

Handbook for **Parliamentary Election Candidates 2011**

Issue 1.0



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FOREWORD

This guide has been prepared by the Elections Department (ELD) to help candidates and aspiring candidates in parliamentary elections ("candidates") and their agents comply with the law relating to parliamentary elections. It summarises the role, obligation and duties of candidates and their agents under the laws governing parliamentary elections. Hopefully, it answers most of the questions that candidates and their agents may have on the subject.

While ELD has tried to provide as much accurate and useful information as possible in this guide, this publication does not take precedence over the law. This guide is not 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 obtain advice from their own political party or seek legal advice from an advocate and solicitor. It is not the function of ELD or the Returning Officer to interpret the law for political parties, candidates or their agents, or to provide them with legal advice. The Government does not accept any responsibility for any result that occurs through any reliance upon the contents of this guide by any person.

If candidates and their agents have any questions about this guide, please approach the staff at ELD. As candidates and agents often require more technical information than the general public, they should identify themselves as such when communicating with the staff.

Finally, the information contained in this booklet is current as at 11 April 2011. Changes made to the law after that date are not included in this guide.

ELECTIONS DEPARTMENT
PRIME MINISTER'S OFFICE

ACKNOWLEDGEMENT

The Elections Department would like to thank the Attorney-General's Chambers for its assistance in developing and vetting this handbook.

1. INTRODUCTION

1.1. Basic qualifications of Members of Parliament

To be a candidate for election as a Member of Parliament (MP), the person must be –

- a. a citizen of Singapore;
- b. at least 21 years old on Nomination Day;
- c. registered as an elector in any current register of electors;
- d. resident in Singapore on Nomination Day;
- e. resident in Singapore for a total period of at least 10 years before Nomination Day; and
- f. sufficiently proficient in English, Malay, Mandarin or Tamil so that he can participate in the proceedings of Parliament.

1.2. Disqualifications from being Members of Parliament

A person is disqualified from being a candidate for election as an MP if, on Nomination Day, the person –

- a. is of unsound mind;
- b. is an undischarged bankrupt;
- c. is the holder of a whole time office in the service of the Government e.g. a Civil Servant;
- d. has been convicted of an offence by a Singapore or Malaysian court and sentenced to imprisonment for a term of not less than one year or to a fine of not less than \$2,000 and has not been pardoned;
- e. has voluntarily acquired the citizenship of, or exercised rights of citizenship in, another country or has declared allegiance to another country;
- f. did not file returns respecting election expenses within the time required by law at any previous parliamentary or presidential election; or
- g. is disqualified under the Parliamentary Elections Act (Cap. 218) or Presidential Elections Act (Cap. 240A) on account of having committed one of the election offences.

1.3. Additional qualifications for candidates of Group Representation Constituencies

A constituency that is a Group Representation Constituency (GRC) will be declared as represented by a certain number (between 3 to 6) of MPs, and will be designated as a GRC where one of the MPs must be from the Malay community or a GRC where one of the MPs must be from the Indian or any other minority community.

There are additional qualifications for persons seeking election to be MPs of a GRC –

- a. all persons must either belong to and stand as a group for the same political party, or are a group of Independents; and
- b. at least one of the group must consider himself or herself as belonging to the relevant minority racial community and be accepted as part of the relevant minority racial community.

2. FROM ISSUE OF WRIT OF ELECTION TO EVE OF NOMINATION DAY

2.1. Documents needed for nomination of candidates

In order to be validly nominated as a candidate for election in a constituency, the following documents must be filled up correctly and delivered (in duplicate) to the Returning Officer on time on Nomination Day:

- a. Nomination Form (Form 9 or 9A), the form of which is statutorily prescribed ¹;

A person who is seeking election in a single-member constituency (SMC) must use Form 9, where those who seek election in a GRC must use Form 9A.
- b. a Political Donation Certificate issued by the Registrar of Political Donations relating to each nominee; and
- c. For those seeking election in a GRC, a certificate from either the Malay Community Committee or the Indian and other Minority Communities Committee relating to at least one member of the group, depending upon the designation of the GRC.

2.1.1. How to fill in Nomination Form 9 or 9A

The statutory Forms 9 and 9A have two sections which must be filled up accurately as follows:

Section A

In Section A of Form 9 or 9A, first fill in the nominee's or nominees' names, NRIC numbers, gender and occupation.

For an election in a GRC, where elections are to be held on the basis of a group of such number of candidates fixed by law, the number of nominees in Form 9A must match that number of candidates in the group fixed by law.

In Section A, also fill in the names and NRIC numbers of –

- a. one proposer;
- b. one seconder; and
- c. at least four assentors (up to a maximum of eight assentors).

¹ The Nomination Form and all other forms that are to be submitted or used by candidates and election agents in connection with the nomination may be downloaded from the candidates portal at <https://candidatesguide.elections.gov.sg> or from the CD Registers of Electors-Nomination Form (CD-NomForm) purchased from Elections Department.

Every proposer, seconder and assentor must be registered as an elector in the current register of electors for the constituency that the nominee or nominees seek election in.

Every proposer, seconder and assentor must also sign in this section.

Any correction to particulars given in Section A must be initialled by the person making the change.

Do not leave any part of Section A blank. You should use English when filling up so as to facilitate checking. Fill up the forms legibly and use indelible ink as far as possible.

Section B

In Section B of Form 9 or 9A, the nominee or nominees must –

- a. each sign a statement stating that the nominee consents to the nomination;
- b. each declare that the nominee is qualified to be elected as an MP; and
- c. in the case of Form 9A, each declare that the nominee is a member of and is standing for a named political party or that the nominee is an independent.

This statement and declaration must be made before a Justice of the Peace or Commissioner for Oaths.

If a change has to be made to the statement or declaration in Section B after it is made before a Justice of the Peace or Commissioner for Oaths, please ensure that the change is made before a Justice of the Peace or Commissioner for Oaths and so evidenced.

2.1.2. How to obtain Political Donation Certificate

The Political Donations Certificate is obtainable from the Registrar of Political Donations upon application.

To apply for the Political Donation Certificate, the applicant must submit a Pre-election Donation Report and Declaration to the Registrar of Political Donations. The application may be made after the notice of the Writ of Election is issued but not later than 2 clear days (excluding Sunday and public holiday) before Nomination Day.

The Pre-election donation report and declaration must concern a reporting period that is 12 months before the date of the declaration.

The Pre-election donation report must contain details of –

- every single donation amounting to S\$10,000 or more accepted by the applicant during the reporting period; and
- every series of donations from the same permissible donor adding up to S\$10,000 or more, accepted during the reporting period.

A declaration must accompany the Pre-election donation report. The applicant must declare that the report is true, that the applicant has not received anonymous donations totalling \$5,000 or more or any donations from impermissible donors during the reporting period.

For more details on political donations, candidates and election agents should read the Political Donations Act Handbook.

The Registrar will issue the Political Donation Certificates not later than the eve of Nomination Day. Successful applicants must collect the Political Donation certificates themselves or authorise a person to collect the certificates on their behalf.

2.1.3. How to apply for a Certificate of Malay Community Committee/Indian and Other Minority Communities Committee

A Certificate certifying whether a person belongs to the Malay community is obtainable from the Malay Community Committee upon application.

A Certificate certifying whether a person belongs to the Indian or other minority community is obtainable from the Indian and Other Minority Communities Committee upon application.

To apply for such a Certificate,, the applicant must fill up the statutorily prescribed Application Form (Form A) and submit it to the relevant Committee after the notice of the Writ of Election is issued but not later than 2 clear days (excluding Sunday and public holiday) before Nomination Day.

The Malay Community Committee and the Indian and Other Minority Communities Committee will issue the relevant certificates not later than the eve of Nomination Day. Successful applicants must collect the certificates themselves or authorise a person to collect the certificates on their behalf.

2.2. Election deposit

An election deposit must be made before 12 noon on Nomination Day in order to be validly nominated. The election deposit is fixed by law at 8% of the total allowances payable to a Member of Parliament in the preceding calendar year, rounded to the nearest \$500. The exact amount of the election deposit for an election will be specified in the notice of the Writ of Election issued by the Returning Officer.

The election deposit must be paid in cash (legal tender), or by way of bank draft, or by a cheque that has been certified by the drawee bank as good for payment of the sum stated on it.

Payment of the election deposit by any other mode e.g. a personal cheque, is not acceptable.

A candidate will be deemed to have withdrawn his or her nomination if no election deposit is made by 12 noon on Nomination Day.

Candidates need not wait till Nomination Day to pay the deposit. Payment can be made any time after the issue of the Writ of Election but must be before 12 noon on Nomination Day. Payments before Nomination Day may be made at the Accountant-General's Department (AGD). Remember to obtain a receipt from AGD as proof of payment.

IMPORTANT: The receipt must be attached to the Nomination Papers as evidence of having paid the election deposit.

Circumstances under which deposit may be returned

The election deposit will be returned to the candidate or person who made it on the candidate's behalf, if –

- a. the candidate is elected as an MP;
- b. the candidate withdraws his or her nomination;
- c. the candidate's nomination is successfully objected to and the nomination is invalidated;
- d. the candidate dies before the start of the poll; or
- e. the candidate does not win at the polls but the candidate (or the group of candidates of which he/she is one in the case of a GRC) garners votes exceeding one-eighth of the total number of votes polled in the constituency he contested in.

2.3. Election agents

A candidate may lawfully enter into certain contracts or appoint election staff connected with an election, and may not pay amounts due under those contracts except through an election agent. Once the Writ of election is issued, every person who declares an intention to stand for election, should therefore appoint an election agent to manage and administer

his/her election expenses. A candidate may appoint himself or herself as his/her election agent.

Note – The election agent may authorise his candidate’s political party or an authorised officer of the party (using Form ELD 277) to incur expenses up to a specified amount on his candidate’s behalf. In a GRC, the election agent may authorise any number of election agents of other candidates in the same GRC group as his sub-agents (using Form ELD 276) to incur expenses on behalf of his candidate.

The appointment of an election agent must be in writing made by or on behalf of the candidate. Not more than one individual may be appointed as an election agent at any time. The appointment must be made no later than Nomination Day. The name and address of the election agent so appointed must also be submitted to the Returning Officer no later than Nomination Day.

In the case of an election in a GRC, the candidates in the group must also select from among their respective election agents, one election agent to be the principal election agent for the group. The appointment of the principal election agent must be in writing and must be made no later than Nomination Day. The name and address of the principal election agent must also be submitted to the Returning Officer no later than Nomination Day.

Bear in mind that a candidate does not divest himself or herself of all responsibility to comply with the law by the appointment of an election agent. It remains a candidate’s duty to supervise the election throughout and to take all reasonable steps to prevent the commission of illegal practices or corrupt practices at the election.

2.3.1. Duties and responsibilities of an election agent

The duties and responsibilities of an election agent are summarised below:

After Close of Nominations

- to lodge a copy of the posters and banners with the Returning Officer before they are being displayed;
- to apply permits from the Police for rallies at rally sites, gathering of supporters at assembly centres and the use of perambulating vehicles for election campaigning;
- to issue written authority to election workers on behalf of the candidate;

- to submit the particulars of election workers and the address(es) of the candidate's election office(s) to the Returning Officer;
- to appoint and issue letters of appointment to the polling agents;
- to appoint and issue letters of appointment to the counting agents;
- to keep an accurate account of all expenses incurred and donations received, and all disputed claims and unpaid claims for payment;
- to receive all contributions (whether loans, advances or donations) for the candidate's election expenses and to pay for all such election expenses;
- to pay all claims for elections expenses within the time delimited by law;
- to declare the candidate's media platforms on which election advertising that has been or is to be published on the Internet; and
- to authorise the candidate's political party or an authorised officer of the party to incur expenses up to a specified amount in respect of the conduct or management of the election of the candidate.

Post-Election

- to submit a return of election expenses and declaration to the Returning Officer within 31 days of the day on which the result of the election is published in the Gazette; and

Note - For GRC candidates, the principal election agent of the group is to file a declaration and consolidated return of election expenses incurred by the sub-agents, if any

- to submit a post-election donation report and declaration to the Registrar of Political Donations within 31 days of the day on which the result of the election is published in the Gazette.

3. ON NOMINATION DAY

3.1. Nomination Day

Nomination Day for any election will be specified in the Writ of Election. The Returning Officer will give public notice of the date in his Notice of the Writ of Election.

By law, Nomination Day must be at least 5 days (not including Sundays or public holidays) and not more than one month after the date of the Writ of Election.

Nominations open at 11 a.m. and close at 12 noon on Nomination Day.

3.2. Persons entitled to be present during nomination proceedings

On Nomination Day for an election in a constituency, only the following persons will be allowed to enter the nomination place for that constituency:

- the Returning Officer, his staff and any other person authorised by the Returning Officer;
- the nominees seeking to be candidates and their respective proposers, seconders, assentors; and
- one other person appointed in writing by each nominee.

3.3. Delivery of Nomination Papers

To be nominated as a candidate for election in a constituency, the nominee must deliver his or her Nomination Paper (be it Form 9 or 9A) accompanied by the Political Donation certificate issued to the him/her and, if applicable, the certificate issued by the Malay Community Committee or the Indian and Other Minority Communities Committee, as the case may be. All these forms and certificates must be delivered in duplicate.

These forms and certificates must be delivered by the nominee in person together with his/her proposer, seconder and at least four assentors, to the Returning Officer or his staff, at the designated Nomination Centre for that constituency on Nomination Day.

Nominees seeking candidature must make sure that all the above forms and certificates are delivered between 11 a.m. and 12 noon on Nomination Day at the correct Nomination Centre. If due to some crisis there is a change in the hours of nomination, the forms and certificates must still be delivered within the times specified in the Returning Officer's public notice of such change. Late Nomination Papers are invalid.

3.4. Multiple candidacy

IMPORTANT: *A person CANNOT be nominated more than once.*

If on Nomination Day at a general election a person is nominated to be a candidate in more than one constituency, or is nominated more than once in the same constituency, the person has to withdraw from all but one nomination. Withdrawal must be done in person and before 12 noon. Otherwise, at 12 noon, every such nomination is deemed by law to be withdrawn, and the person cannot be a candidate.

The same happens where two or more by-elections are held at the same time and there are multiple nominations involving the same person.

3.5. Persons allowed to inspect Nomination Papers

Nomination Papers that are accepted by the Returning Officer or his staff for an election in a constituency are open to inspection by other candidates contesting in the same constituency and their respective proposers, seconders, assentors and one other authorised person. No other persons present in the Nomination Centre may inspect the Nomination Papers.

3.6. Amending Nomination Papers after filing

Before 12 noon on Nomination Day, candidates may be given an opportunity by the Returning Officer or his staff to rectify any error or omission which is discovered on the Nomination Paper (Form 9 or 9A) they have delivered. The Nomination Paper may be then amended and then be re-delivered to the Returning Officer or his staff in attendance at the Nomination Centre for the relevant constituency before 12 noon, otherwise the nomination is invalidated.

However, certain amendments are not permitted, for example, substituting a different person as the candidate, proposer, seconder or assentor. In such a case, a fresh set of Nomination Papers must be delivered.

IMPORTANT: It is advisable for candidates to submit their Nomination Papers well before 12 noon to allow time for defective nominations to be corrected. It is also important to note that even if the nomination paper for a group of candidates is defective only insofar as a single member of the group, the nomination of the entire group is invalid and may be rejected.

3.7. Making objections to nominations

Objections to the nomination papers of a candidate/group of candidates delivered for a constituency may be made by any rival candidate for the same constituency or any of their proposers, seconders, assentors or one other person appointed in writing. The Returning Officer may also raise objections.

Objections must be made in writing, signed by the objector and made between 11 a.m. and 12.30 p.m. on Nomination Day.

Objections must be based on the permitted grounds of objection under the law and must state the specific ground for the objection.

Grounds of Objections

The grounds of objections to nomination papers are limited to those stated in section 30(1) of the Parliamentary Elections Act, and they are as follows:

- a. the description of the candidate is insufficient to identify the candidate. For example, the Nomination Form contains multiple errors in the particulars of the candidate or leave his/her occupation blank;
- b. the Nomination Papers do not comply with or were not delivered in accordance with the Parliamentary Elections Act. For example –
 - i. the Nomination Form 9 or 9A is not signed by the candidate(s);
 - ii. the Nomination Form is not signed by the proposer or seconder or has less than four assentors;
 - iii. the particulars of the proposer, seconder or any one of the assentors are incorrect in that they are not on the register of electors for the constituency the candidate (or group of candidates) intends to stand in;
 - iv. the Nomination Form is not accompanied by a Political Donation Certificate for each candidate;
 - v. the Nomination Papers are not delivered by the candidate(s) in person, together with the proposer, seconder and at least four assentors.
- c. it is apparent from the contents of the Nomination Papers that the candidate is not capable of being elected as a Member of Parliament. For example, the Nomination Form is not properly completed with a statutory declaration as to MP qualifications; and
- d. the provisions of section 27A or 28 of the Parliamentary Elections Act have not been observed. For example –
 - i. if the constituency is a GRC, the Nomination Papers are not accompanied by a certificate of the Malay Community Committee or the Indian and other Minority Communities Committee, as the case may be;
 - ii. the Nomination Papers are not accompanied by the required election deposit in cash or bank draft or certified cheque, or the Accountant-General's receipt of that deposit;
 - iii. the Nomination Form 9A contains a number of nominees fewer or more than the number of candidates in the group that the law has declared elections in that GRC are to be held.

The Returning Officer or his staff in attendance at the Nomination Centre will decide whether to allow or disallow an objection. If the objection is

allowed, the nomination objected to becomes invalid.

If the Returning Officer or his staff in attendance disallows an objection, his decision is final and conclusive and cannot be called in question in any court of law.

To avoid their nominations being successfully objected to, candidates should complete their Nomination Forms carefully and double-check the other required documents.

3.8. Withdrawing nominations

A candidate can withdraw his nomination for election in any constituency any time before nominations close at 12 noon on Nomination Day. The case is the same for a group of candidates. After that time, a nomination cannot be withdrawn.

To withdraw the nomination for election in any constituency, the person or persons nominated must appear in person and file a written notice of withdrawal with the Returning Officer or his staff present at the Nomination Centre for that constituency.

3.9. Declaring returned candidates if election is uncontested

If the number of candidates nominated in a constituency is no greater than the number of MPs to be elected for that constituency, the Returning Officer or his staff present at the Nomination Centre for that constituency will declare each of those candidates to be duly elected as MPs for that constituency. A poll will not be held in that constituency. The Returning Officer may make this declaration at 12 noon on Nomination Day if at that time, only one candidate or one group of candidates stands nominated for a constituency. Otherwise, the declaration will be made immediately after 12.30 pm.

3.10. Declaring nominated candidates if election is contested

If the number of candidates nominated in a constituency is greater than the number of MPs to be elected for that constituency, the Returning Officer will declare each of those candidates to be duly nominated and prepare to conduct a poll for that constituency.

3.11. Candidates making speeches at Nomination Centres

Candidates of both contested and uncontested constituencies may be given a chance by the Returning Officer to address their supporters at the close of nomination proceedings, in accordance with conditions set by the Returning Officer. These conditions could include the sequence of the speeches for candidates or groups of candidates for both uncontested constituencies and contested constituencies, and the duration of the speeches. They do not require a permit to make such speeches.

The making of any other type of speech at or around Nomination Centres will require a Police permit.

3.12. Displaying banners and placards at Nomination Centres

Before the close of nomination proceedings at a Nomination centre, the supporters of candidates present around the Nomination Centres must not display or exhibit any placard, banner, flag, poster, photograph, film, sign, writing or other visible representation containing the image, symbol or logo of any candidate or group of candidates at that election.

They may only display or exhibit placards, banners or flags containing the image, symbol or logo of any candidate or group of candidates after the Returning Officer or his staff has announced the nomination results.

3.13. Nomination-related offences

The following acts, which may be committed in and around a nomination centre on nomination day, are offences:

- a. forging any Nomination Paper;
- b. dishonestly defacing or destroying any Nomination Paper;
- c. delivering a forged Nomination Paper knowing it to be forged;
- d. making any false statement of the withdrawal of any candidate; and
- e. illegal hawking of magazines, newsletters, books, etc.

3.14. Choosing symbol and name for election campaigning

A candidate will need a symbol and to establish the name by which he/she will use at the polls. Both are also essential for campaigning.

The choice of symbol and name must be settled before 12.30 pm on Nomination Day, if the election is contested.

A candidate or group of candidates will be allotted a political party's symbol only if the candidate is a member, or the candidates in the group are members of that political party, and is or are standing for that party at the election. Otherwise, the candidate or group must select a symbol from the list which is drawn up by the Returning Officer and published in the Gazette before Nomination Day.

The symbol allotted to or selected by the candidate or group will be printed on the ballot paper opposite the candidate's or group of candidates' names on the ballot paper.

Each candidate must also indicate how he or she wishes his/her name to appear on the ballot paper at the poll. This is done by filling a form called 'Name for Ballot Paper Form' and submitting it to the Returning Officer's staff before 12.30 p.m. on Nomination Day. In that form, the candidate can

indicate which of his or her name as shown on the Nomination Form 9 or 9A he wishes to be omitted or replaced with an initial.

Take note that the names of candidates on the ballot papers are arranged alphabetically in English in the order of their surnames. If there are two or more candidates with the same surnames, then their names will be arranged alphabetically in the order of their other names.

In the case of a GRC, the names of the candidates in each group will first be arranged alphabetically in English in the order of their surnames or, if there are 2 or more candidates in the group with the same surname, of their other names. The surname of the first candidate in each group will then determine the order that the contesting groups will appear on the ballot paper; the arrangement will again be alphabetical in English.

3.15. General Advisory

Parking and Security Arrangements at Nomination Centres

Candidates are reminded that parking will not be allowed at Nomination Centres. Drop-off and pick-up points will be designated for each Nomination Centre. Security measures and security checks will be conducted in and around the Nomination Centres. To ensure that the nomination papers of candidates are not submitted after close of nomination, candidates are advised to come early for Nomination and to avoid bringing bulky items or big bags.

Candidates and their Supporters

- (a) The use of handphones, video- and photo-taking devices and smoking are strictly prohibited within the Nomination Hall;
- (b) Supporters of candidates may show their support at Nomination Centres on Nomination Day. However, flags, banners and placards may only be displayed after the close of Nomination Proceedings;
- (c) Any public procession of supporters which involves the display of flags etc., singing or the playing of musical equipment/instruments, or occasions a breach of peace will be prohibited unless they have a valid permit; and
- (d) Any speeches other than those delivered by candidates with the Returning Officers' approval will not be allowed at Nomination Centres.

4. AFTER CLOSE OF NOMINATIONS TO BEFORE POLLING DAY

4.1. Campaigning

Candidates can only start their election campaigns from the close of nomination, and up to before the eve of Polling Day. Candidates may generally engage in the following activities during the campaigning period, subject to their obtaining the relevant licences or permits from other regulatory authorities and within the limits prescribed by law:

- a. house-to-house visits;
- b. distribute pamphlets, handouts, newsletters etc;
- c. display posters and banners;
- d. use of private vehicles (motorised or otherwise) for election advertising purposes e.g. fitted with loudspeakers and/or adorned with elections-related posters and banners;
- e. advertising on the Internet using certain forms; and
- f. hold indoor or outdoor election meetings.

Local television stations will give air-time to each political party that has fielded a minimum number of candidates in the election. The duration of the air-time depends on the number of candidates each party has fielded.

4.2. Different Forms of Election Advertising

There are a set of rules that govern those forms of election advertising that are published or distributed after the issue of the writ of election and before the eve of polling day (called the election period).

4.2.1. "Published-by" requirement for election advertising on the Internet

For all election advertising published in the Internet during the election period, the name and address of the publisher and the person at whose direction or for whom the election advertising is published must appear as follows:

- on a website: on the first opening page, and on the page first displayed for every sub-directory if the particulars are different from those on the first opening page of that website;
- for micro-blog posts or through a social networking service: in the sender's user name and his account profile page, or on the landing page or homepage associated with the sender's account;
- in e-mails: at the beginning of the message;
- for web log entries or messages in a chat room or

discussion: (i) in the sender's user name and his account profile; (ii) on the landing page or homepage associated with the sender's account; or if (i) and (ii) are not applicable, at the beginning of the message;

- through short message system (SMS) or multimedia messaging service (MMS) messages: at the bottom of the screen displaying the message;
- for any recorded program of speech, music or sound made available as a digital audio file or any recorded program of images made available as a digital video file: adjacent to, or immediately above or below any icon representing or linking to the recorded program; and
- for any electronic media application: within the election advertisement itself; or on an identifiable website that the election advertisement was drawn from, or on a landing page or home page.

****Please check regulation 3 of the Parliamentary Elections (Election Advertising) Regulations for more details.***

4.2.2. Internet election advertising – positive list

During the election period, election advertising may be published on the Internet by a political party, candidate or election agent in the following manner only:

- a. on one or more websites;
- b. through hypertext links, except those that lead to web pages containing election advertising disallowed under the law;
- c. through chat rooms, discussion forums or any other site in which members of the public may post comments (see section 4.2.4. for further elaboration);
- d. on an online video/photo sharing or hosting website;
- e. via e-mail (such an e-mail must contain an e-mail address that can allow recipients to indicate that they no longer want to receive any more of such e-mails);
- f. via micro-blog post, SMS or MMS message (such a post/message must contain an e-mail address or mobile phone number that can allow recipients to indicate that they no longer want to receive any more of such posts/messages);
- g. by a program of speech, music or sound made available as a digital audio file;
- h. by a program of images made available as a digital video file;
- i. through an electronic media application; and

- j. through a web log or social networking service.

Election advertising that is to be published on the Internet using the permitted platforms in the positive list above must be in the following forms and no other:

- a. photographs and illustrations of candidates;
- b. depictions or films of any person or persons lawfully taking part in any lawful election activities. Such films should be in compliance with the Films Act;
- c. information on the profile and political ideologies/manifestos of the candidates;
- k. newsletters and journals of the political party;
- l. the logo, symbol or mark of a political party or candidate;
- m. messages, articles or comments that promote or oppose any political party or takes a position on an issue with which a political party is associated;
- n. advertisements for the recruitment of political party members and canvassers for the candidates; and
- o. announcements of election meetings.

Please note that candidates and election agents and political parties are not permitted to publish any of the following:

- a. any election survey e.g. an opinion poll;
- b. any appeal to members of the public to give money or other property which is to be used for the promotion of any candidate;
- c. any facility enabling any member of the public to search for election advertising which contravenes the law; and
- d. any party political film or any other film which is contrary to the provisions of the Films Act.

If election advertising is published during the election period by a political party, candidate or election agent outside of the positive list of platforms and forms above, the Returning Officer may require the political party, candidate or election concerned to take down the non-compliant material from the Internet. The publication of content outside the positive list as well as the failure to comply with the Returning Officer's take-down notice would be an offence.

4.2.3. Declaration of election advertising by candidates

If any election advertising is to be published during the campaign period by or on behalf of a candidate in a contested election, using any of the permitted platforms in the positive list above, the candidate must also submit a declaration to the Returning Officer listing those platforms which are maintained by or on behalf of the candidate.

The platform particulars required to be listed in the declaration are:

- (a) the electronic address of every website (including a web log) maintained by or on behalf of the candidate and on which that election advertising has been or is to be so published;
- (b) the electronic address of every chat room or discussion forum maintained by or on behalf of the candidate and on which that election advertising has been or is to be so published;
- (c) the electronic address for every online video sharing or hosting website or every online photograph sharing or hosting website maintained by or on behalf of the candidate and on which that election advertising has been or is to be so published;
- (d) the electronic address of every micro-blog account and every page on a social networking service (be it a personal profile page, fan page, group page or events page) that is maintained by or on behalf of the candidate and on which that election advertising has been or is to be so published;
- (e) the particulars of every functioning digital mobile phone number, and every functioning electronic mail address, that is maintained by or on the behalf of the candidate and from which the election advertising in an SMS message or MMS message or electronic mail has been or is to be sent by the candidate or on his behalf during the campaign period; or
- (f) the particulars of every electronic media application that is provided or maintained by or on behalf of the candidate (if not comprised in a website referred to in sub-paragraph (a)) and on which that election advertising has been or is to be so published.

The first declaration must be sent to the Returning Officer within 12 hours after the start of the campaign period. This first declaration must set out the particulars of every platform on which election advertising has been or is to be so published by or on behalf of the candidate in that time.

Thereafter, a declaration must be submitted to the Returning Officer before the election advertising is so published by or on the candidate's behalf on any new platform.

Candidates can submit their declarations in hardcopy (using Form ELD 279) or via the candidates portal at <https://candidatesguide.elections.gov.sg>.

Candidates who are returned unopposed and are declared elected need not submit any such declaration.

If election advertising is published during the campaign period on a platform maintained by or on behalf of a candidate that has not been the subject of the declaration, the Returning Officer may require the candidate concerned to take down the non-compliant material from the Internet or rectify the situation by submitting a declaration. Failure to comply with the Returning Officer's take-down notice is an offence.

4.2.4. Chat rooms, discussion forums and websites that allow members of the public to post comments

A candidate or political party which maintains a chat room, discussion forum or other website which allows users to post comments thereon online must ensure that there is a moderator for each of such chat room, discussion forum or other website. The moderator must -

- a. keep a full record of all the text messages, articles and letters sent to the websites; and
- b. immediately remove any materials when directed by the Returning Officer.

Information or data related to the chat rooms, discussion forums and websites must be kept by the candidate or his political party and furnished to the Returning Officer as and when the Returning Officer requires.

Chat rooms, discussion forums and such other websites must not contain anything that is against the law, public interest, public order or racial harmony, or offends good taste or decency. The candidate or political party must exercise due diligence to ensure that such content are not included in any chat room and discussion forum maintained on the candidate's or political party's behalf.

****Please check regulations 4, 5, 6 and 7 of the Parliamentary Elections (Election Advertising) Regulations for more details.***

4.2.5. “Published-by” requirement for election advertising not on Internet

For all election advertising that is published in print form, the name and address of the printer, publisher and the person at whose direction or for whom the election advertising is published must appear –

- on the face of the printed document if it is a single sided document; or
- on the first or last page of the printed document if the document has more than one side.

For election advertising that is neither in a printed document form or on the Internet, the name and address of the publisher and the person at whose direction or for whom the election advertising is published must be stamped, engraved or otherwise marked prominently, indelibly and legibly on any surface of the election advertising e.g. if the election advertising is in the form of a DVD, those names and addresses should appear on the DVD as well as any jacket/packaging to contain the DVD.

4.2.6. Posters and banners

The display of posters and banners advertising for a candidate or group of candidates during the campaign period must comply with the conditions listed in the Returning Officer’s permit for such display of posters and banners.

At the end of nomination proceedings, the Returning Officer will issue to the candidate or his election agent a permit authorising the display of posters and banners in public places within the constituency where the candidate is contesting in. The permit will specify the maximum number of posters and banners allowed to be displayed in public places within the constituency (other than election rally sites) and may contain certain conditions restricting the place at and manner in which the posters and banners may be displayed.

Posters and banners must be removed after polling day and that the failure to do so is an offence. Candidates or their election agents have to ensure that all of their posters and banners are taken down within the specified period stated in the Returning Officer permit and properly disposed of after the elections.

Size and characteristics of authorised posters and banners

A copy of each of the posters and banners must be lodged with the Returning Officer before they are displayed.

All posters and banners displayed must bear the official stamp issued by the Returning Officer.

Posters displayed in GRCs must not exceed 1.75 metres by 1.2 metres while those displayed in SMCs must not exceed 85 centimetres by 60 centimetres.

All banners must not exceed 9 metres by 1.2 metres.

These dimensions do not apply in the case of posters and banners displayed at election rally sites.

Where and how posters and banners may be displayed

In general, campaign posters (mounted on plywood or cardboard) and banners may be hung on street lamp posts and trees along public roads. Do not nail or paste posters and banners onto any surface. Do not inscribe election advertising on any road, footpath, building, vehicle, vessel or hoarding.

The display of posters and banners must not obscure the view of other posters and banners already displayed.

At no time are posters and banners allowed to be displayed within a radius of 200 metres from a polling station.

Candidates and their agents should avoid displaying, posters and banners for the purposes of election campaigning at/on any of the following objects and structures or things:

Places where campaign posters and banners are prohibited

- Bus shelter
- Vehicular Bridges
- Railings
- Central median dividers
- Traffic islands
- Expressways
- Traffic sign boards
- Traffic Bollards
- ERP gantry
- Public infrastructure and their ancillary structures (e.g., entrance & exit structures to Rapid Transit System stations and underpasses, MRT viaduct columns, and kiosks)
- The vicinity of the boundary of airports and airbases
- Carpark sign poles

- Property belonging to Public Utilities Board (PUB)
- Stalls within a hawker centre, food centre or market
- Premises within any Community Centre/Club and Resident Centres
- Water catchment areas, public parks and open spaces, nature reserves, water bodies, along coastlines and on vacant land
- Premises within any Ministry of Education (MOE) property (e.g. school fences)
- Government owned buildings

Disclaimer: *The prohibited list is non-exhaustive and includes mainly public properties. Candidates and election agents are advised to obtain owner’s consent for places (property owned by private establishments) not listed here.*

Removal of posters and banners

Posters and banners that are displayed without authorisation from the Returning Officer, or are displayed at a place or in a manner disallowed by the Returning Officer or by the law will be removed by persons directed by the Returning Officer to do so.

4.2.7. Other forms of election advertising

If candidates wish to publish election advertising using other means, such as a television broadcast, newspapers, magazines or periodical, or advertise in any public place, they have to seek authorisation from the Returning Officer.

4.2.8. Excluded election advertising

The following items are not considered election advertising. The display or distribution of these items do not need authorisation from the Returning Officer and do not need to comply with the “published-by” requirements:

- a. Buttons;
- b. Pens;
- c. Pencils;
- d. Balloons;
- e. Diaries or calendars on paper or paperboard;
- f. Key chains;
- g. T-shirts or other articles of apparel;
- h. Articles in the nature of dress or clothing accessories, such as lapel pins, ties, scarves, caps or hats;

- i. Cleansing tissue paper or paper napkins cut to size and contained in retail packets or packages;
- j. Miniature flags and pennants; and
- k. Soft toys.

4.3. Election meetings

Candidates must apply for a permit from the police before they can hold an election meeting (indoor or outdoor) to campaign or show support at the time of election results, or to use a vehicle (motorised or otherwise) fitted with loudspeakers and/or elections-related posters and banners on any public road. A permit is still required even if the site of the election meeting is Speakers' Corner.

Application forms for an election meeting permit or a permit for perambulating vehicle can be obtained from the Police Election Liaison Office (PELO) which is located on the second level of the Police Cantonment Complex (391 New Bridge Road, Singapore 088762). Application forms may also be downloaded from the PELO website – www.spf.gov.sg/elections (this link will only be active after the writ of election is issued).

The PELO will only be operational from Nomination Day to the eve of Polling Day. It will be open from 8:30 am to 2:30 pm daily during this period, except on Nomination Day when it will be accepting applications from 2:00 pm to 4:00 pm. You may call the PELO hotline at 1800-2203370 for enquiries.

As part of the security requirements, members of the public (including candidates/agents) will be subject to security checks prior to entry into the Police Cantonment Complex. They may also have to exchange ID documents for security passes. As public parking is not available, candidates and their agents are advised to park their vehicles at parking facilities outside the Police Cantonment Complex.

Application for the election meeting permits must be made in person by the candidate or his election agent no later than 2:30 pm, and only on the day before the election meeting is held. If the eve of the election meeting is Nomination Day, the application should be made no later than 4:00 pm. on Nomination Day.

The candidate or his election agent must submit the application for an election meeting permit in person. The PELO will commence operations from 8.30 am each day and only candidates/election agents in the queue shall be issued queue tickets indicating their position in the queue. Upon his turn, the candidate/election agent will be asked to submit the application to a reception counter located outside the PELO. A candidate/election agent can only apply for permits for the constituency which he is contesting in.

Upon approval of the permit application for an election meeting, the

candidate/election agent will be invited into the PELO. While there is no charge for the election meeting permit, the candidate/election agent will need to make payment for the use of the site of the election meeting viz. to the various site owners and agencies (e.g. Singapore Sports Council and the relevant Town Council) whose representatives will be situated in the PELO. After payment is made, the permit conditions and the rules will be explained to the candidate/election agent. The candidate/election agent must acknowledge on the permit that the conditions and rules have been explained before collecting the permit. There will be a board outside the PELO which will be updated to show which rally sites have been taken.

Permits for election meetings are issued on a first-come-first-issued basis.

For an application to hold an indoor election meeting, the written consent of the owner of the indoor site must be given to the Police when submitting the application form for the permit to hold the election meeting.

The application procedures and requirements for permits for election meetings/rally sites will be made available at the PELO's office and website at www.spf.gov.sg/elections. Candidates and their election agents can refer to these information sources for more details when the writ of election is issued.

4.3.1. Election Permit Conditions

Every Election Meeting Permit is issued subject to conditions and restrictions. Candidates and their agents need to take note of the following standard conditions imposed on each election meeting permit issued by the Police:

- i. the election meeting must not be held in any place other than the place specified in the permit;
- ii. the election meeting for campaigning, whether indoor or outdoor, must be held only at such place as may be specified in the permit and between the hours of 7 a.m. and 10 p.m. (both times inclusive). An election meeting to show support at the time of election results must only be at the assembly centre and between such times as may be specified in the permit;
- iii. there must be no procession to or from the place of the election meeting;
- iv. no form of public entertainment (such as singing, dancing or showing a film) shall be provided, and no live-streaming of any event (including the election meeting itself) shall be shown before, during and after the election meeting;
- v. the conduct of the election meeting must not obstruct the free passage of persons or vehicular traffic on any public road; and
- vi. before, during and after the meeting, no organiser and no speaker at the election meeting shall display or exhibit any banner, flag, poster, placard, photograph, film, sign, writing

or other visible representation or paraphernalia, or use indecent, threatening or abusive words or otherwise behave, with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned whether immediately or at any time after the election meeting.

Other conditions that will usually be imposed are:

- (a) only persons named in the application for the permit and who are approved by the Licensing Officer as speakers can speak at the election meeting;
- (b) permit holders must not allow speakers to deliver speeches or messages on behalf of any person who is not approved to speak at the election meeting. Currently, applicants are already required to submit the list of speakers for their election meeting – the speakers who are non-candidates should be in possession of written authorization (Form 22/23) from the candidate; the new condition complements this requirement; and
- (c) permit holders would be required to organise the rally site in accordance with an issued site plan, which has been drawn up to take into account the safety of members of public.

Candidates and their agents should take note that the breach of a permit condition is an offence for which the permit holder may be held responsible.

4.4. Persons prohibited from conducting election activities

The following persons are prohibited by law from taking part in any election activity:

- a. a student attending a primary or secondary school;
- b. a person who has an order of supervision made against him under the Criminal Law (Temporary Provisions) Act (Cap. 67);
- c. an undischarged bankrupt; and
- d. a non-citizen of Singapore.

Anyone conducting any election activity must be in possession of a written authority signed by the candidates or their election agents. This can include candidates who have been returned unopposed on Nomination Day and declared elected, but who wish to assist the other party members who are candidates at the contested elections.

Authorisation to conduct election activity shall be issued only on or after the day of nomination. Particulars in duplicate of all written authorities

issued by a candidate and his election agent must be sent to the Returning Officer, who shall on receipt forward a copy of those particulars to the Commissioner of Police.

Workers who are Singapore Permanent Residents or work-pass holders do not need written authorisation to conduct election activity if they carry out the following types of manual work which is the subject of a contract for services between a candidate (or his election agent) and a person authorised to conduct election activities:

- (a) putting up election posters and banners, and taking them down; and
- (b) setting up physical facilities (such as stages and tents) at rally sites and assembly centres, and dismantling them.

4.5. Opening election offices

Each candidate or his or her election agent may open one election office per polling district in the constituency that the candidate is contesting in, but such an office must be outside a radius of 200 metres of any polling station in that constituency.

The address of every such election office must be registered with the Returning Officer by the candidate or his election agent before Polling Day.

It is an offence to open or maintain an office at or near a polling station for the purpose of influencing the voters' decisions when casting their votes.

5. COOLING-OFF DAY

The eve of polling day is designated as Cooling-off Day. It is a day when campaigning is banned and election advertising must not be published. This 24-hour campaign silence period is to let voters reflect rationally on various issues raised at an election before going to the polls.

5.1. Prohibited Activities on Cooling-off Day

The following acts are not allowed on Cooling-off Day:

- Publication and display of election advertising not already lawfully displayed or published;
- Canvassing, door-to-door visits, visiting homes and workplaces of voters in connection with the election;
- Wearing badges, carrying or displaying political propaganda (only the candidate is allowed to wear the party badge); and
- Holding of election meetings.

Candidates should therefore refrain from visiting their constituents or attending public events within their constituencies on cooling-off day. However, attending religious ceremonies or worship services, or attending functions in the course of work or employment would still be permissible.

There are some exceptions to the prohibition of campaign activities on Cooling-off Day:

- Party political broadcasts on television;
- Reports in the newspapers, on radio and television relating to election matters;
- Approved posters and banners that were already up, and lawful Internet advertising that was already in place before the start of Cooling-off Day;
- Books previously scheduled for publication;
- The transmission of personal political views by individuals to other individuals, on a non-commercial basis, using the Internet, telephone or electronic means; and
- Candidates may continue to wear party logos/badges indicating his affiliation with a political party or a replica of the symbol allotted to him or to the group of candidates to which he belongs under.

6. POLLING

6.1. Polling in Singapore

Voting in Singapore starts at 8 a.m. and ends at 8 p.m. at all polling stations.

An elector must cast his/her vote in person and only at the polling station to which he/she has been assigned.

6.2. Polling at overseas polling stations

Only persons who have successfully registered themselves as overseas electors may cast their votes at designated overseas polling stations (see Annex for the location of all overseas polling stations). Once they are registered as overseas electors, they may cast their votes either at the overseas polling station allotted to them or at the polling station located in their allotted constituencies in Singapore, but not at both for the same election.

The hours of poll at overseas polling stations will span from 4 to 12 hours, and may be extended beyond 12 hours when necessary. However, an overseas poll must close not later than the close of polls on polling day in Singapore.

6.3. Persons allowed to enter polling stations

Without the Returning Officer's permission, only the following persons may on Polling Day enter a polling station during the poll in a constituency:

- the Returning Officer;
- police officers on duty at the polling station and other election staff officially employed at the polling station;
- voters assigned to vote at the polling station;
- the candidates contesting at the election in that constituency; and
- the authorised polling agent for that polling station not exceeding the maximum number and whose name has been notified to the presiding officer (see paragraphs 6.3.1 and 6.5).

6.3.1. Forms that must be produced by candidates/agents before entering polling stations

Polling agents are allowed to enter a polling station on condition that the election agent has informed the presiding officers of the names of the polling agents who are to be stationed at the polling station. If polling agents are to change in the day, all the new or substitute names have to be provided to the presiding officer.

Every polling agent must therefore produce a duly completed and signed Oath of Secrecy with Letter of Appointment of Polling Agent Form (EC 18/EC 161) to the presiding officer at the main entrance before entering the polling station. After checking, the presiding officer will keep the oath of secrecy form. Each time a candidate's polling agent at the polling station changes during the day, the presiding officer will ask to check the letter of appointment and to keep the oath of secrecy form.

When visiting a polling station, candidates also need to produce their duly completed and signed Oath of Secrecy form (Form EC 18) to the presiding officer who will keep the form. As a candidate may visit more than one polling station in the constituency he is contesting, the presiding officer who kept his Oath of Secrecy form at the first polling station he visits will give him an acknowledgement card. With this card, he need not produce the "Oath of Secrecy" form when he visits other polling stations.

6.4. Understanding the voting process

The role of polling agents is to observe that polling is carried out in accordance with the law. Hence, it is important that candidates and polling agents are clear with the polling procedures and are aware of a presiding officer's legal powers and duties, so as not to cause unnecessary delay or disruption to the polling process and not to prevent the conduct of free and fair elections according to the law.

Ballot boxes are sealed before the start of poll in such a way that ballot papers cannot be taken out without having to break the tamper-proof seals. At the end of poll, the slits through which marked ballot papers are dropped into the ballot boxes are sealed to ensure that nothing else can be dropped into them.

Each person whose name is on a register of electors (called elector) is entitled to one ballot paper and has only one vote. An elector must also give his or her vote in person; no proxy voting is permitted.

To that end, before delivering a ballot paper to an elector, it is the duty of the presiding officer to –

- a. authenticate the identity of the elector standing in front of the presiding officer, by checking the elector's poll card and personal identification document (only the NRIC, passport, or identity cards issued by the Singapore Armed Forces, Singapore Police Force and the Singapore Civil Defence Force);
- b. mark against the elector's name in the register to ensure that he or she is a registered elector and to indicate that the elector is given a ballot paper to vote;
- c. check that the ballot paper is authentic i.e. it bears the official mark on

it;

- d. write the elector's serial number on the counterfoil of the ballot paper;
- e. call out the particulars of the elector according to the Register;
- f. fold the ballot paper in half; and
- g. hand the ballot paper to the voter, and return the elector's poll card and personal identification document to the elector.

If the presiding officer ascertains from the Polling Station Register that the elector is registered as an overseas elector, the presiding officer takes one more additional step before handing the ballot paper to the elector; the presiding officer will ask the elector to declare that he or she has not already cast a vote overseas by signing a statutory form. The presiding officer will proceed to issue the elector with a ballot paper only after the declaration is made.

No ballot paper will be given if the elector's name does not appear in the register of electors for that polling station.

No person, except a presiding officer acting for a purpose authorised by the law (explaining the method of voting or assisting a blind voter), is allowed to communicate or attempt to communicate with any voter after the voter has received a ballot paper and before the voter has placed it in a ballot box.

A tendered ballot paper (which is blue in colour) will be issued to a person to cast his or her vote if the person insists on voting even after the presiding officer has explained that according to the Polling Station Register, that the person has already voted (i.e. the name that he/she claims has been crossed out by a presiding officer at the same polling station earlier during Polling Day). Before a tendered ballot paper is given, the person has to first make a declaration as to identity by signing a statutory form.

If a voter claims that he or she has made a mistake on the first ballot paper given to him/her or that he or she has accidentally spoilt it, the presiding officer may issue the voter another ballot paper. The presiding officer has to take back the spoilt ballot paper and mark "CANCELLED" on it before sealing it in an envelope.

Legal powers of presiding officers during voting

The presiding officer or any other person authorised by him may explain the method of voting to a voter who requested for him to explain. Polling agents may listen in if they wish to.

The presiding officer may, only on the request of a voter, help the voter to mark his ballot paper if the voter is blind or unable to mark the ballot paper as a result of his physical disability. The presiding officer will mark the ballot paper according to the voter's directions and then place the ballot paper in the ballot box. No polling agents are allowed to be present

when the presiding officer is helping the voter to mark the ballot paper. This is to ensure secrecy in voting. Every presiding officer is under oath to keep the voter's ballot a secret.

If a presiding officer notices that a voter is taking an unusually long time at the polling booth, the presiding officer may also take such steps as are necessary to expedite the process.

6.5. Number of polling agents

A polling station typically has more than one polling place. For the polling in Singapore, each candidate or group of candidates (contesting in a GRC) may have only one polling agent to observe the polling procedures at each polling place in a polling station.

For polling overseas, every political party with candidate(s) standing for election and every Independent candidate may appoint one polling agent to be present at each overseas polling station, regardless of the number of polling places in the overseas polling station. The appointment should be made by a responsible officer of the political party or the election agent/principal election agent of the Independent candidate(s). The polling agents should preferably be appointed from among persons who are registered as an overseas elector to vote at that overseas polling station. The name and appointment of the polling agent in any overseas polling station must be given in writing to the Returning Officer no later than two clear days before the start of poll at that overseas polling station.

6.6. Things that candidates/polling agents are allowed to do/prohibited from doing

Bear in mind that voting is compulsory. As such, it is an offence to dissuade someone from giving his vote at an election.

Candidates and polling agents must wear their official identification tags at all times while in any polling station. However, only the candidate will be allowed to wear party logos when visiting polling stations in the constituency he/she seeks election.

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 the attendance of the candidate and/or his polling agent at these proceedings is not compulsory under the law. In order to ensure that polling and counting starts on time and there is no delay, presiding officers can and will proceed with the sealing 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. 7.45 a.m. before the start of poll and 8 p.m. at the close of poll). They must be punctual if they wish to observe the sealing of the ballot boxes.

Polling agents who want to keep a close track as to who has voted should pay close attention when presiding officers are reading out the particulars of the voters. Polling agents are not allowed to compare their copies of the

registers against the presiding officers' Polling Station Registers to confirm the voters who have/have not voted.

A Polling agent who needs to leave his/her place at the polling station must leave his/her own copy of the register of electors at that polling place. This is to ensure that any information as to the name or number on the register of electors of any elector who has or has not been given a ballot paper or voted at that station is not divulged.

A candidate or a polling agent authorized to be in attendance at a polling station may, before the poll closes, ask a presiding officer for the total number of voters who have voted at the polling station. However, the presiding officer has the discretion to decide whether he or she can accede to the request for information; the presiding officer will try his or her best to answer but his or her priority under the law remains the continuous and orderly conduct of the poll at the polling station.

At the close of poll, candidates and their polling agents may observe the packing of election materials into envelopes and affix their seals on the envelopes if they wish to do so. They may also affix their seals on the ballot boxes after the presiding officers have completed sealing of the ballot boxes at the close of poll. However, the candidate or polling agent must be careful not to paste over the Returning Officer's seals or damage the Returning Officer's seals in the process of pasting their own.

6.7. Maintaining secrecy of voting

Candidates and polling agents who are present at a polling station must maintain secrecy of voting at all times. They have to take their oaths of secrecy and must give their completed forms to the presiding officer before entering the polling station.

It is important to bear in mind that before the poll closes, everyone is prohibited from communicating to any person any information as to the name or number on the register of electors of any elector who has or has not been given a ballot paper or voted at that station.

Maintaining secrecy in voting at the polling station also means that no one must try to find out, or to communicate to any person, which candidate a voter in the station is about to vote or has voted for.

The use of handphones, video- and photo-taking devices and smoking are strictly prohibited within a polling station.

6.8. General Advisory at Polling Stations, Counting Centres and Principal Counting Centres

Parking and Security Arrangements

Candidates are reminded that no parking will be allowed at Polling Stations, Counting Centres and Principal Counting Centres unless the vehicle has the

appropriate ELD label. Within each closed Polling Station, there will be special drop-off points for vehicles conveying the sick, infirmed or disabled persons. Drivers can approach the election officials or police officers on duty for assistance and direction. Police will put in place security measures in and around Polling Stations, Counting Centres and Principal Counting Centres. Security checks will also be conducted at the Polling Stations, Counting Centres and Principal Counting Centres.

In general, candidates and voters are advised to take public transport or walk to the Polling Stations. They should also not loiter around the vicinity of the Polling Stations without valid reasons.

7. COUNTING OF VOTES AND DECLARATION OF ELECTION RESULTS

7.1. Counting of votes cast in Singapore

Counting of votes cast in Singapore is conducted immediately after the close of the poll in Singapore. This usually takes place in the late evening of night of Polling Day and may continue into the early hours of the next day.

Votes cast in Singapore at a poll for a constituency may be counted at a single counting place, or at several counting places and then added together at a single counting place/centre.

Immediately after the close of polls, the slits on the ballot boxes through which ballot papers are dropped into the boxes are sealed up. Together with other election documents, the ballot boxes are brought to the assigned counting places for counting of the votes.

Counting will start as soon as all the ballot boxes which are designated for counting at the same counting place have been received.

7.2. Counting of votes cast overseas

All ballot papers cast in overseas polling stations must be sent back to Singapore for counting within 10 days after Polling Day. The Returning Officer will designate a place where the counting of overseas votes takes place. Candidates and their counting agents may be present during the counting.

Counting will be conducted at one central location after mixing the votes from all overseas polling stations. The rules relating to the counting, recounting and rejection of votes cast locally are generally applicable to votes cast overseas (with slight modifications: see section 7.8).

After all counting is complete, the ballot papers and other election materials from these overseas polling stations will also be sealed up in the same manner as those cast and used locally.

7.3. Counting places and principal counting centres

Counting of votes for each constituency may be done at one or more counting places. Each counting place will be designated to count the votes cast at one or more polling stations. The counting place may or may not be a polling station, and need not be within the constituency the votes for which are to be counted.

Usually, four to six of such counting places are grouped together in a single venue. This venue is commonly called a Counting Centre. The address of each counting place will be announced by the Returning Officer at least two

clear days before Polling Day.

If a constituency has more than one counting place, the Returning Officer will also designate one of the counting places as the principal counting place where the votes counted at every counting place for the constituency will be added or tallied up. Individual count of votes done at each counting place will be transmitted to the principal counting place where votes cast in favour of each candidate (or group of candidates) contesting in that constituency are added up to obtain the total number of votes cast for each candidate (group of candidates).

7.4. Persons allowed to enter counting centres/principal counting centres

Without the Returning Officer's permission, no persons other than the following are entitled to be present during counting of votes at a counting centre:

- the Returning Officer and other persons officially employed by the Returning Officer at the counting centre;
- candidates contesting in the constituency the votes of which are to be counted at that counting centre; and
- not more than one counting agent per counting place representing each candidate or group of candidates.

At the principal counting centre, in addition to the Returning Officer and such other officers and staff appointed by him to assist him in adding the votes, candidates and their election agents or, where the votes to be added relate to a group of candidates, the candidates in the group and their principal election agents may also be present at the addition of votes.

If a principal counting place is also a counting place where a counting agent is stationed, then he may also be present at the addition of votes.

7.4.1. Forms that must be produced by candidates/agents before entering the Counting Centres

Every counting agent must produce a duly completed and signed Oath of Secrecy Form and Appointment of Counting Agent Form (EC 18/EC 125) at the main entrance before entering the counting place. Candidates and their election agents or principal election agents (as the case may be) will also need to produce a duly completed and signed Oath of Secrecy Form (EC 18).

7.5. Understanding the counting process

At each counting place, the counting of the votes must begin as soon as all the ballot boxes containing the ballot papers to be counted at that counting place are received. Although candidates and their counting agents are

allowed to observe the counting process, the counting won't be halted just because candidates or their counting agents are not present.

Candidates and counting agents who are present will be invited to inspect the ballot boxes before they are opened for counting. When the ballot boxes are open, the Assistant Returning Officers and his counting assistants will pour all the ballot papers out of the boxes onto the counting table. The ballot papers will then be mixed up before sorting between candidates or groups of candidates begins.

While the backs of ballot papers are necessarily exposed to some extent when the folded ballot papers are opened, the Returning Officer and his staff will throughout sorting and counting keep the ballot papers with their faces upwards, and take all precautions for preventing any person from seeing the numbers printed on the back of the ballot papers. During sorting or counting, no one should attempt to read the number printed at the back of each ballot paper. Any attempt at the count to do so is an offence.

The sorting and counting process must be carried out continuously, so candidates and their counting agents should avoid interrupting the process.

Tendered votes will not be counted at this time. They will only be sorted according to the candidate or group of candidates they support and then sealed.

Legal powers of Assistant Returning Officers

During the count, the functions of the Assistant Returning Officer in charge of a counting place are focused on determining whether a ballot paper should be rejected or counted.

Under the law, the following ballot papers must be rejected:

- (a) a ballot paper which does not bear the complete official mark for the authentication of ballot papers;
- (b) a ballot paper on which votes are given for more than one candidate or group of candidates;
- (c) a ballot paper on which anything is written or marked by which the voter can be identified e.g. a voter signs or writes his name or NRIC number;
- (d) a ballot paper which is unmarked; and
- (e) a ballot paper which is void for uncertainty.

But a ballot paper on which the vote is marked elsewhere than in the proper place, otherwise than by means of a cross or by more than one marking will not be treated as void if an intention that the vote should be for one candidate or group of candidate clearly appears, and the way the paper is marked does not of itself identify the voter.

The Assistant Returning Officer indicates his decision by endorsing the word "REJECTED" on the ballot paper. Before doing so, the Assistant Returning Officer must show the ballot paper to candidates or their counting agents who are present at the counting place and hear their views. The decision of the Assistant Returning Officer whether or not any ballot paper shall be rejected is final and cannot be questioned on an application to court to avoid the election.

When counting is completed at a counting place, the Assistant Returning Officer will orally announce the number of votes given to each candidate (or group of candidates) and his counting agents who are present at the counting place and, if there is a principal counting place, then transmit the certified record of counting containing the number of votes given to each candidate or group of candidates and other results of the counting of votes at the counting place to the principal counting place for tallying.

7.6. Number of counting agents

For counting of votes cast in Singapore, each candidate or group of candidates may appoint only one counting agent to observe the counting at each counting place. There can be more than one counting place in a counting centre.

For counting of votes cast overseas, each candidate or group of candidates may appoint only one counting agent to observe the counting.

7.7. Things that the candidates and counting agents are allowed to/prohibited from doing

Candidates and counting agents must wear their official identification tags at all time. The counting of votes may take place in the presence of candidates and their counting agents. The counting will proceed even if candidates or their counting agents are not present. Candidates and their counting agents may observe the counting process but they should not interfere with the counting process. They should at no time attempt to read the number printed on the back of a ballot paper.

Before rejecting a ballot paper which is unmarked or does not show clearly the intention of the voter, the Assistant Returning Officer at each counting place will show the ballot paper to candidates and their counting agents (if present). Candidates and counting agents may give their views on the ballot paper in question, but the decision of the Assistant Returning Officer on the validity of the ballot paper is final.

When all the ballot papers at the counting place have been counted, the Assistant Returning Officer will announce the result over the table. The ballot papers and other election materials will then be sealed up in depository boxes if no recount of the votes cast has been allowed by the Returning Officer. Candidates and their counting agents may affix their seals on these boxes, if they so desire. But they should be careful not to paste over the Returning Officer's seals or damage the Returning Officer's

seals in the process of pasting their own.

The use of handphones, video- and photo-taking devices and smoking are strictly prohibited within a counting centre.

7.8. Recounts

A recount of the votes may be allowed if the difference between the number of votes cast in favour of the candidate/group of candidates with the most votes and the number of votes cast in favour of any other candidate is equal to or less than 2% of the total number of votes cast (excluding rejected votes and tendered votes) at the election.

Candidates or their counting agents who are present at the counting place may apply for a recount of the votes.

Only one such application may be made and the Returning Officer will ensure that the candidates or their counting agents are given the opportunity to make this application. When a recount is allowed, all votes cast for the constituency are recounted.

No recounting of overseas votes will be allowed if the overseas votes have no impact on the election outcome (i.e. the Returning Officer has already declared the candidate or group of candidates to whom the greatest number of votes is given to be elected on polling day).

If the overseas votes have an impact on the election results, the Returning officer will allow one application for recount. This is where the number of overseas votes have brought the margin of difference of total number of votes (sum of local and overseas votes) cast between the two candidates or groups of candidates with the highest number of votes within the 2% margin. Where an application for recounting of overseas votes has been granted, only the overseas votes will be recounted.

7.9. Announcement of results

When counting is completed for all the votes cast at a constituency (including the recount if a recount is allowed), the Group Assistant Returning Officer at the principal counting place for that constituency will tally the number of votes given to each candidate (or group of candidates) for that constituency based on the records of counting received. Once this is ascertained, the Group Assistant Returning Officer will announce the number of votes given to each candidate (or group of candidates) to the candidates and their principal election agents/counting agents who are present at the principal counting place. The Returning Officer will then announce the result for the constituency concerned and declare the candidate or, as the case may be, the group of candidates elected to the mass media for dissemination to the public.

7.9.1. Impact of votes cast overseas

If the total number of overseas electors entitled to vote at the election is less than the difference between the candidates (or groups of candidates) with the two highest numbers of votes, the Returning Officer will declare the candidate (or group of candidates) with the highest number of votes to be elected.

If the total number of overseas electors is equal to or more than the difference between the top two candidates (or groups of candidates), then the Returning Officer will announce the votes cast locally for each candidate (or group of candidates), and the date and venue at which the ballot papers cast overseas will be counted.

7.10. Assembly centres

While waiting for the results of the votes cast to be announced, candidates, their supporters and other members of the public may be allowed to gather in certain places designated for each contested constituency, called assembly centres. These are usually sports stadiums.

Permit applications to hold such a gathering at an assembly centre must be made in person by a candidate or his election agent at the Police Election Liaison Office between 8.30 a.m. and 2.30 p.m. Applications for permit can be submitted on the eve of Polling Day or the day before.

Please refer to the conditions stated in the permit for the do's and don'ts at assembly centres. The standard conditions are as follows:

- (a) the election meeting must not be held in any place other than the place specified in the permit;
- (b) the election meeting must be held only at the assembly centre specified in the permit and between the hours specified in the permit;
- (c) there must be no procession to or from the place of the election meeting;
- (d) no form of public entertainment (such as singing, dancing or showing a film) shall be provided, and no live-streaming of any event (including the election meeting itself) shall be shown before, during and after the election meeting;
- (e) the conduct of the election meeting must not obstruct the free passage of persons or vehicular traffic on any public road; and
- (f) before, during and after the meeting, no organiser and no speaker at the election meeting shall display or exhibit any banner, flag, poster, placard, photograph, film, sign, writing or

other visible representation or paraphernalia, or use indecent, threatening or abusive words or otherwise behave, with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned whether immediately or at any time after the election meeting.

8. POST-ELECTION

8.1. Application to void an election

Applications to void an election may be made under section 90 of the Parliamentary Elections Act. Such applications are to be heard by an Election Judge, who may be the Chief Justice or a Judge of the Supreme Court as nominated by the Chief Justice.

The election may be declared void if the Election Judge is satisfied –

- (a) that by reason of general bribery, general treating, or general intimidation, or other misconduct, or other circumstances, whether similar to those before enumerated or not, the majority of electors were or may have been prevented from electing the candidate or group of candidates whom they preferred;
- (b) non-compliance with the provisions of this Act relating to elections, if it appears that the election was not conducted in accordance with the principles laid down in those provisions and that the non-compliance affected the result of the election;
- (c) that a corrupt practice or illegal practice was committed in connection with the election by the candidate or with his knowledge or consent or by any agent of the candidate;
- (d) that the candidate personally engaged a person as his election agent, or as a canvasser or agent, knowing that the person had, within 7 years prior to the engagement, been convicted or found guilty of a corrupt practice by a District Court or by the report of an Election Judge; or
- (e) that the candidate was at the time of his election a person disqualified for election as MP.

An application to void an election in a constituency can be made only by –

- any person who had voted at the election or had a right to vote at the election;
- a person who claims to have had a right to be returned or elected at the election; or
- a person alleging himself to have been a candidate at the election may also submit such applications.

An application to void an election in a constituency must usually be made within 21 days after the date of publication of the final election results for that constituency in the Government Gazette.

The Election Judge may, on hearing the application decide that –

- (a) the election is void;
- (b) the return of a person elected was undue;
- (c) a candidate was duly elected and ought to have been returned;
or
- (d) a scrutiny be held if the seat is claimed for an unsuccessful candidate on the ground that he or the group of candidates to whom he/she belongs had a majority of lawful votes.

However, this does not include questioning the decisions made by the Assistant Returning Officers in the adjudication of votes.

When the trial for the application is concluded, the Election Judge determines the outcome of the application and informs the President as to how he has determined the application. If the case so requires, the President will order the holding of an election in the constituency concerned within one month of the determination.

8.2. Destruction of ballot papers

After the count, all ballot papers and their counterfoils have to be sealed in the Supreme Court vault for six months, after which all the ballot papers and other election documents are destroyed. During those six months, these documents can only be retrieved by court order. The court will issue such an order only if it is satisfied that a vote has been fraudulently cast and the result of the election may be affected as a result. Our courts have issued no such order since elections have been held here since 1948.

8.3. Post-Election activities

Post-election vehicle processions may be held after Polling Day for candidates to thank their constituents and supporters. These processions must be authorized by a permit issued by the police.

Applications for post-election vehicle procession must be made in person by the candidate/election agent at the Compliance Management Office of the respective Police Divisional Headquarters, which are open from 8.30am to 6pm on weekdays. The offices will be closed on Saturday, Sunday and Public Holidays, including Polling Day.

A fee will be levied at the time the permit is issued.

9. ELECTION FINANCE

9.1. Limit on the amount that can be spent

To ensure a level-playing field and to prevent 'money politics', the law imposes a ceiling on the amount that may be incurred by way of election expenses.

Election expenses means expenses incurred, whether before, during or after the election by a candidate or his/her election agent on account of or in respect of the conduct or management of the election of the candidate, but not the following expenses:

- any expenditure incurred by the candidate for his personal expenses; and
- any fee paid to the election agent not exceeding \$500.

The maximum spending limit for election expenses is currently \$3.50 for every elector on the register of electors for the constituency that the candidate is seeking election to be an MP.

If a candidate is contesting as part of a group of candidates in a GRC, the maximum spending limit per candidate in the group is determined as follows:

$$(\$3.50 \times E) \div C$$

Where E is the total number of electors in the register of electors for the GRC; and
C is the number of candidates in the group.

As the maximum spending limit can change, it is good practice to check the legislation in force when the Writ of Election is issued.

Spending in excess of the maximum amount in the law is an illegal practice.

9.2. Election expenses generally must be paid by election agent

In general, payments for election expenses can only be made by or through a candidate's election agent. Accordingly, even though a candidate may be permitted to enter into a contract whereby election expenses are incurred, the candidate cannot pay those expenses unless he is his own election agent.

Furthermore, all gifts, loans, advances or deposits provided by any person for any election expenses must be paid to the candidate or his/her election agent and not otherwise.

These restrictions have been imposed by law to prevent loopholes in the control over spending on election expenses. No person other than the election agent can make payment, and the election agent cannot plead ignorance of what payments have been made by others.

There are, however, a number of exceptions to this restriction:

- (a) any payments made by the Returning Officer;
- (b) any payments which are made by the candidate for personal expenses incurred by him on account of or in connection with or incidental to the election up to \$1,000;
- (c) any payments which are made by the candidate in respect of claims for election expenses sent in late, or disputed claims for election expenses, pursuant to a court order;
- (d) any expenses for stationery, postage, telephonic communication (or any other similar means of communication) and other petty expenses which are paid by a person authorised by the election agent;
- (e) any expenses which are paid by the candidate's political party in accordance with the authorisation of the candidate's election agent; and
- (f) any sum disbursed by any person out of his own money for any small expense legally incurred by himself, if the sum is not repaid to him.

A candidate should therefore ensure that the election agent he or she appoints is involved in all budgeting and financial decisions related to the campaign and is consulted before electoral campaign expenses are incurred.

A candidate should also ensure that only the election agent or a person authorized in writing by the election agent incurs campaign expenses.

A candidate must ensure that all money received for election purposes is turned over to the election agent for deposit.

9.3. Personal expenses incurred by candidates

A candidate may pay for personal expenses incurred as a result of the election, such as travelling and accommodation expenses up to \$1,000. The balance unpaid can be the subject of a claim by the candidate against the election agent, which must be made within 14 days of the publication of the election results in the Government Gazette.

9.4. Political party paying election expenses

Election expenses incurred for a candidate can be paid by the candidate's political party, or an authorised officer of the party, in accordance with the authorisation of the candidate's election agent. The authorisation can set limits as to the amount and type of expenses that can be paid for.

Where an election agent authorises the candidate's political party or an authorised officer of the party (using Form ELD 277) to incur election expenses or make payments for the purpose of the candidate's election, that party or authorised officer must submit a statement (using Form ELD 278), together with all relevant bills and receipts, showing the particulars of payment to the election agent concerned. Such payments must be reported in the candidate's individual return of election expenses at the end of the elections.

9.5. Requirement for bill, receipts and records of payment

Each payment made in relation to election expenses has to be vouched for by a receipt and a bill stating the particulars. Bills and receipts are not necessary if the payment does not exceed \$10 or where a receipt is not obtainable by nature of the payment, such as travel by rail or postage.

9.6. Claims

All claims have to be sent to the election agent within 14 days of the date of publication of the election results in the Government Gazette. In general, all payments must be made by the election agents within 28 days of the afore-mentioned date.

9.7. Returns respecting election expenses

The election agents of all candidates who contest in a General Election must submit a declaration and a return of election expenses (using Forms 19 and 20) to the Returning Officer within 31 days after the day on which the results of the election is published in the Gazette. These returns are required to ensure accountability and transparency in the candidates' campaign finance.

For Group Representation Constituency (GRC) candidates, the principal election agent of the group has to also file a declaration and consolidated return of election expenses (using Forms 19A and 20A) incurred by the sub-agents, showing the payments made by the sub-agents on behalf of the candidates and the amount of those payments apportioned to each candidate.

For guidance on how to complete Form 19A as regards the filing of consolidated returns, please refer to paragraph 9.7.1 below.

9.7.1. Guidance on Completing Form 19A

Declaration by Principal Election Agent

The principal election agent of the Group Representation Constituency (GRC) candidates must provide all details requested by the declaration on the front page of Form 19A.

These details are necessary for compliance purposes. The principal election agent should ensure that the declaration is signed before submitting it to the Returning Officer.

Section A: Expenses and Payments

Under this section, the principal election agent is required to provide a summary of all expenditure incurred by the sub-agent(s) on behalf of the GRC candidates.

The expenditure shall be broken down into the categories as listed in the form below:

- (a) Remuneration of election agents, polling agents and counting agents, etc;
- (b) Advertising and printing of promotional materials;
- (c) Transport;
- (d) Stationery, office supplies and postage;
- (e) Fax machines, telephone and other means of communication;
- (f) Furniture and equipment rental;
- (g) Office rental and utilities for election meeting, committee room, etc;
- (h) Food, refreshments and accommodation; and
- (i) Miscellaneous expenses.

No item of expenditure should be reported under more than one category of spending. The principal election agent must record the amount accurately and put it into the category which seems to fit best. For example, the cost in connection with preparing and producing campaign materials like posters, leaflets and banners should be recorded in the "Advertising and printing of promotional materials" category.

If no expenditure has been incurred under that category of spending, the word 'Nil' should be recorded on the form.

If there is not enough room on the page to list all items within a defined category, attach a separate sheet.

For every single item of expenditure, details should be provided with regards to:

- the number on the relevant receipt, payment voucher or cheque that has been submitted in support of the item;
- the amount paid;
- the full name of the sub-agent who made payment; and
- the names of the candidates for whom the sub-agent is acting on behalf of, and the amount of expenditure apportioned by agreement to each candidate.

The total amount of expenditure apportioned to each candidate should be recorded in the appropriate box at the bottom of the table. This apportioned figure must not exceed the amount the sub-agent is authorised to spend by the election agent.

Section B: Disputed and Unpaid Claims

(1) Disputed Claims

Claims for payment of election expenses are legally required to be paid no later than 28 days after the day on which the result of the election is published in the Government Gazette.

If the sub-agent disputes any claim in respect of election expenses incurred collectively by a group of candidates, and refuses or fails to pay the claim within the specified time period of 28 days, details of such a claim should be provided in this section.

For each disputed claim, details should be provided in regard to:

- the name and address of the claimant;
- a description of the item or service to which the claim relates;
- the name of the sub-agent against whom the claim is made;
- the amount in dispute; and
- the names of the candidates for whom the sub-agent is acting on behalf of, and the amount of disputed claim apportioned to each candidate.

Please cross out this section if not applicable.

(2) Unpaid Claims

Claims for payment of election expenses are legally required to be submitted not later than 14 days after the date of publication of the election results in the Government Gazette.

Where a claim in respect of election expenses incurred collectively by a group of candidates is not sent in to the sub-agent within the 14-day deadline, details of such a claim should be provided in this section.

For each unpaid claim, details should be provided in regard to:

- the name and address of the claimant;
- a description of the item or service to which the claim relates;
- the name of the sub-agent against whom the claim is made;
- the amount in dispute; and

- the names of the candidates for whom the sub-agent is acting on behalf of, and the amount of unpaid claim apportioned to each candidate.

Please cross out this section if not applicable.

9.8. Post-election donation report and declaration

A candidate and his or her election agent must also submit a Post-election Donation Report and Declaration (Forms 6 & 7) to the Registrar of Political Donations at the same time as the returns of elections expenses. The reporting period to be covered by the Post-Election Donation Report begins on the date of the candidate's pre-election declaration and ends on the date of the candidate's post-election declaration. The forms must reach the Registrar of Political Donations within 31 days after the publication of the statement of the poll.

As the details of donations would have been set out in the Return of Election Expenses form, the post-election Donation Report and Declaration requires disclosure only of details of any single donation accepted in the reporting period amounting to S\$10,000 or more, and any series of donations from the same permissible donor adding up to S\$10,000 or more, accepted during the reporting period. Together with the donation report, candidates must declare that they have not received any anonymous donation totaling \$5,000 or more. For more details on political donations, candidates and election agents should read the Political Donations Act 2000 Handbook, Part III of the Political Donations Act and the Political Donations Regulations.

10. CORRUPT AND ILLEGAL PRACTICES

10.1. Corrupt practices

A person convicted of a corrupt practice under the Parliamentary Elections Act will not be allowed to do the following things for seven years from the date of his conviction:

- (a) register as an elector;
- (b) vote at an election;
- (c) be elected as the President or a Member of Parliament; and
- (d) be appointed as an election agent.

If he is convicted while he is a Member of Parliament, he will have to vacate his office immediately from the date of his conviction.

The following acts constitute corrupt practices under the Parliamentary Elections Act:

- (a) aiding, abetting, advising or getting hold of a person to cast the vote in the name of someone else (personation);
- (b) treating, undue influence or bribery as defined in the Parliamentary Elections Act;
- (c) during the period beginning from the day the Writ of Election is issued for an election and ending on the eve of Polling Day at the election, publish any election advertising (in print, Internet or otherwise) which does not bear the names and addresses of its printer or its publisher and the person for whom the election advertising is published (see the "published-by" requirements in paragraphs 4.2.1 and 4.2.5 of this guide);
- (d) make or publish, before or during any election, for the purpose of affecting the return of any candidate, any false statement of fact in relation to the personal character or conduct of the candidate;
- (e) make or publish, before or during any election, for the purpose of promoting or procuring the election of any candidate, any false statement of the withdrawal of any other candidate at the election; or
- (f) being a candidate or election agent, knowingly make the declaration as to election expenses falsely.

10.2. Illegal practices

A person convicted of an illegal practice under the Parliamentary Elections Act will not be allowed to do the following things for three years from the date of his conviction:

- register as an elector;
- vote at an election; and
- be elected as the President or a Member of Parliament.

If he is convicted while he is a Member of Parliament, he will have to vacate his office immediately from the date of his conviction.

It is an illegal practice for candidates to spend more than the maximum amount allowable under the law. But take note that this amount does not include candidates' personal expenses or fees paid to their election agents that amount to \$500 or less.

It is also an illegal practice to expend on the following acts for the purpose of swaying the voters' choice of candidate (or group of candidates):

- convey voters to and from the poll whether by means of hiring any form of transport or otherwise;
- pay any elector or voter to use a house, land, building or premises for the exhibition of an address, bill or notice; or
- pay any elector or voter to exhibit an address, bill or notice on a house, land, building or premises.

No one is allowed to use a vehicle for the transportation of electors or voters to or from the polling station, except when the vehicle is used to transport himself or his immediate family members to and from the polling station.

Election agents may also commit an illegal practice if they do not follow the law relating to claims and payments for election expenses. They should not make any payment to a claim if the claim is made to them after 14 days from the date of publication of the election results in the Government Gazette. He should also ensure that if a claim is made legally, the payment must be made with 28 days of the afore-mentioned date.

11. IMPORTANT REMINDERS TO PARLIAMENTARY ELECTION CANDIDATES

11.1. Do's and Don'ts for Candidates

This list is not exhaustive.

DO's	DON'TS
PRE-NOMINATION	
<p>Do familiarise yourself with the law on parliamentary elections if you are thinking of standing as a candidate at a parliamentary election.</p>	<p>Do not consider yourself divested of all responsibility for complying with election law by appointing an election agent.</p>
<p>Do apply early to –</p> <ul style="list-style-type: none"> • the Registrar of Political Donations for a Political Donations certificate; and • the Malay Community Committee or the Indian and Other Minority Communities Committee if you intend to stand for election in a GRC. 	<p>Do not wait until the 2nd day before Nomination Day to apply to –</p> <ul style="list-style-type: none"> • the Registrar of Political Donations for a Political Donations certificate; and • the Malay Community Committee or the Indian and Other Minority Communities Committee if you intend to stand for election in a GRC.
<p>Do fill up your name and particulars, and ensure that the names and particulars of your proposer, seconder and assentors in the current registers of electors are filled up correctly in Form 9 or 9A.</p> <p>Make sure the proposer, seconder and assentors are all registered voters in the constituency which you seek election in.</p>	<p>Do not leave any blanks in the Form 9 or 9A or any part that requires signature blank.</p>

DO's	DON'TS
<p>Do ensure that you consent to being a candidate and make the declarations required in Form 9 or 9A before a Commissioner for Oaths of a Justice of the Peace.</p>	<p>Do not make a false declaration regarding your qualifications to stand for election as an MP. In the case of an election in a GRC, do not make a false declaration as to which party you are standing for or as to whether you are an independent.</p>
NOMINATION DAY	
<p>Do present your nomination papers together with the Political Donations certificate and (in the case of an election in a GRC) the certificate(s) from the Malay Community Committee or the Indian and Other Minority Communities Committee personally to the Returning Officer at the designated place of nomination on Nomination Day for that election.</p>	<p>Do not forget to be accompanied by your proposer, seconder and at least four assentors named in your nomination paper and bring along your NRIC or passport when you deliver your nomination papers and other certificates at the place of nomination on Nomination Day for that election.</p>
<p>Do remember to pay the election deposit in full before 12 noon of Nomination Day.</p>	<p>Do not issue a personal cheque to pay the election deposit; only cash, certified cheques and bankers' drafts are acceptable.</p>
CAMPAIGN PERIOD	
<p>Do appoint an election agent before any campaign contributions are accepted, or any election expenses are incurred.</p> <p>Do ensure that proper accounts of the election expenses are maintained and make sure that your election agent understands his role and obligations.</p>	<p>Do not allow anyone other than the following persons to incur your electoral campaign expenses:</p> <ul style="list-style-type: none"> • Election agent; • Political party (or authorised officer of the party) for whom the candidate is standing for (with written authorisation from the candidate's election agent); and

DO's	DON'TS
	<ul style="list-style-type: none"> • Election agents of other candidates in the same GRC group (with written authorisation from the candidate's election agent).
<p>Do submit a copy of each type of poster and a design of each banner to the Returning Officer before causing them to be displayed.</p>	<p>Do not allow the display of posters and banners in excess of the maximum number of posters and banners specified in the permit issued by the Returning Officer.</p>
<p>Do ensure that every poster and banner displayed (including those on the perambulating vehicles) has affixed a stamp bearing the official mark of the Returning Officer.</p> <p>Do remove all posters and banners within the period specified by the Returning Officer after Polling Day.</p>	<p>Do not display posters and banners within a radius of 200 metres of any polling station.</p> <p>Do not remove or deface the posters and banners displayed by other parties and candidates.</p>
<p>Do submit to the Returning Officer the particulars of everyone whom you or your election agent has authorised in writing to conduct election activity.</p>	<p>Do not issue the written authority to conduct election activity until the end of Nomination Day proceedings.</p>
<p>Do register your election office or offices with the Returning Officer before Polling Day.</p>	<p>Do not set up your election office within a radius of 200 metres of any polling station.</p> <p>Do not set up more than one election office for each polling district in the constituency that you are contesting in.</p>

DO's	DON'TS
<p>Do declare to the Returning Officer all Internet platforms maintained by you or on your behalf and on which you display or intend to display election advertising –</p> <p>a) within 12 hours after the start of the campaign period; and</p> <p>b) in advance before any Internet election advertising is published after those 12 hours.</p>	<p>Do not conduct election advertising on the Internet or otherwise without indicating on the advertising the name and address of the publisher of the election advertising, and for whom and at whose direction the election advertising is published.</p>
<p>Do apply for a Police procession permit if you or your party members and election workers wish to use goods vehicles fitted with audio broadcasters and/or elections related posters and banners for campaigning purposes.</p>	<p>Do not carry out election activities like public speaking during the campaigning period without first obtaining the relevant permit from the Police.</p>
<p>Do ensure that your polling agents, counting agents or other supporters do not wear, carry or display any badge, symbol, flag, advertisement, poster and placard as political propaganda on the eve of Polling Day and Polling Day.</p>	<p>Do not canvass for votes, distribute election advertising or undertake any electioneering activities on eve of Polling Day and Polling Day.</p>
<p>Do ensure that your election agent appoints your polling agents early and notifies the presiding officers in writing of the particulars of polling agents who will be present at that polling station.</p>	<p>Do not allow more than one polling agent per local polling place, or more than one polling agent per overseas polling station, to be appointed.</p>

DO's	DON'TS
POLLING DAY	
<p>Do remember to complete the Oath of Secrecy form and bring it with you when you visit the first polling station in the constituency that you are standing in.</p>	<p>Do not breach the requirements on secrecy of the ballot. This is an essential part of our democracy.</p>
<p>Do comply and ensure that your polling agents comply with all reasonable requests made by election officials in the polling station to ensure smooth and orderly poll.</p>	<p>Do not interfere with the work of the polling officials or any aspect of the polling process.</p> <p>Do not use threats, intimidation, deception or fraud to persuade voters to vote in a particular way.</p>
<p>Do be present at the polling station at 7:45 am before polling begins, and at 8:00 pm at the close of polling if you and your polling agent wish to witness the sealing of the ballot boxes.</p>	<p>Do not communicate to any person the name or number on the register of electors of any elector who has or has not voted at the polling station.</p> <p>Your polling agents must not take their register of electors with them when they leave the polling stations.</p>
COUNTING	
<p>Do appoint your counting agents well ahead in time. You may appoint one counting agent at every counting place in the constituency you are contesting in to observe the proceedings of the count. For counting of votes cast overseas, you may appoint one counting agent to observe the counting.</p>	<p>Do not forget to issue the written authority to the persons acting as your counting agent. Without this form, the election officials can refuse permission for a counting agent to enter the counting centre.</p> <p>Do not touch the ballot papers during the counting of votes. Make no attempt to read the serial number</p>

DO's	DON'TS
	printed at the back of each ballot paper at any time.
POST-ELECTION	
	Do not forget to remove all posters and banners after Polling Day. This must be done within the period specified by the Returning Officer in the poster/banner permit.
<p>Do submit a return of election expenses and true declaration to the Returning Officer within 31 days after the date of publication of the election results in the Gazette.</p> <p>For GRC candidates, a declaration and consolidated return of election expenses incurred by the sub-agents (if any) are to be submitted to the Returning Officer within 31 days after the date of publication of the election results in the Gazette.</p>	Do not make payment for claims and election expenses later than 28 days after the date of publication of the election results in the Government Gazette.
Do submit a post-election donation report and true declaration to the Registrar of Political Donations within 31 days after the date of publication of the election results in the Gazette.	Do not, in the 12 months before the election, accept contributions from impermissible sources, and do not accept anonymous donations totaling \$5,000 or more.

12. FORMS IMPORTANT TO CANDIDATES AND ELECTION AGENTS

12.1. Election forms

Below is a list of forms that are important to candidates and their agents in running an election. The forms may be either downloaded from the candidates portal (<https://candidatesguide.elections.gov.sg>) or obtained from the Elections Department.

When the Forms will need to be used	Form
Before Issue of Writ	<ol style="list-style-type: none"> 1. Application for Certificate (<i>Malay Community</i>) [Cap. 218, Form A] 2. Application for Certificate (<i>Indian and other Minority Communities</i>) [Cap. 218, Form A] 3. Pre-Election Donation Report [Cap. 236, Form 3] 4. Pre-Election Declaration [Cap. 236, Form 4]
From Issue of Writ to Nomination Day	<ol style="list-style-type: none"> 1. Nomination Paper (<i>SMC</i>) [Cap. 218, Form 9] 2. Nomination Paper (<i>GRC</i>) [Cap. 218, Form 9A] 3. Name for Ballot Paper Form [Form EC44] 4. Appointment of Election Agent(s) (and Principal Election Agent) Form [Form EC45A/45B] 5. Particulars of (Principal) Election Agent Form [Form EC45C/45D] 6. Appointment of One Other Person Form [Form EC46]
After Nomination Day to Polling Day	<ol style="list-style-type: none"> 1. Declaration of Platforms by Candidates: Form ELD 279 2. Form of Oath of Secrecy [Cap. 218, Form 18] 3. Form of Oath of Secrecy (with Letter of Appointment of Polling Agent) [Cap. 218, Form 18/EC161] 4. Authorisation of Sub-Agent(s) to Incur Election Expenses on Behalf [Form ELD 276] 5. Authorisation of Political Party/Authorised Officer of Political Party to Incur Election Expenses on Behalf [Form ELD 277] 6. Authority to Conduct Election Activity (<i>by Candidate</i>) [Cap. 218, Form 22]

When the Forms will need to be used	Form
	<ul style="list-style-type: none"> 7. Authority to Conduct Election Activity (<i>by Election Agent</i>) [Cap. 218, Form 23] 8. List of Persons Authorised to Conduct Election Activity (by Candidate or Election Agent) [Form EC 42/EC 42A] 9. Appointment of Counting Agent Form with Letter of Appointment of Polling Agent [Form 18/EC125] 10. Appointment of Counting Agent (At Counting Place for Overseas Votes) [Form EC 18/125B] 11. Return of Election Office(s) of Candidate Form [Form EC124] 12. Permit from Police to hold an election meeting 13. Permit from Police to use a perambulating motor vehicle
After Polling Day	<ul style="list-style-type: none"> 1. Return of Election Expenses [Cap. 218, Form 19] 2. Return of Consolidated Election Expenses [Cap. 218, Form 19A] 3. Declaration by Candidate [Cap. 218, Form 20] 4. Declaration by Principal Election Agent [Cap. 218, Form 20A] 5. Post-Election Donation Report [Cap. 236, Form 6] 6. Post-Election Declaration [Cap. 236, Form 7] 7. Statement of Election Expenses Incurred by Political Party/Authorised Officer of Political Party on Behalf [Form ELD 278] 8. Permit from Police for Post-GE Vehicle Procession
At any time an impermissible donation is received	<ul style="list-style-type: none"> 1. Surrender of Donations [Cap. 236, Form 11]
At any time	<ul style="list-style-type: none"> 1. Feedback from Candidates and Election Agents Form [Form ELD 272]

Overseas Polling Stations

Below is a list of the nine diplomatic missions where overseas polling stations are set up:

1. High Commission of the Republic of Singapore in Australia (Canberra);
2. High Commission of the Republic of Singapore in the United Kingdom (London);
3. Embassy of the Republic of Singapore in the United States of America (Washington D.C.);
4. Embassy of the Republic of Singapore in the People's Republic of China (Beijing);
5. Embassy of the Republic of Singapore in Japan (Tokyo);
6. Consulate-General of the Republic of Singapore in the Hong Kong Special Administrative Region of the People's Republic of China;
7. Consulate-General of the Republic of Singapore in the People's Republic of China (Shanghai);
8. Consulate-General of the Republic of Singapore in the United States of America (San Francisco); and
9. Consulate of the Republic of Singapore in the United States of America (New York).

**INFORMATION FOR PARLIAMENTARY ELECTION
CANDIDATES & THEIR AGENTS
2011**

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