



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 17]

FRIDAY, JULY 2

[2010

First published in the *Government Gazette*, Electronic Edition, on 28th June 2010 at 5:00 pm.

The following Act was passed by Parliament on 27th April 2010 and assented to by the President on 10th May 2010:—

REPUBLIC OF SINGAPORE

No. 11 of 2010.

I assent.

(LS)

S R NATHAN,
President.
10th May 2010.

An Act to amend the Presidential Elections Act (Chapter 240A of the 2007 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Presidential Elections (Amendment) Act 2010 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

New section 7A

2. The Presidential Elections Act (referred to in this Act as the principal Act) is amended by inserting, immediately after section 7, the following section:

“Failure of election

7A.—(1) Whenever an election wholly fails, a fresh writ may be issued by the Prime Minister at any time for the holding of another election, except that where the election has failed because of the death of a candidate after the election has been reported as contested but before polling day, then section 16(7) and (8) shall apply.

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

(3) Where a fresh writ is issued under subsection (1), sections 6 and 7 shall apply to that writ.

(4) For the purposes of this Act, an election shall have wholly failed if no candidate is nominated or returned as elected at that election.”.

Amendment of section 10

3. Section 10(4) of the principal Act is amended by inserting, immediately after the words “a candidate for election”, the words “, an election has wholly failed”.

Amendment of section 16

4. Section 16 of the principal Act is amended —

(a) by deleting paragraph (a) of subsection (5) and substituting the following paragraph:

“(a) 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);” and

- (b) by deleting the words “for the election” in subsection (7)(b) and substituting the words “, time and place for the nomination of candidates for election, at least 4 clear days before the fresh date fixed for such nomination”.

Amendment of section 21

5. Section 21(2) of the principal Act is amended by deleting the words “\$500 or to imprisonment for a term not exceeding 6 months” and substituting the words “\$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 of Parliament”.

Amendment of section 22

6. Section 22(4) of the principal Act is amended by deleting the words “or under section 33C(3)(b)” and substituting the words “under this section, section 33C(3)(b) or 36C”.

Amendment of section 26

7. Section 26 of the principal Act is amended by deleting “\$5” in subsections (8) and (9) and substituting in each case “\$50”.

Amendment of section 27

8. Section 27(4) of the principal Act is amended by deleting the words “\$500 or to imprisonment for a term not exceeding 6 months” and substituting the words “\$1,500 or to imprisonment for a term not exceeding 9 months or to both”.

Amendment of section 31A

9. Section 31A of the principal Act is amended by inserting, immediately after subsection (2), the following subsections:

- “(3) Where polling at all polling stations established for the purposes of a poll is postponed under section 36C, the conduct of the counting of votes cast for the election shall stand postponed until

such other time as the Returning Officer, by notice in writing to each candidate or his principal election agent, shall specify.

(4) Where polling at any polling station established for the purposes of a poll is temporarily suspended, adjourned and postponed or abandoned and re-started under section 36C, the conduct of the count in respect of votes cast at the other polling stations which are specified in the direction under this section to be counted at the same counting place as votes cast at the first-mentioned polling station shall, even though the poll at the other polling stations has closed, stand postponed until such other time as the Returning Officer, by notice in writing to each candidate or his principal election agent, shall specify.”.

Amendment of section 36

10. Section 36(7) of the principal Act is amended by deleting the words “\$500 or to imprisonment for a term not exceeding 6 months” and substituting the words “\$1,500 or to imprisonment for a term not exceeding 9 months or to both”.

New sections 36A to 36F

11. The principal Act is amended by inserting, immediately after section 36, the following sub-heading and sections:

“Postponement and adjournment of elections

Postponement of nomination day, etc.

36A.—(1) Notwithstanding any other provision of this Act, at any time before the nomination day for any election, the Prime Minister may postpone nomination day 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 11 to be present at the place of nomination, or to difficulties in the physical conduct of nomination proceedings.

(2) Any postponement of nomination day 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 nomination day 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 to the general public describing the postponement of nomination day 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 nomination day or place of nomination so fixed, as the case may be.

Change in hours for nomination of candidates, etc.

36B.—(1) Notwithstanding any other provision of this Act but subject to subsection (3), at any time before the nomination day for any election, 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 11 to be present at the place of nomination, or to difficulties in the physical conduct of nomination proceedings.

(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 to the general public describing the change in the hours for nomination proceedings,

and any change so made shall be valid and sufficient.

(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; and
- (c) shall specify the latest time by which a candidate must make his deposit for the purposes of section 10, may correct errors in the nomination papers and may withdraw his candidature.

(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 7 for an election shall be deemed to be the hours for nomination proceedings so fixed, and sections 9 to 15 shall apply with such modifications as are necessary.

Adjournment, etc., of polling

36C.—(1) Notwithstanding any other provision of this Act, if at any time before the polling day appointed in respect of an election, it appears to the Returning Officer that the polling at all polling stations established for the purposes of the poll 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;

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- (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 any 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 must be within the time delimited by Article 17(3) of the Constitution.

(2) Notwithstanding any other provision of this Act, if at any time before or during the conduct of polling in respect of an election, it appears to the Returning Officer that the polling at any polling station established for the purposes of the poll 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 not exceeding 2 hours, with or without changing the location of that polling station;

- (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;
- (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.

(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 must be within the time delimited by Article 17(3) of the Constitution.

(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 to the general public 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.

(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.

(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.

(7) Nothing in this section shall restrict the exercise of any power under section 33C(3).

Voting at adjourned polling

36D. Where for any reason the polling at any polling station established for the purposes of the poll is so suspended or postponed under section 33C(3) or 36C, only those electors —

- (a) who are registered electors;
- (b) who are entitled to vote as electors 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.

Adjournment, etc., of counting

36E.—(1) Notwithstanding any other provision of this Act, if at any time before or during the counting of votes in respect of an election, it appears to the Returning Officer that the counting of votes at any counting place 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 not exceeding 2 hours, with or without changing the location of that counting place;
- (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 the time delimited by Article 17(3) of the Constitution) the polling at all polling stations which are specified in the direction under section 31A 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.

(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 to 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 to be held in place of the suspended, adjourned, postponed or abandoned count, as the case may be.

(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.

(4) Before every temporary suspension 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.

(5) Before resuming the counting of votes following any 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.

(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.

(7) In this section, any reference to counting of votes includes a reference to the recounting of votes.

Adjournment, etc., of adding of counted votes

36F.—(1) Notwithstanding any other provision of this Act, if at any time before or during the adding of all the counted votes cast in respect of an election, it appears to the Returning Officer that the adding of those votes at the principal counting place 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, the Returning Officer may —

- (i) temporarily suspend the addition of votes at the principal counting place for a period not exceeding 2 hours, with or without changing the location of the principal counting place; or
- (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.

(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, 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 and where applicable, specify 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.

(3) If, in exercising any power under subsection (1), the Returning Officer changes the location of the principal counting place, the announcement and notice given under subsection (2) shall also contain the address of the re-located principal counting place.

(4) Any temporary suspension, adjournment or postponement (as the case may be) of the addition of votes at the 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.”.

Amendment of section 37

12. Section 37(1) of the principal Act is amended by deleting the words “to imprisonment for a term not exceeding 2 years” and substituting the words “by a District Court to a fine and to imprisonment for a term not exceeding 5 years”.

Amendment of section 42

13. Section 42 of the principal Act is amended —

- (a) by deleting the words “a fine of not less than \$250 and not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both; and” in subsection (1)(i) and substituting the words “a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both;”;

(b) by deleting paragraph (ii) of subsection (1) and substituting the following paragraphs:

“(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.”; and

(c) by deleting subsection (3) and substituting the following subsection:

“(3) Without prejudice to section 38, every offence of undue influence or bribery under section 40 or 41, and every other corrupt practice under subsection (1)(c), (d) or (e) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

Amendment of section 53

14. Section 53 of the principal Act is amended —

(a) by deleting “\$100” in subsection (5) and substituting “\$500”; and

(b) by deleting subsections (6), (7) and (8) and substituting the following subsection:

“(6) The illegal practice and the offence under subsections (1A) and (4), respectively, shall each be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

Amendment of section 58

15. Section 58(2) of the principal Act is amended by deleting the words “\$500 or to imprisonment for a term not exceeding 6 months” and

substituting the words “\$1,000 or to imprisonment for a term not exceeding 6 months or to both”.

Amendment of section 59

16. Section 59 of the principal Act is amended —

- (a) by inserting, immediately after the words “on polling day” in subsection (1), the words “or on the eve of polling day at an election”;
- (b) by deleting subsection (2) and substituting the following subsection:

“(2) The offence under subsection (3) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”; and
- (c) by deleting the section heading and substituting the following section heading:

“Badges, symbols, etc., prohibited on polling day and eve of polling day”.

Amendment of section 60

17. Section 60 of the principal Act is amended by inserting, immediately after subsection (4), the following subsection:

- “(5) Every offence under such regulations shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

New section 60A

18. The principal Act is amended by inserting, immediately after section 60, the following section:

“Election advertising ban

60A.—(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 —

- (a) knowingly publish, or knowingly cause or permit to be published, any election advertising among any electors; or

(b) knowingly display, or knowingly cause or permit to be displayed, any election advertising on any vehicle, thing or structure.

(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 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.

(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.

(4) It shall be a defence for a person charged with an offence under subsection (3) to prove —

(a) that the contravention of that subsection 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, and nothing in this subsection shall limit the operation of section 10 of the Electronic Transactions Act (Cap. 88) in relation to network service providers.

(5) Every offence under this section shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).

(6) In this section, “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 candidates; or
- (b) to otherwise enhance the standing of any such 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 candidate, but excludes any button, badge, pen, pencil, balloon and any other thing prescribed by the Minister by notification in the *Gazette*.

(7) For the purposes of this section —

- (a) the reference to the electoral success of a candidate at any election shall be a reference to the return of the candidate at any such election; and
- (b) the reference to the doing of anything mentioned in paragraph (a) or (b) of the definition of “election advertising” in subsection (6) shall include doing so by prejudicing the electoral prospects at the election of other candidates by prejudicing the standing with the electorate of other candidates.”.

Amendment of section 61

19. Section 61(1) of the principal Act is amended by deleting “\$300” and substituting “\$2,000”.

Amendment of section 62

20. Section 62 of the principal Act is amended —

- (a) by inserting, immediately after the words “on polling day” in subsection (1), the words “and the eve of polling day at an election”;
- (b) by deleting the words “an election” in subsection (1)(a) and (b) and substituting in each case the words “the election”;
- (c) by deleting the words “\$1,000 or to imprisonment for a term not exceeding 12 months” in subsection (2) and substituting the words “\$1,500 or to imprisonment for a term not exceeding 12 months or to both”;
- (d) by deleting subsection (4) and substituting the following subsection:

“(4) The offence under subsection (2) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”;
- (e) by inserting, immediately after the words “on polling day” in subsection (5), the words “or on the eve of polling day”; and
- (f) by deleting the section heading and substituting the following section heading:

“Prohibition of canvassing on polling day and eve of polling day”.

New section 62A

21. The principal Act is amended by inserting, immediately after section 62, the following section:

“Restrictions on election meetings

62A.—(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 on polling day and the eve of polling day at an 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.

(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 between nomination day and the day before the eve of polling day at an 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.

(3) Any reference in the Public Order Act 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.

(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 candidates; or
- (b) to otherwise enhance the standing of any such candidates with the electorate in connection with the election.”.

Amendment of section 63

22. Section 63 of the principal Act is amended —

- (a) by deleting the words “\$1,000 or to imprisonment for a term not exceeding 12 months” in subsection (2) and substituting the words “\$2,000 or to imprisonment for a term not exceeding 12 months or to both”; and
- (b) by deleting subsection (4) and substituting the following subsection:
 - “(4) The offence under subsection (2) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

Amendment of section 64

23. Section 64 of the principal Act is amended —

- (a) by deleting the words “\$1,000 or to imprisonment for a term not exceeding 12 months” in subsection (3) and substituting the words “\$2,000 or to imprisonment for a term not exceeding 12 months or to both”; and
- (b) by deleting subsection (4) and substituting the following subsection:
 - “(4) The offence under subsection (3) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

Amendment of section 65

24. Section 65 of the principal Act is amended —

- (a) by inserting, immediately after subsection (1), the following subsection:
 - “(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 (within the meaning of section 60A) among any electors 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.”;
- (b) by deleting the words “\$1,000 or to imprisonment for a term not exceeding 12 months” in subsection (5) and substituting the

words “\$2,000 or to imprisonment for a term not exceeding 12 months or to both”;

- (c) by deleting subsection (7) and substituting the following subsection:

“(7) Every offence under this section for contravening subsection (1), (1A) or (2) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”; and

- (d) by inserting, immediately after subsection (8), the following subsection:

“(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.”.

Amendment of section 67

25. Section 67 of the principal Act is amended —

- (a) by deleting “\$1,000” in subsection (2) and substituting “\$1,500”; and
- (b) by deleting subsection (3) and substituting the following subsection:

“(3) The offence under subsection (2) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

Amendment of section 83

26. Section 83 of the principal Act is amended —

- (a) by deleting “\$50” in subsection (2) and substituting “\$1,000”; and
- (b) by inserting, immediately after subsection (2), the following subsection:

“(3) The offence under subsection (2) shall be a seizable offence within the meaning of the Criminal Procedure Code (Cap. 68).”.

Transitional provision

27. Section 7 of this Act shall apply only to and in relation to every written application by any person for the restoration of his name to a register of electors made on or after the commencement of that section under section 26 of the principal Act.
