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PRESIDENTIAL ELECTIONS ACT 1991

PRESIDENTIAL ELECTIONS
(CRISIS MANAGEMENT) REGULATIONS 2023

ARRANGEMENT OF REGULATIONS

PART 1

PRELIMINARY

Regulation

1. Citation and commencement
2. Definitions
3. When is a stage of an election disrupted or likely to be disrupted

PART 2

GENERAL PROVISIONS

4. Crisis management powers must be exercised by Returning Officer personally
5. Successive exercise of crisis management powers
6. Modification of Act if crisis management powers exercised
7. Exercise of crisis management powers must be publicised
8. Directions to presiding officers

PART 3

NOMINATION PROCEEDINGS

9. Crisis management powers before start of nomination proceedings
10. Crisis management powers during nomination proceedings

PART 4

POLLING

11. Crisis management power before start of polling
12. Crisis management powers in relation to particular polling stations

Regulation

13. Supplementary provisions if poll temporarily suspended
14. Supplementary provisions if poll adjourned and postponed
15. Supplementary provisions if poll abandoned and restarted
16. Supplementary provisions if poll closed early
17. Supplementary provisions if poll wholly abandoned
18. Modifications of references to polling day in Act

PART 5

CONVEYANCE OF VOTES

19. Crisis management power if arrival of overseas votes delayed
20. Crisis management response if ballot box lost or destroyed after close of poll
21. Supplementary provisions for regulation 20

PART 6

COUNTING OF VOTES

22. Crisis management powers in relation to counting
23. Supplementary provisions if counting temporarily suspended
24. Supplementary provisions if counting adjourned and postponed
25. Supplementary provisions if counting wholly abandoned
26. Application to pre-count examination of postal voting papers

PART 7

ADDING OF VOTES

27. Crisis management powers in relation to adding of counted votes
 28. Supplementary provisions if adding temporarily suspended
 29. Supplementary provisions if adding adjourned and postponed
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In exercise of the powers conferred by section 81A of the Presidential Elections Act 1991, the Prime Minister makes the following Regulations:

PART 1
PRELIMINARY

Citation and commencement

1. These Regulations are the Presidential Elections (Crisis Management) Regulations 2023 and come into operation on 1 July 2023.

Definitions

2. In these Regulations —

“adding material” means records of counting and all other documents relating to the addition of votes;

“counting material”, in relation to a counting place, means all ballot papers (counted or uncounted) despatched to that counting place and all other documents relating to the counting of votes at that counting place;

“disrupted” has the meaning given by regulation 3;

“overseas vote” means a vote cast at an overseas polling station or by the postal voting method;

“presiding officer”, in relation to a polling station, means any presiding officer for the polling station;

“stage of an election” means —

(a) the nomination proceedings;

(b) polling;

(c) the counting of votes (whether cast in a polling station or by the postal voting method); or

(d) the adding of counted votes;

“voting material” means —

(a) the unused and spoilt ballot papers;

(b) the copies of the register of electors;

(c) the counterfoils of the ballot papers; and

(d) the tendered votes list.

When is a stage of an election disrupted or likely to be disrupted

3.—(1) For the purposes of these Regulations, a stage of an election is disrupted or likely to be disrupted if a disruptive event —

- (a) has occurred or is likely to occur before or during that stage of the election; or
- (b) prevents or seriously interrupts, or is likely to prevent or seriously interrupt, the conduct of that stage of the election according to the provisions of the Act.

(2) In paragraph (1), “disruptive event” has the meaning given by section 81A(7) of the Act.

PART 2**GENERAL PROVISIONS****Crisis management powers must be exercised by Returning Officer personally**

4.—(1) Despite section 3 of the Act, the crisis management powers in these Regulations —

- (a) may only be exercised by the Returning Officer personally; and
- (b) must not be exercised by any Assistant Returning Officer.

(2) To avoid doubt, paragraph (1) does not apply in relation to the performance of the Returning Officer’s functions under the supplementary provisions relating to the exercise of crisis management powers.

Successive exercise of crisis management powers

5.—(1) The exercise of a crisis management power under these Regulations does not prevent —

- (a) the same power from being exercised again as occasion requires; or

(b) another crisis management power from being exercised as occasion requires.

(2) However, a stage of an election must not be temporarily suspended for more than 2 hours on the same day.

Modification of Act if crisis management powers exercised

6.—(1) Subject to section 81A of the Act and any specific provision in these Regulations, the operation of the Act is to be modified as necessary to give full effect to the exercise of any crisis management power in these Regulations.

(2) In determining what modifications are necessary, regard must be had to —

(a) the need to conduct a safe, orderly, efficient and timely election and support the resilience of Singapore's democracy; and

(b) the principles of the Act.

(3) This regulation also applies in relation to the carrying out of a crisis management response under regulation 20.

Exercise of crisis management powers must be publicised

7.—(1) If the Returning Officer exercises any crisis management power in these Regulations, the Returning Officer must as soon as practicable cause a crisis management notice to be published.

(2) The crisis management notice must state —

(a) the fact that the crisis management power has been exercised; and

(b) all matters specified in the exercise of that power.

(3) The crisis management notice must be published —

(a) in the *Gazette*; or

(b) if publication in the *Gazette* is not practicable —

(i) on the Internet website of the Elections Department at <https://www.eld.gov.sg>; or

(ii) in a manner that will secure adequate publicity of the notice to the general public.

(4) This regulation also applies in relation to the carrying out of a crisis management response under regulation 20.

Directions to presiding officers

8. In carrying out his or her functions under these Regulations, a presiding officer must comply with any general or specific directions given by the Returning Officer.

PART 3

NOMINATION PROCEEDINGS

Crisis management powers before start of nomination proceedings

9.—(1) The Returning Officer may exercise any crisis management power in paragraph (2) if, at any time before the period for receiving nomination papers for an election, the Returning Officer is of the opinion that nomination proceedings are likely to be disrupted.

(2) The Returning Officer may, at any time before that period, specify one or more of the following matters:

- (a) another date (which must be no later than one month after the date of the writ) to be nomination day;
- (b) another location for nomination proceedings;
- (c) other hours for nomination proceedings.

(3) If the Returning Officer exercises the crisis management power in paragraph (2)(c), the Returning Officer must specify all of the following matters:

- (a) a period of one hour for the Returning Officer to receive nomination papers;
- (b) a period of 90 minutes for the making of objections to any nomination paper;

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- (c) the latest time by which a candidate —
- (i) must make a deposit under section 10 of the Act;
 - (ii) may correct errors or omissions in the nomination papers under section 11A of the Act; and
 - (iii) may withdraw his or her candidature under section 13 of the Act;
- (d) the latest time by which a candidate must make an indication regarding his or her name under section 11(5) of the Act.
- (4) The periods and times specified under paragraph (3) must comply with the following provisions:
- (a) the time specified under paragraph (3)(c) must not be earlier than the end of the period specified under paragraph (3)(a);
 - (b) the time specified under paragraph (3)(d) must not be earlier than 30 minutes after the end of the period specified under paragraph (3)(b);
 - (c) nomination proceedings must be concluded in one day.
- (5) The exercise of any crisis management power in this regulation does not affect references in the Act to nomination day for the purposes of —
- (a) Divisions 2 and 3 of Part 2 of the Act (relating to certificates of eligibility and community declarations); or
 - (b) any other thing done before nomination day.

Crisis management powers during nomination proceedings

10.—(1) The Returning Officer may exercise any crisis management power in paragraph (2) if, at any time during the nomination proceedings for an election, the Returning Officer is of the opinion that nomination proceedings are or are likely to be disrupted.

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- (2) The Returning Officer may —
- (a) temporarily suspend the nomination proceedings for a specified period (which must not exceed 2 hours), with or without specifying another location for the nomination proceedings; or
 - (b) adjourn and postpone the nomination proceedings to a specified date (which must be no later than one month after the date of the writ), with or without specifying another location for the nomination proceedings.
- (3) If the Returning Officer exercises a crisis management power in paragraph (2), the Returning Officer must specify all of the following matters:
- (a) a period, after the nomination proceedings resume, for the Returning Officer to receive nomination papers;
 - (b) a period, after the nomination proceedings resume, for the making of objections to any nomination paper;
 - (c) the latest time, after the nomination proceedings resume, by which a candidate —
 - (i) must make a deposit under section 10 of the Act;
 - (ii) may correct errors or omissions in the nomination papers under section 11A of the Act; and
 - (iii) may withdraw his or her candidature under section 13 of the Act;
 - (d) the latest time, after the nomination proceedings resume, by which a candidate must make an indication regarding his or her name under section 11(5) of the Act.
- (4) The periods and times specified under paragraph (3) must comply with the following provisions:
- (a) the total period for receiving nomination papers must not be less than one hour;
 - (b) the total period for the making of objections to any nomination paper must not be less than 90 minutes;

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- (c) the time specified under paragraph (3)(c) must not be earlier than the end of the period specified under paragraph (3)(a);
 - (d) the time specified under paragraph (3)(d) must not be earlier than 30 minutes after the end of the period specified under paragraph (3)(b);
 - (e) in the case of a temporary suspension under paragraph (2)(a), all nomination proceedings must be concluded in one day;
 - (f) in the case of an adjournment and postponement under paragraph (2)(b), the resumed nomination proceedings must be concluded in one day.
- (5) The exercise of any crisis management power in this regulation does not affect references in the Act to nomination day for the purposes of —
- (a) Divisions 2 and 3 of Part 2 of the Act (relating to certificates of eligibility and community declarations); or
 - (b) any other thing done before nomination day.

PART 4

POLLING

Crisis management power before start of polling

11.—(1) The Returning Officer may exercise the crisis management power in paragraph (2) if, at any time before the polling day appointed for an election, the Returning Officer is of the opinion that the general conduct of the poll in Singapore is likely to be disrupted.

(2) The Returning Officer may specify another date to be the polling day.

(3) The specified date —

- (a) must fall within the time delimited by Article 17A(2) of the Constitution; and

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- (b) must not be later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 16(5) of the Act.

Crisis management powers in relation to particular polling stations

12.—(1) The Returning Officer may exercise any crisis management power in paragraph (2) if, at any time before or during the conduct of the poll for an election, the Returning Officer is of the opinion that the conduct of the poll at a polling station is or is likely to be disrupted.

(2) The Returning Officer may —

- (a) temporarily suspend the poll at the affected polling station for a specified period (which must not exceed 2 hours), with or without specifying another location for the resumed poll;
- (b) adjourn and postpone the poll at the affected polling station to a specified date and time, with or without specifying another location for the resumed poll;
- (c) abandon the poll at the affected polling station and restart the poll on a specified date and time, with or without specifying another location for the restarted poll;
- (d) close the poll at the affected polling station early;
- (e) if the affected polling station is an overseas polling station in a foreign country — wholly abandon the poll at the affected polling station if the Returning Officer is satisfied that voting in person cannot start or be resumed or completed due to special circumstances in the foreign country; or
- (f) if the affected polling station is a special polling station in a nursing home — wholly abandon the poll at the affected polling station if the Returning Officer is satisfied that voting in person cannot start or be resumed or completed due to special circumstances in the nursing home.

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- (3) A date specified under paragraph (2)(b) or (c) —
- (a) must fall within the time delimited by Article 17A(2) of the Constitution; and
 - (b) must not be later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 16(5) of the Act.

Supplementary provisions if poll temporarily suspended

13.—(1) This regulation applies if the poll at a polling station is temporarily suspended under regulation 12.

(2) The presiding officer must announce the temporary suspension of the poll to persons present at the affected polling station.

(3) The delivery of ballot papers to voters must stop immediately, but a voter to whom a ballot paper has been delivered must be allowed to record his or her vote.

(4) The presiding officer must secure the ballot boxes for the affected polling station without opening them by sealing each ballot box with —

- (a) the seal of the presiding officer; and
- (b) the seals of the candidates and their polling agents who are in attendance and wish to affix their seals,

in a way that the ballot box cannot be opened and nothing can be inserted therein without breaking the seals.

(5) The presiding officer must secure the voting material for the affected polling station in the presence of the candidates and their polling agents who are in attendance by —

- (a) making up the voting material into separate packets; and
- (b) sealing each packet with —
 - (i) the seal of the Returning Officer; and
 - (ii) the seals of the candidates and their polling agents who wish to affix their seals.

(6) The presiding officer must hold the secured ballot boxes and secured voting material in safe custody (whether at the affected polling station or elsewhere) while the poll is temporarily suspended.

(7) Immediately before the poll resumes, the presiding officer must —

(a) deliver the secured ballot boxes and secured voting material to the location for the resumed poll; and

(b) in the presence of the candidates and their polling agents who are in attendance —

(i) remove or conceal the seals of the candidates or their polling agents that were placed on the ballot boxes; and

(ii) retrieve the voting material that is necessary for the conduct of the resumed poll.

(8) The resumed poll must be conducted as nearly as possible in accordance with the Act.

(9) A person may vote at the resumed poll only if he or she —

(a) is a registered elector;

(b) is entitled to vote at the affected polling station; and

(c) did not vote before the temporary suspension.

Supplementary provisions if poll adjourned and postponed

14.—(1) This regulation applies if the poll at a polling station is adjourned and postponed under regulation 12.

(2) The presiding officer must announce the adjournment and postponement of the poll to persons present at the affected polling station.

(3) The delivery of ballot papers to voters must stop immediately, but a voter to whom a ballot paper has been delivered must be allowed to record his or her vote.

(4) The presiding officer must secure the ballot boxes for the affected polling station without opening them by sealing each ballot box with —

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- (a) the seal of the presiding officer; and
 - (b) the seals of the candidates and their polling agents who are in attendance and wish to affix their seals,

in a way that the ballot box cannot be opened and nothing can be inserted therein without breaking the seals.

(5) The presiding officer must secure the voting material for the affected polling station in the presence of the candidates and their polling agents who are in attendance by —

- (a) making up the voting material into separate packets; and
- (b) sealing each packet with —
 - (i) the seal of the Returning Officer; and
 - (ii) the seals of the candidates and their polling agents who wish to affix their seals.

(6) The presiding officer must deliver the secured ballot boxes and secured voting material to the Returning Officer.

(7) The Returning Officer must hold the secured ballot boxes and secured voting material in safe custody (whether at the location of the adjourned poll or elsewhere).

(8) Immediately before the poll resumes —

- (a) the Returning Officer must deliver new ballot boxes and the secured voting material to the presiding officer at the location for the resumed poll; and
- (b) the presiding officer must, in the presence of the candidates and their polling agents who are in attendance, retrieve the voting material that is necessary for the conduct of the resumed poll.

(9) The resumed poll must be conducted as nearly as possible in accordance with the Act.

(10) A person may vote at the resumed poll only if he or she —

- (a) is a registered elector;
- (b) is entitled to vote at the affected polling station; and

(c) did not vote before the adjournment.

(11) Until the resumed poll is closed, votes must not be counted at —

(a) the counting place specified in respect of the affected polling station under the Act (even if the votes were not cast at the affected polling station); and

(b) all other counting places located at the same premises.

(12) After the resumed poll closes, the Returning Officer must deliver the secured ballot boxes held in safe custody under paragraph (7) to the counting place specified in respect of the affected polling station.

(13) The Returning Officer must specify, by notification in the *Gazette*, a date for counting votes at the counting places mentioned in paragraph (11).

Supplementary provisions if poll abandoned and restarted

15.—(1) This regulation applies if the poll at a polling station is abandoned and restarted under regulation 12.

(2) The presiding officer must announce the abandonment and restarting of the poll to persons present at the affected polling station.

(3) The delivery of ballot papers to voters must stop immediately.

(4) The presiding officer must secure the ballot boxes for the affected polling station without opening them by sealing each ballot box with —

(a) the seal of the presiding officer; and

(b) the seals of the candidates and their polling agents who are in attendance and wish to affix their seals,

in a way that the ballot box cannot be opened and nothing can be inserted therein without breaking the seals.

(5) The presiding officer must secure the voting material for the affected polling station in the presence of the candidates and their polling agents who are in attendance by —

(a) making up the voting material into separate packets; and

(b) sealing each packet with —

(i) the seal of the Returning Officer; and

(ii) the seals of the candidates and their polling agents who wish to affix their seals.

(6) The presiding officer must deliver the secured ballot boxes and secured voting material to the Returning Officer.

(7) The Returning Officer must —

(a) hold the secured ballot boxes and secured voting material in safe custody for 6 months; and

(b) destroy the secured ballot boxes and secured voting material at the end of those 6 months unless the President or Election Judge otherwise orders.

(8) Paragraphs (4), (5), (6) and (7) do not apply if it is impossible or impracticable in the circumstances to secure the ballot boxes and voting material.

(9) The restarted poll must be conducted as nearly as possible in accordance with the Act.

(10) A person may vote at the restarted poll only if he or she is —

(a) a registered elector; and

(b) entitled to vote at the affected polling station.

(11) Until the restarted poll is closed, votes must not be counted at —

(a) the counting place specified in respect of the affected polling station (whether or not the votes are cast at the affected polling station or elsewhere); and

(b) all other counting places located at the same premises.

(12) The Returning Officer must specify, by notification in the *Gazette*, a date for counting votes at the counting places mentioned in paragraph (11).

Supplementary provisions if poll closed early

16.—(1) This regulation applies if the poll at a polling station closes early under regulation 12.

(2) The closure of the poll must be carried out as nearly as possible in accordance with the Act.

Supplementary provisions if poll wholly abandoned

17.—(1) This regulation applies if the poll at a polling station is wholly abandoned under regulation 12.

(2) The presiding officer must announce the abandonment of the poll to persons present at the affected polling station.

(3) The delivery of ballot papers to voters must stop immediately.

(4) The presiding officer must secure the ballot boxes for the affected polling station without opening them by sealing each ballot box with —

(a) the seal of the presiding officer; and

(b) the seals of the candidates and their polling agents who are in attendance and wish to affix their seals,

in a way that the ballot box cannot be opened and nothing can be inserted therein without breaking the seals.

(5) The presiding officer must secure the voting material for the affected polling station in the presence of the candidates and their polling agents who are in attendance by —

(a) making up the voting material into separate packets; and

(b) sealing each packet with —

(i) the seal of the Returning Officer; and

(ii) the seals of the candidates and their polling agents who wish to affix their seals.

(6) The presiding officer must deliver the secured ballot boxes and secured voting material to the Returning Officer.

(7) The Returning Officer must —

- (a) hold the secured ballot boxes and secured voting material in safe custody for 6 months; and
- (b) destroy the secured ballot boxes and secured voting material at the end of those 6 months unless the President or Election Judge otherwise orders.

(8) Paragraphs (4), (5), (6) and (7) do not apply if it is impossible or impracticable in the circumstances to secure the ballot boxes and voting material.

Modifications of references to polling day in Act

18. If the poll for an election is to be conducted on 2 or more days as a result of the exercise of a crisis management power in regulation 12 —

- (a) a reference to polling day in the following provisions of the Act is to be read as a reference to the latest day on which polling is to be conducted:
 - Section 26(11) (restoration of name to register)
 - Section 42C(4) (cooling-off period)
 - Section 42R(1) (definition of “election period”)
 - Section 50(4) (order to amend maximum expenses)
 - Section 60B(1) (blackout period for election survey results)
 - Section 62A(2) (restrictions on election meetings)
 - Section 63(1) (prohibition of dissuasion from voting)
 - Section 81B(2) (restrictions on making regulations); and
- (b) a reference to polling day in the following provisions of the Act is to be read as a reference to each day on which polling is to be conducted:
 - Section 53(4) (prohibition against parking)
 - Section 58(1) (reasonable period for employees to vote)
 - Section 59(1) (prohibition of badges, symbols, etc.)

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- Section 60C(1) (exit polls ban)
 - Section 62(1) and (5) (prohibition of canvassing)
 - Section 62A(1) (restrictions on election meetings)
 - Section 64(1) (undue influence at or near polling station)
 - Section 66 (unlawful assembly).

PART 5

CONVEYANCE OF VOTES

Crisis management power if arrival of overseas votes delayed

19.—(1) The Returning Officer may exercise the crisis management power in paragraph (2) if the Returning Officer —

(a) has made a declaration under section 32(8)(b) or (8D)(b) of the Act in respect of an election; and

(b) is of the opinion that —

- (i) one or more sealed ballot boxes containing votes cast at an overseas polling station are unlikely, for any reason, to reach the custody of the Returning Officer within the time specified in section 36D(3) of the Act; or
- (ii) a substantial number of return envelopes containing postal ballot papers are unlikely, for any reason, to reach the custody of the Returning Officer within the time specified in section 36D(3) of the Act despite being posted before the end of the postal voting period for that election.

(2) The Returning Officer may specify a later date for the purposes of section 36D(3) of the Act.

(3) A later date specified under paragraph (2) must not be later than the 17th day after polling day in Singapore.

(4) If a later date is specified under paragraph (2) —

(a) the application of section 36C of the Act to that election is to be modified by treating the references to “the expiry of

10 days after polling day in Singapore for the election” in section 36C(1), (2)(a) and (3) of the Act as if they were references to that later date;

- (b) the counting of all overseas votes must be postponed to that later date; and
- (c) the Returning Officer must specify the time and location for the counting of all overseas votes.

Crisis management response if ballot box lost or destroyed after close of poll

20.—(1) The Returning Officer must carry out the crisis management response in paragraph (2) if one or more sealed ballot boxes containing votes cast at a polling station are lost or destroyed at any time —

- (a) after the close of the poll at the polling station; and
 - (b) before the ballot box reaches the counting place specified in respect of the polling station.
- (2) The Returning Officer must —
- (a) wholly abandon the counting of all the votes cast at the affected polling station; and
 - (b) restart the poll at the affected polling station if the Returning Officer is satisfied that the result of the election could be affected.
- (3) For the purposes of paragraph (2)(b) —
- (a) the result of the election could be affected if the number of potential votes is equal to or more than the number of votes given in Singapore to the candidates with the 2 greatest number of votes; and
 - (b) the number of potential votes is taken to be the number of electors who could vote at —
 - (i) the affected polling station;
 - (ii) any other polling station to which paragraph (1) applies; or

(iii) an overseas polling station.

(4) If the poll at the affected polling station is restarted as part of the crisis management response in paragraph (2) —

- (a) the Returning Officer must specify the date, hours, and location for the restarted poll, and the specified date —
 - (i) must fall within the time delimited by Article 17A(2) of the Constitution; and
 - (ii) must not be later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 16(5) of the Act;
- (b) the Returning Officer must postpone the counting of all overseas votes for the election and the pre-count examination of postal ballot papers to a specified date, time and location in Singapore; and
- (c) if the polling station is in Singapore — the counting of votes cast at the restarted poll is to take place at a date, time and location in Singapore specified by the Returning Officer.

Supplementary provisions for regulation 20

21.—(1) This regulation applies if a crisis management response in relation to a polling station is carried out under regulation 20.

(2) The Returning Officer must, as soon as practicable, inform the candidates of the crisis management response.

(3) If any sealed ballot boxes containing votes cast at the affected polling station have been received by the Returning Officer —

- (a) the ballot boxes must not be unsealed and the votes inside the ballot boxes must not be counted; and
- (b) the Returning Officer must —
 - (i) hold the ballot boxes in safe custody for 6 months; and

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- (ii) destroy the ballot boxes at the end of those 6 months unless the President or Election Judge otherwise orders.

(4) Subject to paragraph (3), if the crisis management response does not require the restarting of any poll, the Returning Officer must proceed with the counting of votes for the election as nearly as possible in accordance with the Act.

(5) The following provisions apply if the crisis management response includes the restarting of the poll at the affected polling station:

- (a) if the affected polling station is in Singapore, votes must not be counted at —
 - (i) the counting place specified in respect of the affected polling station (whether or not the votes are cast at the affected polling station or elsewhere); and
 - (ii) all other counting places located at the same premises,until the restarted poll is completed;
- (b) subject to paragraph (3) and sub-paragraph (a), the votes cast in Singapore for the election must proceed to be counted as nearly as possible in accordance with the Act;
- (c) the restarted poll must be conducted as nearly as possible in accordance with the Act;
- (d) subject to paragraph (3), all ballot boxes containing votes cast at an overseas polling station —
 - (i) must not be unsealed;
 - (ii) must be held in safe custody by the Returning Officer; and
 - (iii) must be despatched by the Returning Officer to the place or places specified for the counting of overseas votes for the election and the pre-count examination of postal ballot papers;

(e) the counting of —

(i) the overseas votes despatched under sub-paragraph (d)(iii);

(ii) the votes cast by the postal voting method; and

(iii) the votes cast at the restarted poll,

must be conducted at the same time and as nearly as possible in accordance with the Act.

(6) If the poll for an election is to be conducted on 2 or more days as a result of a crisis management response in regulation 20, references to polling day in the Act are to be modified in the manner set out in regulation 18.

PART 6

COUNTING OF VOTES

Crisis management powers in relation to counting

22.—(1) The Returning Officer may exercise any crisis management power in paragraph (2) if, at any time before or during the counting of votes in respect of an election, the Returning Officer is of the opinion that the counting of votes at a counting place is or is likely to be disrupted.

(2) The Returning Officer may —

(a) temporarily suspend the counting at the affected counting place for a specified period (which must not exceed 2 hours), with or without specifying another location for the affected counting place;

(b) adjourn and postpone the counting at the affected counting place to a specified date (which must not be later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 16(5) of the Act) and specified time, with or without specifying another location for the affected counting place; or

(c) if the Returning Officer is satisfied that counting at the affected counting place cannot be resumed or

completed — wholly abandon the counting at the affected counting place.

(3) If counting at the affected counting place is wholly abandoned under paragraph (2)(c) and the Returning Officer is satisfied that the number of votes to be counted will not affect the result of the election —

- (a) polling need not be restarted for the polling stations in respect of which the affected counting place is specified; and
- (b) in a case where a recount is abandoned, the Returning Officer may declare the result of the election using the first count.

(4) In any other case where counting at the affected counting place is wholly abandoned under paragraph (2)(c) —

- (a) polling must be restarted for the polling stations in respect of which that counting place is specified; and
- (b) the Returning Officer must specify the date, hours, and location for the restarted poll, and the specified date —
 - (i) must fall within the time delimited by Article 17A(2) of the Constitution; and
 - (ii) must not be later than the 56th day after the date of publication of the notice of contested election in the *Gazette* under section 16(5) of the Act.

Supplementary provisions if counting temporarily suspended

23.—(1) This regulation applies if the counting of votes at a counting place is temporarily suspended under regulation 22.

(2) The Returning Officer must announce the temporary suspension of counting to persons present at the affected counting place.

(3) The counting of votes at the affected counting place must stop immediately.

(4) The Returning Officer must secure the counting material at the affected counting place in the presence of the candidates and their counting agents who are in attendance by —

- (a) making up the counting material into separate packets; and
- (b) sealing each packet with —
 - (i) the seal of the Returning Officer; and
 - (ii) the seals of the candidates and their counting agents who wish to affix their seals.

(5) The Returning Officer must hold the secured counting material in safe custody (whether at the counting place or any other location) during the temporary suspension.

(6) Immediately before the counting of votes resumes, the Returning Officer must —

- (a) if the secured counting material is not held at the location for the resumed count, deliver the secured counting material to that location; and
- (b) in the presence of the candidates and their counting agents who are in attendance, retrieve the counting material from the means by which it is secured.

(7) The resumed count must be conducted as nearly as possible in accordance with the Act.

Supplementary provisions if counting adjourned and postponed

24.—(1) This regulation applies if the counting of votes at a counting place is adjourned and postponed under regulation 22.

(2) The Returning Officer must announce the adjournment and postponement of counting to persons present at the affected counting place.

(3) The counting of votes at the affected counting place must stop immediately.

(4) The Returning Officer must secure the counting material at the affected counting place in the presence of the candidates and their counting agents who are in attendance by —

- (a) making up the counting material into separate packets; and
- (b) sealing each packet with —
 - (i) the seal of the Returning Officer; and
 - (ii) the seals of the candidates and their counting agents who wish to affix their seals.

(5) The Returning Officer must hold the secured counting material in safe custody (whether at the counting place or any other location) while the counting stands adjourned.

(6) Immediately before the counting of votes resumes, the Returning Officer must —

- (a) if the secured counting material is not held at the location for the resumed count, deliver the secured counting material to that location; and
- (b) in the presence of the candidates and their counting agents who are in attendance, retrieve the counting material from the means by which it is secured.

(7) The resumed count must be conducted as nearly as possible in accordance with the Act.

Supplementary provisions if counting wholly abandoned

25.—(1) This regulation applies if the counting of votes at a counting place is wholly abandoned under regulation 22.

(2) The Returning Officer must announce the abandonment of counting to persons present at the affected counting place.

(3) The counting of votes at the affected counting place must stop immediately.

(4) The Returning Officer must secure the counting material at the affected counting place in the presence of the candidates and their counting agents who are in attendance by —

- (a) making up the counting material into separate packets; and

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- (b) sealing each packet with —
- (i) the seal of the Returning Officer; and
 - (ii) the seals of the candidates and their counting agents who wish to affix their seals.
- (5) The Returning Officer must —
- (a) hold the secured counting material in safe custody for 6 months; and
 - (b) destroy the secured counting material at the end of those 6 months unless the President or Election Judge otherwise orders.
- (6) Paragraphs (4) and (5) do not apply if it is impossible or impracticable in the circumstances to secure the counting material.
- (7) If polling must be restarted under regulation 22(4), the restarted poll must be conducted as nearly as possible in accordance with the Act.

Application to pre-count examination of postal voting papers

26. This Part applies to the pre-count examination of postal voting papers under section 36C of the Act in the same manner as it applies to the counting of votes.

PART 7

ADDING OF VOTES

Crisis management powers in relation to adding of counted votes

27.—(1) The Returning Officer may exercise any crisis management power in paragraph (2) if, at any time before or during the adding of all the counted votes in respect of an election, the Returning Officer is of the opinion that the adding of those votes at the principal counting place is or is likely to be disrupted.

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- (2) The Returning Officer may —
- (a) temporarily suspend the adding of votes at the principal counting place for a specified period (which must not exceed 2 hours), with or without specifying another location for the principal counting place; or
 - (b) adjourn and postpone the adding of votes at the principal counting place to a specified date and time, with or without specifying another location for the principal counting place.

Supplementary provisions if adding temporarily suspended

28.—(1) This regulation applies if the adding of votes at the principal counting place is temporarily suspended under regulation 27.

(2) The Returning Officer must announce the temporary suspension of the adding of votes to persons present at the principal counting place.

(3) The adding of votes at the principal counting place must stop immediately.

(4) The Returning Officer must secure the adding material at the principal counting place in the presence of the candidates and their principal election agents who are in attendance by —

- (a) making up the adding material into separate packets; and
- (b) sealing each packet with —
 - (i) the seal of the Returning Officer; and
 - (ii) the seals of the candidates and their principal election agents who wish to affix their seals.

(5) The Returning Officer must hold the secured adding material in safe custody (whether at the principal counting place or any other location) during the temporary suspension.

(6) Immediately before the adding of votes resumes, the Returning Officer must —

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- (a) if the secured adding material is not held at the location for the resumed addition of votes, deliver the secured adding material to that location; and
 - (b) in the presence of the candidates and their principal election agents who are in attendance, retrieve the adding material from the means by which it is secured.
- (7) The resumed addition of votes must be conducted as nearly as possible in accordance with the Act.

Supplementary provisions if adding adjourned and postponed

29.—(1) This regulation applies if the adding of votes at the principal counting place is adjourned and postponed under regulation 27.

(2) The Returning Officer must announce the adjournment and postponement of the adding of votes to persons present at the principal counting place.

(3) The adding of votes at the principal counting place must stop immediately.

(4) The Returning Officer must secure the adding material at the principal counting place in the presence of the candidates and their principal election agents who are in attendance by —

(a) making up the adding material into separate packets; and

(b) sealing each packet with —

(i) the seal of the Returning Officer; and

(ii) the seals of the candidates and their principal election agents who wish to affix their seals.

(5) The Returning Officer must hold the secured adding material in safe custody (whether at the principal counting place or any other location) while the adding stands adjourned.

(6) Immediately before the adding of votes resumes, the Returning Officer must —

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- (a) if the secured adding material is not held at the location for the resumed addition of votes, deliver the secured adding material to that location; and
- (b) in the presence of the candidates and their principal election agents who are in attendance, retrieve the adding material from the means by which it is secured.
- (7) The resumed adding of votes must be conducted as nearly as possible in accordance with the Act.

Made on 28 June 2023.

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

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