

GUIDE FOR POLLING AGENTS OF PRESIDENTIAL ELECTION 2023

1. Introduction

- 1.1. This guide is prepared by the Elections Department (ELD) for polling agents of presidential elections. It summarises the role and obligations of polling agents under the Presidential Elections Act 1991.
- 1.2. This guide does not take precedence over the law. It is not the legal authority and should not be cited as such in a court of law. Candidates and their agents should therefore read this guide in conjunction with the statute book. If candidates and their agents are unsure of their rights or obligations, they should seek legal advice from an advocate and solicitor. It is not the function of ELD or the Returning Officer to interpret the law for candidates or their agents, or to provide them with legal advice.

2. Role of Polling Agents

- 2.1. Polling agents must be appointed by the candidate, his principal election agent or any of his election agents.¹ The role of a polling agent is to observe that polling at the polling station is carried out in accordance with the law. Polling agents are advised to familiarise themselves with polling procedures and be aware of an election official's legal powers and duties, so as not to cause unnecessary delay or disruption to the polling process. Details on the conduct of polling can be found on ELD website (go.gov.sg/pepolling).
- 2.2. A polling agent may do the following on Polling Day at the polling station he is assigned to:
 - (a) before the start of poll at 8 am, be present at the polling station to observe the sealing of ballot boxes by election officials;
 - (b) during polling hours, observe the polling process within the polling station; and
 - (c) after the close of poll, witness the sealing of ballot boxes and election materials; and the transportation of sealed ballot boxes from the polling station to the counting centre.
- 2.3. Any person may be appointed as a polling agent, so long as he is not –
 - (a) below 16 years of age;
 - (b) a person who has an order of supervision made against him under the Criminal Law (Temporary Provisions) Act; or

¹ Candidates, their principal election agent and their election agents will need to provide an *Oath of Secrecy* form and issue the *Appointment of Polling Agent* form to each polling agent that they appoint. The forms can be downloaded from ELD's Candidate Services (go.gov.sg/peonline). Hard copy forms will also be provided to candidates at the end of nomination proceedings on Nomination Day.

- (c) a foreigner.

3. Number of Polling Agents

- 3.1. For polling in Singapore, the number of polling agents that may be admitted to an ordinary polling station is 1 polling agent per candidate for every 1,000 electors (or part thereof) allotted to vote at the ordinary polling station. For special voting arrangements at nursing homes, the number of polling agents that may be admitted to a special polling station is one polling agent per candidate per polling place and one polling agent per candidate per mobile polling team.
- 3.2. For polling overseas, every candidate may appoint one polling agent to be present at each overseas polling station.

4. Admittance to Polling Stations

- 4.1. When entering a polling station for the first time, the polling agent must produce to the election official:
 - (a) a duly completed and signed copy of the
 - i. *Oath of Secrecy* form and *Appointment of Polling Agent* form at ordinary polling stations; or
 - ii. *Oath of Secrecy* form for special polling stations at nursing homes and overseas polling stations; and
 - (b) his original or digital NRIC or valid passport.

NOTE: Photocopy of the Oath of Secrecy and Appointment of Polling Agent form will not be accepted. Candidates and polling agents must take their oath of secrecy (i.e. approach a Justice of the Peace or Commissioner for Oaths beforehand) and must give their completed forms to the election official before entering the polling station. In order to allow election officials to focus on the conduct of polling, they will not assist to administer oath of secrecy for candidates and polling agents.

- 4.2. After checking, the election official will retain the polling agent's *Oath of Secrecy* and *Appointment of Polling Agent* forms (or the *Oath of Secrecy* form for a polling agent appointed at a special polling station or an overseas polling station) and issue him a Polling Agent Pass and a Polling Agent Re-entry Card (bearing the polling agent's name, NRIC number, the polling station's name and a sticker indicating that he has submitted his *Oath of Secrecy* form) before admitting him into the polling station.
- 4.3. The polling agent must wear the Polling Agent Pass conspicuously at all times while he is in the polling station. If the polling agent leaves the polling station, he must return the Polling Agent Pass to the election official but retain the

Polling Agent Re-entry Card. When the polling agent returns subsequently, the election official will check the polling agent's original or digital NRIC or valid passport against the Polling Agent Re-entry Card before issuing him with a Polling Agent Pass for admission to the polling station.

- 4.4. For re-entry into the same polling station, the polling agent needs only to produce the Polling Agent Re-entry Card with his original or digital NRIC or valid passport. If the polling agent seeks to enter another ordinary polling station to observe the polling process there, he must submit a new duly completed and signed *Appointment of Polling Agent* form and show his Polling Agent Re-entry Card (i.e. the one issued by the election official at the first polling station he visited) to the election official at that ordinary polling station. For special polling stations, the polling agent should show his Polling Agent Re-entry Card (i.e. the one issued by the election official at the first special polling station he visited) to the election official at each special polling station that he has been appointed at.

5. Do's and Don'ts at Polling Stations

- 5.1 The list of do's and don'ts for polling agents below is not exhaustive:

- (a) Polling agents should be properly attired. Polling agents dressed in singlets, shorts, slippers or other inappropriate attire will not be allowed into the polling station.
- (b) Bear in mind that voting is compulsory. As such, it is an offence for candidates and polling agents to dissuade someone from giving his vote at an election.
- (c) Candidates and polling agents must wear their election passes at all times while in any polling station. However, only the candidate will be allowed to wear his symbol at the polling stations.
- (d) The sealing of ballot boxes at the opening of the poll and at the close of the poll may be witnessed by candidates and their polling agents, but their attendance at these proceedings is not compulsory under the law. In order to ensure that polling and counting start on time without delay, election officials can and will proceed with the sealing of ballot boxes even if the candidates or their polling agents are absent. Hence, candidates and polling agents should take note of the time that the sealing of ballot boxes will take place (i.e. 10 minutes before the start of the poll, and at the close of the poll). They must be punctual if they wish to observe the sealing of the ballot boxes.
- (e) Polling agents, who want to keep track as to who has voted, should pay close attention when election officials are reading out the particulars of the voters. Polling agents are not allowed to compare their copies of the registers against the records of attendance in the eRegistration devices to confirm the voters who have or have not voted.

- (f) A polling agent who needs to leave the polling station must leave his copy of the Register of Electors at that polling station. This is to ensure that information of any voter on the Register of Electors and information on who has or has not been given a ballot paper or voted at that station are not divulged.
- (g) A candidate or a polling agent authorised to be in attendance at a polling station may, before the poll closes, ask an election official for the total number of voters who have voted at the polling station. However, the election official has the discretion to decide whether he can accede to the request for information; the election official will try his best to answer but his priority under the law remains to ensure the continuous and orderly conduct of the poll at the polling station.
- (h) At the close of the poll, candidates and their polling agents may observe the packing of election materials into envelopes and bags and affix their seals or sign on the envelopes and bags if they wish to do so. They may also affix their seals or sign on the ballot boxes after the election officials have completed sealing of the ballot boxes at the close of the poll. However, candidates and their polling agents must be careful not to paste over the Returning Officer's seals or damage the Returning Officer's seals in the process.
- (i) The candidate or his polling agent, who boards the vehicle to observe the process to transport the sealed ballot boxes from the polling stations to the counting centres, must comply with the following rules, failing which, the election official has the right to evict the candidate or polling agent from the vehicle:
 - Candidates and polling agents must comply with instructions of election officials and shall not behave in a manner which may affect the transport operations, or undermine the security of the ballot boxes;
 - No persons, other than election officials, shall handle the ballot boxes during the transportation process;
 - Candidates and polling agents must adhere to the vehicle seating plan and remain seated at their designated seats on board the vehicle;
 - Photography, or audio or video recording is not allowed on the vehicle; and
 - Smoking, eating or drinking is not allowed on the vehicle.