

PRESS RELEASE

MEASURES INTRODUCED TO INCREASE TRANSPARENCY AND ACCOUNTABILITY FOR PAID INTERNET ELECTION ADVERTISING AND OTHER AMENDMENTS TO SUBSIDIARY LEGISLATION UNDER THE PARLIAMENTARY ELECTIONS ACT

Amendments have been made to subsidiary legislation under the Parliamentary Elections Act to increase transparency and accountability on the use of paid Internet Election Advertising (IEA)¹ by election candidates and their election agents, political parties and authorised third party campaigners². Amendments have also been made to streamline procedures and update the existing subsidiary legislation for other forms of election advertising. The amendments come into effect on 8 Jun 2020.

Paid Internet Election Advertising

2 By strengthening disclosure requirements behind the use of paid IEA, the amendments will enhance accountability and better safeguard the integrity of the electoral process.

3 The key amendments are:

(a) Candidates must declare to the Returning Officer (RO) more details of paid IEA used

Existing: Candidates are required to submit an online declaration to the RO within 12 hours after the start of the campaign period, stating all the platforms they are using for IEA (whether paid or unpaid), and to subsequently declare any additional new platforms before using them. These declarations are put up on the ELD website for public access.

New: Candidates will need to additionally declare to the RO whether they are using paid IEA, and if so, provide further information on the type of services used (e.g. advertisement on a social media platform, blog advertorial within a website); the publisher of the paid IEA; the period that the paid IEA will appear; whether money was received for the placement of

¹ Paid Internet Election Advertising refers to an election advertising (a) that contains material relating to the election; (b) that is published on or using any Internet platform; and (c) in respect of which the proprietor or operator of the Internet platform (including a person initiating the publishing or sending of the advertising) has received or is to receive, directly or indirectly, any money or other consideration for the placement of the election advertising on or using the Internet platform. Initiating includes instigating the sending or publishing to persons not necessarily accessing the material e.g. programmatic advertising.

² Authorised third party campaigner in relation to a candidate or group of candidates, means a person who is acting within the authorisation issued to the person under section 83(2) of the Parliamentary Elections Act by the candidate (or the candidate's election agent) or the group of candidates (or those candidates' election agents) to conduct election activity.

the paid IEA from the candidate, his election agent, his political party or any other person. There is no change to the timing that the declaration must be made. A copy of the revised form is at Annex A.

(b) Paid IEA must state who paid for it

Existing: All election advertising must contain the name of the publisher and the name of every person for whom or at whose direction the election advertising is published, once the writ of election is issued.

New: For paid IEA, additional particulars must accompany the advertising, namely, that it was paid for by the candidate, political party or an authorised third party campaigner if the latter had paid for advertising. This can be by means of using words like “sponsored by” or “paid for by” on the IEA. A sample of illustrations is at Annex B.

(c) Candidates must clearly state, using a sub-item category in the election expenses returns, their expenses on paid IEA

New: The election expenses returns form submitted by candidates to the RO after the election has been revised to require the amount of expenses incurred on paid IEA to be clearly stated. A copy of the revised form is at Annex C.

4 From the start of the campaign period, only candidates, their political parties or authorised third party campaigners should publish paid IEA, in accordance with regulations under the Parliamentary Elections Act. Candidates using paid IEA must also comply with other provisions under the law, such as keeping within the campaign spending limits.

Other forms of election advertising

5 Changes have also been made to other forms of election advertising. The key amendments are:

(a) Display of allotted symbol on election poster/banner

Existing: Candidates are required to include on their election poster/banner the names of the printer, publisher and person at whose direction or for whom the election poster/banner is published, and affix the official stamp issued by the RO.

New: Candidates will be required to additionally include on their election poster/banner the symbol allotted to them by the Returning Officer, so that

it is clear to voters who the election poster/banner is for. (For candidates standing for election under a political party, their allotted symbol will be the political party's logo.)

(b) Political parties may lodge on their candidates' behalf the same election poster/banner for display across different constituencies

Existing: Candidates or their election agents are required to lodge a copy of their election posters/banners with the RO before display.

New: Political parties may lodge on their candidates' behalf the same election poster/banner to be displayed by its candidates across different constituencies. With this change, individual candidates standing for a political party will not need to separately lodge the same election poster/banner with the RO.

(c) Printed election advertising (i.e. posters/banners) will be streamlined from three to two maximum sizes

Existing: Candidates are allowed to display election posters/banners (i.e. printed election advertising) of different sizes during campaigning. There are three stipulated maximum sizes across Single Member Constituencies (SMCs) and Group Representation Constituencies (GRCs), and candidates can display up to a certain number of posters/banners for each size.

New: The size of printed election advertising will be streamlined to two maximum sizes, instead of three (see table below). This means an increase in the maximum size for small printed election advertising in SMCs.

Printed Election Advertising (i.e. posters/banners)		Maximum size	
		Existing	New
Small	SMC	85cm by 60cm	1.75m by 1.2m (streamlined to one size)
	GRC	1.75m by 1.2m	
Large	SMC	9m by 1.2m	9m by 1.2m (no change)
	GRC		

Candidates will also be allowed to display 25% more large printed election advertising (i.e. maximum size of 9m by 1.2m). This is computed based on 1 large printed election advertising to every 4,000 electors, instead of 1 to every 5,000 electors previously. (For example, for a 4-member GRC with 120,000 electors, the number allowed will increase from 24 to 30.)

(d) Expenses borne by candidates for removal of posters/banners that breach rules

Existing: Candidates whose election posters/banners breach rules (e.g. display at prohibited location such as MRT station) may be given a warning, required to pay a composition sum in lieu of prosecution, or prosecuted in Court.

New: Candidates will also be required to bear the expenses to remove the election posters/banners in breach of the rules. The amount to be borne for each removal of election poster/banner is S\$50, based on cost recovery, and must be declared as part of the candidates' election expenses.

(e) Update of list of items not treated as election advertising

Existing: A list of items that are generally of small value and small in size (e.g. pens, diaries, key chains) are exempted from the definition of "election advertising". This is mainly because they are too small to publish the names of the printer (if the item is in printed document form), publisher and person at whose direction or for whom the item is produced.

New: The list of items exempted from the requirement has been updated to include umbrellas and portable objects or articles of value less than \$10 and of volume less than 10cm x 10cm x 10cm. In addition, for an item to be exempted from this requirement, it must not contain or display content that is false or negative towards other candidates.

6 The list of subsidiary legislation amended is at Annex D.

ISSUED BY
ELECTIONS DEPARTMENT
PRIME MINISTER'S OFFICE

8 June 2020

Revised Declaration of Internet Election Advertising Form

1
2
3
4

Platform/Account & paid election advertising
Review
Declare
Confirmation

Your Internet election advertising platform/account & paid election advertising

Platform/Account

Please select ▼

Platform/Account description

▼

Platform/Account information
URL/Email address/Mobile phone no./Social media handle/Others

Are you using paid election advertising on this platform/account?

Yes No

Details of paid election advertising 1
 All fields are mandatory

Type of paid election advertising

Start date **End date**

e.g. 30 Apr 2019 e.g. 30 Apr 2019

Publisher of paid election advertising
This is the candidate, election agent, authorised officer of your political party or the person in possession of a written authority (i.e. Form 22/23 under the Parliamentary Elections Act) to conduct election activity signed by you or your election agent.

Please select ▼

Source of funding for paid election advertising

Please select ▼

Delete

+ Add new paid election advertising

Next
Cancel

Illustrations of Paid IEA

The paid IEA must state that it was paid for by the candidates, their political party or an authorised third party campaigner. This can be by means of using words like “sponsored by” or “paid for by”.

Acceptable



The paid IEA on the social media page of candidate “ABC” clearly states that he sponsored the ad.



The banner ad clearly states that the ad is published and sponsored by party “XYZ”.

Not Acceptable



If the social media page has not been declared by candidate “ABC” for his election advertising and the individual “GHI” has not been authorised by the candidate to publish paid IEA, the ad will not be allowed.



This banner ad is not allowed as it does not indicate who published and sponsored the ad.

Revised Election Expenses Returns Form

FORM 19

Section 74(1) and (2)

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)**RETURN RESPECTING ELECTION EXPENSES AND
DECLARATIONS BY CANDIDATE AND ELECTION AGENT**

ELECTORAL DIVISION	
NAME (<i>in block letters</i>)	NRIC NO.
CANDIDATE	
ELECTION AGENT	

*I, the above duly appointed election agent of the above candidate for election in the above Electoral Division, make this return respecting election expenses of the candidate at that election.

*I, the above candidate for election in the above Electoral Division and acting as my own election agent, make this return respecting my election expenses at that election.

This return respecting election expenses shows —

- (a) all payments made by the election agent;
- (b) the amount of personal expenses, if any, paid by the candidate;
- (c) the disputed claims so far as the election agent is aware of;
- (d) all unpaid claims, if any, of which the election agent is aware in respect of which application has been made or is about to be made to an Election Judge or a Judge of the High Court; and
- (e) all donations accepted by the election agent or the candidate for the purpose of expenses incurred or to be incurred on account of or in respect of the management of that election.

I declare to the best of my knowledge and belief that this is a complete and correct return as required by law and that, except for the expenses set out in this return, no other expenses of any nature have been incurred in, or for the purpose of, the candidate's candidature at that election.

Signature of Election Agent

Date

I, the above candidate for election in the above Electoral Division, have examined this return respecting election expenses prepared by my election agent in respect of my candidature at that election. I declare to the best of my knowledge and belief that this return is complete and correct as required by law and that, except for the expenses set out in this return, no other expenses of any nature have been incurred in, or for the purpose of, my candidature at that election.

Signature of Candidate

Date

**Delete whichever is inapplicable.*

SECTION A: EXPENSES

(Fill in the total amount of expenses for each category, in Singapore dollars, rounded up to the nearest dollar. Write NIL if there is no expense to declare.)

Description		\$
(a) Election advertising expenses:		
(i)	For print election advertising	
(ii)	For Internet election advertising	
(iii)	For other non-print election advertising	
(b) Election meeting expenses:		
(i)	For rallies	
(ii)	For assembly centres	
(c) Transport expenses		
(d) Office rental and office supplies expenses		
(e) Allowances for election agent, polling agent(s) and counting agent(s)		
(f) Other expenses		
(g) Personal expenses of candidate		
TOTAL		

SECTION B: DISPUTED AND UNPAID CLAIMS

(Fill in the total amount of claims for each category, in Singapore dollars, rounded up to the nearest dollar. Write NIL if there is no claim to declare. If there is insufficient space in any section, attach a separate sheet containing the details.)

(1) DISPUTED CLAIMS		
Name and description of claimant	Subject matter of claim	\$
TOTAL		

(2) UNPAID CLAIMS (in respect of which application has been made or is about to be made to an Election Judge or a Judge of the High Court)		
Name and description of claimant	Subject matter of claim	\$
TOTAL		

SECTION C: NON-RECORDABLE DONATIONS¹

(Provide details of non-recordable donations accepted and particulars of their donors, in chronological order according to the date each donation is received. Write NIL if there is no donation to declare. Include only donations given, spent, lent or provided (whether before or after the candidate became a candidate) for the purposes of the candidate’s election. If there is insufficient space in any section, attach a separate sheet containing the details and particulars.)

Donor’s name² and unique identification number³	Donor’s address⁴	Date of receipt of donation⁵ and recipient’s name (e.g. 28/08/00 by (<u>name</u>))	Value of donation⁵ (in Singapore dollars, rounded up to the nearest dollar)	Description of donation⁵
TOTAL				

¹ Donations that need not be recorded in a donation report under the Political Donations Act (Cap. 236).

² Donor’s name means (a) where the donor is an individual, the donor’s name as specified in the donor’s NRIC; or (b) where the donor is a company, the donor’s registered name under the Companies Act (Cap. 50).

³ Donor’s unique identification number means (a) where the donor is an individual, the donor’s NRIC number; or (b) where the donor is a company, the company’s registration number under the Companies Act.

⁴ Donor’s address means (a) where the donor is an individual, the donor’s address as specified in the donor’s NRIC; or (b) where the donor is a company, the address of the donor’s registered office in Singapore.

⁵ The expressions “donation” and “value of donation” have the meanings given by sections 3, 4 and 5 of the Political Donations Act. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.

SECTION D: RECORDABLE DONATIONS

(Provide details of single and multiple recordable donations accepted and particulars of their donors, in chronological order according to the date each donation is received. Write NIL if there is no donation to declare. Include only donations given, spent, lent or provided (whether before or after the candidate became a candidate) for the purposes of the candidate's election. If there is insufficient space in any section, attach a separate sheet containing the details and particulars.)

(1) SINGLE RECORDABLE DONATIONS				
<i>(Recordable donation means a donation required to be recorded in a donation report under the Political Donations Act. A single recordable donation means a single donation of \$10,000 or more.)</i>				
Donor's name¹ and unique identification number²	Donor's address³	Date of receipt of donation⁴ and recipient's name (e.g. 28/08/00 by <u>(name)</u>)	Value of donation⁴ (in Singapore dollars, rounded up to the nearest dollar)	Description of donation⁴
TOTAL				

¹ Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act.

² Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act.

³ Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.

⁴ The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.

(2) MULTIPLE RECORDABLE DONATIONS				
<i>(Recordable donation means a donation required to be recorded in a donation report under the Political Donations Act. A multiple recordable donation means a donation which, when added to any other donation made by the same donor during the same reporting period under the Political Donations Act, amounts to an aggregate of \$10,000 or more.)</i>				
Donor's name¹ and unique identification number²	Donor's address³	Date of receipt of donation⁴ and recipient's name (e.g. 28/08/00 by <u>(name)</u>)	Value of donation⁴ (in Singapore dollars, rounded up to the nearest dollar)	Description of donation⁴
Sub-total				
Sub-total				
Sub-total				
TOTAL				

¹ Donor's name means (a) where the donor is an individual, the donor's name as specified in the donor's NRIC; or (b) where the donor is a company, the donor's registered name under the Companies Act.

² Donor's unique identification number means (a) where the donor is an individual, the donor's NRIC number; or (b) where the donor is a company, the company's registration number under the Companies Act.

³ Donor's address means (a) where the donor is an individual, the donor's address as specified in the donor's NRIC; or (b) where the donor is a company, the address of the donor's registered office in Singapore.

⁴ The expressions "donation" and "value of donation" have the meanings given by sections 3, 4 and 5 of the Political Donations Act. For a donation-in-kind, the value of the donation is the value of the item at the date of receipt of the item.

List of Subsidiary Legislation under Parliamentary Elections Act amended

No.	Title of Subsidiary Legislation
1	Parliamentary Elections (Election Advertising) (Amendment) Regulations 2020
2	Parliamentary Elections Act (Amendment of First Schedule) Regulations 2020
3	Parliamentary Elections (Excluded Election Advertising) Notification 2020