulgence, let me make just a few comments that are not entirely relevant to today's debate, and that is the issue of the NCMP. We have gone through this debate previously in this House. We have debated this also during the Constitutional amendments, and may I make a humble suggestion. If the Workers' Party feel that it is not in its Party's manifesto or beliefs to support the NCMP scheme, then they have two choices. One, it is for Workers' Party candidates, during elections to publicly declare that he or she will not take up the NCMP seat even if given. The second choice is for the Worker's Party to impose a rule on all its Members to not take up a NCMP seat even if it is offered and this will be the Workers' Party's guideline. I think with these two options, the Workers' Party can take its pick on what it wants to do. But it would be rather disingenuous to say that we oppose the NCMP scheme and, at the same time, to take up the NCMP seat. So I leave it to the Workers' Party on the choice that it wants to make going forward, and I am sure that enlightened Singaporeans will understand why and what Workers' Party wants to do.

Conclusion

26. So, Mr Speaker, Sir, as I mentioned at the start of my speech, this Bill makes changes to improve the administration of parliamentary elections while ensuring the secrecy of the vote and the integrity of the election process. They are part of continuous improvements to strengthen election administration and to improve services to voters and candidates.

27. With that, Mr Speaker, Sir, I beg to move. I urge all Members to give your support for the Bill.