

**Wrap Up Speech by Mr Chan Chun Sing,
Minister for Trade and Industry, for the Prime Minister,
on the Parliamentary Elections
(COVID-19 Special Arrangements) Bill
on Monday, 4 May 2020**

Introduction

Mr Speaker, Sir, let me first thank Members who spoke on this Bill. I will address the points specific to the Bill first, before I cover the other points.

Points specific to the Bill

Voting right; more can vote with the Bill provisions

2 Ms Anthea Ong expressed her concern that the Bill deprives certain voters of their right to vote. This is a misconception. The Bill does not take away anyone's right to vote. Rather, the special arrangements in the Bill will in fact allow **more** voters to vote.

3 Under the Infectious Diseases Act, a voter on QO, or SHN cannot leave his or her place of isolation or accommodation without the permission of the Director of Medical Services.

4 However, this Bill enables special arrangements to be made to allow those on SHN staying at designated facilities to vote under special arrangements that will minimise their contact with other voters. Thus, the arrangements afforded by this Bill should allay concerns among the wider voting population who might otherwise be dissuaded from voting because of in-person voting by those under SHN. To use Ms Ong's own words, Singaporeans should not have to choose between voting and protecting themselves and their families. As for those on QO, fewer than 1,000 Singaporeans of voting age are on QO as of yesterday, and certainly not as many as Ms Ong asserts.

5 As Ms Sylvia Lim has noted, the Bill merely recognises that voters who are under QO or an SHN at home have a legitimate reason for not voting because of the COVID-19 situation. Because voting is compulsory, the Bill makes clear that being on QO or SHN at home provides an adequate reason to them for not voting and these voters will thus be entitled to have their names restored to the relevant register of electors, without paying the \$50 penalty.

6 To Ms Lim's question, the Elections Department will consult MOH and MHA nearer the election date, to assess if the public health risks of allowing these two categories of voters to leave their homes and making special arrangements for them to vote in-person at polling stations can be managed.

Advisory from the Returning Officer and Director of Medical Services

7 Mr Zainal Sapari asked about Clause 8, which provides for the Returning Officer and the Director of Medical Services to advise voters who are unwell to be socially responsible and not turn up to vote at the polling station. Public health issues still need to be addressed even during an election and our officials should not be prevented from doing so because of the offence that is in section 81(1) of the Parliamentary Elections Act. I would add that this clause only applies to public advisories for the awareness of voters in general and is not directed at any particular voter or voters. Voters will be required to comply with the directives of the Returning Officer or the Director of Medical Services. This is to ensure the safety of others, and the Election Officials will explain this to the voters.

Safety measures, regulations and resources to operate special polling stations

8 Mr Louis Ng asked about the powers vested in the Minister to make regulations allowing voters subject to COVID-19 stay orders to vote without leaving their boarding premises. Let me assure Mr Ng that any regulation required for the operation of the special polling stations will have to be consistent with the principles of the Parliamentary Elections Act, such as one-man-one-vote and voting secrecy. The process, if we need to do this, will include extra steps that ensure that the correct voter receives an authentic ballot paper, remind him or her to vote freely and in secret, and that ensures the secure return of his or her marked ballot in secret for counting. We will also ensure there is transparency as candidates – independent or representing a political party – and their polling agents can be present to observe the proceedings.

Resource challenges to candidates/political parties

9 Mr Ng and Mr Zainal highlighted the potential resource challenges for candidates and political parties if there are too many special polling stations. Let me assure Members that the Elections Department will work with the relevant agencies to minimise the number of special polling stations to be set up. Based on current numbers, we do not expect more

than a few polling stations to be set up in the designated facilities. Just to give a bit of context, we have over 800 polling stations around the island. I would also like to assure Assoc Prof Walter Theseira and Ms Lim that the intention is to enable every voter serving SHN at designated facilities to vote.

10 Ms Lim also asked about the rationale for requiring at least 2 or more voters to be from the same constituency before setting up a special polling station. This is to address concerns on the secrecy of the vote where there is a lone SHN voter. In such a case, the Bill provides the flexibility of transporting the lone SHN voter together with others to a larger special polling station. If this is necessary, the Elections Department will put in place the necessary safeguards. I would add that the offences of treating, undue influence and bribery in the Parliamentary Elections Act still apply in such a situation. But let me assure Members that unless the number of SHN voters spikes, the Elections Department's preference is to conduct polling within the designated facilities rather than transporting the voters to special polling stations outside.

Nomination

11 On Ms Lim's questions pertaining to the Power of Attorney to be executed by an aspiring candidate who is unable or unfit to file his nomination papers in person, the aspiring candidate can engage a lawyer to prepare the Power of Attorney to expressly authorise the representative to represent and act on behalf of the aspiring candidate at nomination proceedings. This must include an authorisation to submit nomination papers and raise objections to the nomination papers of other candidates. The Bill also does not prevent a GRC candidate or an assentor of the group from doubling up as a representative of another aspiring candidate of the GRC who happens to be unwell as long as he is in possession of the required Power of Attorney.

Safety precautions

12 Let me now move on to the issue of safety precautions for elections conducted under COVID-19, which have been raised by various members including Ms Lim, Ms Ong, Mr Ng and Mr Ong Teng Koon. I would like to assure the House that the Elections Department will put in place the necessary measures to protect candidates, voters and election officials to ensure a safe election. In drawing up these measures, the Elections Department will abide by the prevailing advisories issued by MOH for health and MHA for security. The Elections Department is also studying

the experiences of countries that have held elections during pandemics such as South Korea. In the case of South Korea, they implemented precautionary measures such as temperature screening, safe distancing and requiring voters to wear masks and plastic gloves. Another useful observation from the South Korea elections is the wide use of collaterals such as videos and infographics to assure the voters of the precautionary measures being put in place. As a result, they had a record turnout at the elections. The South Korean health authority also recently concluded that there were no local transmission cases arising from the elections. Their experience shows that it is possible to run a safe and smooth election during COVID-19, provided we have in place the necessary safety precautions and voters are assured of the safety of the election.

13 Beyond the best practices from South Korea, the Elections Department will also consider Mr Ong's suggestions to increase the number of polling stations and even out the flow of voters across polling hours. This is something that the ELD has started studying. As the COVID-19 situation is evolving, the Elections Department will share the details nearer the General Election. So, the ideas of staggered hours, temperature taking, disinfecting the polling booths more frequently, gloves, all these are part of the study, and ELD will make public its recommendations and advice before the election, to give everybody and every party the necessary time for their preparations.

14 Finally, although Mr Ng's question about educating voters and candidates about the use of electronic registration and other new equipment are outside the scope of the Bill, let me just respond briefly to say that we do recognise the importance of public education, and will be putting out information on the use of electronic registration and other equipment together with the precautionary measures to address the COVID-19 situation.

Online and electronic voting

15 Let me now move on to the next issue touched on by Mr Ong and Assoc Prof Walter Theseira about online voting. We have not implemented online voting as it is difficult to prevent impersonation and ensure voting secrecy. Even with SingPass, we do not know for sure if the vote is cast by the person himself or by another person who is assisting him. For a voter to be sure that his online vote is accurately recorded for audit purpose, present-day IT verification systems will require the system to also retain information on the voter's choice, which will compromise voting secrecy. In addition, there are system reliability issues

and security risks, such as vulnerability to hacking and cyber-attacks. It is not possible to have polling agents present during online voting. So, Assoc Prof Walter Theseira raised a philosophical point. We have two considerations for the voting process - first, the verification of the voter's identity; and second, voting secrecy. Now, this is fundamentally different from a bank transaction. A bank transaction verifies the identity of the person transacting. At the same time, there is an audit trail to allow any dispute to be settled thereafter. In a voting situation, it is quite different. We want to verify the identity of the voter, and yet at the same time, we have to assure the voter of the secrecy of his vote, which means that he must be assured that it cannot be traced back to him. So, this is the fundamental issue which many countries have grappled with, and this is also the reason why we have not chosen to go on to online voting at this point in time, given the concerns of verification, voter's secrecy and security. These reasons were highlighted in an article in the 28 April issue of the Economist, on why voting online is not the way to hold elections during a pandemic.

Overseas voting

16 Now let me touch on overseas voting. Ms Ong and Mr Ng asked about Singaporean voters overseas. We want Singaporeans who have registered to vote overseas to be able to do so. But we must also recognise that COVID-19 has affected many cities around the world, to different extents and we do not know how it will evolve. So, for example, if there are unacceptable risks to the safety and health of overseas Singaporean voters and election officials, and if the physical conduct of polling in certain overseas locations is not possible, then we may have to abandon overseas voting in those locations as allowed under the Parliamentary Elections Act. This is a decision that will not be taken lightly. The Returning Officer will assess and monitor the situation for each overseas polling station after the Writ of Election is issued before making any such decision.

Campaigning

17 Next, let me touch on the issue of campaigning. Ms Lim, Ms Ong, Mr Ong and Assoc Prof Theseira asked about campaigning under COVID-19. This is outside the scope of the Bill as laid out in its long title. I will just briefly say that the Elections Department will share the guidelines for campaigning in due course taking into account the COVID-19 situation then. As the Parliamentary Elections Act and its subsidiary legislation cover only some aspects of campaigning like the regulation of election

advertising, with rallies and walkabouts covered under the Public Order Act, the Elections Department's practice has been to issue an advisory on campaigning guidelines together with other relevant authorities like the Police and the Ministry of Home Affairs. The Elections Department will also work with MOH on the health and safety aspects of campaigning before issuing its advisory. This will be done with sufficient time for political parties and aspiring candidates to prepare. Again, Assoc Prof Walter Theseira raised a philosophical point - what are the parts that should go into the rules in the main legislation, and what are the parts that we should move into the subsidiary legislation or regulations. In general, our philosophy must be this - for those things that are conducted in defined, structured environment, the fewer the variables, the more we are able to write it down in clear rules, and we should do that upfront. For those activities that are conducted in less structured environment, where things are evolving rapidly, then certainly, not everything can be written upfront, and whatever rules that we have to make for those activities, including campaigning activities, will have to take into consideration the prevailing health and security considerations by MOH and MHA respectively. And this is the reason why the Bill is structured in this way, things that are conducted in the polling station, where it is a structured environment, we will try to be as clear, as defined, and to let people know as early as possible. For those things like campaigning which is conducted in a less structured environment, which are most subject to the evolving health and security considerations, not all of that can be written down prior and not all of them may need to be written down, because then that will circumscribe the actions that may be possible in due course. So, that is the philosophy behind why the Bill is structured in this way.

Why arrangements are temporary

18 Now, let me address Mr Zainal's point. Mr Zainal asked why are the special arrangements provided in the Bill temporary and not permanent. These arrangements are specifically to deal with conducting an election under the COVID-19 situation, which we all hope is temporary. But I agree with Mr Zainal that if there are provisions which are relevant for future elections, we will include these provisions when we next amend the Parliamentary Elections Act.

Timing of election

19 Next, let me touch on the issue on the timing of election, which is not a part of this Bill. Ms Lim, Ms Ong and Mr Ong commented on the timing of General Election. As Mr Ong has articulated, SM Teo Chee

Hean has explained in his reply to this House on 25 March 2020 that it is unconstitutional to delay an election beyond the required time-frame of April 2021, and for the President to appoint a caretaker government. Let me reiterate that this Bill allows the Elections Department to make contingency plans for the next General Election. It is **not** related to the timing of the General Election. It will be for Prime Minister to consider what is in the best interests of Singapore and Singaporeans, and make the decision on when to call the next General Election.

20 Ideally, we would all like to conduct elections in normal conditions, but it is uncertain when the COVID-19 situation will stabilise. However, as South Korea has shown, holding an election during COVID-19 is possible, but there must be adequate precautionary measures in place to safeguard the well-being of voters, candidates and election officials, and it will be prudent and responsible of us to make those necessary contingency plans ahead of time.

Conclusion

21 Mr Speaker, let me conclude. In a few short months, the way we live, work and interact with others has changed drastically. Will we revert to the pre-COVID-19 norms? Nobody knows. But we cannot plan on the basis that it will. Instead, we need to plan ahead, and put in the necessary measures, so that we can hold elections safely even under the new and evolving COVID-19 norms.

22 This Bill allows the Elections Department to implement temporary arrangements to ensure the safety of voters, candidates and election officials, should the next General Election take place under the COVID-19 situation. This is the responsible thing to do – to consider the prevailing circumstances, and plan as robustly as possible – so that we can take care of the well-being of Singaporeans, while upholding democracy in Singapore.

23 With that, Mr Speaker, I beg to move.