

CERTIFICATES OF ELIGIBILITY ISSUED FOR PRESIDENTIAL ELECTION 2011

The Presidential Elections Committee received six applications for the Certificate of Eligibility, and decided to issue four certificates.

Presidential Elections Committee

2 To qualify as a candidate for the Presidential Election, every candidate requires a certification as to integrity, good character and reputation from the Committee under Article 19(2)(e) of the Constitution. An individual who has held office for not less than three years in one of the appointments listed in Articles 19(2)(g)(i), 19(2)(g)(ii) and 19(2)(g)(iii) would not need further certification under Article 19(2)(g)(iv).

3 The function of the Committee is to ensure that prospective candidates qualify to stand for election as President under Article 19(2)(e) or both Articles 19(2)(e) and 19(2)(g)(iv). Specifically, each prospective candidate is required to satisfy the Committee that:

- a. he or she is a person of integrity, good character and reputation (Article 19(2)(e)); and
- b. if applying for qualification under Article 19(2)(g)(iv), he or she should have held office for not less than three years in any other similar or comparable position of seniority and responsibility in any other organisation or department of equivalent size or complexity in the public or private sector which, in the opinion of the Committee, has given him or her such experience and ability in administering and managing financial affairs as to enable him or her to carry out effectively the functions and duties of the office of President.

Applications Received

4 The Committee received applications from the following individuals:

- a. Mr Tan Kin Lian
- b. Dr Tony Tan Keng Yam
- c. Mr Ooi Boon Ewe
- d. Dr Tan Cheng Bock

- e. Mr Tan Jee Say
- f. Mr Kuan Yoke Loon Andrew

5 The Committee deliberated on the merits of each application, taking into account the information provided by the applicant and obtained from various government agencies.

Certificates Issued

6 The Committee issued four Certificates of Eligibility to Mr Tan Kin Lian, Dr Tony Tan Keng Yam, Dr Tan Cheng Bock and Mr Tan Jee Say.

7 Of the six applicants, Dr Tony Tan Keng Yam and Dr Tan Cheng Bock applied for certification under Article 19(2)(e) only. Based on the information available to the Committee, it is satisfied that Dr Tony Tan Keng Yam and Dr Tan Cheng Bock are men of integrity, good character and reputation.

8 Mr Tan Kin Lian applied for certification under Articles 19(2)(e) and 19(2)(g)(iv). Based on the information available to the Committee, it is satisfied that he is a man of integrity, good character and reputation. The Committee noted that Mr Tan had been the Chief Executive Officer of NTUC Income Insurance Co-operative Limited for more than 3 years. NTUC Income is a co-operative and had a paid-up capital of more than \$100 million in the years preceding his departure in 2007. The Committee is of the opinion that the organisation is comparable in size and complexity to a company with a paid-up capital of \$100 million. Mr Tan has the experience and ability to satisfy the requirements in Article 19(2)(g)(iv).

9 Mr Tan Jee Say applied for certification under Articles 19(2)(e) and 19(2)(g)(iv). Based on the information available to the Committee, it is satisfied that he is a man of integrity, good character and reputation. As the Regional Managing Director of AIB Govett (Asia) Limited, Mr Tan had overall responsibility for the company's operations. The Committee is therefore of the view that Mr Tan held a position of comparable seniority and responsibility as a Chief Executive Officer. The Committee is also of the view that AIB Govett (Asia) Limited is an organisation of equivalent complexity when compared to companies in Singapore with a paid-up capital of \$100 million. Mr Tan has the experience and ability to satisfy the requirements in Article 19(2)(g)(iv).

Unsuccessful Applications

10 Mr Ooi Boon Ewe submitted an incomplete application form. He subsequently updated his application and in a written clarification acknowledged that he did not qualify under Article 19(2)(g)(iv) and asked for a waiver from this requirement. The Committee has no power to waive any of the qualifications for the office of President. In view of Mr Ooi's own written acknowledgement, the Committee decided that Mr Ooi does not qualify under Article 19(2)(g)(iv). It was not necessary to consider if he would qualify under Article 19(2)(e).

11 Mr Kuan Yoke Loon Andrew applied for certification under Articles 19(2)(e) and 19(2)(g)(iv). For the latter, the application was made on the basis of Mr Kuan's position as the Group Chief Financial Officer of JTC Corporation between 2001 and 2004. The Committee is of the view that the seniority and responsibility of the Group Chief Financial Officer are not comparable to the positions in Articles 19(2)(g)(i), 19(2)(g)(ii) and 19(2)(g)(iii). The Committee therefore decided that Mr Kuan does not qualify under Article 19(2)(g)(iv). It was not necessary to consider if he would qualify under Article 19(2)(e).

PRESIDENTIAL ELECTIONS COMMITTEE

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For media enquiries, please contact:

1. Mr Philip Sim
6332 4505
philip_sim@mica.gov.sg
2. Mr Lea Yi-Long
6332 4505
lea_yi-long@mica.gov.sg

Article 19 of the Constitution

Qualifications and Disabilities of President

19. —(1) No person shall be elected as President unless he is qualified for election in accordance with the provisions of this Constitution.

(2) A person shall be qualified to be elected as President if he —

- (a) is a citizen of Singapore;
- (b) is not less than 45 years of age;
- (c) possesses the qualifications specified in Article 44 (2) (c) and (d);
- (d) is not subject to any of the disqualifications specified in Article 45;
- (e) satisfies the Presidential Elections Committee that he is a person of integrity, good character and reputation;
- (f) is not a member of any political party on the date of his nomination for election;
and
- (g) has for a period of not less than 3 years held office —
 - (i) as Minister, Chief Justice, Speaker, Attorney-General, Chairman of the Public Service Commission, Auditor-General, Accountant-General or Permanent Secretary;
 - (ii) as chairman or chief executive officer of a statutory board to which Article 22A applies;
 - (iii) as chairman of the board of directors or chief executive officer of a company incorporated or registered under the Companies Act (Cap. 50) with a paid-up capital of at least \$100 million or its equivalent in foreign currency; or
 - (iv) in any other similar or comparable position of seniority and responsibility in any other organisation or department of equivalent size or complexity in the public or private sector which, in the opinion of the Presidential Elections Committee, has given him such experience and ability in

administering and managing financial affairs as to enable him to carry out effectively the functions and duties of the office of President.

(3) The President shall —

- (a) not hold any other office created or recognised by this Constitution;
- (b) not actively engage in any commercial enterprise;
- (c) not be a member of any political party; and
- (d) if he is a Member of Parliament, vacate his seat in Parliament.

(4) Nothing in clause (3) shall be construed as requiring any person exercising the functions of the office of President under Article 22N or 22O to —

- (a) if he is a member of any political party, resign as a member of that party; or
- (b) vacate his seat in Parliament or any other office created or recognised by this Constitution.

Section 8 of Presidential Elections Act (Chapter 240A)

Certificate of Eligibility

8. —(1) At any time after the date referred to in section 6(1)(a) or such date which is 3 months before the date referred to in section 6(1)(b), whichever is the earlier, but in any case not later than 3 days after the date of the writ for an election, every person who desires to be elected to the office of President shall apply in the prescribed manner to the Presidential Elections Committee for a certificate in the prescribed form.

(1A) The certificate referred to in subsection (1) shall certify, for the purposes of an election —

- (a) that the Committee is satisfied that the person applying is a person of integrity, good character and reputation; and
- (b) where the person applying states that he desires to contest in an election by virtue of being qualified under Article 19(2)(g)(iv) of the Constitution, that the Committee is of the opinion that the person, having held office for a period of not less than 3 years in such position of seniority and responsibility in such organisation or department in the public or private sector as described in Article 19(2)(g)(iv) of the Constitution, has such experience and ability in administering and managing financial affairs as to enable him to carry out effectively the functions and duties of the office of President.

(2) If the Presidential Elections Committee, upon receipt of an application under subsection (1) —

- (a) is satisfied that the applicant is a person of integrity, good character and reputation; or
- (b) is of the opinion that the applicant has such experience and ability in administering and managing financial affairs as to enable him to carry out effectively the functions and duties of the office of President,

the Committee shall not later than the day before nomination day issue to the applicant the certificate referred to in subsection (1) containing the relevant certification.

(3) Any such certificate shall be final and shall not be subject to appeal or review in any court.