
First published in the *Government Gazette*, Electronic Edition, on 1 April 2019 at 1 pm.

No. S 234

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

PARLIAMENTARY ELECTIONS
(OVERSEAS VOTING) (AMENDMENT)
REGULATIONS 2019

In exercise of the powers conferred by sections 39A and 102 of the Parliamentary Elections Act, the Prime Minister makes the following Regulations:

Citation and commencement

1. These Regulations are the Parliamentary Elections (Overseas Voting) (Amendment) Regulations 2019 and come into operation on 1 April 2019.

Amendment of regulation 2

2. Regulation 2 of the Parliamentary Elections (Overseas Voting) Regulations 2006 (G.N. No. S 234/2006) (called in these Regulations the principal Regulations) is amended by deleting the definition of “counting place for overseas votes” and substituting the following definition:

““counting place for overseas votes” means —

- (a) in the case where section 49A(2) of the Act applies, the place specified by the Returning Officer under section 49A(2A)(b)(ii) of the Act;
- (b) in the case where section 56DA(2) of the Act applies, the place specified by the Returning Officer under section 56DA(5)(b)(iii) of the Act;
- (c) in the case where section 56DB(2) of the Act applies, the place specified by the Returning

Officer under section 56DB(5)(b)(ii) of the Act;
or

(d) in any other case, the place or places directed by the Returning Officer under section 48A(2) of the Act;”.

Amendment of regulation 9

3. Regulation 9(2) of the principal Regulations is amended by inserting, immediately after sub-paragraph (a), the following sub-paragraphs:

“(aa) comply with section 40A of the Act;

(ab) clearly demarcate the area within which a voter must mark his vote for a candidate or a group of candidates;”.

Amendment of regulation 11

4. Regulation 11 of the principal Regulations is amended by deleting paragraph (1) and substituting the following paragraph:

“(1) Before the poll opens at an overseas polling station in an election, the presiding officer appointed under regulation 5 for the overseas polling station must cause a notice giving directions for the guidance of voters in voting to be displayed on or at a conspicuous place outside the overseas polling station.”.

Amendment of regulation 12

5. Regulation 12 of the principal Regulations is amended by deleting paragraph (1) and substituting the following paragraphs:

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

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

(a) the name of the candidate in the official languages;

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- (b) the symbol allotted to the candidate, or the group of candidates comprising the candidate, under section 34 or 34A of the Act, as the case may be;
 - (c) the name of the political party (if any) for which the candidate is standing at the election, in the official languages;
 - (d) where the photograph of the candidate is included on the ballot papers for the election under section 40A(1) of the Act, that photograph;
 - (e) where the photograph of the candidate is not included on the ballot papers for the election (by reason of non-compliance with section 40A(1) of the Act), a note that there is no photograph for the candidate.

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

Amendment of regulation 22

6. Regulation 22 of the principal Regulations is amended —

- (a) by deleting the words “all or any of the declarations” in paragraph (2) and substituting the words “the declaration”; and
- (b) by inserting, immediately after paragraph (3), the following paragraph:

“(4) Section 44(4) of the Act applies to a declaration made under paragraph (2) subject to the modification that the reference to a declaration in that section is a reference to a declaration required under that paragraph.”.

Amendment of regulation 24

7. Regulation 24 of the principal Regulations is amended —

- (a) by deleting sub-paragraph (b) of paragraph (1) and substituting the following sub-paragraph:

“(b) subject to paragraph (1A), secretly mark the ballot paper as near as may be in accordance with the directions given for the guidance of voters under regulation 11;” and

(b) by inserting, immediately after paragraph (1), the following paragraph:

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

Deletion and substitution of regulation 30

8. Regulation 30 of the principal Regulations is deleted and the following regulation substituted therefor:

“Arrival in Singapore of ballot boxes from overseas polling stations

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

Amendment of regulation 31

9. Regulation 31 of the principal Regulations is amended —

(a) by inserting, immediately before sub-paragraph (a) of paragraph (1), the following sub-paragraph:

“(aa) arrange all the ballot boxes received according to their overseas polling stations;” and

(b) by deleting paragraph (2) and substituting the following paragraph:

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

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- (a) after the deadline specified in section 49A(1)(a) of the Act; or
 - (b) where the Returning Officer extends time under section 49A(2) of the Act, after the extended deadline.”.

Deletion and substitution of regulation 33

10. Regulation 33 of the principal Regulations is deleted and the following regulation substituted therefor:

“Recounting of overseas votes

33.—(1) This regulation only applies where the Returning Officer has made a declaration under section 49(7)(b) or (7E)(b) of the Act in respect of an election in an electoral division.

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

- (a) the total number of votes given in Singapore and at the overseas polling stations to the candidate or (as the case may be) group of candidates with the most votes at the election;
- (b) the total number of votes given in Singapore and at the overseas polling stations to any other candidate or (as the case may be) group of candidates at the election.

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

- (a) may be conducted only once;
- (b) must take place as soon as practicable after the counting of those votes under section 49A of the Act is completed; and

- (c) must follow as far as practicable the same procedure as for the counting of those votes under sections 49A and 50 of the Act.”.

Deletion and substitution of Schedule

11. The Schedule to the principal Regulations is deleted and the following Schedule substituted therefor:

“THE SCHEDULE

Regulation 11(2)

PARLIAMENTARY ELECTIONS ACT (CHAPTER 218)

PARLIAMENTARY ELECTIONS (OVERSEAS VOTING) REGULATIONS 2006

DIRECTIONS FOR GUIDANCE OF VOTERS

1. When you are given a ballot paper, go to a voting compartment.
2. Mark on your ballot paper an “X” in the empty box for the candidate, 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.”.

Made on 29 March 2019.

LEO YIP
*Permanent Secretary,
Prime Minister's Office,
Singapore.*

[ELD(A)/4-24 Vol. 8; AG/LEGIS/SL/218/2015/8 Vol. 1]