

PRESS RELEASE

STATEMENT BY RETURNING OFFICER

Rejection Of Workers' Party Nomination Papers At Poi Ching Nomination Centre

Invalid Statutory Declaration

The law requires a valid statutory declaration to be filed during nomination proceedings. It is the document by which the aspiring candidate positively affirms his qualification to stand for election in a particular constituency. Any false declaration would be an offence and this, and any other defect could open the candidate, if returned, to an election petition.

The Parliamentary Elections Act requires all nomination papers, including the Statutory Declaration, to be completely and properly filled out and properly executed. The Statutory Declaration form (Form 10), which is an integral part of the nomination papers, is straightforward to fill. Amongst 119 candidates in this General Elections, only the five Workers' Party (WP) members got it wrong. Of this five, three had contested in previous elections, and the three had got it right then.

What was omitted by the WP candidates in each of their Statutory Declarations was the constituency they wanted to stand in. This is a material omission, which is not curable under the Parliamentary Elections Act. It is critical information because each nomination centre covers several electoral divisions. Poi Ching School was the nomination centre for 2 constituencies, Aljunied and Tampines.

What the WP candidate did subsequently was not merely fill in a missing detail. He made an amendment to already affirmed declarations, without reaffirmation, and then attempted to submit the amended but not re-affirmed Statutory Declarations as valid Statutory Declarations. The Statutory Declarations were by then invalid and could not be acted upon. The actions of the WP candidates in submitting such altered declarations was also highly improper and may amount to an offence in itself.

The Workers' Party commented that election officials did not offer them any advice or help. Election officials cannot offer any advice or assistance. Otherwise, they run the risk of being accused of favouring one party or the other, and open the whole process to malpractice. They are impartial administrators of the election process. It is the responsibility of the contending parties to ensure that the nomination papers are in order.

Workers' Party Appeal

Workers' Party Secretary-General Mr Low Thia Kiang submitted an appeal to the Returning Officer against the rejection of the nomination papers. The Returning Officer replied yesterday that he has no power in law to entertain the appeal. The proper recourse is to file an election petition in accordance with the Parliamentary Elections Act.

Workers' Party's 1997 Episode

It was reported in the media that though the Workers' Party had similar difficulties with Statutory Declarations in the 1997 General Elections, the election officials had accepted defective Statutory Declarations then. This is not true. The 1997 episode was entirely different from the current one.

The 1997 Statutory Declarations were in order, and were posted up together with the respective nomination papers. The PAP candidates challenged the validity of the Statutory Declarations. The election officials then overruled the PAP challenge, because the Statutory Declarations were certainly in order, in the first place.

Independent Candidate Ooi Boon Ewe's Objections

Mr Ooi had filled in the distinguishing numbers of his proposer, seconder and assentors with the polling district prefixes EC-EC-xx, whilst PAP candidate Mr Chan Soo Sen used the prefixes JC-EC-xx. Mr Ooi objected to the nomination papers submitted by Mr Chan, on the mistaken basis that because the prefixes were different, Mr Chan's proposer, seconder and assentors were not electors from Joo Chiat. The objection was overruled, as all of them are indeed Joo Chiat electors in the certified electoral register.

When the new electoral register was issued in the evening of 17 Oct 2001, after the electoral boundaries were redrawn with Joo Chiat SMC carved out of the former East Coast GRC, the designation EC-EC-xx signifying its origins appeared together with the new JC-EC-xx designation. Mr Ooi used the old designation. In the event, either set of polling district prefixes conclusively identified both sets of proposers, seconders and assentors as bona fide Joo Chiat electors.

ELECTIONS DEPARTMENT
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